
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE
SHIRE OF COBAR HELD IN COUNCIL CHAMBERS ON THURSDAY
10 DECEMBER 2020 COMMENCING AT 5:00PM**

PRESENT (FILE C13-2)

Councillors Peter Abbott (Deputy Mayor), Janine Lea-Barrett, Jarrod Marsden, Peter Maxwell, Julie Payne, Harley Toomey, Robert Sinclair and Kate Winders.

OBSERVERS

Messrs Peter Vlatko (General Manager), Scott Casey (Director Infrastructure Services), Kym Miller (Director Finance & Community Services), Garry Ryman (Director Planning and Environmental Services) and Ms Janette Booth (Executive Assistant - General Manager/ Mayor).

MESSAGE FROM THE CHAIR:

In the spirit of open, accessible and transparent government, Cobar Shire Council Ordinary and Committee Meetings are video recorded and webcast. By speaking at a Council or Committee Meeting, members of the public agree to being recorded and webcast. Cobar Shire Council accepts no liability for any defamatory, discriminatory or offensive remarks or gestures that are made during the course of the Council or Committee Meeting. Opinions expressed or statements made by individuals are the opinions or statements of those individuals and do not imply any form of endorsement by Cobar Shire Council.

APOLOGIES (FILE C13-2)

232.12.2020 RESOLVED:

1. That the apologies received from Councillors Lilliane Brady OAM (Mayor) and Peter Yench be accepted.
2. That Councillors Lilliane Brady OAM (Mayor) and Peter Yench be granted a leave of absence.

Clr Sinclair/ Clr Winders

CARRIED

DECLARATIONS OF INTEREST (FILE C12-3)

- Nil.
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CONDOLENCES (FILE M2-3)

- John Henry Martin.

A minutes silence was observed by those in attendance.

**THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 10 DECEMBER 2020**

.....
GENERAL MANAGER

.....
DEPUTY MAYOR

PUBLIC ACCESS SESSION

- Nil.

CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

- 233.12.2020** **RESOLVED:** That the Minutes of the Ordinary Meeting of Council held on Thursday, 26 November 2020 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Sinclair/ Clr Payne **CARRIED**

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5 **AOP REFERENCE: 3.1**
AUTHOR: Mayor, Lilliane Brady OAM

- 234.12.2020** **RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of December 2020.
Clr Marsden/ Clr Payne **CARRIED**

CLAUSE 2A – COBAR SWIMMING CLUB CARNIVAL – DONATION

FILE: D3-1 **AOP REFERENCE: 1.4.5**
AUTHOR: Director of Finance and Community Services, Kym Miller

- 235.12.2020** **RESOLVED:** That no fee applies for the exclusive use of the Cobar Memorial Swimming Pool on Saturday, 5 December 2020 by the Cobar Swimming Club.
Clr Payne/ Clr Lea-Barrett **CARRIED**

CLAUSE 3A – DALTON PARK HORSE COMPLEX RESTROOM FACILITIES TENDER (T3-20-16)

FILE: T3-20-16 **AOP REFERENCE: 3.1.1.3**
AUTHOR: Project Coordinator, Carly Hunter

- 236.12.2020** **RESOLVED:** That a further report regarding the Dalton Park Horse Complex Restroom Facilities Tender (T3-20-16) be considered in the Committee of the Whole Closed Council with the press and public excluded for the reason as stated in Section 10A (2)(d)(i) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed in open Council, prejudice the commercial position of the person who supplied it.
Clr Payne/ Clr Lea-Barrett **CARRIED**

**CLAUSE 4A – COBAR RESERVOIR ROOF UPGRADE TENDER
(T3-20-18)**

FILE: T3-20-18

AOP REFERENCE: 4.1.3.1

AUTHOR: *Water and Sewer Manager, Victor Papierniak*

- 237.12.2020** **RESOLVED:** That a further report concerning the tenders received for the Cobar Reservoir Roof Upgrade be considered in the Committee of a Whole Closed Council with the press and public excluded for the reason as stated in Section 10A (2)(d)(i) of the *Local Government Act 1993* as it contains commercial information of a confidential nature that would, if disclosed in open Council, prejudice the commercial position of the person who supplied it.
Clr Payne/ Clr Lea-Barrett **CARRIED**

**CLAUSE 5A – CONSTRUCTION OF FOOTPATHS – COBAR
(T3-20-9)**

FILE: T3-20-9

AOP REFERENCE: 4.3.2

AUTHOR: *Roads Manager, Kane Kreeck*

- 238.12.2020** **RESOLVED:** That the report regarding the Construction of Footpaths be considered in the Committee of the Whole Closed Council with the press and public excluded for the reason as stated in Section 10A (2) (d) (g) of the *Local Government Act 1993*, as discussions of this information in Open Council would prejudice the commercial position of the person who supplied it.
Clr Payne/ Clr Lea-Barrett **CARRIED**

**CLAUSE 1B – DEVELOPMENT APPROVALS: 18 NOVEMBER
2020 – 1 DECEMBER 2020**

FILE: T5-1

AOP REFERENCE: 1.6.3.1

AUTHOR: *Director of Planning & Environmental Services, Garry Ryman*

- 239.12.2020** **RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 18 November 2020 – 1 December 2020 be received and noted.
Clr Sinclair/ Clr Payne **CARRIED**

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Peter Vlatko*

- 240.12.2020** **RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 1400, 1412, 1413, 1415 and 1416.
Clr Lea-Barrett/ Clr Payne **CARRIED**

CLAUSE 3B – INVESTMENT REPORT AS AT 30 NOVEMBER 2020

FILE: B2-7

AOP REFERENCE: 3.1.1.7

AUTHOR: *Financial Accountant, Sandra Davey*

- 241.12.2020** **RESOLVED:** That Council receive and note the Investment Report as at 30 November 2020.
Clr Lea-Barrett/ Clr Payne **CARRIED**
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CLAUSE 4B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 30 NOVEMBER 2020

FILE: B2-7

AOP REFERENCE: 3.1.1.5

AUTHOR: *Financial Accountant, Sandra Davey*

- 242.12.2020** **RESOLVED:** That Council receive and note the Bank Reconciliation, Monthly Total Funds Available, Cash Flow and Loan Facility Report as at 30 November 2020.
Clr Payne/ Clr Lea-Barrett **CARRIED**
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CLAUSE 5B – MEETING MINUTES

FILE: A12-4 & L5-26

AOP REFERENCE: 3.1

AUTHOR: *Executive Assistant General Manager/ Mayor, Janette Booth*

- 243.12.2020** **RESOLVED:** That the Minutes of the Local Traffic Committee and Rural Roads Advisory Committee and their Status Reports be received and noted.
Clr Sinclair/ Clr Toomey **CARRIED**
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CLAUSE 6B – ENGINEERING WORKS REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

AUTHOR: *General Manager, Peter Vlatko*

- 244.12.2020** **RESOLVED:** That the information contained in the Engineering Works Report detailing maintenance on Shire and Regional Roads, State Highways, Water Sewer Mains, Resources for Regions Projects and other Major Grant Works be received and noted.
Clr Lea-Barrett/ Clr Payne **CARRIED**
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CLAUSE 7B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31

AOP REFERENCE: 4.3.2

AUTHOR: *General Manager, Peter Vlatko*

245.12.2020 RESOLVED: That the information detailing the Expenditure for Council's Roads Network be received and noted.
Clr Maxwell/ Clr Payne **CARRIED**

CLAUSE 8B – UPDATE ON INFRASTRUCTURE PROJECT FINANCES

FILE: G4-29

AOP REFERENCE: 4.1.3.3 & 4.4.4.2

AUTHOR: *Water and Sewer Manager, Victor Papierniak-Wojtowicz*

246.12.2020 RESOLVED: That Council receive and note the updated financial information for the three Restart NSW Resources for Regions infrastructure projects.
Clr Lea-Barrett/ Clr Toomey **CARRIED**

CLAUSE 9B – GRANT FUNDING

FILE: G4-17

AOP REFERENCE: 3.1.1.3

AUTHOR: *Grants Officer, Brytt Moore*

247.12.2020 RESOLVED: That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.
Clr Sinclair/ Clr Payne **CARRIED**

CLAUSE 10B – RATES RECONCILIATION REPORT AS AT 30 NOVEMBER 2020

FILE: R2-1

AOP REFERENCE: 3.1.1.6

AUTHOR: *Office Coordinator, Jo-Louise Brown*

248.12.2020 RESOLVED: That the Rates Reconciliation Report as at the 30 November 2020 be received and noted.
Clr Maxwell/ Clr Payne **CARRIED**

COMMITTEE OF THE WHOLE (CLOSED COUNCIL)

249.12.2020 RESOLVED: That Council move into the Committee of the Whole with the press and public excluded at 5:11pm as matters to be discussed are considered to be confidential vide *Section 10A (2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would if disclosed in open Council would prejudice the commercial position of the person who supplied it.*
Clr Marsden/ Clr Sinclair **CARRIED**

Council resumed in Open Council at 5:19pm.

RECOMMENDATIONS TO COUNCIL FROM COMMITTEE OF THE WHOLE (CLOSED COUNCIL)

THIS IS PAGE 5 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 10 DECEMBER 2020

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GENERAL MANAGER

.....
DEPUTY MAYOR

250.12.2020 RESOLVED: That the recommendations of the Committee of the Whole be adopted.

Clr Payne/ Clr Lea-Barrett

CARRIED

Clr Jarrod Marsden declared a non-pecuniary interest and left the meeting at 5:15pm as he is the President of the Cobar Miners Race Club.

Mr Kym Miller declared a non-pecuniary interest and left the meeting at 5:15pm as he is the Treasurer of the Cobar Miners Race Club.

**CLAUSE 1C – DALTON PARK HORSE COMPLEX
RESTROOM FACILITIES TENDER (T3-20-16)**

FILE: T3-20-16

AOP REFERENCE: 3.1.1.3

AUTHOR: *Project Coordinator, Carly Hunter*

42COW.12.2020 RESOLVED:

1. That due to the price of tenders all exceeding the project budget no tender be awarded.
2. That the current design be abandoned, and a cost-effective design be sourced and procured as per Council Procurement Policy.
3. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

Clr Sinclair/ Clr Winders

CARRIED

Clr Marsden and Mr Miller returned to the meeting at 5:17pm.

**CLAUSE 2C – COBAR RESERVOIR ROOF UPGRADE
TENDER (T3-20-18)**

FILE: T3-20-18

AOP REFERENCE: 4.1.3.1

AUTHOR: *Water and Sewer Manager, Victor Papierniak*

43COW.12.2020 RESOLVED:

1. That the tender submitted by Steelworks Engineering Pty Ltd (related to the entity, Synergy Engineering Australia), for the Recommended Tender Amount of 1,411,425.14 (including GST), be accepted for Contract No. 10032751 for Cobar Reservoir Roof Upgrade.
2. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

Clr Lea-Barrett/ Clr Payne

CARRIED

**THIS IS PAGE 6 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 10 DECEMBER 2020**

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GENERAL MANAGER

.....
DEPUTY MAYOR

**CLAUSE 3C – CONSTRUCTION OF FOOTPATHS TENDER –
COBAR (T3-20-9)**

FILE: T3-20-9

AOP REFERENCE: 4.3.2

AUTHOR: *Roads Manager, Kane Kreeck*

44COW.12.2020 RESOLVED:

1. That Council accepts the tender from Smartin Building Pty Ltd for \$679,240.20 (ex GST) for the Construction of Footpaths.
2. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

Clr Sinclair/ Clr Payne

CARRIED

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5:20PM

CONFIRMED.....

MINUTE NO.....

DEPUTY MAYOR.....