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

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**PRESENT (FILE C13-2)**

Councillors Lilliane Brady OAM (Mayor), Peter Abbott (Deputy Mayor), Peter Maxwell, Julie Payne, Harley Toomey, Robert Sinclair, Kate Winders and Peter Yench.

**OBSERVERS**

Messrs Kym Miller (Acting General Manager), Garry Ryman (Director of Planning and Environmental Services) and Ms Janette Booth (Executive Assistant - General Manager/ Mayor).

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**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.*

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**APOLOGIES (FILE C13-2)**

**129.7.2020**      **RESOLVED:** That the apologies received from Councillors Janine Lea-Barrett and Jarrod Marsden be accepted.  
*Clr Sinclair/ Clr Toomey* **CARRIED**

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**DECLARATIONS OF INTEREST (FILE C12-3)**

- Nil.

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**CONDOLENCES (FILE M2-3)**

- James Nigel Bruce.

A minutes silence was observed by those in attendance.

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**PUBLIC ACCESS SESSION**

- Nil.

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**THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 JULY 2020**

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.....  
ACTING GENERAL MANAGER

.....  
MAYOR

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**Councillor Maxwell arrived at the meeting at 5:01pm.**

**CONFIRMATION OF MINUTES**

**ORDINARY MEETING OF COUNCIL (FILE C13-11)**

**130.7.2020**     **RESOLVED:** That the Minutes of the Ordinary Meeting of Council held on Thursday, 25 June 2020 be confirmed as a true and correct record of the proceedings of that meeting.  
*Clr Abbott/ Clr Sinclair* **CARRIED**

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**CONFIRMATION OF MINUTES**

**EXTRA ORDINARY MEETING OF COUNCIL (FILE C13-11)**

**131.7.2020**     **RESOLVED:** That the Minutes of the Extra Ordinary Meeting of Council held on Thursday, 2 July 2020 be confirmed as a true and correct record of the proceedings of that meeting.  
*Clr Maxwell/ Clr Sinclair* **CARRIED**

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**CLAUSE 1A – MAYORAL REPORT**

**FILE: C13-1-5**

**AOP REFERENCE: 3.1**

**AUTHOR: Mayor, Lilliane Brady OAM**

**MOTION:** That Council suspend standing orders to discuss Clause 1A – Mayoral Report.

*Clr Yench/ Clr Payne*

**LOST**

**132.7.2020**     **RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of July 2020.

*Clr Abbott/ Clr Toomey*

**CARRIED**

**A Division was called:**

***Division:***

***For***

Clr Brady OAM

Clr Abbott

Clr Maxwell

Clr Sinclair

Clr Toomey

Clr Winders

***Against***

Clr Payne

Clr Yench

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**CLAUSE 2A – COBAR WATER BOARD WATER ACCESS AGREEMENT**

**FILE: WB1-35**

**AOP REFERENCE: 3.3.4.2**

**AUTHOR: General Manager, Peter Vlatko**

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THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 JULY 2020

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ACTING GENERAL MANAGER

.....  
MAYOR

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**133.7.2020**      **RESOLVED:** That a further report concerning the Cobar Water Board Water Access Agreement 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 Sinclair* **CARRIED**

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**CLAUSE 3A – RESOURCES FOR REGIONS PROGRAM –  
ROUND 7**

**FILE:** G4-29 **AOP REFERENCE: 3.1.1.3**  
**AUTHOR:** *General Manager, Peter Vlatko*

**134.7.2020**      **RESOLVED:** That Council approve the following applications for Resources for Regions funding Round 7 – \$4,425,921:

1. \$3 million – Install additional water reticulation lines for the town of Cobar;
2. \$1,375,921 – Stage 1 of Old Industrial Estate – drainage works;
3. \$50,000 – Business Plan for future projects – Upgrade of Cobar Memorial Swimming Pool toilets and kiosk.

*Clr Abbott/ Clr Payne* **CARRIED**

**A Division was called:**

***Division:***

***For***

Clr Brady OAM  
Clr Abbott  
Clr Maxwell  
Clr Payne  
Clr Sinclair  
Clr Toomey  
Clr Winders

***Against***

Clr Yench

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**CLAUSE 4A – DISABILITY INCLUSION PLAN 2020-2024**

**FILE:** L5-22-1 **AOP REFERENCE: 3.3**  
**AUTHOR:** *General Manager, Peter Vlatko*

**135.7.2020**      **RESOLVED:** That Council adopts the Disability Inclusion Action Plan 2020-2024.  
*Clr Sinclair/ Clr Payne* **CARRIED**

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**CLAUSE 5A – CARRIED FORWARD BUDGET ITEMS**

**FILE:** L5-22 **AOP REFERENCE: 3.1**  
**AUTHOR:** *Director Finance and Community Services, Kym Miller*

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THIS IS PAGE 3 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 JULY 2020

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**136.7.2020 RESOLVED:**

1. That Council note the items 1 and 3 in the attached schedule.
2. That the items 2 and 4 in the attached schedule be carried forward into 2020-2021 financial year.

*Clr Payne/ Clr Sinclair*

**CARRIED**

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**CLAUSE 6A – EXPRESSION OF INTEREST REPLACEMENT OF ENTERPRISE RESOURCE PLANNING (ERP) SOFTWARE (T3-20-5)**

**FILE: T3-20-5**

**AOP REFERENCE: 3.1.2.5**

**AUTHOR: *Financial Accountant, Sandra Davey***

- 137.7.2020 RESOLVED:** That the report regarding the EOI for Replacement of ERP Software 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 Sinclair/ Clr Abbott*

**CARRIED**

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**CLAUSE 7A – LOCAL ROADS AND COMMUNITY INFRASTRUCTURE**

**FILE: G4-47**

**AOP REFERENCE: 3.1.1.4**

**AUTHOR: *Grants Officer, Brytt Moore***

**138.7.2020 RESOLVED:**

1. That Council approve the following applications for Local Roads and Community Infrastructure – \$1,085,211:
  1. \$300,000 – Towards Drummond Park upgrades, including shade and rotunda repairs;
  2. \$350,000 – Town CCTV;
  3. \$175,000 – Sealing the carpark behind the Grand Hotel/Landmark Russell including drainage and lighting;
  4. \$115,000 – Sealing the Town Hall Cinema carpark including drainage and lighting;
  5. \$145,211 – Town beautification, including but not limited to a Cobar sign on the North entrance to Cobar, wall mural, various planting and landscaping upgrades.
2. That the amount allocated to the fifth project should decrease to ensure projects 1 – 4 are carried out if firm quotations come in above these estimated figures.

*Clr Payne/ Clr Sinclair*

**CARRIED**

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**THIS IS PAGE 4 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 JULY 2020**

.....  
**ACTING GENERAL MANAGER**

.....  
**MAYOR**

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**CLAUSE 8A – RATE ABANDONMENTS 2019/2020**

**FILE: R2-1**

**AOP REFERENCE: 3.1.1.2**

**AUTHOR: *Office Coordinator, Jo Louise Brown***

**139.7.2020 RESOLVED:** That Council write-off rates and charges totalling \$374,021.51 for 2019/2020 as follows, subject to Auditors approval:

Pension Rebates	101,534.41
Sale of Land	253,070.35
Hidden Leaks Allowance	10,509.15
Change in Rateability	6,346.03
Category/Service Changes	<u>2,561.57</u>
	\$374,021.51

***Clr Payne/ Clr Abbott***

**CARRIED**

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**CLAUSE 9A – COBAR MINERS MEMORIAL PROJECT –  
VERSION 3 – ENVIRONMENTAL ASSESSMENT**

**FILE: P1-17**

**AOP REFERENCE: 1.6.3.1**

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

**140.7.2020 RESOLVED:**

1. That Council grants approval for the Cobar Miners Memorial Project to proceed pursuant to Section 5.5 of the *Environmental Planning and Assessment Act 1979*.
2. That voting on this matter be recorded on the basis of an automatic division as required by legislation.

***Clr Payne/ Clr Abbott***

**CARRIED**

**A Division was called:**

***Division:***

***For***

Clr Brady OAM  
Clr Abbott  
Clr Maxwell  
Clr Payne  
Clr Sinclair  
Clr Toomey  
Clr Winders  
Clr Yench

***Against***

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**CLAUSE 10A – BULK WATER TREATMENT CHEMICALS  
(T112021OROC) TENDER**

**FILE: T3-2**

**AOP REFERENCE: 3.3.4.1**

**AUTHOR: *Water and Sewer Graduate, Aldrin Lobo***

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THIS IS PAGE 5 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 JULY 2020

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ACTING GENERAL MANAGER

.....  
MAYOR

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**141.7.2020**      **RESOLVED:** That a further report concerning the tenders received for the procurement Bulk Water Treatment Chemicals (T112021OROC) 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 Sinclair*      **CARRIED**

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**CLAUSE 1B – DEVELOPMENT APPROVALS: 25 JUNE 2020 – 23 JULY 2020**

**FILE: T5-1**      **AOP REFERENCE: 1.6.3.1**  
**AUTHOR: *Director of Planning & Environmental Services, Garry Ryman***

**WITHDRAWN**

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**CLAUSE 2B – MONTHLY STATUS REPORT**

**FILE: C13-10**      **AOP REFERENCE: 3.1**  
**AUTHOR: *General Manager, Peter Vlatko***

**MOTION:** That Status Report Action Item 1180 be accelerated by Council Staff and be included in the 10 Year Plan.

*Clr Yench/ Clr Payne*      **LOST**

**A Division was called:**

***Division:***

***For***

Clr Payne

Clr Yench

***Against***

Clr Brady OAM

Clr Abbott

Clr Maxwell

Clr Sinclair

Clr Toomey

Clr Winders

**142.7.2020**      **RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 1092 Part 1 and Part 3, 1383, 1384, 1386, 1387 and 1388.  
*Clr Maxwell/ Clr Payne*      **CARRIED**

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**CLAUSE 3B – INVESTMENT REPORT AS AT 30 JUNE 2020**

**FILE: B2-7**      **AOP REFERENCE: 3.1.1.7**  
**AUTHOR: *Financial Accountant, Sandra Davey***

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**143.7.2020**    **RESOLVED:** That Council receive and note the Investment Report as at 30 June 2020.  
*Clr Abbott/ Clr Payne* **CARRIED**

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**CLAUSE 4B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 30 JUNE 2020**

**FILE: B2-7** **AOP REFERENCE: 3.1.1.5**

**AUTHOR: *Financial Accountant, Sandra Davey***

**144.7.2020**    **RESOLVED:** That Council receive and note the Bank Reconciliation, Monthly Total Funds Available, Cash Flow and Loan Facility Report as at 30 June 2020.  
*Clr Abbott/ Clr Payne* **CARRIED**

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**CLAUSE 5B – WATER FUND PROJECTED DEFICIT 2019/2020**

**FILE: L5-22** **AOP REFERENCE: 3.3**

**AUTHOR: *Director of Finance and Community Services, Kym Miller***

**145.7.2020**    **RESOLVED:** That the report on Water Fund Projected Deficit for 2019/2020 be received and noted.  
*Clr Payne/ Clr Abbott* **CARRIED**

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**CLAUSE 6B – ARREARS OF RATE BOOK 2019/2020**

**FILE: R2-1** **AOP REFERENCE: 3.1.1.2**

**AUTHOR: *Office Coordinator, Jo Louise Brown***

**146.7.2020**    **RESOLVED:** That Council receives and notes the information contained within this report.  
*Clr Sinclair/ Clr Maxwell* **CARRIED**

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**CLAUSE 7B – PURCHASING ANALYSIS OF CONTRACTORS**

**FILE: T3-15-6** **AOP REFERENCE: 3.3.4**

**AUTHOR: *Financial Accountant, Sandra Davey***

**147.7.2020**    **RESOLVED:** That Council receive and note the information contained within this report.  
*Clr Maxwell/ Clr Payne* **CARRIED**

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**CLAUSE 8B – EXPENDITURE FOR ROADS NETWORK**

**FILE: R5-31** **AOP REFERENCE: 4.3.2**

**AUTHOR: *General Manager, Peter Vlatko***

**148.7.2020**    **RESOLVED:** That the information detailing the Expenditure for Council's Roads Network be received and noted.  
*Clr Sinclair/ Clr Toomey* **CARRIED**

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THIS IS PAGE 7 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 JULY 2020

.....  
ACTING GENERAL MANAGER

.....  
MAYOR

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**CLAUSE 9B – ENGINEERING WORKS REPORT**

**FILE: C6-20-2**

**AOP REFERENCE: 4.3.2**

**AUTHOR: *Acting General Manager, Kym Miller***

- 149.7.2020 RESOLVED:** That the information contained in the Engineering Works Report detailing maintenance on Shire and Regional Roads, State Highways and Water Sewer Mains, Resources for Regions Projects and other Major Grant Works be received and noted.  
***Clr Payne/ Clr Abbott*** **CARRIED**
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**CLAUSE 10B – 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***

- 150.7.2020 RESOLVED:** That Council receive and note the updated financial information for the three Restart NSW Resources for Regions infrastructure projects.  
***Clr Sinclair/ Clr Payne*** **CARRIED**
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**CLAUSE 11B – FOURTH QUARTERLY REVIEW OF THE ANNUAL OPERATIONAL PLAN 2019/2020 (Q4)**

**FILE: L5-22**

**AOP REFERENCE: 3.1**

**AUTHOR: *General Manager, Peter Vlatko***

- 151.7.2020 RESOLVED:** That Council receives and notes the fourth quarterly review of the 2019/2020 Annual Operational Plan, covering the period April to June 2020.  
***Clr Payne/ Clr Abbott*** **CARRIED**
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**CLAUSE 12B – GRANT FUNDING**

**FILE: G4-17**

**AOP REFERENCE: 3.1.1.3**

**AUTHOR: *Grants Officer, Brytt Moore***

- 152.7.2020 RESOLVED:** That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.  
***Clr Payne/ Clr Abbott*** **CARRIED**
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**CLAUSE 13B – RATES RECONCILIATION REPORT AS AT 30 JUNE 2020**

**FILE: R2-1**

**AOP REFERENCE: 3.1.1.6**

**AUTHOR: *Office Coordinator, Jo-Louise Brown***

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THIS IS PAGE 8 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 JULY 2020

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ACTING GENERAL MANAGER

.....  
MAYOR



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**153.7.2020 RESOLVED:** That the Rates Reconciliation Report as at the 30 June 2020 be received and noted.  
*Clr Sinclair/ Clr Abbott* **CARRIED**

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**COMMITTEE OF THE WHOLE (CLOSED COUNCIL)**

**154.7.2020 RESOLVED:** That Council move into the Committee of the Whole with the press and public excluded at 6:04pm 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 Payne/ Clr Sinclair* **CARRIED**

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**Council resumed in Open Council at 6:12pm.**

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

**155.7.2020 RESOLVED:** That the recommendations of the Committee of the Whole be adopted.  
*Clr Sinclair/ Clr Toomey* **CARRIED**

**CLAUSE 1C – COBAR WATER BOARD WATER ACCESS AGREEMENT**

**FILE: WB1-35** **AOP REFERENCE: 3.3.4.2**  
**AUTHOR: General Manager, Peter Vlatko**

**32COW.7.2020 RESOLVED:** That Council authorise the Mayor and General Manager under the Common Seal of Council to sign the Cobar Water Boards Water Access Agreement.  
*Clr Sinclair/ Clr Payne* **CARRIED**

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**CLAUSE 2C – EXPRESSION OF INTEREST – REPLACEMENT OF ENTERPRISE RESOURCE PLANNING (ERP) SOFTWARE (T3-20-5)**

**FILE: T3-20-5** **AOP REFERENCE: 3.1.2.5**  
**AUTHOR: Financial Accountant, Sandra Davey**

**33COW.7.2020 RESOLVED:**

1. That the following companies are invited to Tender for the Replacement of ERP Software:
  - IT Vision Australia;
  - Magiq Software Pty Ltd;
  - Open Office;
  - Open Systems Technol;
  - SolOrient Pty Ltd.

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**THIS IS PAGE 9 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 JULY 2020**

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.....  
**ACTING GENERAL MANAGER**

.....  
**MAYOR**

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2. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

*Clr Sinclair/ Clr Payne*

**CARRIED**

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**CLAUSE 3C – BULK WATER TREATMENT CHEMICALS  
TENDER (T112021OROC)**

**FILE: T3-2**

**AOP REFERENCE: 3.3.4.1**

**AUTHOR: *Water and Sewer Graduate, Aldrin Lobo***

**34COW.7.2020 RESOLVED:**

1. That Council accepts recommendation 1 of the Regional Procurement Tender Evaluation Committee to award Ixom Operations Pty Ltd with the contract to supply chlorine gas between the period from 1 August 2020 to 30 June 2022.
2. That Council accepts recommendation 9 of the Regional Procurement Tender Evaluation Committee to allow a 12-month extension based on satisfactory supplier performance, which may take the contract through to 30 June 2023.
3. That Council accepts the recommendation of the In-house Tender Evaluation Committee to award BTX Group with the contract to supply of the following chemicals between the period from 1 August 2020 until 30 June 2022:
  - Potassium Permanganate;
  - PAC (Powdered Activated Carbon);
  - Sodium Fluoride;
  - Aluminium Chlorohydrate;
  - Dense Soda Ash;
  - Polymer.
4. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

*Clr Payne/ Clr Abbott*

**CARRIED**

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**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6:14PM**

**CONFIRMED.....**

**MINUTE NO.....**

**MAYOR.....**

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**THIS IS PAGE 10 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 JULY 2020**

.....  
**ACTING GENERAL MANAGER**

.....  
**MAYOR**