
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF
THE SHIRE OF COBAR HELD IN THE COUNCIL CHAMBERS ON
THURSDAY 24 MAY 2018 COMMENCING AT 5:00PM**

PRESENT (FILE C13-2)

Councillors Lilliane Brady OAM (Mayor), Peter Abbott (Deputy Mayor), Tracey Kings, Janine Lea-Barrett, Chris Lehmann (arrived at 5:14pm), Jarrod Marsden, Greg Martin, Peter Maxwell, Bob Sinclair, Harley Toomey and Peter Yench.

OBSERVERS

Messrs Peter Vlatko (General Manager), Kym Miller (Director of Finance and Community Services), Garry Ryman (Director of Planning and Environmental Services), Stephen Taylor (Director of Engineering Services) and Ms Janette Booth (Executive Assistant – General Manager/Mayor) and Ms Brytt Moore (Administration Officer).

APOLOGIES (FILE C13-2)

103.5.2018 **RESOLVED:** That the apology received from Councillor Julie Payne be accepted.
Clr Marsden/ Clr Lea-Barrett **CARRIED**

DECLARATIONS OF INTEREST (FILE C12-3)

- Nil.

CONDOLENCES (FILE M2-3)

- Nancy Pardy;
- Shirley Elizabeth Johnson;
- John Francisco.

A minutes silence was observed by those in attendance.

PUBLIC ACCESS FORUM

- Update on the Running on Empty Festival – John DeBruin & Ben Hewlett.

CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 24 MAY 2018

.....
GENERAL MANAGER

.....
MAYOR

104.5.2018 **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday, 26 April 2018 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Lea-Barrett/ Clr Abbott **CARRIED**

NOTICE OF MOTION – ANNUAL RUBBISH COLLECTION DAY

FILE: W1-2, C13-7 **AOP REFERENCE: 5.1.2.1**
AUTHOR: *Councillor, Peter Yench*

105.5.2018 **RESOLVED:** That Council investigate the cost/ feasibility of providing an annual rubbish collection day to residents in Cobar, with a report to be provided back to Council and consideration of future budget allocations.
Clr Yench/ Clr Kings **CARRIED**

NOTICE OF MOTION – REGIONAL TELECOMMUNICATIONS REVIEW

FILE: C13-7, T2-1 **AOP REFERENCE: 4.2.1**
AUTHOR: *Councillor, Peter Yench*

106.5.2018 **RESOLVED:**

1. That Council submit an application as part of the Regional Telecommunications Review into Black Spot phone coverage in the Cobar district.
2. That Council invite the six (6) Committee Members to have a Meeting with Cobar Shire Council to further discuss the review.

Clr Yench/ Clr Lea-Barrett **CARRIED**

NOTICE OF MOTION – PURCHASE OF CROWN LAND

FILE: A9-17, C12-1, C13-7 **AOP REFERENCE: 2.1 & 5.2.3**
AUTHOR: *Councillor, Peter Yench*

107.5.2018 **RESOLVED:** That Council consider the feasibility of establishing a transport hub/ bypass/ industrial centre in Cobar in the land denoted on the attached map.
Clr Yench/ Clr Kings **CARRIED**

NOTICE OF MOTION – COMMUNITY CONSULTATIVE COMMITTEE – INLAND RAIL

FILE: R1-1 **AOP REFERENCE: 4.3.3**
AUTHOR: *Councillor, Janine Lea-Barrett*

WITHDRAWN

108.5.2018 **RESOLVED:** That discussions be held in relation to the Inland Rail proposal and the impact on Cobar be put to a Councillor Workshop.
Clr Sinclair/ Clr Kings **CARRIED**

109.5.2018 **RESOLVED:** That Council contact the Inland Rail Authority to defer a decision on membership of the NSW Committee due to lack of time to consult with the community.
Clr Yench/ Clr Lea-Barrett **CARRIED**

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5

AOP REFERENCE: 3.1

AUTHOR: Mayor, Councillor Lilliane Brady OAM

110.5.2018 **RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of May 2018.
Clr Martin/ Clr Toomey **CARRIED**

CLAUSE 2A – JOINT ORGANISATION UPDATE

FILE: L5-24

AOP REFERENCE: 1.1.2

AUTHOR: General Manager, Peter Vlatko

111.5.2018 **RESOLVED:** In accordance with Part 7 of Chapter 12 of the *Local Government Act 1993 (Act)*, the Cobar Shire Council (**Council**) resolves:

1. That the Council inform the Minister for Local Government (**Minister**) of the Council's endorsement of the Minister recommending to the Governor the establishment of a Joint Organisation (**Joint Organisation**) in accordance with this resolution.
2. To approve the inclusion of the Council's area in the Joint Organisation's area.
3. That the Joint Organisation be established to cover the Council's area and any one or more of the following council areas:
 - a) Bourke Shire Council;
 - b) Brewarrina Shire Council;
 - c) Cobar Shire Council;
 - d) Walgett Shire Council.
4. That the General Manager provide the Minister with a copy of this resolution including the date on which Council made this resolution.

Clr Abbott / Clr Sinclair

CARRIED

Clr Toomey left the meeting at 5:38pm and returned at 5:39pm.

A Division was called:

For:

*Clr Lilliane Brady OAM
Clr Peter Abbott
Clr Tracey Kings
Clr Janine Lea-Barrett
Clr Christopher Lehmann
Clr Greg Martin
Clr Peter Maxwell
Clr Bob Sinclair
Clr Harley Toomey
Clr Peter Yench*

Against:

Clr Jarrod Marsden

CLAUSE 3A – BANK GUARANTEE FACILITY – AFFIXATION OF COMMON SEAL, LDR1078

FILE: B2-2, A10-41

AOP REFERENCE: 3.1

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

- 112.5.2018 RESOLVED:** That Council approve the affixation of Council's seal on the Bank Guarantee Facility between Cobar Shire Council and National Australia Bank (NAB).
Clr Martin/ Clr Lea-Barrett **CARRIED**

CLAUSE 4A – QUARTER 3 2017/2018 BUDGET REVIEW

FILE: L5-22

AOP REFERENCE: 3.3

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

- 113.5.2018 RESOLVED:**
1. That the capital budget for 2017/2018 is revised by the amount detailed in the attachment to this report which is shown as Attachment 1.
 2. That the operating budget for 2017/2018 is revised by the amount detailed in the attachment to this report which is shown as Attachment 2.
 3. That the actions for budget repair beyond 2017/2018 be received and noted.
- Clr Lea-Barrett/ Clr Abbott*** **CARRIED**

CLAUSE 5A – REPORT ON THE FINDINGS BY THE INDEPENDENT REVIEWER OF THE CODE OF CONDUCT COMPLAINT BY CR L BRADY OAM AGAINST CR P YENCH

FILE: C12-5

AOP REFERENCE: 3.1.5

AUTHOR: *Director of Finance and Community Services, (Code of Conduct Complaints Coordinator), Kym Miller*

WITHDRAWN

CLAUSE 6A – INVITATION TO JOIN SERVICES NSW EASY TO DO BUSINESS PROGRAM

FILE: D2-9

AOP REFERENCE: 2.1.1

AUTHOR: *Senior Projects Officer, Angela Shepherd*

- 114.5.2018 RESOLVED:** That Council resolves to join the Easy to do Business program run by Services NSW to assist local businesses.
Clr Lea-Barrett/ Clr Kings **CARRIED**
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CLAUSE 7A – RESULTS OF REQUEST FOR TENDER FOR A PROVIDER FOR THE DESIGN AND SUPPLY OF EQUIPMENT FOR DRUMMOND PARK PLAYGROUND UPGRADE

FILE: T3-18-2

AOP REFERENCE: 1.5.2.3

AUTHOR: *Senior Projects Officer, Angela Shepherd*

- 115.5.2018 RESOLVED:** That the tenders received for the Drummond Park Playground Upgrade be considered in 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 discussions of this matter in open Council would prejudice the commercial position of the person who supplied it.
Clr Abbott/ Clr Kings **CARRIED**
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CLAUSE 8A – GRAVEL CRUSHING CONTRACT

FILE: T3-13-3

AOP REFERENCE: 4.3.1

AUTHOR: *Director of Engineering Services, Stephen Taylor*

- 116.5.2018 RESOLVED:** That as a matter of urgency Council consider this report on the gravel crushing contract.
Clr Kings/ Clr Yench **CARRIED**

- 117.5.2018 RESOLVED:** That Council extend Contract C14/15-04; ‘Crushing of Gravel within Cobar Shire’ to the end of crushing Gravel required for the RMS ‘Musheroo Project’ in the Seventy Eight Mile Pit.
Clr Kings/ Clr Yench **CARRIED**
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CLAUSE 1B – DEVELOPMENT APPROVALS: 18 APRIL 2018 - 16 MAY 2018

FILE: T5-1

AOP REFERENCE: 1.6.3.1

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

- 118.5.2018 RESOLVED:** That the information detailing the Complying Development Certificate, Local Development and Construction Certificate approvals for the period 18 April 2018 – 16 May 2018 be received and noted.
Clr Abbott/ Clr Lea-Barrett **CARRIED**
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CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Peter Vlatko*

- 119.5.2018 RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 971, 1122, 1149, 1151, 1154, 1155, 1156 Part 1, 1161, 1164 Part 1 and 1165.
Clr Lea-Barrett / Clr Abbott **CARRIED**
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CLAUSE 3B – INVESTMENT REPORT AS AT 30 APRIL 2018

FILE: B2-7

AOP REFERENCE: 3.1.1.7

AUTHOR: *Finance Manager, Neil Mitchell*

MOTION: That Council withdraw \$1 million from its investment to be set aside for subsidising the cost of water to the Cobar ratepayers.

Clr Yench/ Clr Lea-Barrett

- 120.5.2018 RESOLVED:** That the Motion be put.
Clr Sinclair Clr Abbott **CARRIED**

The Motion was put.

MOTION: That Council withdraw \$1 million from its investment to be set aside for subsidising the cost of water to the Cobar ratepayers.

Clr Yench/ Clr Lea-Barrett

LOST

A Division was called:

For:

Clr Peter Yench

Against:

Clr Lilliane Brady OAM

Clr Peter Abbott

Clr Tracey Kings

Clr Janine Lea-Barrett

Clr Christopher Lehmann

Clr Greg Martin

Clr Peter Maxwell

Clr Bob Sinclair

Clr Harley Toomey

121.5.2018 RESOLVED: That Council receive and note the Investment Report as at 30 April 2018.
Clr Abbott/ Clr Lea-Barrett **CARRIED**

A Division was called:

For:

*Clr Lilliane Brady OAM
Clr Peter Abbott
Clr Tracey Kings
Clr Janine Lea-Barrett
Clr Christopher Lehmann
Clr Greg Martin
Clr Peter Maxwell
Clr Bob Sinclair
Clr Harley Toomey*

Against:

*Clr Jarrod Marsden
Clr Peter Yench*

CLAUSE 4B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 30 APRIL 2018

FILE: B2-7

AOP REFERENCE: 3.1.1.5

AUTHOR: *Finance Manager, Neil Mitchell*

122.5.2018 RESOLVED: That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report as at 30 April 2018.
Clr Abbott/ Clr Lea-Barrett **CARRIED**

CLAUSE 5B – MEETING MINUTES

FILE: C8-6-4, A12-4 & C8-17

AOP REFERENCE: 3.1

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

123.5.2018 RESOLVED: That the Minutes and Status Report of the Rural Roads Advisory Committee Meeting be received and noted.
Clr Martin/ Clr Sinclair **CARRIED**

Clr Tracey Kings left the meeting at 6:29pm.

CLAUSE 6B – UPDATE ON INFRASTRUCTURE PROJECT FINANCES

FILE: G4-29

AOP REFERENCE: 4.1.4.2

AUTHOR: *Director of Engineering Services, Stephen Taylor*

124.5.2018 RESOLVED: That Council receive and note the updated financial information for the two Restart NSW Resources for Regions infrastructure projects.
Clr Lea-Barrett/ Clr Sinclair **CARRIED**

Clr Tracey Kings returned to the meeting at 6:31pm.

THIS IS PAGE 7 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 24 MAY 2018

CLAUSE 7B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31

AOP REFERENCE: 4.3.2

AUTHOR: *Director of Engineering Services, Stephen Taylor*

- 125.5.2018 RESOLVED:** That the information detailing the Expenditure for Council's Roads Network be received and noted.
Clr Sinclair/ Clr Lea-Barrett **CARRIED**
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CLAUSE 8B – ENGINEERING WORKS REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

AUTHOR: *Director of Engineering Services, Stephen Taylor*

- 126.5.2018 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 Lea-Barrett/ Clr Sinclair **CARRIED**

Clr Peter Maxwell left the Meeting at 6:44pm.

CLAUSE 9B – ANALYSIS OF PLANT AND EQUIPMENT HIRE AND TRADES AND MISCELLANEOUS SERVICES REGISTERS

FILE: T3-15-6, P3-19-4

AOP REFERENCE: 3.3.4

AUTHOR: *Director of Engineering Services, Stephen Taylor*

- 127.5.2018 RESOLVED:** That Council receive and note the information contained within this report.
Clr Yench/ Clr Lea-Barrett **CARRIED**
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CLAUSE 10B – COBAR BUILDING FUTURE COMMUNITIES PROJECT

FILE: T5-16

AOP REFERENCE: 2.1.2

AUTHOR: *General Manager, Peter Vlatko*

- 128.5.2018 RESOLVED:** That Council receives and notes the information contained within this report.
Clr Sinclair/ Clr Lehmann **CARRIED**
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CLAUSE 11B – 2020 WORKING GROUP UPDATE AND MEETING MINUTES

FILE: D2-9

AOP REFERENCE: 1.3.3.1

AUTHOR: *Projects Officer, Miranda Riley*

129.5.2018 RESOLVED: That Council receives and notes the Minutes of the 2020 Working Committee and the Council Summary Report provided.
Clr Marsden/ Clr Lea-Barrett **CARRIED**

CLAUSE 12B – GRANT FUNDING

FILE: G4-17

AOP REFERENCE: 3.1.1.4

AUTHOR: *Senior Projects Officer, Angela Shepherd*

130.5.2018 RESOLVED: That Council lobby the Government to amend the formula for Fixing Country Roads grants applications to include value of freight.
Clr Marsden/ Clr Yench **CARRIED**

131.5.2018 RESOLVED: That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.
Clr Lea-Barrett/ Clr Yench **CARRIED**

Clr Martin left the meeting at 6:52pm and returned at 6:52pm.

CLAUSE 13B – RATES RECONCILIATION REPORT AS AT 30 APRIL 2018

FILE: R2-1

AOP REFERENCE: 3.1.1.6

AUTHOR: *Office Coordinator, Jo-Louise Brown*

132.5.2018 RESOLVED: That the Rates Reconciliation Report as at the 30 April 2018 be received and noted.
Clr Martin/ Clr Kings **CARRIED**

COMMITTEE OF THE WHOLE (CLOSED COUNCIL)

133.5.2018 RESOLVED: That Council move into the Committee of the Whole with the press and public excluded at 6:56pm as matters to be discussed are considered to be confidential vide *Section 10A (2)(d) of the Local Government Act 1993*, as discussions of this matter in open Council contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
Clr Lea-Barrett/ Clr Sinclair **CARRIED**

Council resumed in Open Council at 7:00pm.

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

134.5.2018 RESOLVED: That the recommendations of the Committee of the Whole be adopted.
Clr Abbott/ Clr Lehmann **CARRIED**

CLAUSE 1C – RESULTS OF REQUEST FOR TENDER FOR A PROVIDER FOR THE DESIGN AND SUPPLY OF EQUIPMENT FOR DRUMMOND PARK PLAYGROUND UPGRADE

FILE: T3-18-2 **AOP REFERENCE: 1.5.2**
AUTHOR: Senior Projects Officer, Angela Shepherd

19COW.5.2018 RESOLVED:

1. That Council awards the tender for the Drummond Park Playground T3-18-2 to Spizvac for the sum of \$244,326.
2. That the information contained within this report remain confidential within the Committee of the Whole Closed Council.

Clr Lea-Barrett/ Clr Yench **CARRIED**

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 7:01PM

CONFIRMED.....

MINUTE NO.....

MAYOR.....