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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF  
THE SHIRE OF COBAR HELD IN THE NYMAGEE HALL ON  
THURSDAY 26 OCTOBER 2017 COMMENCING AT 1:04PM**

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**PRESENT (FILE C13-2)**

Councillors Lilliane Brady OAM (Mayor), Peter Abbott (Deputy Mayor), Tracey Kings, Janine Lea-Barrett, Jarrod Marsden, Greg Martin, Peter Maxwell, Julie Payne, Harley Toomey, Bob Sinclair and Peter Yench.

**OBSERVERS**

Messrs Peter Vlatko (General Manager), Kym Miller (Garry Ryman (Director of Planning and Environmental Services), and Ms Angela Shepherd (Director of Corporate and Economic Development, Adrienne Pierini (Road Works Manager) and Janette Booth (Executive Assistant – General Manager/ Mayor).

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**APOLOGIES (FILE C13-2)**

**270.10.2017 RESOLVED:** That the apology received from Councillor Christopher Lehmann be accepted and a leave of absence granted.  
*Clr Lea-Barrett/ Clr Kings* **CARRIED**

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

- Nil.

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**CONDOLENCES (FILE M2-3)**

- Patrick Kevin Prendergast.

A minutes silence was observed by those in attendance.

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**PUBLIC ACCESS FORUM**

- Nymagee Progress Association – Dolly Betts;
- Cobar Pistol Club – John Stingemore.

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**CONFIRMATION OF MINUTES**

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

**271.10.2017 RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday, 28 September 2017 be confirmed as a true and correct record of the proceedings of that meeting with the following amendment: That the condolence of Beverly Joan Harris be amended to be Beverly Joan Hanns.  
*Clr Abbott/ Clr Payne* **CARRIED**

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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 26 OCTOBER 2017

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**Councillor Sinclair declared a pecuniary interest as he participates in this scheme and left the meeting at 1:30pm.**

**NOTICE OF MOTION – REVIEW OF CARBON FARMING INITIATIVE AND THE EMISSIONS REDUCTION FUND (ERF)**

**FILE: D7-4**

**AOP REFERENCE: 5.1**

**AUTHOR: *Councillor, Peter Yench***

**272.10.2017 RESOLVED:**

1. That in relation to the Review of the Carbon Farming Initiative and the Emissions Reduction Fund Cobar Shire Council provides a submission to the Climate Change Authority to remove the date end of June 2010 as a cut-off date to have Property Vegetation Management Plans in place.
2. That Council writes to the Western Division Councils requesting their support by also providing a submission to the Climate Change Authority.

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

**CARRIED**

***A Division was called:***

***For:***

*Clr Lilliane Brady OAM*

*Clr Tracey Kings*

*Clr Janine Lea-Barrett*

*Clr Gregory Martin*

*Clr Julie Payne*

*Clr Harley Toomey*

*Clr Peter Yench*

***Against:***

*Clr Peter Abbott*

*Clr Jarrod Marsden*

*Clr Peter Maxwell*

**Councillor Sinclair returned to the meeting at 1:35pm.**

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**CLAUSE 1A – MAYORAL REPORT**

**FILE: C13-1-5**

**AOP REFERENCE: 3.1**

**AUTHOR: *Mayor, Councillor Lilliane Brady OAM***

**273.10.2017 RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of October 2017.

***Clr Martin/ Clr Payne***

**CARRIED**

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**CLAUSE 2A – ELECTRICITY CONTRACT**

**FILE: E3-1**

**AOP REFERENCE: 5.1.1**

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

**274.10.2017 RESOLVED:**

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1. That Public tenders not be invited for the supply of electricity for Council's street lighting and contestable sites in accordance with Section 55(3)(i) of the Local Government Act, 1993 as it is considered that a satisfactory result would not be achieved by Council due to the extenuating circumstances' as a result of the dynamic nature in electricity pricing exist in relation to this particular contract matter and for Council to act in an expedient manner to lock in short term attractive price.
  2. That Energy and Management Services be engaged to renegotiate Council's street lighting and contestable sites.
  3. That the Mayor and General Manager be authorised to enter into a contract for the supply of electricity for both street lighting and contestable sites prior to 30 June 2018.
  4. That any necessary documents be executed under the Common Seal of the Council.

*Clr Kings/ Clr Toomey*

**CARRIED**

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**CLAUSE 3A – MEETING ARRANGEMENTS – CHRISTMAS AND NEW YEAR (INCLUDING NOTIFICATION OF STAFF CHRISTMAS PARTY) CLOSURES**

**FILE: C6-16**

**AOP REFERENCE: 3.1.5**

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

**275.10.2017 RESOLVED:** That the Mayor and General Manager be delegated authority, jointly, to deal with matters of an urgent nature for the period commencing 15 December 2017 to 22 February 2018 and that if any urgent matters are dealt with under this authority that they be reported to the February 2018 Ordinary Meeting of Council.

*Clr Sinclair/ Clr Kings*

**CARRIED**

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**CLAUSE 4A – RELATED PARTY DISCLOSURE POLICY**

**FILE: L5-22-1**

**AOP REFERENCE: 3.1.5**

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

**276.10.2017 RESOLVED:** That Council adopt the Related Party Disclosure Policy.

*Clr Sinclair/ Clr Marsden*

**CARRIED**

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**CLAUSE 5A – DEED OF VARIATION – AFFIXATION OF COMMON SEAL**

**FILE: G4-13**

**AOP REFERENCE: 1.2.1**

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

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**277.10.2017 RESOLVED:** That Council approve the affixation of Council's seal on the Use Agreement between Cobar Shire Council and the Department of Family and Community Services.  
*Clr Abbott/ Clr Kings* **CARRIED**

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**CLAUSE 6A – UNAUDITED FINANCIAL STATEMENTS**

**2016/2017**

**FILE: A12-2**

**AOP REFERENCE: 3.1**

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

**278.10.2017 RESOLVED:** That the tenders received for the Tender for Dry and Wet Hire and Equipment 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 the information in Open Council would if disclosed prejudice the commercial position of the person who supplied it.  
*Clr Sinclair/ Clr Yench* **CARRIED**

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**CLAUSE 7A – FIRST QUARTERLY REVIEW OF THE ANNUAL OPERATIONAL PLAN 2017/2018**

**FILE: L5-22**

**AOP REFERENCE: 3.1**

**AUTHOR:** *Director Corporate and Economic Development, Angela Shepherd*

**279.10.2017 RESOLVED:** That Council receives and endorses the first quarterly review of the 2017/2018 Annual Operational Plan, covering the period July to September 2017.  
*Clr Payne/ Clr Lea-Barrett* **CARRIED**

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**CLAUSE 8A – SENIOR CITIZENS CHRISTMAS PARTY 2017**

**FILE: S5-27**

**AOP REFERENCE: 1.3.4.1**

**AUTHOR:** *Director Corporate and Economic Development, Angela Shepherd*

**280.10.2017 RESOLVED:** That the Council Senior Citizens Christmas Party be held in the Cobar Shire Council Chambers on Friday 15 December 2017.  
*Clr Abbott/ Clr Martin* **CARRIED**

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**CLAUSE 9A – PROJECT TO EXTEND THE GREAT COBAR HERITAGE CENTRE**

**FILE: A10-5**

**AOP REFERENCE: 2.2**

**AUTHOR:** *Director Corporate and Economic Development, Angela Shepherd*

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**281.10.2017 RESOLVED:** That Council resolve to continue to develop the design and refine the cost of the project and use this work to seek government support and ongoing funding for the project to undertake a major extension at the Great Cobar Heritage Centre.  
*Clr Sinclair/ Clr Lea-Barrett* **CARRIED**

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**CLAUSE 1B – DEVELOPMENT APPROVALS: 21 SEPTEMBER 2017 – 17 OCTOBER 2017**

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

**282.10.2017 RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 21 September 2017 – 17 October 2017 be received and noted.  
*Clr Abbott/ Clr Maxwell* **CARRIED**

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**CLAUSE 2B – MONTHLY STATUS REPORT**

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

**283.10.2017 RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 971 Part 2, 1053, 1062, 1075, 1083, 1084, 1085, 1086, 1087, 1088, 1090, 1093, 1094, 1095, 1096, 1097 and 1098.  
*Clr Yench/ Clr Lea-Barrett* **CARRIED**

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**CLAUSE 3B – INVESTMENT REPORT AS AT 30 SEPTEMBER 2017**

**FILE: B2-7** **AOP REFERENCE: 3.1.1.7**  
**AUTHOR: Finance Manager, Neil Mitchell**

**284.10.2017 RESOLVED:** That Council receive and note the Investment Report as at 30 September 2017.  
*Clr Abbott/ Clr Toomey* **CARRIED**

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**CLAUSE 4B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 30 SEPTEMBER 2017**

**FILE: B2-7** **AOP REFERENCE: 3.1.1.5**  
**AUTHOR: Finance Manager, Neil Mitchell**

**285.10.2017 RESOLVED:** That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report as at 30 September 2017.  
*Clr Abbott/ Clr Sinclair* **CARRIED**

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**CLAUSE 5B – UPDATE ON INFRASTRUCTURE PROJECT FINANCES**

**FILE: G4-29**

**AOP REFERENCE: 4.1.3.3 & 4.4.4.2**

**AUTHOR: *Director of Engineering Services, Stephen Taylor***

**286.10.2017 RESOLVED:** That Council receive and note the updated financial information for the two Restart NSW Resources for Regions infrastructure projects.

*Clr Lea-Barrett/ Clr Toomey*

**CARRIED**

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**CLAUSE 6B – EXPENDITURE FOR ROADS NETWORK**

**FILE: R5-31**

**AOP REFERENCE: 4.3.2**

**AUTHOR: *Director of Engineering Services, Stephen Taylor***

**287.10.2017 RESOLVED:** That the information detailing the Expenditure for Council's Roads Network be received and noted.

*Clr Maxwell/ Clr Lea-Barrett*

**CARRIED**

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**CLAUSE 7B – ENGINEERING WORKS REPORT**

**FILE: C6-20-2**

**AOP REFERENCE: 4.3.2**

**AUTHOR: *Director of Engineering Services, Stephen Taylor***

**288.10.2017 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 Yench/ Clr Toomey*

**CARRIED**

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**CLAUSE 8B – 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***

**289.10.2017 RESOLVED:** That Council receive and note the information contained within this report.

*Clr Marsden/ Clr Kings*

**CARRIED**

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**CLAUSE 9B – GRANT FUNDING**

**FILE: G4-17**

**AOP REFERENCE: G4-17**

**AUTHOR: *Director Corporate and Economic Development, Angela Shepherd***

**290.10.2017 RESOLVED:** That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.

*Clr Abbott/ Clr Marsden*

**CARRIED**

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**291.10.2017 RESOLVED:** That if the Great Cobar Heritage Centre (Museum) extension project is unsuccessful that Council continue to provide \$100,000 to the Museum annually for works and structural issues.  
*Clr Marsden/ Clr Lea-Barrett* **CARRIED**

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**CLAUSE 10B – RATES RECONCILIATION REPORT AS AT 30 SEPTEMBER 2017**

**FILE: R2-1**

**AOP REFERENCE: 3.1.1.6**

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

**292.10.2017 RESOLVED:** That the Rates Reconciliation Report as at the 30 September 2017 received and noted.  
*Clr Abbott/ Clr Sinclair* **CARRIED**

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

**293.10.2017 RESOLVED:** That Council move into the Committee of the Whole with the press and public excluded at 2:39pm as matters to be discussed are considered to be confidential vide Section 10A (2) (c) (d)(i) of the *Local Government Act 1993* as the discussion of the information in Open Council would if disclosed confer a commercial advantage on a person with who the council is conducting (or proposes to conduct) business and the commercial information is of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it).  
*Clr Sinclair/ Clr Payne* **CARRIED**

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**Council resumed in Open Council at 2:49pm.**

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

**294.10.2017 RESOLVED:** That the recommendations of the Committee of the Whole be adopted.  
*Clr Lea-Barrett/ Clr Abbott* **CARRIED**

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**CLAUSE 1C - TENDER FOR DRY AND WET HIRE PLANT AND EQUIPMENT**

**FILE: T3-17-9**

**AOP REFERENCE: 3.3.4**

**AUTHOR: *Director of Engineering Services, Stephen Taylor***

**37COW.10.2017 RESOLVED:**

1. That Council engages the following companies to be selected as a panel of preferred suppliers for Dry and Wet Hire Plant and Equipment:

- Michael Deppeler t/as Deppeler Earthmoving;
- J.R. May Earthmoving Pty Ltd;
- Bruce's Contracting Services Pty Ltd;
- Rollers Australia Pty Limited;
- Troy Booth t/as TA Booth Transport;
- Mc Rowe Pty. Limited;
- Broughton Contracting Pty Ltd;
- Urquhart Haulage Contractors Pty Ltd;
- Whacko Water Trucks Pty. Limited t/as J. Prisk Contractors;
- Stabilised Pavements of Australia;
- Neill Earthmoving Pty. Ltd;
- J & B Consolidated Pty Ltd;
- Clarke Concreting & Excavation Pty Ltd;
- Ezyquip Hire Pty Ltd;
- Killeen Plant Hire Pty Limited;
- RJ Ridings Pty Ltd;
- The Mining Pty Ltd;
- Stabilcorp Pty Ltd;
- Coates Hire Operations Pty Limited;
- Warren Ross Enterprises Pty Ltd t/as Ross Bros Excavations;
- Kennards Hire Pty Limited;
- EMS Equipment Hire Pty Ltd.

2. The engagement of the successful companies will be under contractual conditions including the requirement of the performance of the works, rates, insurances and other general conditions of the Contract as executed under the agreement. The successful panel of suppliers will be selected on the basis of price, availability, and performance and funding.
3. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

*Clr Sinclair/ Clr Kings*

**CARRIED**

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 2:50PM**

**CONFIRMED.....**

**MINUTE NO.....**

**MAYOR.....**