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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF  
THE SHIRE OF COBAR HELD IN THE COUNCIL CHAMBERS ON  
THURSDAY 26 JULY 2018 COMMENCING AT 5:00PM**

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**PRESENT (FILE C13-2)**

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

**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 Mrs Karen Warren (Administration and Environmental Health Coordinator).

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**APOLOGIES (FILE C13-2)**

**170.7.2018**     **RESOLVED:** That the apology received from Councillor Peter Yench be accepted.  
*Clr Lea-Barrett / Clr Sinclair* **CARRIED**

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

- Nil.

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**CONDOLENCES (FILE M2-3)**

- Christopher Fishburn;
- Roy Simpson.

A minutes silence was observed by those in attendance.

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**PUBLIC ACCESS FORUM**

- Mrs Jill Weaving – Newey Plan of Management Update.

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**CONFIRMATION OF MINUTES**

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

**171.7.2018**     **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday, 28 June 2018 be adopted subject to the alteration of Clause 9A division.

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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 JULY 2018

.....  
GENERAL MANAGER

.....  
MAYOR

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*The correct division should read:*

**For:**

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

**Against:**

*Clr Julie Payne*

*Clr Lea-Barrett / Clr Abbott*

**CARRIED**

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**NOTICE OF MOTION – DETERMINATION OF FEES PAID  
TO MAYOR AND COUNCILLORS**

**FILE: C12-2, C12-3 & L5-1**

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

**MOTION:**

1. That there be no further increase in the remuneration for Mayor and Councillors until after the next local government general elections.
2. That Council give 42 days' public notice of its intention to apply to the Minister to approve a decrease in the number of Councillors from twelve (12) to a number agreed to by the majority of the sitting Councillors as per Section 224A of the Local Government Act 1993 and invite submissions from the public.
3. That after considering submissions from the public, Council formally resolves to determine whether or not to reduce the number of Councillors.
4. That the Minister be requested to consider legislative changes which make it compulsory for nominees to Council to hold suitable qualifications.

*Clr Payne / Clr Lehmann*

**LOST**

**MOTION:** That this matter be deferred to allow further discussion at a Councillor workshop.

*Clr Payne / Clr Lea-Barrett*

**LOST**

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**CLAUSE 1A – MAYORAL REPORT**

**FILE: C13-1-5**

**AOP REFERENCE: 3.1**

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

**172.7.2018**

**RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of July 2018.

*Clr Marsden / Clr Toomey*

**CARRIED**

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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 26 JULY 2018

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**CLAUSE 2A – EVERYBODY’S HOME CAMPAIGN**

**FILE: H5-1**

**AOP REFERENCE: 1.1**

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

**173.7.2018 RESOLVED:**

1. That Council support the Everybody’s Home Campaign.
2. That Council write to Lake Macquarie City Council advising them of our support for the Everybody’s Home Campaign.

*Clr Lea- Barrett/ Clr Payne*

**CARRIED**

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**CLAUSE 3A – INTERIM EXECUTIVE OFFICER – FAR NORTH WEST JOINT ORGANISATION**

**FILE: L5-26**

**AOP REFERENCE: 1.1.2.1**

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

**174.7.2018 RESOLVED:**

1. That the Report on the Far North West Joint Organisation be received and noted.
2. That Cobar Shire Council grant permission for General Manager, Peter Vlatko, to undertake the role of Interim Executive Officer for the Far North West Joint Organisation should the appointment be required.

*Clr Sinclair / Clr Lea-Barrett*

**CARRIED**

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**CLAUSE 4A – REQUEST FROM COONAMBLE SHIRE COUNCIL TO JOIN THE FAR NORTH WEST JOINT ORGANISATION**

**FILE: L5-26**

**AOP REFERENCE: 1.1.2.1**

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

**175.7.2018 RESOLVED:** That Cobar Shire Council seek clarification from the Office of Local Government in relation to the request from Coonamble Shire Council to join the Far North West Joint Organisation and any ramifications or conditions.

*Clr Lea- Barrett / Clr Sinclair*

**CARRIED**

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**CLAUSE 5A – LILLIANE BRADY VILLAGE REACCREDITATION**

**FILE: C8-4-6**

**AOP REFERENCE: 1.5.4**

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

**176.7.2018 RESOLVED:**

1. That the Lilliane Brady Village Reaccreditation Report be received and noted.

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2. That the Director of Nursing and Lilliane Brady Village Staff's effort be acknowledged.

*Clr Sinclair / Clr Marsden*

**CARRIED**

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**CLAUSE 6A – CARRIED FORWARD CAPITAL EXPENDITURE**

**FILE: L5 -22**

**AOP REFERENCE: 3.1**

**AUTHOR: *Finance Manager, Neil Mitchell***

- 177.7.2018 RESOLVED:** That \$128,000.00 operating expense is carried forward for the asbestos removal project (\$80,000.00) and environmental projects (\$48,000.00)

*Clr Abbott / Clr Lea- Barrett*

**CARRIED**

- 178.7.2018 RESOLVED:** That the following road projects totaling \$1,182,936.00 are carried forward:

Acres Billabong	322,995
Nymagee VPA Projects	13,005
MR 411 Tipping Way	241,612
MR 7518 Fifty Two Mile Road Windara Bend	288,958
MR 758 Fifty Two Mile Rad Sandhill Stabilisation	145,445
SR3 Nelyambo Bridge Rd	40,739
Reseal Urban Streets	80,182
Industrial Area Design & Construct	50,000

*Clr Abbott / Clr Lea- Barrett*

**CARRIED**

- 179.7.2018 RESOLVED:** That the following road projects totaling \$866,749.00 be reconsidered at a Council workshop as part of the overall works program.

SR7 Mt Gap Rd – R2R Gravel Resheeting	137,184
SR10 Belarabon Rd	151,099
SR11 Broomfield Rd – Stabilise	75,000
SR19 Burthong Road	201,000
SR31 Moolah Rd	75,000
SR32 Development Rd	227,466

*Clr Abbott / Clr Lea- Barrett*

**CARRIED**

- 180.7.2018 RESOLVED:** That the following capital projects totaling \$3,471,135.00 are carried forward:

Operating Plant	833,622
Youth Centre Kitchen Upgrade & Extension	300,000
Pool Shades etc	142,000
Great Cobar Heritage Centre – Damp Proofing	100,000
Netball Court	24,000
Library Frontage	10,000
Medical Centre Extensions	199,518

Raw Water to Parks	42,795
Newey Staged Development	35,000
IT Projects inc EDMs	207,261
Museum Display	11,320
Improve Disability Access to Buildings	20,000
Fort Bourke Lightning Rod	15,000
Dalton Prk Gould St Upgrade	97,125
Housing Upgrades	51,089
Drummond Park Upgrade	288,265
Nymagee School	37,903
Truck Wash	600,000
Heritage Signage	5,000
Depot Upgrade	395,966
Euabalong Community Improvements	15,134
Footpath Renewal Program	40,137

*Clr Abbott / Clr Lea- Barrett* **CARRIED**

- 181.7.2018 RESOLVED:** That a complete works program be presented to the August Ordinary Meeting of Council for Council's consideration.  
*Clr Abbott / Clr Lea- Barrett* **CARRIED**

**CLAUSE 7A - RATE ABANDONMENTS 2017/2018**

**FILE: R2-1** **AOP REFERENCE: 3.1.1.2**  
**AUTHOR: Office Coordinator, Jo Louise Brown**

- 182.7.2018 RESOLVED:** That Council write-off rates and charges totaling \$215,478.63 for 2017/2018 as follows subject to Auditors approval:

Pension Rebates	108,635.79
Hidden Leaks Allowance	6,717.80
Category/Service Changes	13,488.64
Objection	<u>86,636.40</u>
	\$215,478.63

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

**CLAUSE 8A – TENDER FOR THE SUPPLY AND DELIVERY OF FUEL**

**FILE: T3-18-7** **AOP REFERENCE: 3.3.4**  
**AUTHOR: Director of Engineering Services, Stephen Taylor**

- 183.7.2018 RESOLVED:** That the tenders received for the supply of bulk fuel to Cobar Shire 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 discussions of this matter in Open Council would prejudice the commercial position of the person who supplied it.  
*Clr Marsden/ Clr Maxwell* **CARRIED**

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**CLAUSE 9A – IMPLICATIONS TO COUNCIL FOR CROWN  
LAND MANAGEMENT UNDER THE NEW LEGISLATION  
CROWN LAND MANAGEMENT ACT 2016 (CLM ACT)**

**FILE: A9-17**

**AOP REFERENCE: 5.2.3**

**AUTHOR: *Environmental Supervisor, Melissa Gunn***

- 184.7.2018 RESOLVED:** That Council delegate to the General Manager, Peter Vlatko who will sub delegate to Director of Planning and Environmental Services, Garry Ryman to undertake the categorisation of Crown land and to keep Council updated on developments of Plan of Managements and other significant changes to Council responsibilities in regard to Crown land.

***Clr Maxwell / Clr Sinclair***

**CARRIED**

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**CLAUSE 10A – USE OF EFFLUENT BY COBAR BOWLING  
AND GOLF CLUB**

**FILE: S3-5**

**AOP REFERENCE: 4.1.4**

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

- 185.7.2018 RESOLVED:** That the current fee to the Cobar Bowling and Golf Club for the use of effluent be increased to an annual charge of \$16,000.00 for 2018/2019 and be reviewed in July 2019.

***Clr Martin / Clr Sinclair***

**CARRIED**

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**CLAUSE 11A TENDER FOR THE MANAGEMENT OF THE  
COBAR MEMORIAL SWIMMING POOL**

**FILE: T3-15-4**

**AOP REFERENCE: 1.5.3.2**

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

- 186.7.2018 RESOLVED:** That a further Report concerning the tender for the Management of the Cobar Memorial Swimming Pool be considered in Committee of the Whole Closed Council with the press and public excluded in accordance with 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 Lea- Barrett***

**CARRIED**

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**CLAUSE 1B – DEVELOPMENT APPROVALS: 20 JUNE 2018 –  
30 JUNE 2018**

**FILE: T5-1**

**AOP REFERENCE: 1.6.3.1**

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

- 187.7.2018 RESOLVED:** That the information detailing the Complying Development Certificate, Local Development and Construction

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Certificate approvals for the period 20 June 2018 – 30 June 2018 be received and noted.

*Clr Payne / Clr Lea-Barrett*

**CARRIED**

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**CLAUSE 2B – DEVELOPMENT APPROVALS: 1 JULY 2018 – 17 JULY 2018**

**FILE: T5-1**

**AOP REFERENCE: 1.6.3.1**

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

**188.7.2018 RESOLVED:** That the information detailing the amended and tabled Local Development and Construction Certificate approvals for the period 1 July 2018 – 17 July 2018 be received and noted.

*Clr Lea-Barrett / Clr Abbott*

**CARRIED**

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**CLAUSE 3B – MONTHLY STATUS REPORT**

**FILE: C13-10**

**AOP REFERENCE: 3.1**

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

**189.7.2018 RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 1050, 1059, 1063, 1106, 1112, 1113, 1148, 1156, 1162 Part 3, 1168, 1178, 1181, 1182, 1183, 1184, 1185, 1186, 1189, 1190 Part 1 and 2, 1192, 1193 and 1194.

*Clr Lea-Barrett / Clr Abbott*

**CARRIED**

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**CLAUSE 4B – CUSTOMER COMPLAINTS / REQUESTS REPORT**

**FILE: P5 -86**

**AOP REFERENCE: 3.3.1**

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

**190.7.2018 RESOLVED:** That the Customer Complaints Report be received and noted.

*Clr Martin / Clr Kings*

**CARRIED**

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**CLAUSE 5B - ARREARS OF RATE BOOK 2017/2018**

**FILE: R2-1**

**AOP REFERENCE: 3.1.1.2**

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

**191.7.2018 RESOLVED:** That Council receives and notes the information contained within this report.

*Clr Abbott / Clr Lea-Barrett*

**CARRIED**

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**CLAUSE 6B – INVESTMENT REPORT AS AT 30 JUNE 2018**

**FILE: B2-7**

**AOP REFERENCE: 3.1.1.7**

**AUTHOR: *Finance Manager, Neil Mitchell***

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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 26 JULY 2018

.....  
GENERAL MANAGER

.....  
MAYOR

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**192.6.2018 RESOLVED:** That Council receive and note the Investment Report as at 30 June 2018.  
*Clr Lea-Barrett / Clr Marsden* **CARRIED**

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**CLAUSE 7B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 30 JUNE 2018**

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

**AUTHOR: *Finance Manager, Neil Mitchell***

**193.7.2018 RESOLVED:** That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report as at 30 June 2018.  
*Clr Abbott / Clr Lea-Barrett* **CARRIED**

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**CLAUSE 8B – MEETING MINUTES**

**FILE: C8-6-4 & L4-4-3** **AOP REFERENCE: 3.1**

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

**194.7.2018 RESOLVED:** That the Minutes of the Cobar Youth Council and the OROC Committees be received and noted.  
*Clr Martin / Clr Sinclair* **CARRIED**

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**CLAUSE 9B – UPDATE ON INFRASTRUCTURE PROJECT FINANCES**

**FILE: G4-29** **AOP REFERENCE: 4.1.4.2**

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

**195.7.2018 RESOLVED:** That Council receive and note the updated financial information for the two Restart NSW Resources for Regions infrastructure projects.  
*Clr Sinclair / Clr Lea-Barrett* **CARRIED**

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**CLAUSE 10B – EXPENDITURE FOR ROADS NETWORK**

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

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

**196.7.2018 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 11B – ENGINEERING WORKS REPORT**

**FILE: C6-20-2** **AOP REFERENCE: 4.3.2**

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

**197.7.2018 RESOLVED:**

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1. 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.
  2. That a letter be forwarded to Council's Parks & Gardens staff on behalf of Councillors acknowledging a job well done.

*Clr Payne / Clr Toomey*

**CARRIED**

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**CLAUSE 12B – ANALYSIS OF DRY AND WET PLANT AND EQUIPMENT 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***

- 198.7.2018 RESOLVED:** That Council receive and note the information contained within this report.  
*Clr Sinclair / Clr Kings* **CARRIED**
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**CLAUSE 13B – FOURTH QUARTERLY REVIEW OF THE ANNUAL OPERATIONAL PLAN 2017/2018**

**FILE: L5-22**

**AOP REFERENCE: 3.1**

**AUTHOR: *Special Projects Officer, Angela Shepherd***

- 199.7.2018 RESOLVED:** That the Rates Reconciliation Report as at the 31 May 2018 be received and noted.  
*Clr Lea-Barrett / Clr Abbott* **CARRIED**
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**CLAUSE 14B – GRANT FUNDING**

**FILE: G4-17**

**AOP REFERENCE: 3.1.1.4**

**AUTHOR: *Senior Projects Officer, Angela Shepherd***

- 200.7.2018 RESOLVED:** That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.  
*Clr Abbott / Clr Lehman* **CARRIED**
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**CLAUSE 15B – RATES RECONCILIATION REPORT AS AT 30 JUNE 2018**

**FILE: R2-1**

**AOP REFERENCE: 3.1.1.6**

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

- 201.7.2018 RESOLVED:** That the Rates Reconciliation Report as at the 30 June 2018 be received and noted.  
*Clr Lea-Barrett / Clr Kings* **CARRIED**
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**FOR INFORMATION ONLY**

Clr Brady informed the Councillors and Gallery of a Fundraiser Ball (Mock Wedding) which is to be held in August and will be hosted by Council. Clr Marsden and Clr Toomey will be the Bride and Groom with several other Council staff also participating. All money raised will go towards local farmers not receiving Carbon Credits.

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

- 202.7.2018 RESOLVED:** That Council move into the Committee of the Whole with the press and public excluded at 6:20pm as matters to be discussed are considered to be confidential vide *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 Lea-Barrett / Clr Marsden* **CARRIED**
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**Council resumed in Open Council at 6.50 pm.**

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

- 203.7.2018 RESOLVED:** That the recommendations of the Committee of the Whole be adopted.  
*Clr Lea-Barrett / Clr Marsden* **CARRIED**
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**CLAUSE 1C – TENDER FOR THE SUPPLY AND DELIVERY OF FUEL**

**FILE: T3-18-7** **AOP REFERENCE: 3.3.4**  
**AUTHOR: Director of Engineering Services, Stephen Taylor**

- 27COW.7.2018 RESOLVED:** That the information contained within this report remain confidential within the Committee of the Whole Closed Council.  
*Clr Lea-Barrett/ Clr Abbott* **CARRIED**
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**CLAUSE 2C - TENDER FOR THE MANAGEMENT OF THE COBAR MEMORIAL SWIMMING POOL**

**FILE: T3-15-4** **AOP REFERENCE: 1.5.3.2**  
**AUTHOR: Director of Finance and Community Services, Kym Miller**

- 28COW.7.2018 RESOLVED:** That the information contained within this report remain confidential within the Committee of the Whole Closed Council.  
*Clr Abbott / Clr Kings* **CARRIED**
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**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6.55PM**

**CONFIRMED.....**

**MINUTE NO.....**

**MAYOR.....**