
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE
SHIRE OF COBAR HELD IN COUNCIL CHAMBERS ON THURSDAY
23 NOVEMBER 2023 COMMENCING AT 5:00PM**

PRESENT (FILE C13-2)

Jarrold Marsden (Mayor), Michael Prince (Deputy Mayor) Robert Sinclair, Lillian Simpson, Harley Toomey, Julie Payne, Janine Lea-Barrett, and Kate Winders.

OBSERVERS

Mr. Peter Vlatko (General Manager), Mr. Heinz Kausche (Acting Director of Engineering), Mr. Garry Ryman (Director Planning and Environmental Services), Ms. Kylie Smith (Director of Corporate and Community Services) and Miss Kelly Fairbank (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.

**THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 NOVEMBER 2023**

.....
GENERAL MANAGER

.....
MAYOR

APOLOGIES (FILE C13-2)

196.11.2023 RESOLVED: 1. That the apologies received from Councillor Kain Neale be accepted.

2. That Councillor Kain Neale be granted a leave of absence.

Clr Payne / Clr Lea- Barrett

CARRIED

DECLARATIONS OF INTEREST (FILE C12-3)

- Nil.
-

CONDOLENCES (FILE M2-3)

- Arthur Bruce Lawrence
- Elsie Olive Dawn Pike

PUBLIC ACCESS SESSION

- Nil.
-

CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

197.11.2023 RESOLVED: That the Minutes of the Ordinary Meeting of Council held on Thursday, 26 October 2023 be confirmed as a true and correct record of the proceedings of that meeting.

Clr Payne / Clr Lea-Barrett

CARRIED

**THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 NOVEMBER 2023**

.....
GENERAL MANAGER

.....
MAYOR

**CLAUSE 1 – VOLUNTARY PLANNING AGREEMENT –
FEDERATION MINE PROJECT (SSD-24319456)**

FILE: M4-22 AOP REFERENCE: 3.1.1.7

ATTACHMENT: YES (PAGE 47-69)

AUTHOR: *General Manager, Peter Vlatko*

198.11.2023 RESOLVED: That Council endorse and place the proposed Voluntary Planning Agreement (VPA) with Hera Resources Pty Limited for the Federation Mine Project (SSD-24319456) on public display for 28 day period.

Clr Lea- Barrett / Clr Simpson

CARRIED

CLAUSE 2 –COUNCILLOR VACANCIES

FILE: C12-1

ATTACHMENT: NO

AUTHOR: *General Manager, Peter Vlatko*

199.11.2023 RESOLVED: 1. That the Council makes an application under *Section 294* (2) seeking the Minister to order that the vacancy of Councillor Abbott Passing away and Councillor Neale resigning not be filled as it is within the 18 months before the next ordinary election of Council.

2. That Councillor Neale be thanked for this contribution of the past 2 years for the people of Cobar Shire Council in his role as Councillor.

Clr Payne / Clr Sinclair

CARRIED

CLAUSE 3 – REGIONAL DROUGHT RESILIANCE PLAN

FILE: D6-1, 6847

ATTACHMENTS: (YES PAGE 70-

70)

AUTHOR: *General Manager, Peter Vlatko*

- 200.11.2023 RESOLVED:** 1. Cobar Shire Council accept this report as information.
2. Nominate two representatives to participate in the RDRP process on behalf of Council being the General Manager and Councillor Payne.
 3. Nominate the Director of Engineering as the contact as a local information conduit to work with the FNWJOC Drought Project Officer.
 4. Council to supply local plans relevant to Cobar Shire to the Drought Project Officer for review.
 5. Council to undertake local media promotion of the RDRP process to promote the launch of the consultation process in January 2024
 6. Council to adopt the RDRP Project Plan for RDRP 004 for implementation by the FNWJO as attached.

Clr Lea- Barrett / Clr Simpson

CARRIED

CLAUSE 4 – MONTHLY STATUS REPORT

FILE: C13-10

ATTACHMENT: NO

AUTHOR: *General Manager, Peter Vlatko*

- 201.11.2023 RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 1477, 1478, 1479 & 1480.

Clr Lea- Barrett /Clr Simpson

CARRIED

CLAUSE 5 – MEETING MINUTES

FILE: R5-36 AOPREFERENCE:3.1ATTACHMENT: YES (PAGE 71-74)

AUTHOR: *General Manager, Peter Vlatko*

- 202.11.2023 RESOLVED:** That the Minutes of the Rural Roads Advisory Committee be received and noted.

Clr Sinclair / Clr Lea- Barrett

CARRIED

**THIS IS PAGE 4 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 NOVEMBER 2023**

.....
GENERAL MANAGER

.....
MAYOR

CLAUSE 6– GENERAL MANAGERS OPERATIONAL REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

ATTACHMENT: NO

AUTHOR: *General Manager, Peter Vlatko*

203.11.2023 RESOLVED: That the General Managers Operational Report be received and noted.

Clr Payne / Clr Lea- Barrett

CARRIED

CLAUSE 7– 2022/2023 ANNUAL REPORT

FILE: A2-2 AOP REFERENCE: 3.3.3 ATTACHMENT: YES

(TO BE TABLED)

AUTHOR: *General Manager, Peter Vlatko*

204.11.2023 RESOLVED: That the information contained in the 2022/2023 Annual Report be received and noted.

Clr Lea-Barrett / Clr Sinclair

CARRIED

CLAUSE 8-AUDITED FINANCIAL STATEMENTS

FILE: A12-2 & F2-2-17

AOP REFERENCE: 3.3.3.3

ATTACHMENT: YES (PAGE 75-173)

AUTHOR: *Finance Manager, Sandra Davey*

205.11.2023 RESOLVED: That the Audited Financial Statements and Auditor's Reports for the year ended 30 June 2023 be received and noted.

Clr Payne / Clr Sinclair

CARRIED

CLAUSE 9 – INVESTMENT REPORT AS OF 31 OCTOBER 2023

FILE: B2-7 AOP REFERENCE: 3.1.1.7 ATTACHMENT: NO

AUTHOR: *Finance Manager, Sandra Davey*

206.11.2023 RESOLVED: That Council receive and note the Investment Report as of 31 October 2023.

Clr Lea- Barrett / Clr Toomey

CARRIED

**THIS IS PAGE 5 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 NOVEMBER 2023**

.....
GENERAL MANAGER

.....
MAYOR

CLAUSE 10 - BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS OF 31 OCTOBER 2023

FILE: B2-7 AOP REFERENCE: 3.1.1.5 ATTACHMENT: NO

AUTHOR: *Finance Manager, Sandra Davey*

207.11.2023 RESOLVED: That Council receive and note the Bank Reconciliation, Monthly Total Funds Available, Cash Flow and Loan Facility Report as of 31 October 2023.

Clr Sinclair / Clr Lea- Barrett

CARRIED

CLAUSE 11- RATES RECONCILIATION REPORT AS AT 31 OCTOBER 2023

FILE: R2-1 AOP REFERENCE: 3.1.1.6 ATTACHMENT: NO

AUTHOR: *Customer Service Manager, Jo-Louise Brown*

208.11.2023 RESOLVED: That the Rates Reconciliation Report as at the 31 October 2023 be received and noted.

Clr Lea- Barrett / Clr Toomey

CARRIED

CLAUSE 12 – GRANT FUDNING

FILE: G4-17

ATTACHMENT: NO

AUTHOR: *Grants Officer, Bethany Smith*

209.11.2023 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 Lea-Barrett

CARRIED

CLAUSE 13 – PURCHASING ANALYSIS OF CONTRACTORS

FILE: T3-15-6 AOPREFERENCE:3.3.4 ATTACHMENT: NO

AUTHOR: *Finance Manager, Sandra Davey*

210.11.2023 RESOLVED: That Council receive and note the information contained in this report.

Clr Payne / Clr Simpson

CARRIED

CLAUSE 14 – ENGINEERING WORKS REPORT

**FILE: C6-20-2AOP REFERENCE: 4.3.2 ATTACHMENT:
NO AUTHOR: *Acting Director Engineering Services – Heinz Kausche***

- 211.11.2023 RESOLVED:** That the information contained in the Engineering Works Report detailing construction and maintenance activities on Shire and Regional Roads, State Highways, Water and Sewer Mains, Parks and Gardens, and other Council assets be received and noted.
Clr Lea- Barrett / Clr Sinclair **CARRIED**
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CLAUSE 15– EXPENDITURE FOR ROADS NETWORK

FILE: R5-31 AOPREFERENCE:4.3.2 ATTACHMENT:YES (PAGE 174-184)

AUTHOR: *Acting Director of Engineering, Heinz Kausche*

- 212.11.2023 RESOLVED:** That the information detailing the Expenditure for Council’s Roads Network be received and noted.
Clr Sinclair / Clr Payne **CARRIED**

**CLAUSE 16 – AUTHORITY TO CLOSE WESTERN DIVISION
ROADS REDEFINED IN NEW SURVEY PLANS**

**FILE: R5-7, 2912 AOP REFERENCE: 4.3 ATTACHMENT: NO
AUTHOR: *Director of Planning & Environmental Services, Garry
Ryman***

213.11.2023 RESOLVED: 1. That Council authorise the Department of Planning and Environment to proceed with the closure of the Western Division Roads (WDR) identified below, in accordance with the *Roads Act 1993* on behalf of Cobar Shire Council.

- | | |
|------------------------|-------------|
| • Lerida Road | WDR No. 43 |
| • Yathong Road | WDR No. 43 |
| • Bedooba Road | WDR No. 44 |
| • Bloomfield Road | WDR No. 45 |
| • Manuka Road | WDR No. 46 |
| • Shuttleton Road | WDR No. 46 |
| • Nymagee Station Road | WDR No. 55 |
| • Yimkin Road | WDR No. 57 |
| • Wilgaroon Road | WDR No. 64 |
| • Cooneybar Road | WDR No. 65 |
| • Moolah Road | WDR No. 119 |

2. That Council authorise the Department of Planning and Environment to publish a notice of closure in the Government Gazette on behalf of Cobar Shire Council in respect of Western Division Roads identified item 1 above.

3. That Council provide written advice to the Department of Planning and Environment confirming items 1 and 2 above.

Clr Lea- Barrett / Clr Sinclair

CARRIED

**CLAUSE 17 – RELINQUISH MANAGEMENT OVER PART OF
THE KALOOGELGUY RESERVE**

FILE: A9-17,2475

AOPREFERENCE:5.2

ATTACHMENT: YES (UNDER SEPARATE COVER)

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

214.11.2023 RESOLVED: That Council relinquishes its management over part of the Kaloogelguy Reserve R81797, as identified below, in favour of the Department of Planning and Environment.

<u>Lot</u>	<u>Deposited Plan</u>	<u>Whole/Part</u>
7316	1170625	Part
7305	1170298	Part
211	755649	Whole
217-220	755649	Whole
213-216	755649	Whole
209-212	755649	Whole
205-208	755649	Whole
223-228	755649	Whole
106	755649	Whole
109-111	755649	Whole
119-120	755649	Whole
229-232	755649	Whole
7017	1024190	Whole
98	755649	Whole
303	755649	Whole
100	755649	Whole
7306	1170298	Whole
7318	1170625	Whole
304	755649	Whole
7327	1171075	Whole
295	755649	Whole
<i>Clr Payne / Clr Simpson</i>		CARRIED

**CLAUSE 18– DEVELOPMENT APPROVALS: 18 OCTOBER 2023 –
13 NOVEMBER 2023**

FILE: T5-1 AOP REFERENCE: 1.6.3.1ATTACHMENT: NO
**AUTHOR: *Director of Planning & Environmental Services, Garry
Ryman***

- 215.11.2023 RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 18 October 2023 – 13 November 2023 be received and noted.
Clr Prince / Clr Sinclair **CARRIED**
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CLAUSE 19 – FRONT LIFT TRADE WASTE TRUCK

FILE: VP-373836 AOP REFERENCE:3.3.2.4 ATTACHMENT: NO
AUTHOR: *Brett Richards, Asset Manager*

- 216.11.2023 RESOLVED:** That a further report regarding the Supply of one (1) Front Lift Trade Waste Truck (VP-373836) be considered in 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**
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- 217.11.2023 RESOLVED:** That Council move into the Closed Council with the press and public excluded at 5.26pm in accordance with Section 10A (2) (a) of the *Local Government Act 1993* as the matter and information relates to personnel matters concerning particular individuals (not Councillors).
Clr Payne / Clr Lea- Barrett **CARRIED**
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CLAUSE 1C FRONT LIFT TRADE WASTE TRUCK

FILE: VP-373836AOP REFERENCE:3.3.2.4 ATTACHMENT: NO

AUTHOR: *Brett Richards, Asset Manager*

218.11.2023 RESOLVED: 1. That Council award the contract for the Supply of one (1) Front Lift Trade Waste Truck to Superior Pak Pty Ltd to the value of \$466,668 plus GST (\$46,666.80) and authorise the General Manager and Mayor to sign the contract.

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

Clr Sinclair / Clr Payne

CARRIED

219.11.2023 RESOLVED: That the meeting resumed in open council at 5.31pm.

Clr Lea- Barrett / Clr Payne

CARRIED

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5.32 PM

CONFIRMED.....

MINUTE NO.....

MAYOR.....