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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF  
THE SHIRE OF COBAR HELD IN COUNCIL CHAMBERS ON  
THURSDAY 22 AUGUST 2019 COMMENCING AT 5:00PM**

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**PRESENT (FILE C13-2)**

Councillors Lilliane Brady OAM (Mayor), Peter Abbott (Deputy Mayor), Tracey Kings, Janine Lea-Barrett, Christopher Lehmann, Jarrod Marsden, Peter Maxwell, Harley Toomey, Julie Payne, Robert Sinclair, Kate Winders and Peter Yench.

**OBSERVERS**

Messrs Peter Vlatko (General Manager), Kym Miller (Director of Finance & Corporate Services), Garry Ryman (Director of Planning & Environmental Services) and Simon Pradhan (Acting Director of Engineering 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)**

Nil.

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

- Nil.

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**CONDOLENCES (FILE M2-3)**

- Thomas McIver;
- Colleen Ann Dillon;
- Former Deputy Prime Minister, Timothy Fischer.

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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 22 AUGUST 2019**

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.....  
GENERAL MANAGER

.....  
MAYOR

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**CONFIRMATION OF MINUTES**

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

**169.8.2019**     **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday, 25 July 2019 be confirmed as a true and correct record of the proceedings of that meeting.

*Clr Marsden/ Clr Abbott*

**CARRIED**

***Division:***

***For***

Clr Brady OAM  
Clr Abbott  
Clr Kings  
Clr Lea-Barrett  
Clr Lehmann  
Clr Marsden  
Clr Maxwell  
Clr Payne  
Clr Sinclair  
Clr Toomey  
Clr Winders

***Against***

Clr Yench

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**NOTICE OF MOTION – SUPPORT FOR THE INTRODUCTION OF FIFO LEGISLATION**

**FILE: C12-1 & C13-7**

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

**170.8.2019**     **RESOLVED:** That Council write to the Premier and the Minister to seek their support in introducing legislation similar to the Queensland Government in relation to the new FIFO laws which reinforce local jobs for communities (Strong and Sustainable Resources Community Act QLD).

*Clr Yench/ Clr Marsden*

**CARRIED**

***Division:***

***For***

Clr Brady OAM  
Clr Abbott  
Clr Lea-Barrett  
Clr Lehmann  
Clr Marsden  
Clr Payne  
Clr Sinclair  
Clr Toomey  
Clr Winders  
Clr Yench

***Against***

Clr Maxwell  
Clr Kings

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**NOTICE OF MOTION – REQUESTS FOR ADDITIONAL WATER STORAGE**

**FILE: C12-1 & C13-7**

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

**171.8.2019**

**RESOLVED:**

1. That Cobar Shire Council request the Cobar Water Board to seek approval to deepen the storage area outside of the Main Tank for the purpose of capturing additional run off during periods of rain.
2. That Cobar Shire Council investigate the cost associated with deepening the Old Reservoir for the water to be used for Council's Parks and Gardens.
3. That Cobar Shire Council seek approval from the Peak Gold Mine to allow the deepening of the Newey Reservoir for storage of water for the purpose of watering the Golf Course and for Council's Parks and Gardens.

***Clr Yench/ Clr Payne***

**CARRIED**

***Division:***

***For***

Clr Brady OAM  
Clr Abbott  
Clr Kings  
Clr Lea-Barrett  
Clr Lehmann  
Clr Marsden  
Clr Maxwell  
Clr Payne  
Clr Sinclair  
Clr Toomey  
Clr Winders  
Clr Yench

***Against***

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**CLAUSE 1A – MAYORAL REPORT**

**FILE: C13-1-5**

**AOP REFERENCE: 3.1**

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

**172.8.2019**

**RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of August 2019.

***Clr Marsden/ Clr Payne***

**CARRIED**

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**CLAUSE 2A – CODE OF CONDUCT UPDATE (SEVEN COUNCILLORS V CR YENCH)**

**FILE: C12-5**

**AOP REFERENCE: 3.1.5**

**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 22 AUGUST 2019

.....  
GENERAL MANAGER

.....  
MAYOR

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**WITHDRAWN**

That the corresponding report Clause 1C – Code of Conduct Update (Seven Councillors v Cr Yench) be brought into open Council.

**CLAUSE 1C – CODE OF CONDUCT UPDATE (SEVEN COUNCILLORS V CR YENCH)**

**FILE: C12-5**

**AOP REFERENCE: 3.1.5**

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

**173.8.2019**

**RESOLVED:** That the Code of Conduct Update (Seven Councillors v Cr Yench) report be received and noted.

*Clr Payne/ Clr Lehmann*

**CARRIED**

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**CLAUSE 3A – UNAUDITED FINANCIAL STATEMENTS 2018/2019**

**FILE: A12-2 & F2-2-24**

**AOP REFERENCE: 3.1**

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

**174.8.2019**

**RESOLVED:**

1. That Council in accordance with Section 413 (1) of the Local Government Act 1993 Council refer the draft Financial Statements for the year ended 30 June 2019 for Audit.
2. That Council in accordance with Section 413 (2) (c) Mayor Lilliane Brady OAM, a Councillor, General Manager Mr Peter Vlatko and the Responsible Accounting Officer sign the required statement as to Council's opinion of the accounts.

*Clr Abbott/ Clr Payne*

**CARRIED**

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**CLAUSE 4A – RISK AND AUDIT COMMITTEE**

**FILE: A12-4**

**AOP REFERENCE: 3.1.4**

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

**175.8.2019**

**RESOLVED:**

1. That the Risk and Audit Committee be increased to six members comprising three independent community members and three Councillors.
2. That Council advertise for expressions of interest from the community in the position.
3. That the matter, including the appointment of a Councillor, be further considered at a future Council meeting when the expressions of interest for the independent community member have been received.

*Clr Sinclair/ Clr Le-Barrett*

**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 22 AUGUST 2019

.....  
GENERAL MANAGER

.....  
MAYOR

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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***

**176.8.2019**

**RESOLVED:** That the amounts appearing in the attached schedule be carried forward from 2018/2019 into 2019/2020 and included in the Quarter 1 2019/2020 Budget Review.

***Clr Lea-Barrett/ Clr Maxwell***

**CARRIED**

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**CLAUSE 6A – SEALING THE WOOL TRACK STATUS UPDATE**

**FILE: MR1-6**

**AOP REFERENCE: 4.3**

**AUTHOR: *Acting Director of Engineering, Simon Pradhan***

**177.8.2019**

**RESOLVED:** That Council wait for further funding opportunities and update the previous business case using same growth figures.

***Clr Yench/ Clr Payne***

**CARRIED**

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**CLAUSE 1B – DEVELOPMENT APPROVALS: 17 JULY 2019 – 13 AUGUST 2019**

**FILE: T5-1**

**AOP REFERENCE: 1.6.3.1**

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

**178.8.2019**

**RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 17 July 2019 – 13 August 2019 be received and noted.

***Clr Payne/ 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***

**179.8.2019**

**RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 983, 1217, 1244, 1251, 1303, 1305, 1306, 1307, 1308, 1309, 1310 and 1311.

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

**CARRIED**

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**CLAUSE 3B – DISCLOSURE OF INTEREST – COUNCILLORS AND DESIGNATED PERSONS**

**FILE: C12-3-1**

**AOP REFERENCE: 3.1**

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

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**180.8.2019**     **RESOLVED:** That Council note the Annual Disclosure of Interest Returns for Councillors and Designated Persons for the period 1 July 2018 to 30 June 2019.  
*Clr Payne/ Clr Lea-Barrett* **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*

**181.8.2019**     **RESOLVED:** That the information contained within the Customer Complaints/ Requests Report be received and noted.  
*Clr Payne/ Clr Sinclair* **CARRIED**

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**CLAUSE 5B – MEETING MINUTES**

**FILE: L5-4-4** **AOP REFERENCE: 3.1**  
**AUTHOR:** *Executive Assistant General Manager/ Mayor, Janette Booth*

**182.8.2019**     **RESOLVED:** That the Minutes of the Western Division Councils of NSW be received and noted.  
*Clr Marsden/ Clr Abbott* **CARRIED**

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**CLAUSE 6B – INVESTMENT REPORT AS AT 31 JULY 2019**

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

**183.8.2019**     **RESOLVED:** That Council receive and note the Investment Report as at 31 July 2019.  
*Clr Abbott/ Clr Sinclair* **CARRIED**

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**CLAUSE 7B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 31 JULY 2019**

**FILE: B2-7** **AOP REFERENCE: 3.1.1.5**  
**AUTHOR:** *Acting Financial Accountant, Sandra Davey*

**184.8.2019**     **RESOLVED:** That Council receive and note the Bank Reconciliation, Monthly Total Funds Available, Cash Flow and Loan Facility Report as at 31 July 2019.  
*Clr Abbott/ Clr Lea-Barrett* **CARRIED**

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**CLAUSE 8B – ENGINEERING WORKS REPORT**

**FILE: C6-20-2** **AOP REFERENCE: 4.3.2**  
**AUTHOR:** *Acting Director of Engineering Services, Simon Pradhan*

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**185.8.2019**     **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 Lehmann* **CARRIED**

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**CLAUSE 9B – EXPENDITURE FOR ROADS NETWORK**

**FILE: R5-31** **AOP REFERENCE: 4.3.2**  
**AUTHOR:** *Acting Director of Engineering Services, Simon Pradhan*

**186.8.2019**     **RESOLVED:** That the information detailing the Expenditure for Council's Roads Network be received and noted.  
*Clr Lea-Barrett/ Clr Lehmann* **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, Eric Poga*

**187.8.2019**     **RESOLVED:** That Council receive and note the updated financial information for the three Restart NSW Resources for Regions infrastructure projects.  
*Clr Lea-Barrett/ Clr Sinclair* **CARRIED**

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**CLAUSE 11B – GRANT FUNDING**

**FILE: G4-17** **AOP REFERENCE: 3.1.1.4**  
**AUTHOR:** *Economic Development Manager, Kerry Grant-Mackay*

**188.8.2019**     **RESOLVED:** That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.  
*Clr Marsden/ Clr Toomey* **CARRIED**

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**CLAUSE 12B – RATES RECONCILIATION REPORT AS AT 31 JULY 2019**

**FILE: R2-1** **AOP REFERENCE: 3.1.1.6**  
**AUTHOR:** *Office Coordinator, Jo-Louise Brown*

**189.8.2019**     **RESOLVED:** That the Rates Reconciliation Report as at the 31 July 2019 be received and noted.  
*Clr Lea-Barrett/ Clr Abbott* **CARRIED**

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**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6:34PM**

**CONFIRMED.....**

**MINUTE NO.....**

**MAYOR.....**

.....  
**GENERAL MANAGER**

.....  
**MAYOR**