

---

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF  
THE SHIRE OF COBAR HELD IN THE COUNCIL CHAMBERS ON  
THURSDAY 23 NOVEMBER 2017 COMMENCING AT 5:00PM**

---

**PRESENT (FILE C13-2)**

Councillors Peter Abbott (Deputy Mayor), Tracey Kings, Janine Lea-Barrett, Christopher Lehmann, Jarrod Marsden, Greg Martin, Peter Maxwell, Julie Payne, Harley Toomey, Bob Sinclair 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 Angela Shepherd (Director of Corporate and Economic Development and Janette Booth (Executive Assistant – General Manager/ Mayor).

---

**APOLOGIES (FILE C13-2)**

**295.11.2017** **RESOLVED:** That the apology received from Councillor Lilliane Brady OAM (Mayor) be accepted and a leave of absence granted.  
*Clr Lea-Barrett/ Clr Martin* **CARRIED**

---

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

- Councillor Jarrod Marsden declared a Non-Pecuniary interest in Clause 5A - Dalton Park Horse Complex Licence Agreement.
- Councillor Peter Yench declared a Non-Pecuniary interest in Clause 5A - Dalton Park Horse Complex Licence Agreement.
- Mr Kym Miller declared a Non-Pecuniary interest in Clause 5A - Dalton Park Horse Complex Licence Agreement.
- Councillor Peter Yench declared a Pecuniary interest in Clause 1B – Development Approvals: 18 October 2017 – 14 November 2017.

---

**CONDOLENCES (FILE M2-3)**

- Nil.

---

**CONFIRMATION OF MINUTES**

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

**296.11.2017** **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday, 26 October 2017 be confirmed as a true and correct record of the proceedings of that meeting.  
*Clr Toomey/ Clr Lea-Barrett* **CARRIED**

---

THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 NOVEMBER 2017

.....  
GENERAL MANAGER

.....  
DEPUTY MAYOR

---

**NOTICE OF MOTION – INDUSTRIAL LAND SUBDIVISION**

**FILE: A10-27**

**AOP REFERENCE: 3.1.1**

**AUTHOR: *Councillor, Peter Abbott***

**297.11.2017 RESOLVED:** That Cobar Shire Council as a matter of urgency provide a comprehensive report on the establishment of a new Industrial Subdivision for Cobar and to incorporate a business case for the construction of appropriate sheds on some of the blocks for rent for those seeking rental rather than outright purchase of industrial blocks.  
*Clr Martin/ Clr Lea-Barrett* **CARRIED**

---

**NOTICE OF MOTION – FREE CAMPING AT THE NEWEY**

**FILE: P1-7**

**AOP REFERENCE: 4.4.3.1**

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

**MOTION:** That Cobar Shire Council immediately install no camping signs at the Newey Reservoir and that no camping be enforced by the General Manager until such time as the Council has approved the proposed Management Plan for the Newey which may allow camping to occur in the future.

*Clr Yench/ Clr Lea-Barrett*

**LOST**

*A Division was called:*

***For:***

*Clr Julie Payne  
Clr Peter Yench*

***Against:***

*Clr Peter Abbott  
Clr Tracey Kings  
Clr Lea-Barrett  
Clr Lehmann  
Clr Jarrod Marsden  
Clr Peter Maxwell  
Clr Gregory Martin  
Clr Bob Sinclair  
Clr Harley Toomey*

---

**NOTICE OF MOTION – FREE CAMPING GROUNDS IN COBAR**

**FILE: P1-7**

**AOP REFERENCE: 4.4.3.1**

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

**MOTION:** That the General Manager provide a report to Council on a possible site for a free camping ground in Cobar.

*Clr Yench/ Clr Payne*

**LOST**

*A Division was called:*

***For:***

*Clr Lea Barrett  
Clr Tracey Kings*

***Against:***

*Clr Peter Abbott  
Clr Christopher Lehmann*

---

THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 NOVEMBER 2017

.....  
GENERAL MANAGER

.....  
DEPUTY MAYOR

---

*Clr Julie Payne  
Clr Peter Yench*

*Clr Jarrod Marsden  
Clr Peter Maxwell  
Clr Gregory Martin  
Clr Bob Sinclair  
Clr Harley Toomey*

---

**NOTICE OF MOTION – INCREASED PENALTIES FOR  
VANDALISM**

**FILE: P4-1**

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

- 298.11.2017 RESOLVED:** That Cobar Shire Council write to the Western Division of Councils, OROC, Local Member and the Local Government Association to seek State Government support for an increase in penalties attributed to vandalism of public facilities.  
*Clr Sinclair/ Clr Payne* **CARRIED**
- 

**CLAUSE 1A – MAYORAL REPORT**

**FILE: C13-1-5**

**AOP REFERENCE: 3.1**

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

- 299.11.2017 RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of November 2017.  
*Clr Toomey/ Clr Lehmann* **CARRIED**
- 

**CLAUSE 2A – PUBLICATION GUIDE – GOVERNMENT  
INFORMATION (PUBLIC ACCESS) ACT 2009**

**FILE:A2-6-2**

**AOP REFERENCE: 3.1.5.2**

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

- 300.11.2017 RESOLVED:** That Council adopts the Publication Guide dated 25 June 2016 as the current Policy of Council.  
*Clr Sinclair/ Clr Payne* **CARRIED**
- 

**CLAUSE 3A – QUARTER 1 2017/2018 BUDGET REVIEW**

**FILE: L5-22**

**AOP REFERENCE: 3.3**

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

- 301.11.2017 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.
- 

**THIS IS PAGE 3 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 NOVEMBER 2017**

.....  
**GENERAL MANAGER**

.....  
**DEPUTY MAYOR**

- 
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 Yench*

**CARRIED**

---

**CLAUSE 4A – PROVISION OF ROAD STABILISING SERVICES TENDER**

**FILE: T3-17-11**

**AOP REFERENCE: 4.3.2**

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

**302.11.2017 RESOLVED:** That the tenders received for the Provision of Road Stabilising 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 Sinclair/ Clr Marsden*

**CARRIED**

---

**Clrs Jarrod Marsden and Peter Yench declared a non-pecuniary interest and left the Meeting at 5:55pm.**

**Mr Kym Miller declared a non-pecuniary interest and left the Meeting at 6:00pm.**

**CLAUSE 5A – DALTON PARK HORSE COMPLEX LICENCE AGREEMENTS**

**FILE: P1-4-3**

**AOP REFERENCE: 3.3.4.2**

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

**303.11.2017 RESOLVED:**

1. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to offer a 12 month temporary licence agreement to following organisation as detailed below:

Organisation / Individual	Purpose of licence
Cobar Rodeo Committee	Exercising of horses for sporting events and associated horse activities.

2. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to affix the Trust seal to the 12 month temporary licence agreements for the following organisations and individuals to cover the period 1 July 2017 to 30 June 2018, if the offers are accepted:

---

- Cobar Rodeo Committee.

*Clr Maxwell/ Clr Payne*

**CARRIED**

**Clrs Jarrod Marsden and Peter Yench returned to the Meeting at 5:56pm.**

**Mr Kym Miller returned to the Meeting at 5:56pm.**

---

**CLAUSE 6A – CREATION OF A 2020 CELEBRATION WORKING GROUP**

**FILE: D2-9**

**AOP REFERENCE: 2.2.2.1**

**AUTHOR: *Projects Officer, Miranda Riley***

**304.11.2017 RESOLVED:**

1. That Council form a 2020 Celebration Working Group to develop an action plan to celebrate Cobar's 150<sup>th</sup> anniversary.
2. That Council adopt the Terms of Reference for a 2020 Working Group to undertake the planning and implementation of Cobar's 150 year celebrations.
3. That Council Nominate Councillor Christopher Lehmann as Chair for this Working Group.

*Clr Yench/ Clr Lea-Barrett*

**CARRIED**

---

**Clr Peter Yench declared a pecuniary interest and left the Meeting at 6:01pm.**

**CLAUSE 1B – DEVELOPMENT APPROVALS: 18 OCTOBER 2017 – 14 NOVEMBER 2017**

**FILE: T5-1**

**AOP REFERENCE: 1.6.3.1**

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

**305.11.2017 RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 18 October 2017 – 14 November 2017 be received and noted.

*Clr Marsden/ Clr Kings*

**CARRIED**

**Clr Peter Yench returned to the Meeting at 5:56pm.**

---

**CLAUSE 2B – MONTHLY STATUS REPORT**

**FILE: C13-10**

**AOP REFERENCE: 3.1**

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

---

---

**306.11.2017 RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 1099, 1100, 1101, 1102, 1103, 1104, 1105 and 1107.  
*Clr Payne/ Clr Lea-Barrett* **CARRIED**

**MOTION:** That a storage tank be installed at Council cost on the corner of O'Neil Drive and Sutherland Drive for the purpose of supplying metered water to O'Neil Drive residents.  
*Clr Yench/ Clr Lea-Barrett* **LOST**

*A Division was called:*

*For:*  
*Clr Peter Yench*

*Against:*  
*Clr Peter Abbott*  
*Clr Tracey Kings*  
*Clr Christopher Lehmann*  
*Clr Janine Lea-Barrett*  
*Clr Jarrod Marsden*  
*Clr Peter Maxwell*  
*Clr Gregory Martin*  
*Clr Julie Payne*  
*Clr Bob Sinclair*  
*Clr Harley Toomey*

---

**CLAUSE 3B – CONSULTATION ON DRAFTS OF THE NEW MODEL CODE OF CONDUCT AND ADMINISTRATIVE PROCEDURES**

**FILE: P5-8**

**AOP REFERENCE: 3.1.4**

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

**307.11.2017 RESOLVED:** That the information in relation to the Model Code of Conduct and Procedures for the Administration of the Model Code of Conduct be received and noted.  
*Clr Payne/ Clr Marsden* **CARRIED**

---

**CLAUSE 4B – INVESTMENT REPORT AS AT 31 OCTOBER 2017**

**FILE: B2-7**

**AOP REFERENCE: 3.1.1.7**

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

**308.11.2017 RESOLVED:** That Council receive and note the Investment Report as at 31 October 2017 with the amended closing balance of \$13,877,566.  
*Clr Maxwell/ Clr Lea-Barrett* **CARRIED**

---

**CLAUSE 5B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 31 OCTOBER 2017**

**FILE: B2-7**

**AOP REFERENCE: 3.1.1.5**

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

---

THIS IS PAGE 6 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 NOVEMBER 2017

---

**309.11.2017 RESOLVED:** That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report as at 31 October 2017.  
*Clr Lea-Barrett/ Clr Kings* **CARRIED**

---

**CLAUSE 6B – 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**

**310.11.2017 RESOLVED:** That Council receive and note the updated financial information for the two Restart NSW Resources for Regions infrastructure projects.  
*Clr Martin/ Clr Lea-Barrett* **CARRIED**

---

**CLAUSE 7B – EXPENDITURE FOR ROADS NETWORK**

**FILE: R5-31** **AOP REFERENCE: 4.3.2**  
**AUTHOR: Director of Engineering Services, Stephen Taylor**

**311.11.2017 RESOLVED:** That the information detailing the Expenditure for Council's Roads Network be received and noted.  
*Clr Maxwell/ Clr Lea-Barrett* **CARRIED**

---

**CLAUSE 8B – ENGINEERING WORKS REPORT**

**FILE: C6-20-2** **AOP REFERENCE: 4.3.2**  
**AUTHOR: Director of Engineering Services, Stephen Taylor**

**312.11.2017 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 Lea-Barrett/ Clr Toomey* **CARRIED**

---

**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**

**313.11.2017 RESOLVED:** That Council receive and note the information contained within this report.  
*Clr Marsden/ Clr Payne* **CARRIED**

---

**CLAUSE 10B – MEETING MINUTES**

**FILE: R5-36 & D2-17** **AOP REFERENCE: 3.1**  
**AUTHOR: Executive Assistant - General Manager/ Mayor, Janette Booth**

---

---

**314.11.2017 RESOLVED:** That the Minutes and Status Reports of the Rural Roads Advisory and Economic Taskforce Committees be received and noted.  
*Clr Lea-Barrett/ Clr Martin* **CARRIED**

---

**CLAUSE 11B – STAFF CONFERENCE ATTENDANCE REPORT**

**FILE:** Personnel **AOP REFERENCE:** 3.3.2

**AUTHOR:** *Human Resources Manager, Summer Patterson*

**315.11.2017 RESOLVED:** That the information provided above in relation to the conferences attended by Council staff be received and noted.  
*Clr Lehmann/ Clr Maxwell* **CARRIED**

---

**CLAUSE 12B – GRANT FUNDING**

**FILE:** G4-17 **AOP REFERENCE:** G4-17

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

**316.11.2017 RESOLVED:** That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.  
*Clr Sinclair/ Clr Lea-Barrett* **CARRIED**

---

**CLAUSE 13B – RATES RECONCILIATION REPORT AS AT 31 OCTOBER 2017**

**FILE:** R2-1 **AOP REFERENCE:** 3.1.1.6

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

**317.11.2017 RESOLVED:** That the Rates Reconciliation Report as at the 31 October 2017 received and noted.  
*Clr Lea-Barrett/ Clr Payne* **CARRIED**

---

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

**318.11.2017 RESOLVED:** That Council move into the Committee of the Whole with the press and public excluded at 7:17pm 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 Lea-Barrett* **CARRIED**

---

**Council resumed in Open Council at 7:19pm.**

---

**THIS IS PAGE 8 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 NOVEMBER 2017**

---



---

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

**319.11.2017 RESOLVED:** That the recommendations of the Committee of the Whole be adopted.

*Clr Payne/ Clr Lea-Barrett*

**CARRIED**

---

**CLAUSE 1C – PROVISION OF ROAD STABILISING  
SERVICES TENDER**

**FILE: T3-17-11**

**AOP REFERENCE: 4.3.2**

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

**41COW.11.2017 RESOLVED:**

1. That Cobar Shire Council accept the panel of suppliers in no order of precedence as below:

- Accurate Asphalt and Road Repairs;
- Central West Civil Pty Ltd;
- Downer EDI Works Pty Ltd;
- Hiway Stabilizers Australia Pty Ltd;
- Stabilised Pavements of Australia Pty Ltd;
- The Mining Pty Ltd;
- Stabilco Pty Ltd.

2. That a provision be allowed for a 12 month extension based on satisfactory supplier performance which may take tender through to 31 December 2021.

3. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

*Clr Lehmann/ Clr Lea-Barrett*

**CARRIED**

---

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 7:20PM**

**CONFIRMED.....**

**MINUTE NO.....**

**DEPUTY MAYOR.....**