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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF  
THE SHIRE OF COBAR HELD IN THE COUNCIL CHAMBERS ON  
THURSDAY 24 AUGUST 2017 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, 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 Mmes Angela Shepherd (Director of Corporate and Economic Services) and Janette Booth (Executive Assistant – General Manager/ Mayor).

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**APOLOGIES (FILE C13-2)**

- Nil.

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

- Clr Tracey Kings declared a Pecuniary interest in Clause 6A – Sale of Land at Duffy Drive;
- Clr Janine Lea-Barrett declared a Non – Pecuniary interest in Clause 6A – Sale of Land at Duffy Drive.

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**CONDOLENCES (FILE M2-3)**

- Faye Maree Tickell;
- Francis Howard Brown;
- Patricia Elizabeth Best;
- Lenore Jennifer Byrne;
- William Charles Botten;
- Mrs Pat Dickson.

A minutes silence was observed by those in attendance.

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**PUBLIC ACCESS FORUM**

- Nil.

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**CONFIRMATION OF MINUTES**

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

**196.8.2017 RESOLVED:** That the Minutes of the Ordinary Meeting of Council held on Thursday, 27 July 2017 be confirmed as a true and correct record of the proceedings of that meeting with the following amendment: That Councillor Peter Yench be added to the Minutes as having declared an Non-Pecuniary interest in Clause 11A – Dalton Park Horse Complex Licence Agreement and left the Meeting at 6:26pm and returned to the Meeting at 6:27pm.  
*Clr Abbott/ Clr Lea-Barrett* **CARRIED**

**197.8.2017 RESOLVED:** That Council provides a submission to APA Group as an alternative gas pipeline route through Cobar to Bourke to Narrabri and that Council contacts the appropriate Councils to support our submission.  
*Clr Yench/ Clr Lea-Barrett* **CARRIED**

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**CONFIRMATION OF MINUTES**

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

**198.8.2017 RESOLVED:** That the minutes of the Extraordinary Meeting of Council held on Thursday, 10 August 2017 be confirmed as a true and correct record of the proceedings of that meeting.  
*Clr Martin/ Clr Maxwell* **CARRIED**

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**CLAUSE 1A – MAYORAL REPORT**

**FILE: C13-1-5** **AOP REFERENCE: 3.1**  
**AUTHOR: Mayor, Councillor Lilliane Brady OAM**

**199.8.2017 RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of August 2017.  
*Clr Abbott/ Clr Kings* **CARRIED**

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**CLAUSE 2A – REVIEW OF CURRENT WATER RESTRICTIONS**

**FILE: W2-21** **AOP REFERENCE: 5.1.3**  
**AUTHOR: General Manager, Peter Vlatko**

**200.8.2017 RESOLVED:** That Council staff prepare a report in relation to water catchment damming in the Cobar area to increase water security for Cobar residents.  
*Clr Yench/ Clr Kings* **CARRIED**

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**201.8.2017 RESOLVED:** That Council adopts the following water restrictions from 1 September 2017 to 1 December 2017:

**Cobar**

- Hand held hoses are permitted between **5.00pm** and **9.00am** daily;
- All fixed sprinklers, irrigation systems etc. are permitted between **6.00pm** and **8.00am** daily;
- No car washing permitted on hard surfaces.

**Nymagee**

- Hand held hoses are permitted between **5.00pm** and **9.00am** daily;
- All fixed sprinklers, irrigation systems etc. are not permitted;
- No car washing permitted on hard surfaces.

**Mount Hope**

- Hand held hoses are permitted between **5.00pm** and **9.00am** daily;
- All fixed sprinklers, irrigation systems etc. are not permitted;
- No car washing permitted on hard surfaces.

*Clr Sinclair/ Clr Kings*

**CARRIED**

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**CLAUSE 3A – PROCEDURES FOR THE ADMINISTRATION OF THE COBAR SHIRE COUNCIL CODE OF CONDUCT POLICY**

**FILE: P5-8**

**AOP REFERENCE: 3.1.5.2**

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

**202.8.2017 RESOLVED:** That Council adopt the attached amended Procedures for the Administration of the Cobar Shire Council Code of Conduct Policy.

*Clr Yench/ Clr Payne*

**CARRIED**

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**CLAUSE 4A – NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS**

**FILE: L5-5-3**

**AOP REFERENCE: 3.1.4**

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

**203.8.2017 RESOLVED:** That the Roads Works Manager, Adrienne Pierini and a Councillor be authorised to attend the National Local Road and Transport Congress that will be held in Albany from 6 – 8 November 2017 with attendance met from within the relevant budget allocation.

*Clr Kings/ Clr Abbott*

**CARRIED**

**Clr Tracey Kings requested her name be recorded as voting against the motion.**

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**CLAUSE 5A – ROAD CAPITAL AND MAINTENANCE WORKS PROGRAM 2016/2017**

**FILE: R5-15 & R5-16**

**AOP REFERENCE: 4.3.1**

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

**204.8.2017 RESOLVED:** That the following Capital Works Road Program be adopted for 2017/2018:

**Regional Roads – Reseals**

- MR 228 – Whitbarrow Way – reseal 1.5 km \$60,000
- MR 461 – Priory Tank Road – reseal 5 km \$200,000
- MR 7518 – Fifty Two Mile Road – reseal 5 km \$200,000
- MR 7521 – Kiacatoo Road – reseal 5 km \$200,000

**Regional Roads – Seal Extension**

- MR 407 Mulya Road – seal extension 5 km \$800,000  
(subject to Repair funding approval)
- RR7518 Fifty Two Mile Road – Windara bend \$300,000

**Regional Roads – Reconstruction**

- MR 68 Curranyalpa Road – bridge approaches \$250,000
- MR 411 Tipping Way – bend realignment \$241,612
- RR 7518 Fifty Two Mile Road – sand hill stabilisation \$150,000

**Shire Roads – Reseals**

- SR 19 – Burthong Road – reseal 4 km \$150,000

**Shire Roads – Seal Extension**

- SR 20 – Grain Road – widen and reseal 8–12km \$1,200,000

**Shire Roads – Gravel re-sheeting and causeways**

- SR 7 – Mt Gap Road – Stabilise causeways \$200,000
- SR 19 – Burthong Road – Gravel re-sheeting \$201,000
- SR 31 – Moolah Road – Gravel re-sheeting \$75,000

**Town Streets**

- Urban Streets – Reconstruction Blakey St \$50,000  
*Clr Martin/ Clr Maxwell* **CARRIED**

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**Clr Tracey Kings declared pecuniary interest and Clr Janine Lea-Barrett declared a non-pecuniary interest and left the Meeting at 6:04pm.**

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**CLAUSE 6A – SALE OF LAND AT DUFFY DRIVE**

**FILE: A10-34-42**

**AOP REFERENCE: 3.1.1**

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

**205.8.2017 RESOLVED:** That the two blocks of land which are the subject of this report be auctioned with the reserve to be determined by Council at the meeting preceding the advertised auction date.

*Clr Payne/ Clr Sinclair*

**CARRIED**

**Clr Tracey Kings and Clr Janine Lea-Barrett returned to the Meeting at 6:05pm.**

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**CLAUSE 7A – INCREASE IN PROVISION FOR DOUBTFUL DEBTS**

**FILE: M4 – 12/13**

**AOP REFERENCE: 3.1.1**

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

**206.8.2017 RESOLVED:**

1. That an increase in the provision for doubtful debts of \$186,000 be raised as at 30 June 2017.
2. That a further report on the Increase in Provision for Doubtful Debts be considered in Committee of the Whole Closed Council with the press and public excluded for the reason as stated in *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 Maxwell*

**CARRIED**

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**CLAUSE 8A – DELEGATED AUTHORITY UNDER THE BIOSECURITY ACT 2015**

**FILE: N1-1**

**AOP REFERENCE: 5.2.4**

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

**207.8.2017 RESOLVED:** That Council under Section 375 of the *Biosecurity Act 2015* (Act) delegate the functions, conferred on Cobar Shire Council as a local control authority by the Act to the General Manager.

*Clr Maxwell/ Clr Kings*

**CARRIED**

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**CLAUSE 9A – PUBLIC EXHIBITION – COBAR HOSPITAL  
PLANNING PROPOSAL**

**FILE: M6-5**

**AOP REFERENCE: 1.5.1**

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

**208.8.2017 RESOLVED:**

1. That Council authorises the Director of Planning and Environmental Services on behalf of the Council to request the NSW Department of Planning and Environment that a draft Local Environmental Plan be prepared to amend the Cobar Local Environmental Plan 2012 in accordance with the Gateway Planning Proposal Report prepared by Anthony Williams, Senior Planner, APP Corporation Pty Ltd, dated 6 June 2017.
2. That voting on this matter be recorded on the basis of an automatic division as requested by legislation.

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

**CARRIED**

***A Division was called:***

***For:***

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

***Against:***

**209.8.2017 RESOLVED:**

1. That Cobar Shire Council form a working group to identify areas where locally provided health services can be improved to meet the current and future needs of the Community of Cobar and the Region.
2. The working group to comprise of three Councillors: Chris Lehmann, Janine Lea-Barrett and Peter Yench, Cobar Shire Council General Manager or his representative, Chair of the Cobar Health Council, representative from the Cobar Hospital, representative from the Cobar Primary Health Care Centre, Dr Indra Karalasingham and a representative from the Cobar Community Service Forum.

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

**CARRIED**

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**THIS IS PAGE 6 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 24 AUGUST 2017**

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**GENERAL MANAGER**

**MAYOR**

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**CLAUSE 1B – DEVELOPMENT APPROVALS: 20 JULY 2017 – 15 AUGUST 2017**

**FILE: T5-1**

**AOP REFERENCE: 1.6.3.1**

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

- 210.8.2017 RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 20 July 2017 – 15 August 2017 be received and noted.  
*Clr Kings/ 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***

- 211.8.2017 RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 1021 Part 1, 1044, 1051, 1054, 1055, 1056, 1057, 1058, 1060, 1063 Part 2 and 4 and 1064.  
*Clr Lea-Barrett/ Clr Toomey* **CARRIED**

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**CLAUSE 3B – INVESTMENT REPORT AS AT 31 JULY 2017**

**FILE: B2-7**

**AOP REFERENCE: 3.1.1.7**

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

- 212.8.2017 RESOLVED:** That Council receive and note the Investment Report as at 31 July 2017.  
*Clr Abbott/ Clr Sinclair* **CARRIED**

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**CLAUSE 4B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 31 JULY 2017**

**FILE: B2-7**

**AOP REFERENCE: 3.1.1.5**

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

- 213.8.2017 RESOLVED:** That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report as at 31 July 2017.  
*Clr Abbott/ Clr Payne* **CARRIED**

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**CLAUSE 5B – MEETING MINUTES**

**FILE: R5-36 & C8-17**

**AOP REFERENCE: 3.1**

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





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**222.8.2017 RESOLVED:** That Council receive and note the updated financial information for the two Restart NSW Resources for Regions infrastructure projects.  
*Clr Kings/ Clr Payne* **CARRIED**

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**CLAUSE 8B – EXPENDITURE FOR ROADS NETWORK**

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

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

**223.8.2017 RESOLVED:** That the information detailing the Expenditure for Council's Roads Network be received and noted.  
*Clr Lehmann/ Clr Yench* **CARRIED**

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**CLAUSE 9B – ENGINEERING WORKS REPORT**

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

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

**224.8.2017 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 Abbott/ Clr Yench* **CARRIED**

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**CLAUSE 10B – 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***

**225.8.2017 RESOLVED:** That the information contained within this report be received and noted.  
*Clr Yench/ Clr Payne* **CARRIED**

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**CLAUSE 11B – TRAFFIC COUNTS ON SHIRE ROADS AND  
CLASSIFIED ROADS**

**FILE: R5-34** **AOP REFERENCE: 4.3.2**

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

**226.8.2017 RESOLVED:** That the information in relation to traffic counts on Shire Roads and Classified Roads be received and noted.  
*Clr Abbott/ Clr Sinclair* **CARRIED**

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**CLAUSE 12B – STAFF CONFERENCE ATTENDANCE REPORT**

**FILE:** Personnel

**AOP REFERENCE:** 3.3.2

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

- 227.8.2017 RESOLVED:** That the information provided above in relation to the conferences attended by Council staff be received and noted.  
*Clr Martin/ Clr Abbott* **CARRIED**

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**CLAUSE 13B – GRANT FUNDING**

**FILE:** G4-17

**AOP REFERENCE:** G4-17

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

- 228.8.2017 RESOLVED:** That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.  
*Clr Yench/ Clr Lea-Barrett* **CARRIED**

- 229.8.2017 RESOLVED:** That Council approves the updating of the previous report “Far West Regional Rehabilitation and Health Centre” in order to consider appropriate funding models in establishing a Mining and Sporting Injury Rehabilitation Centre in Cobar for the Region and provide a report back to the October Ordinary Council Meeting.  
*Clr Yench/ Clr Kings* **CARRIED**

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**CLAUSE 14B – RATES RECONCILIATION REPORT AS AT 31 JULY 2017**

**FILE:** R2-1

**AOP REFERENCE:** 3.1.1.6

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

- 230.8.2017 RESOLVED:** That the Rates Reconciliation Report as at the 31 July 2017 received and noted.  
*Clr Toomey/ Clr Sinclair* **CARRIED**

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

- 231.8.2017 RESOLVED:** That Council move into the Committee of the Whole with the press and public excluded at 7:12pm 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 Lehmann* **CARRIED**

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Council resumed in Open Council at 7:20pm.

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

**232.8.2017 RESOLVED:** That the recommendations of the Committee of the Whole be adopted.  
*Clr Kings/ Clr Abbott* **CARRIED**

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**CLAUSE 1C – INCREASE IN PROVISION FOR DOUBTFUL DEBTS**

**FILE:** M4 – 12/13 **AOP REFERENCE:** 3.1.1  
**AUTHOR:** *Director Finance and Community Services, Kym Miller*

**29COW.8.2017 RESOLVED:**

1. That Council receive and note the Increase in Provision for Doubtful Debts Report and in particular note the impact on the reported surplus.
2. That the information contained within this report remain confidential within the Committee of the Whole Closed Council.

*Clr Abbott/ Clr Payne* **CARRIED**

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 7:21PM**

**CONFIRMED.....**

**MINUTE NO.....**

**MAYOR.....**