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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF  
THE SHIRE OF COBAR HELD IN COUNCIL CHAMBERS ON  
THURSDAY 25 JULY 2019 COMMENCING AT 5:00PM**

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**PRESENT (FILE C13-2)**

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

**OBSERVERS**

Messrs Peter Vlatko (General Manager), Kym Miller (Director of Finance & Corporate Services), 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)**

**140.7.2019 RESOLVED:** That the apologies received from Councillors Tracey Kings and Peter Yench be accepted.  
*Clr Abbott/ Clr Toomey* **CARRIED**

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

- Clr Julie Payne declared a Pecuniary interest in Clause 5A – Extension of NAB Business Markets Loan.
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**CONDOLENCES (FILE M2-3)**

- Noel James Shields.
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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 25 JULY 2019**

.....  
GENERAL MANAGER

.....  
MAYOR

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**PUBLIC ACCESS SESSION**

- Mr Allan Geppert – Upgrading Balowra Road (MR461).
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**CONFIRMATION OF MINUTES**

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

- 141.7.2019**     **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday, 27 June 2019 be confirmed as a true and correct record of the proceedings of that meeting.  
*Clr Sinclair/ Clr Lea-Barrett* **CARRIED**
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**NOTICE OF MOTION – SUPERMARKETS DISPENSING PHARMACEUTICALS**

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

**AUTHOR: Councillor, Peter Abbott**

- 142.7.2019**     **RESOLVED:** That Local Government NSW be requested to seek to lobby both State and Federal Governments to maintain the status quo and refuse access of pharmaceutical products being sold through supermarkets.  
*Clr Abbott/ Clr Marsden* **CARRIED**
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**CLAUSE 1A – MAYORAL REPORT**

**FILE: C13-1-5**

**AOP REFERENCE: 3.1**

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

- 143.7.2019**     **RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of July 2019.  
*Clr Payne/ Clr Lea-Barrett* **CARRIED**
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**CLAUSE 2A – COMMERCIAL LEASE – SHOP 1/ 41 MARSHALL STREET, COBAR**

**FILE: L6-3 & A10-31**

**AOP REFERENCE: 1.6.4**

**AUTHOR: General Manager, Peter Vlatko**

- 144.7.2019**     **RESOLVED:** That a report regarding a new lease for the Shop 1/ 41 Marshall Street, Cobar, be considered in the 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 Marsden/ Clr Abbott* **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 25 JULY 2019

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**CLAUSE 3A – FAR NORTH WEST JOINT ORGANISATION  
AIR SERVICE**

**FILE: L5-26**

**AOP REFERENCE: 2.3**

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

- 145.7.2019**     **RESOLVED:** That a report regarding the Far North West Joint Organisation Air Service be considered in the 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 Marsden/ Clr Abbott* **CARRIED**

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**CLAUSE 4A – COUNCIL SEAL ON LEASE AGREEMENTS  
FOR 24 & 26 HARCOURT STREET, COBAR**

**FILE: A10-10, A10-35 & L6-5**

**AOP REFERENCE: 1.5.2.1**

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

- 146.7.2019**     **RESOLVED:** That Council authorise the Mayor and General Manager to sign all relevant lease Agreement documentation for 24 Harcourt Street and 26 Harcourt Street, Cobar under the Common Seal of Council.  
*Clr Sinclair/ Clr Lea-Barrett* **CARRIED**

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**CLAUSE 5A – EXTENSION OF NAB BUSINESS MARKETS  
LOAN**

**FILE: B2-14**

**AOP REFERENCE: 3.3.4**

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

- 147.7.2019**     **RESOLVED:** That Council considers the extension of NAB business markets loan in the 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 Marsden/ Clr Abbott* **CARRIED**

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**CLAUSE 6A – CARRIED FORWARD BUDGET ITEMS**

**FILE: L5-22**

**AOP REFERENCE: 3.1**

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

**MOTION:**

1. That Council approve the list of items attached to this report to be continued in year ending 30 June 2020.
2. That the amounts are formally included in the 2019/2020 Budget as part of the Quarter 1 Budget Review.

*Clr Marsden/ Clr Lea-Barrett*

**CARRIED**

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**AMENDMENT:** That the works in the carried forward report that have been started be approved and all other items be deferred to the August Council Meeting for consideration.

*Clr Sinclair/ Clr Lehmann*

**CARRIED**

**The amendment was put and became the motion.**

**148.7.2019**

**RESOLVED:** That the works in the carried forward report that have been started be approved and all other items be deferred to the August Council Meeting for consideration.

*Clr Sinclair/ Clr Lehmann*

**CARRIED**

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**CLAUSE 7A – RATE ABANDONMENTS 2018/2019**

**FILE: R2-1**

**AOP REFERENCE: 3.1.1.2**

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

**149.7.2019**

**RESOLVED:** That Council write-off rates and charges totalling \$120,650.88 for 2018/2019 as follows subject to Auditors approval:

|                          |              |
|--------------------------|--------------|
| Pension Rebates          | 108,408.28   |
| Hidden Leaks Allowance   | 2,923.26     |
| Category/Service Changes | 9,319.34     |
|                          | \$120,650.88 |

*Clr Sinclair/ Clr Toomey*

**CARRIED**

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**CLAUSE 1B – DEVELOPMENT APPROVALS: 19 JUNE 2019 – 30 JUNE 2019**

**FILE: T5-1**

**AOP REFERENCE: 1.6.3.1**

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

**150.7.2019**

**RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 19 June 2019 – 30 June 2019 be received and noted.

*Clr Payne/ Clr Lea-Barrett*

**CARRIED**

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**CLAUSE 2B – DEVELOPMENT APPROVALS: 1 JULY 2019 – 16 JULY 2019**

**FILE: T5-1**

**AOP REFERENCE: 1.6.3.1**

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

**151.7.2019**

**RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 1 July 2019 – 16 July 2019 be received and noted.

*Clr Payne/ Clr Sinclair*

**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 25 JULY 2019

.....  
GENERAL MANAGER

.....  
MAYOR

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**CLAUSE 3B – MONTHLY STATUS REPORT**

**FILE: C13-10**

**AOP REFERENCE: 3.1**

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

- 152.7.2019**     **RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 1294, 1295, 1296, 1297, 1298, 1299 Part 1, 1300, 1301 and 1302 and that a further report be provided to Council on The Wool Track.  
*Clr Lea-Barrett/ Clr Sinclair*     **CARRIED**

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**CLAUSE 4B – FOOD REGULATION PARTNERSHIP**

**FILE: H1-4**

**AOP REFERENCE: 1.6.5**

**AUTHOR: *Administration & Environmental Health Coordinator, Karen Warren***

- 153.7.2019**     **RESOLVED:** That the information received in the Food Regulation Partnership Report be received and noted.  
*Clr Payne/ Clr Lea-Barrett*     **CARRIED**

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**CLAUSE 5B – MATERIAL VARIATIONS TO BUDGET**

**ESTIMATE 2018/2019 AND 2019/2020**

**FILE: L5-22-1**

**AOP REFERENCE: 3.1**

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

- 154.7.2019**     **RESOLVED:** That Council receive and note the report Material Variations to Budget Estimate 2018/2019 and 2019/2020.  
*Clr Lea-Barrett/ Clr Sinclair*     **CARRIED**

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**CLAUSE 6B – ARREARS OF RATE BOOK 2018/2019**

**FILE: R2-1**

**AOP REFERENCE: 3.1.1.2**

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

- 155.7.2019**     **RESOLVED:** That Council receives and notes the information contained within this report.  
*Clr Payne/ Clr Abbott*     **CARRIED**

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**CLAUSE 7B – DROUGHT MANAGEMENT PLAN**

**FILE: D6-1**

**AOP REFERENCE: 4.1**

**AUTHOR: *Water and Sewer Engineer, Victor Papierniak***

- 156.7.2019**     **RESOLVED:** That the information in relation to the Nyngan and Cobar Drought Management Plan be received and noted on the understanding that the Cobar Water Restrictions (Table 4.4 – ESP) will occur as a reflection of Burrendong Dam.  
*Clr Sinclair/ Clr Abbott*     **CARRIED**

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THIS IS PAGE 5 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 25 JULY 2019

.....  
GENERAL MANAGER

.....  
MAYOR

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***Division:***

***For***

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

***Against***

Clr Marsden

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**CLAUSE 8B – MEETING MINUTES**

**FILE: C8-34**

**AOP REFERENCE: 3.1**

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

**157.7.2019**     **RESOLVED:** That the Minutes of the Code of Conduct Report Consideration Committee be received and noted.  
*Clr Lea-Barrett/ Clr Toomey*     **CARRIED**

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**CLAUSE 9B – INVESTMENT REPORT AS AT 30 JUNE 2019**

**FILE: B2-7**

**AOP REFERENCE: 3.1.1.7**

**AUTHOR: *Acting Financial Accountant, Sandra Davey***

**158.7.2019**     **RESOLVED:** That Council receive and note the Investment Report as at 30 June 2019.  
*Clr Abbott/ Clr Lea-Barrett*     **CARRIED**

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**CLAUSE 10B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 30 JUNE 2019**

**FILE: B2-7**

**AOP REFERENCE: 3.1.1.5**

**AUTHOR: *Acting Financial Accountant, Sandra Davey***

**159.7.2019**     **RESOLVED:** That Council receive and note the Bank Reconciliation, Monthly Total Funds Available, Cash Flow and Loan Facility Report as at 30 June 2019.  
*Clr Abbott/ Clr Sinclair*     **CARRIED**

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**CLAUSE 11B – ENGINEERING WORKS REPORT**

**FILE: C6-20-2**

**AOP REFERENCE: 4.3.2**

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

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**CLAUSE 16B – GRANT FUNDING**

**FILE: G4-17**

**AOP REFERENCE: 3.1.1.4**

**AUTHOR: *Economic Development Manager, Kerry Grant-Mackay***

**165.7.2019 RESOLVED:** That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.

*Clr Lehmann/ Clr Payne*

**CARRIED**

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**CLAUSE 17B – RATES RECONCILIATION REPORT AS AT 30 JUNE 2019**

**FILE: R2-1**

**AOP REFERENCE: 3.1.1.6**

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

**166.7.2019 RESOLVED:** That the Rates Reconciliation Report as at the 30 June 2019 be received and noted.

*Clr Payne/ Clr Lea-Barrett*

**CARRIED**

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

**167.7.2019 RESOLVED:** That Council move into the Committee of the Whole with the press and public excluded at 6:06pm as matters to be discussed are considered to be confidential vide *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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**Council resumed in Open Council at 6:21pm.**

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

**168.7.2019 RESOLVED:** That the recommendations of the Committee of the Whole be adopted.

*Clr Toomey/ Clr Abbott*

**CARRIED**

**CLAUSE 1C – COMMERCIAL LEASE – SHOP 1/ 41 MARSHALL STREET, COBAR**

**FILE: L6-3 & A10-31**

**AOP REFERENCE: 1.6.4**

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

**25COW.7.2019 RESOLVED:**



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1. That Council authorise the Mayor and General Manager to enter into a new lease with IPIC Pty Ltd (George and Matilda Eyecare) for Shop 1/ 41 Marshall Street, Cobar (Title 21/236208) for a three (3) year x three (3) year x three (3) year lease term.
  2. That Council authorise the Mayor and General Manager to sign all relevant lease Agreement documentation for Shop 1/ 41 Marshall Street, Cobar under the Common Seal of Council.
  3. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

*Clr Sinclair/ Clr Lea-Barrett*

**CARRIED**

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**CLAUSE 2C – FAR NORTH WEST JOINT ORGANISATION  
AIR SERVICE**

**FILE: L5-26**

**AOP REFERENCE: 2.3**

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

**Verbal report provided.**

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**Councillor Julie Payne declared a Pecuniary Interest and left the meeting at 6:19pm.**

**CLAUSE 3C – EXTENSION OF NAB BUSINESS MARKETS  
LOAN**

**FILE: B2-14**

**AOP REFERENCE: 3.3.4**

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

**26COW.7.2019 RESOLVED:**

1. That the \$1m NAB Business Markets Loan facility be extended for the period ending 30 June 2020.
2. That the seal be affixed to the Business Letter of Variation to support the Loan Facility and the Mayor and General Manager be authorised to sign the document.
3. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

*Clr Lea-Barrett/ Clr Toomey*

**CARRIED**

**Councillor Julie Payne returned to the meeting at 6:21pm.**

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**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6:22PM**

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**THIS IS PAGE 9 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 25 JULY 2019**

.....  
GENERAL MANAGER

.....  
MAYOR

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**CONFIRMED.....**

**MINUTE NO.....**

**MAYOR.....**

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**THIS IS PAGE 10 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 25 JULY 2019**

.....  
**GENERAL MANAGER**

.....  
**MAYOR**