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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF  
THE SHIRE OF COBAR HELD IN COUNCIL CHAMBERS ON  
THURSDAY 26 SEPTEMBER 2019 COMMENCING AT 5:00PM**

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**PRESENT (FILE C13-2)**

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

**OBSERVERS**

Messrs Kym Miller (Acting General Manager), 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:**

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**APOLOGIES (C13-2)**

**190.9.2019**      **RESOLVED:** That the apologies received from Councillor Lilliane Brady OAM (Mayor), Christopher Lehmann and Peter Yench be accepted.

*Clr Payne/ Clr Winders*

**CARRIED**

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

- Clr Jarrod Marsden declared a Non-Pecuniary Interest in Clause 9A – Dalton Park Licence Agreements;
  - Mr Kym Miller declared a Non-Pecuniary Interest in clause 9A – Dalton Park Licence Agreements.
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**CONDOLENCES (FILE M2-3)**

- William Charles Martin;
- Brett Dunne;
- Neil Geoffrey Mitchell;
- Dulcie Lenetta Maidens.

A minutes silence was observed by those in attendance.

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**PUBLIC ACCESS SESSION**

- Nil.
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**CONFIRMATION OF MINUTES**

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

- 191.9.2019**      **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday, 22 August 2019 be confirmed as a true and correct record of the proceedings of that meeting.  
*Clr Payne/ Clr Toomey* **CARRIED**
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**CLAUSE 1A – MAYORAL REPORT**

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

- 192.9.2019**      **RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of September 2019.  
*Clr Marsden/ Clr Winders* **CARRIED**
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**CLAUSE 2A – CASUAL COUNCILLOR VACANCY COBAR SHIRE COUNCIL REPORT**

**FILE: C12-1 & E2-3-5** **AOP REFERENCE: 3.2**  
**AUTHOR: Acting General Manager, Kym Miller**

- 193.9.2019**      **RESOLVED:**
1. That Council note with regret the resignation as a Councillor of Tracey Kings effective 2 September 2019 and thank Councillor Kings for her tenure.
  2. That Councillor Tracey Kings resignation be advised in writing to the Minister of Local Government, with a request that no by election be required.
- Clr Maxwell/ Clr Lea-Barrett* **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 26 SEPTEMBER 2019

.....  
ACTING GENERAL MANAGER

.....  
DEPUTY MAYOR

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**CLAUSE 3A – COUNCIL COMMITTEES/DELEGATES**

**FILE: C6-15**

**AOP REFERENCE: 3.2.2.2**

**AUTHOR: *Acting General Manager, Kym Miller***

**194.9.2019 RESOLVED:** That Council determine its delegates for each of the listed Committees/ Organisations and where an election is required it be by open voting by show of hands.

<b>Committee/Organisation</b>	<b>No. of Delegates</b>	<b>Current Delegates</b>
Liquor Accord Committee	Mayor + 1 Councillor	Mayor, Clr <b>Toomey</b>
Airport Advisory	4 Councillors	Clrs <b>Abbott, Lea-Barrett</b> , Marsden, Payne
Cobar Shire Rural Fire District Service Agreement Liaison	Mayor, 1 Councillor, General Manager or his nominee	Mayor, Clr <b>Payne</b> , Director of Engineering Services
Australia Day Awards Panel	Mayor + 1 Councillor	Mayor, Clr <b>Winders</b>

*Clr Marsden/ Clr Lea-Barrett*

**CARRIED**

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**CLAUSE 4A – CLASSIFICATION OF LAND AS OPERATIONAL – LOTS 2 & 3 DP214174, COBAR**

**FILE: A10-47**

**AOP REFERENCE: 3.1.1**

**AUTHOR: *Acting General Manager, Kym Miller***

**195.9.2019 RESOLVED:** That Council, in accordance with Section 31 of the *Local Government Act 1993*, Council resolves to classify Lots 2 & 3 DP214174 as Operational Land.

*Clr Payne/ Clr Sinclair*

**CARRIED**

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**CLAUSE 5A – PROCEDURES FOR THE ADMINISTRATION OF THE MODEL CODE OF CONDUCT POLICY**

**FILE: P5-8**

**AOP REFERENCE: 3.1.5**

**AUTHOR: *Acting Code of Conduct Coordinator, Janette Booth***

**196.9.2019 RESOLVED:** That the draft Procedures for the Administration of the Model Code of Conduct be placed on public exhibition for 28 days and if no submissions received it be adopted.

*Clr Sinclair/ Clr Lea-Barrett*

**CARRIED**

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**CLAUSE 6A – PENSIONERS RATE REBATE 2019/2020 – CLAIM 136**

**FILE: R2-9**

**AOP REFERENCE: 3.1.1.2**

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

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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 26 SEPTEMBER 2019

.....  
ACTING GENERAL MANAGER

.....  
DEPUTY MAYOR

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**197.9.2019 RESOLVED:**

1. That Council writes off rates in respect of eligible pensioners in the sum of \$103,103.13 as detailed in the summary listed below, subject to Council's Auditor's approval:

	\$
General Rates.....	63,312.50
Cobar Water Supply Access Rate.....	19,468.76
Euabalong Water Supply Access Rate .....	1,115.63
Euabalong West Water Supply Access Rate .....	437.50
Nymagee Water Supply Access Rate .....	612.50
Mount Hope Water Supply Access Rate .....	0.00
Cobar Sewerage Access Rate .....	18,156.24
<b>TOTAL .....</b>	<b><u>\$103,103.13</u></b>

2. That Council apply for a subsidy of \$56,706.73 summarised below and further that Council undertake that in the event of a subsidy not being paid in respect of the rates written off, Council will not subsequently take proceedings for recovery thereof:

	\$
General Rates.....	34,821.87
Cobar Water Supply Local Rate.....	10,707.82
Euabalong Water Supply Local Rate .....	613.60
Euabalong West Water Supply Local Rate .....	240.63
Nymagee Water Supply.....	336.88
Mount Hope Water Supply.....	0.00
Cobar Sewerage Local Rate .....	9,985.93
<b>TOTAL .....</b>	<b><u>\$56,706.73</u></b>

*Clr Maxwell/ Clr Sinclair*

**CARRIED**

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**CLAUSE 7A – INVESTMENT POLICY – RISK MANAGEMENT DIVERSIFICATION**

**FILE: B2-7**

**AOP REFERENCE: 3.1.1.7**

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

**198.9.2019**

**RESOLVED:** That Council amend the Investment Policy as above.

*Clr Sinclair/ Clr Lea-Barrett*

**CARRIED**

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**CLAUSE 8A – CAPITAL WORKS PROGRAM 2019/2020**

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

**AOP REFERENCE: 4.3.1**

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

**MOTION:** That the projects (transport) shown above be adopted as the Capital Works Program for the year ended 30 June 2020.

*Clr Maxwell/ Clr Payne*

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**AMENDMENT:** That the \$402,000 is withdrawn from Shire Road 24 and that it remains in the budget and be put to Shire Road 32.

*Clr Maxwell/ Clr Lea-Barrett*

**LOST**

**The amendment was put and lost.**

**AMENDMENT:** That the \$402,000 is withdrawn from Shire Road 24 and that it remains in the budget until workshopped at the October Meeting and that the remaining Capital Works Program for the year ended 30 June 2020 be adopted.

*Clr Sinclair/ Clr Lea-Barrett*

**CARRIED**

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

**199.9.2019**

**RESOLVED:** That the \$402,000 is withdrawn from Shire Road 24 and that it remains in the budget until workshopped at the October Meeting and that the remaining Capital Works Program for the year ended 30 June 2020 be adopted.

*Clr Sinclair/ Clr Lea-Barrett*

**CARRIED**

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**Councillor Jarrod Marsden and Mr Kym Miller declared a Non-Pecuniary Interest and left the meeting at 5:25pm.**

**CLAUSE 9A – DALTON PARK HORSE COMPLEX LICENCE AGREEMENTS**

**FILE: P1-4-3**

**AOP REFERENCE: 3.3.4.2**

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

**200.9.2019**

**RESOLVED:** That Council acting as Crown Land Manager for the Dalton Park Racecourse (R630019) Reserve, resolve to renew 12 month short term license agreements for the following organisations and individuals to cover the period 1 July 2019 to 30 June 2020:

- Mr S Griffiths & Ms C Yench;
- Ms Sharon Whitehurst;
- Cobar Pony Club;
- Cobar Miners Race Club;
- Cobar Rodeo Committee;
- Mulchara Partnership;
- Wayne Prisk.

*Clr Payne/ Clr Lea-Barrett*

**CARRIED**

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**Councillor Jarrod Marsden and Mr Kym Miller returned to the meeting at 5:26pm.**

**CLAUSE 10A – BATHURST STREET RESERVE LICENCE AGREEMENT**

**FILE: P1-2-2**

**AOP REFERENCE: 3.3.4.2**

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

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**201.9.2019**      **RESOLVED:** That Council acting as Crown Land Manager for the Bathurst Street Reserve (R64199), resolve to renew a 12 month short term license agreement to Cobar Tennis Club to cover the period 1 July 2019 to 30 June 2020.  
*Clr Sinclair/ Clr Lea-Barrett* **CARRIED**

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**CLAUSE 11A – REQUEST FOR QUOTATION – SUPPLY TWO MOTOR GRADERS**

**FILE:** T3-19-3 **AOP REFERENCE: 3.3.3.4**  
**AUTHOR:** *Procurement Officer, Brad Lennon*

**202.9.2019**      **RESOLVED:** That the report regarding the supply and delivery of two (2) Motor Graders 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) (g) of the Local Government Act 1993, as discussions of this information in Open Council would prejudice the commercial position of the person who supplied it.  
*Clr Marsden/ Clr Payne* **CARRIED**

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**CLAUSE 12A – COBAR WATER BOARD STORAGES – CONSTRUCTION OF ADDITIONAL STORAGE CAPACITY**

**FILE:** W2-1 **AOP REFERENCE: 4.1.1**  
**AUTHOR:** *Water & Sewer Manager, Eric Poga*

**203.9.2019**      **RESOLVED:** That the Cobar Water Board be advised that Council will not be proceeding with investigation of additional storage capacity at the Cobar storages.  
*Clr Payne/ Clr Maxwell* **CARRIED**

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**CLAUSE 13A – STRONGER COUNTRY COMMUNITIES FUND PROJECTS**

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

**204.9.2019**      **RESOLVED:** That the three project proposals (Cobar Youth and Fitness Centre, Youth Development Officer or Youth Events and Euabalong Walking Trail) for Stronger Country Communities Funding Round Three be endorsed by Council.  
*Clr Lea-Barrett/ Clr Sinclair* **CARRIED**

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**CLAUSE 1B – DEVELOPMENT APPROVALS: 14 AUGUST 2019 – 18 SEPTEMBER 2019**

**FILE:** T5-1 **AOP REFERENCE: 1.6.3.1**  
**AUTHOR:** *Director of Planning & Environmental Services, Garry Ryman*

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**205.9.2019**      **RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 14 August 2019 – 18 September 2019 be received and noted.  
*Clr Lea-Barrett/ Clr Sinclair* **CARRIED**

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**CLAUSE 2B – MONTHLY STATUS REPORT**

**FILE: C13-10** **AOP REFERENCE: 3.1**  
**AUTHOR: *Acting General Manager, Kym Miller***

**206.9.2019**      **RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 1152, 1299 Part 2, 1313 Part 1, 1314 and 1316.  
*Clr Sinclair/ Clr Lea-Barrett* **CARRIED**

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**CLAUSE 3B – UPDATE ON WORKS REPORT 2019/2020**

**FILE: R5-15 & R5-16** **AOP REFERENCE: 4.3.1**  
**AUTHOR: *Acting Director of Engineering Services, Simon Pradhan***

**207.9.2019**      **RESOLVED:** That Council receive and notes the information provided.  
*Clr Sinclair/ Clr Lea-Barrett* **CARRIED**

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**CLAUSE 4B – MEETING MINUTES**

**FILE: R5-36, C8-6-4 & C6-14** **AOP REFERENCE: 3.1**  
**AUTHOR: *Executive Assistant General Manager/ Mayor, Janette Booth***

**208.9.2019**      **RESOLVED:** That the Minutes of the Rural Roads Advisory, Cobar Youth Council and Local Traffic Committee along with their Status Reports be received and noted.  
*Clr Payne /Clr Toomey* **CARRIED**

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**CLAUSE 5B – INVESTMENT REPORT AS AT 31 AUGUST 2019**

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

**209.9.2019**      **RESOLVED:** That Council receive and note the Investment Report as at 31 August 2019.  
*Clr Sinclair /Clr Lea-Barrett* **CARRIED**

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**CLAUSE 6B - BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 31 AUGUST 2019**

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

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**210.9.2019 RESOLVED:** That Council receive and note the Bank Reconciliation, Monthly Total Funds Available, Cash Flow and Loan Facility Report as at 31 August 2019.  
*Clr Lea-Barrett/ Clr Payne* **CARRIED**

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**CLAUSE 7B – ENGINEERING WORKS REPORT**

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

**211.9.2019 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 Sinclair* **CARRIED**

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**CLAUSE 8B – 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***

**212.9.2019 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 9B – GRANT FUNDING**

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

**213.9.2019 RESOLVED:** That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.  
*Clr Lea-Barrett/ Clr Sinclair* **CARRIED**

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**CLAUSE 10B – RATES RECONCILIATION REPORT AS AT 31 AUGUST 2019**

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

**214.9.2019 RESOLVED:** That the Rates Reconciliation Report as at the 31 August 2019 be received and noted.  
*Clr Sinclair/ Clr Maxwell* **CARRIED**

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

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THIS IS PAGE 8 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 26 SEPTEMBER 2019

.....  
ACTING GENERAL MANAGER

.....  
DEPUTY MAYOR



**215.9.2019 RESOLVED:** That Council move into the Committee of the Whole with the press and public excluded at 6:09pm 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 Marsden/ Clr Sinclair* **CARRIED**

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**Council resumed in Open Council at 6:19pm.**

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

**216.9.2019 RESOLVED:** That the recommendations of the Committee of the Whole be adopted.  
*Clr Lea-Barrett/ Clr Payne* **CARRIED**

**CLAUSE 1C – REQUEST FOR QUOTE – SUPPLY TWO MOTOR GRADERS**

**FILE: T3-19-3** **AOP REFERENCE: 3.3.3.4**

**AUTHOR: Procurement Officer, Brad Lennon**

**30COW.9.2019 RESOLVED:**

1. That Council approve the purchase of two (2) 140M Caterpillar Motor Graders from WesTrac Pty Ltd with one (1) installed with 2D Satellite Grading and one installed with 3D Satellite Grading System and both being fitted with a 14ft blade.
2. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

*Clr Lea-Barrett/ Clr Sinclair* **CARRIED**

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6:23PM**

**CONFIRMED.....**

**MINUTE NO.....**

**DEPUTY MAYOR.....**