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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE  
SHIRE OF COBAR HELD IN COUNCIL CHAMBERS SCHEDULED  
FOR THURSDAY 26 MARCH 2020 AND ADJOURNED TO THURSDAY 9  
APRIL 2020 COMMENCING AT 5:00PM**

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**MINUTES FROM THURSDAY, 26 MARCH 2020**

**PRESENT (FILE C13-2)**

Councillors Peter Abbott (Deputy Mayor), Jarrod Marsden, Julie Payne, Harley Toomey and Kate Winders.

**OBSERVERS**

Messrs Peter Vlatko (General Manager), Kym Miller (Director of Finance and Community Services) and Ms Janette Booth (Executive Assistant – General Manager/ Mayor).

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**The General Manager took the Chair and opened the Meeting at 5:00pm.**

**Due to lack of quorum the meeting could not proceed, a new meeting date of Thursday, 9 April 2020 at 5:00pm in the Council Chambers has been set.**

**Note: That Council had received the following apologies:**

**APOLOGIES (C13-2)**

That the apologies received from Councillor Lilliane Brady OAM (Mayor), Janine Lea-Barrett, Peter Maxwell, Robert Sinclair and Peter Yench.

**THERE BEING NO FURTHER BUSINESS THE MEETING WAS  
ADJOURNED AT 5:15PM.**

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**MINUTES FROM ADJOURNED COUNCIL MEETING ON  
THURSDAY, 9 APRIL 2020**

**PRESENT (FILE C13-2)**

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

**OBSERVERS**

Messrs Peter Vlatko (General Manager), Kym Miller (Director of Finance and Community Services) and Ms Janette Booth (Executive Assistant - General Manager/ Mayor).

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**THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD SCHEDULED FOR THURSDAY 26 MARCH 2020  
ADJOURNED TO THURSDAY 9 APRIL 2020**

.....  
GENERAL MANAGER

.....  
DEPUTY MAYOR

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**In the absence of the Mayor, the Deputy Mayor took the Chair and opened the Meeting at 5:00pm.**

**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)**

**38.3.2020**      **RESOLVED:** That the apologies received from Councillors Lilliane Brady OAM (Mayor), Robert Sinclair and Peter Yench be accepted.  
*Clr Marsden/ Clr Payne* **CARRIED**

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

- Clr Janine Lea-Barrett declared a Non-Pecuniary interest in Rescission Motion - Lease for the Town Hall Cinema Building, 5 Barton Street, Cobar.
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**CONDOLENCES (FILE M2-3)**

- Patricia Joan Wheeler;
- Hazel Mavis Betts;
- Lois Olga Delbridge;
- Trevor John Townsend.

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)**

**39.3.2020**      **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday, 27 February 2020 be confirmed as a true and correct record of the proceedings of that meeting.  
*Clr Payne/ Clr Lea-Barrett* **CARRIED**

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THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
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ADJOURNED TO THURSDAY 9 APRIL 2020

.....  
GENERAL MANAGER

.....  
DEPUTY MAYOR

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**Councillor Janine Lea-Barrett declared a Non-Pecuniary Interest and left the meeting at 5:03pm.**

**RESCISSION MOTION – LEASE OF TOWN HALL CINEMA BUILDING, 5 BARTON STREET, COBAR NSW 2835**

**FILE: A10-19**

**AOP REFERENCE: 1.6.4**

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

**40.3.2020 RESOLVED:** That the matter be rescinded.

***33COW.11.2019 RESOLVED:***

- 1. That Council authorise the General Manager to enter into a new lease with Western Studio of Performing Arts, in respect of the Town Hall Cinema Building being substantially consistent with the existing lease for a term of up to two (2) years with an option for a third year, with the rental increased to \$820.00 monthly (with annual CPI Increases) at the start of the new lease term.*
- 2. That Council authorise the Mayor and General Manager to sign all relevant lease Agreement documentation for Town Hall Cinema, 5 Barton 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 Marsden/ Clr Payne***

**CARRIED**

**41.3.2020 RESOLVED:** In place of the rescinded motion:

1. That the Lease be offered at the same rental amount for a lease term of 12 months by 12 months.
2. That Council authorise the Mayor and General Manager to sign all relevant lease Agreement documentation for Town Hall Cinema, 5 Barton Street, Cobar under the Common Seal of Council.

***Clr Marsden/ Clr Payne***

**CARRIED**

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**Councillor Lea-Barrett returned to the meeting at 5:04pm.**

**CLAUSE 1A – MAYORAL REPORT**

**FILE: C13-1-5**

**AOP REFERENCE: 3.1**

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

**42.3.2020 RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of March 2020.

***Clr Toomey/ Clr Payne***

**CARRIED**

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**CLAUSE 2A – NEW COBAR COMPLEX COMMUNITY  
CONSULTATIVE COMMITTEE DELEGATE**

**FILE: M4-6 & M4-19**

**AOP REFERENCE: 3.2.2.2**

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

- 43.3.2020**      **RESOLVED:** That Council appoint Councillor Julie Payne to the New Cobar Complex Community Consultative Committee.  
*Clr Lea-Barrett/ Clr Toomey*      **CARRIED**
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**CLAUSE 3A – SECTION 713 – SALE OF LAND AT AUCTION**

**FILE: R2-10**

**AOP REFERENCE: 3.1.1.2**

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

- 44.3.2020**      **RESOLVED:**
1. That the information in the Sale of Land Auction Report be received and noted.
  2. That the arrangements to sell the parcels which were not sold at auction be dealt with in Committee of the Whole Closed Council with the press and public excluded for the reasons stated in Sections 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 Lea-Barrett/ Clr Payne*      **CARRIED**
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**CLAUSE 4A – COBAR SOUND CHAPEL PROJECT – LOT 287  
IN DP914515**

**FILE: A10-1-16**

**AOP REFERENCE: 2.2.2.1**

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

- 45.3.2020**      **RESOLVED:**
1. That Council authorise the General Manager to enter into a licence agreement or licence agreements with Cobar Sound Chapel Limited to occupy Lot 287 in DP914515.
  2. That the Mayor and General Manager be authorised to execute relevant documents under the Common seal of Council.
  3. That no licence fee or rent be charged in respect of the current and 2020/2021 financial years subject to Council reviewing its position regarding a licence fee or rent thereafter on an annual basis.
- Clr Payne/ Clr Lea-Barrett*      **CARRIED**
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**CLAUSE 1B – DEVELOPMENT APPROVALS: 19 FEBRUARY 2020 – 17 MARCH 2020**

**FILE: T5-1**

**AOP REFERENCE: 1.6.3.1**

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

- 46.3.2020**      **RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 19 February 2020 – 17 March 2020 be received and noted.  
*Clr Marsden/ Clr Toomey* **CARRIED**
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**CLAUSE 2B – MONTHLY STATUS REPORT**

**FILE: C13-10**

**AOP REFERENCE: 3.1**

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

- 47.3.2020**      **RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 870, 1025, 1071, 1124, 1219, 1313, 1324, 1338, 1345 Part 2, 3 and 4, 1348, 1349, 1351, 1352, 1354, 1355, 1357, 1358, 1359, 1360, 1361 and 1362.  
*Clr Lea-Barrett/ Clr Payne* **CARRIED**
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**CLAUSE 3B – INVESTMENT REPORT AS AT 29 FEBRUARY 2020**

**FILE: B2-7**

**AOP REFERENCE: 3.1.1.7**

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

- 48.3.2020**      **RESOLVED:** That Council receive and note the Investment Report as at 29 February 2020.  
*Clr Lea-Barrett/ Clr Maxwell* **CARRIED**
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**CLAUSE 4B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 29 FEBRUARY 2020**

**FILE: B2-7**

**AOP REFERENCE: 3.1.1.5**

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

- 49.3.2020**      **RESOLVED:** That Council receive and note the Bank Reconciliation, Monthly Total Funds Available, Cash Flow and Loan Facility Report as at 29 February 2020.  
*Clr Lea-Barrett/ Clr Toomey* **CARRIED**
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**CLAUSE 5B – PURCHASING ANALYSIS OF CONTRACTORS**

**FILE: T3-15-6**

**AOP REFERENCE: 3.3.4**

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

- 50.3.2020**      **RESOLVED:** That Council receive and note the information contained in this report.  
*Clr Maxwell/ Clr Lea-Barrett* **CARRIED**
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**CLAUSE 6B – MEETING MINUTES**

**FILE: C8-6-4**

**AOP REFERENCE: 3.1**

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

- 51.3.2020**     **RESOLVED:** That the Minutes of the Cobar Youth Council be received and noted.  
*Clr Payne/ Clr Toomey*     **CARRIED**
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**CLAUSE 7B – EXPENDITURE FOR ROADS NETWORK**

**FILE: R5-31**

**AOP REFERENCE: 4.3.2**

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

- 52.3.2020**     **RESOLVED:** That the information detailing the Expenditure for Council's Roads Network be received and noted.  
*Clr Marsden/ Clr Lea-Barrett*     **CARRIED**
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**CLAUSE 8B – ENGINEERING WORKS REPORT**

**FILE: C6-20-2**

**AOP REFERENCE: 4.3.2**

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

- 53.3.2020**     **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 Payne*     **CARRIED**
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**CLAUSE 9B – UPDATE ON INFRASTRUCTURE PROJECT FINANCES**

**FILE: G4-29**

**AOP REFERENCE: 4.1.3.3 & 4.4.4.2**

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

- 54.3.2020**     **RESOLVED:** That Council receive and note the updated financial information for the three Restart NSW Resources for Regions infrastructure projects.  
*Clr Payne/ Clr Lea-Barrett*     **CARRIED**
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**CLAUSE 10B – RURAL AND REGIONAL ROAD RESEALS 2019/2020**

**FILE: R5-39**

**AOP REFERENCE: 4.3.1.1**

**AUTHOR: *Roads Works Manager, Adrienne Pierini***

- 55.3.2020**     **RESOLVED:** That Council receive and note the updated financial information for the three Restart NSW Resources for Regions infrastructure projects.  
*Clr Maxwell/ Clr Lea-Barrett*     **CARRIED**
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GENERAL MANAGER

.....  
DEPUTY MAYOR

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**CLAUSE 11B – GRANT FUNDING**

**FILE: G4-17**

**AOP REFERENCE: 3.1.1.3**

**AUTHOR: *Grants Officer, Brytt Moore***

- 56.3.2020 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 Payne* **CARRIED**
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**CLAUSE 12B – RATES RECONCILIATION REPORT AS AT 29 FEBRUARY 2020**

**FILE: R2-1**

**AOP REFERENCE: 3.1.1.6**

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

- 57.3.2020 RESOLVED:** That the Rates Reconciliation Report as at the 29 February 2020 be received and noted.  
*Clr Lea-Barrett/ Clr Payne* **CARRIED**
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**COMMITTEE OF THE WHOLE (CLOSED COUNCIL)**

- 58.3.2020 RESOLVED:** That Council move into the Committee of the Whole with the press and public excluded at 5:28pm 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 Lea-Barrett/ Clr Payne* **CARRIED**
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**Council resumed in Open Council at 5:34pm.**

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

- 59.3.2020 RESOLVED:** That the recommendations of the Committee of the Whole be adopted.  
*Clr Payne/ Clr Marsden* **CARRIED**

**CLAUSE 1C – SECTION 713 – SALE OF LAND AT AUCTION**

**FILE: R2-10**

**AOP REFERENCE: 3.1.1.2**

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

**13COW.3.2020 RESOLVED:**

1. That Council offer the land in the first instance to the adjoining owners at a price which is sufficient to cover the legal costs.

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2. That should the adjoining owners decline the offer, the General Manager and Mayor be authorised to sell them.
  3. That the details remain within the Committee of the Whole Closed Council until all parcels of land are sold.
  4. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

*Clr Lea-Barrett/ Clr Marsden*

**CARRIED**

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**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5:35PM**

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**CONFIRMED.....**

**MINUTE NO.....**

**DEPUTY MAYOR.....**

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