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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE  
SHIRE OF COBAR HELD IN COUNCIL CHAMBERS ON THURSDAY  
25 MARCH 2021 COMMENCING AT 5:00PM**

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**PRESENT (FILE C13-2)**

Councillors Peter Abbott (Mayor), Janine Lea-Barrett (arrival at 5.05pm), Jarrod Marsden, Peter Maxwell, Julie Payne, Robert Sinclair, Harley Toomey, Peter Yench and Kate Winders.

**OBSERVERS**

Messrs Kym Miller (Acting General Manager), Garry Ryman (Director of Planning and Environmental Services), Scott Casey (Director of Infrastructure Services) and Mses Kelly Fairbank (Executive Assistant - General Manager/ Mayor) and Robyn Goonrey.

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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)**

Nil.

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

Nil.

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**CONDOLENCES (FILE M2-3)**

Nil.

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**PUBLIC ACCESS SESSION**

Nil.

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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 MARCH 2021

.....  
ACTING GENERAL MANAGER

.....  
MAYOR

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**CONFIRMATION OF MINUTES**

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

**22.03.2021**     **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday, 25 February 2021 be confirmed as a true and correct record of the proceedings of that meeting.  
*Clr Payne/ Clr Winders*     **CARRIED**

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**CLAUSE 1 – MAYORAL REPORT**

**FILE: C13-1-5**

**AOP REFERENCE: 3.1**

**AUTHOR: Mayor, Councillor Peter Abbott**

**23.03.2021**     **RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of March 2021.  
*Clr Marsden/ Clr Sinclair*     **CARRIED**

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**CLAUSE 2 – NOTICE OF MOTION – ENDORSEMENT OF COUNCILLOR NOMINATION TO REPRESENT LGNSW ON THE NSW WATER DIRECTORATE**

**FILE: C13-7 & W2-20**

**AOP REFERENCE: 3.2.1.2 & 4.1.1.1**

**AUTHOR: Councillor, Peter Yench**

**24.03.2021**     **MOTION:** To support Cobar's representation on the NSW Water Directorate, that Cobar Shire Council endorse the nomination of the Mayor as the nominated representative to represent LGNSW on the NSW Water Directorate and the Deputy Mayor as the alternate representative in the event that the Mayor is unable to attend the meetings of the NSW Water Directorate as the LGNSW representative.  
*Clr Yench/ Clr Payne*     **LOST**

**A Division was called:**

**Division:**

**For:**

*Clr Lea- Barrett*

*Clr Payne*

*Clr Yench*

**Against:**

*Clr Abbott*

*Clr Marsden*

*Clr Maxwell*

*Clr Sinclair*

*Clr Toomey*

*Clr Winders*

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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 MARCH 2021

.....  
*[Signature]*  
ACTING GENERAL MANAGER

.....  
*[Signature]*  
MAYOR



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**CLAUSE 3 – NOTICE OF MOTION – COBAR ECONOMIC RESILIENCY PROJECT**

**FILE: C13-7 & D2-18**

**AOP REFERENCE: 1.2.2 & 2.1.3**

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

**25.03.2021**

**MOTION:** 1: That standing orders be suspended and that Mayor Peter Abbott and Deputy Mayor Jarrod Marsden address this Council meeting to explain what each of them propose to do to initiate requisite steps to address the six strategies for Cobar as noted in the draft Creating Economic Resiliency 2021-2027 Report titled “Cobar Surviving and Thriving”.

***Clr Yench/ Clr Payne***

**LOST**

**A Division was called:**

**Division:**

**For:**

***Clr Marsden***

***Clr Yench***

**Against:**

***Clr Abbott***

***Clr Lea-Barrett***

***Clr Maxwell***

***Clr Payne***

***Clr Sinclair***

***Clr Toomey***

***Clr Winders***

**MOTION:** 2: That the councillors read the reports of the Mayor and the Deputy Mayor from the minutes of the meeting and if they agree or do not agree with those reports the remaining councillors themselves report to our next Council meeting as to their own thoughts as to an improved pathway to immediately initiate and promote the six strategies as named in the draft Creating Economic Resiliency 2021-2027 Report titled “Cobar Surviving and Thriving”.

***Clr Yench/***

**MOTION LAPSED**

**The Motion Lapsed for want of a Secunder.**

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**CLAUSE 4 – NOTICE OF MOTION – MANAGEMENT OF COUNCIL RUN SERVICES**

**FILE: C13-7**

**AOP REFERENCE: 1.2.**

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

**26.03.2021**

**RESOLVED:** 1: That Councillors are issued with all successful grant outcomes and what they were used for over the previous two (2) year period.

***Clr Yench/ Clr Marsden***

**CARRIED**

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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 25 MARCH 2021

.....  
  
ACTING GENERAL MANAGER

.....  
  
MAYOR

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**MOTION: 2:** That Councillors be issued with a “full” business plan for the Ward Oval Community Hub and the Early Learning Precinct with full costing and running costs.

**WITHDRAWN**

**MOTION: 3:** That Councillors be issued a business plan for the Cobar Youth & Fitness Centre and the Cobar Memorial Swimming Pool.

*Clr Yench/ Clr Marsden*

**LOST**

**A Division was called:**

**Division:**

**For:**

*Clr Payne*

*Clr Yench*

**Against:**

*Clr Abbott*

*Clr Lea-Barrett*

*Clr Marsden*

*Clr Maxwell*

*Clr Sinclair*

*Clr Toomey*

*Clr Winders*

**MOTION: 4:** That all Council and Cobar Water Board workshop and the Far North West Joint Organisation meetings of Councils are recorded and the minutes distributed to all Councillors.

*Clr Yench/ Clr Payne*

**LOST**

**A Division was called:**

**Division:**

**For:**

*Clr Yench*

**Against:**

*Clr Abbott*

*Clr Lea-Barrett*

*Clr Marsden*

*Clr Maxwell*

*Clr Payne*

*Clr Sinclair*

*Clr Toomey*

*Clr Winders*

**MOTION: 5:** That a qualified Business and Development Officer position be created that reports to the General Manager and Councillors.

**WITHDRAWN**

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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 MARCH 2021

.....  
  
ACTING GENERAL MANAGER

.....  
  
MAYOR

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**CLAUSE 5 – MEETING MINUTES**

**FILE: R5-36**

**AOP REFERENCE: 3.1**

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

**27.03.2021**      **RESOLVED:** That the Minutes of the Rural Roads Advisory Committee and its Status Report be received and noted.  
*Clr Payne/ Clr Sinclair* **CARRIED**

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**CLAUSE 6 – MONTHLY STATUS REPORT**

**FILE: C13-10**

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

**28.03.2021**      **RESOLVED:** That the information contained in the monthly status report be received and noted with the following items to be removed: 1304, 1367 and 1375.  
*Clr Lea- Barrett / Clr Toomey* **CARRIED**

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**CLAUSE 7 – SECTION 356 DONATIONS 2021/2022**

**FILE: D3-1**

**AOP REFERENCE:1.4.5**

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

**29.03.2021**      **RESOLVED:** 1: That Council award donations for the budget year ending 30 June 2022 as follows:

- a. Cobar Pony Club, a donation of \$1,000.00 provided all their Council fees and charges are paid.
- b. Autoclub of Cobar, a donation of \$2,750.00 provided all their Council fees and charges are paid.
- c. Andrew Rorke, a donation of \$1,400.00 towards exercise equipment provided proof of purchase of the equipment is provided and an undertaking is given to revert ownership to Council when he has finished with the equipment.
- d. ROAR, a donation of \$1,500.00.
- e. Cobar Amateur Pistol Club Inc, a donation of \$3,616.05 provide that their rates overdue amounts are reduced by the same amount.
- f. Kubby House Inc, a donation of \$2,500.00 provided that all of their Council fees and charges are paid.
- g. Cobar Clay Target Club Inc, a donation of \$2,750.00 provided that all their Council fees and charges are paid.

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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 MARCH 2021

.....  
**ACTING GENERAL MANAGER**

.....  
**MAYOR**



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- h. Two hundred dollars in Cobar Quids to each of the three schools in Cobar for their year-end awards.
- i. Two hundred dollars in cash to Euabalong West Public school for their year-end awards.  
*Clr Sinclair / Clr Payne* **CARRIED**
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**CLAUSE 8 – ADDITIONAL HANGARS AT AERODROME**

**FILE: A5-4**

**AOP REFERENCE 4.3.2.2**

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

- 30.03.2021** **RESOLVED:** That Council in-principal agree to the granting of two foot-prints for the construction of further hangars at the Cobar Airport.  
*Clr Payne/ Clr Sinclair* **CARRIED**
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**CLAUSE 9 – INVESTMENT REPORT AS AT 28 FEBRUARY 2021**

**FILE: B2-7**

**AOP REFERENCE: 3.1.1.7**

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

- 31.03.2021** **RESOLVED:** That Council receive and note the Investment Report as at 28 February 2021.  
*Clr Lea- Barrett / Clr Sinclair* **CARRIED**
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**CLAUSE 10 – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 28 FEBRUARY 2021**

**FILE: B2-7**

**AOP REFERENCE:3.1.1.5**

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

- 32.03.2021** **RESOLVED:** That Council receive and note the Bank Reconciliation, Monthly Total Funds Available, Cash Flow and Loan Facility Report as at 28 February 2021.  
*Clr Payne/ Clr Sinclair* **CARRIED**
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**CLAUSE 11 – RATES RECONCILIATION REPORT AS AT 28 FEBRUARY 2021**

**FILE: R2-1**

**AOP REFERENCE: 3.1.1.6**

**AUTHOR: *Customer Service Manager, Jo-Louise Brown***

- 33.03.2021** **RESOLVED:** That the information contained in the Rates Reconciliation Report as at the 28 February 2021 be received and noted.  
*Clr Payne/ Clr Toomey* **CARRIED**
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**CLAUSE 12 – GRANT FUNDING**

**FILE: G4-17**

**AOP REFERENCE: 3.1.1.3**

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

- 34.03.2021**    **RESOLVED:** That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.  
*Clr Payne/ Clr Lea-Barrett* **CARRIED**
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**CLAUSE 13 – PURCHASING ANALYSIS OF CONTRACTORS**

**FILE: T3-15-6**

**AOP REFERENCE: 3.3.4**

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

- 35.03.2021**    **RESOLVED:** That Council receive and note the information contained in this report.  
*Clr Lea- Barrett/ Clr Toomey* **CARRIED**
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**CLAUSE 14 – ENGINEERING WORKS REPORT**

**FILE: C6-20-2**

**AOP REFERENCE: 4.3.2**

**AUTHOR: *Director of Infrastructure Services, Scott Casey***

- 36.03.2021**    **RESOLVED:** That the information contained in the Engineering Works Report detailing maintenance on Shire and Regional Roads, State Highways, Water Sewer Mains, Resources for Regions Projects and other Major Grant Works be received and noted.  
*Clr Lea- Barrett / Clr Toomey* **CARRIED**
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**CLAUSE 15 – EXPENDITURE FOR ROADS NETWORK**

**FILE: R5-31**

**AOP REFERENCE: 4.3.2**

**AUTHOR: *Director of Infrastructure Services, Scott Casey***

- 37.03.2021**    **RESOLVED:** That the information detailing the Expenditure for Council's Roads Network be received and noted.  
*Clr Maxwell / Clr Sinclair* **CARRIED**
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**CLAUSE 16 – UPDATE ON INFRASTRUCTURE PROJECTS FINANCES**

**FILE: G4-29**

**AOP REFERENCE: 4.1.3.3 4.4.4.2**

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

- 38.03.2021**    **RESOLVED:** That Council receive and note the updated project information for the three Restart NSW Resources for Regions infrastructure projects.  
*Clr Payne / Clr Yench* **CARRIED**
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**CLAUSE 17 – PRELIMINARY REGIONAL ISSUES ASSESSMENT  
– WESTERN GAS**

**FILE: M4-21**

**AOP REFERENCE: 5.3.1**

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

- 39.03.2021 RESOLVED:** That the information provided in this report regarding the Preliminary Regional Issues Assessment Western Gas be received and noted.  
*Clr Payne/ Clr Yench* **CARRIED**

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**CLAUSE 18 – COBAR LANDFILL OPERATIONS**

**FILE: W1-7-1**

**AOP REFERENCE: 5.1.2.2**

**AUTHOR: *Jessica McFarlane, Manager Building & Environment***

- 40.03.2021 RESOLVED:** That Council proceed with the development of a comprehensive waste management strategy for the Cobar Landfill site which addresses the issues and risks presented, to be adopted at a future Council meeting.  
*Clr Payne/ Clr Marsden* **CARRIED**

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**CLAUSE 19 – DEVELOPMENT APPROVALS: 18 FEBRUARY 2021  
– 16 MARCH 2021**

**FILE: T5-1**

**AOP REFERENCE: 1.6.3.1**

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

- 41.03.2021 RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 18 February 2021 - 16 March 2021 be received.  
*Clr Yench / Clr Sinclair* **CARRIED**

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

- 42.03.2021 RESOLVED:** That Council move into the Committee of the Whole with the press and public excluded at 7.10 pm 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 Marsden* **CARRIED**



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Council resumed in Open Council at 7:35 pm.

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

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

*Clr Payne/ Clr Lea-Barrett*

**CARRIED**

**CLAUSE 20 – ARCHITECTURAL SERVICES WARD OVAL PAVILION BUILDING**

**FILE:** A9-12-3-3

**AOP REFERENCE:** 4.4.2.1

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

**3COW.3.2021 RESOLVED:** 1: That Dunn & Hillam Architects be engaged to undertake the Architectural Services for the Ward Oval Pavilion Buildings for the value of \$217,200.00 excluding GST, noting that no other quotations have been sought.

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

*Clr Payne / Clr Lea-Barrett*

**CARRIED**

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**CLAUSE 21 – BUILDING UPGRADES TO THE COBAR YOUTH AND FITNESS CENTRE TENDER**

**File:** T3-20-17

**AOP REFERENCE:** 1.5.2.1 & 4.4.2.5

**AUTHOR:** *Project Coordinator, Carly Hunter*

**2COW.3.2021 RESOLVED:** 1: That due to the price of tenders all exceeding the project budget no tender for the Building Upgrades to the Cobar Youth and Fitness Centre be awarded.

2: That the updated design completed by Dunn & Hillam be tendered, inviting the six shortlisted tenders from the Expression of Interest to tender.

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

*Clr Payne/ Clr Lea-Barrett*

**CARRIED**

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**CLAUSE 22 – REQUEST FOR TENDER ERP SOFTWARE**

**FILE:** T3-20-5

**AOP REFERENCE:** 3.3.2

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

**3COW.3.2021 RESOLVED:** 1. That Council accept none of the tenders and enter direct negotiations with a view to enter a contract with both IT Vision and Magiq Software in relation to ERP Software Replacement with the outcome of those negotiations being presented to Council for consideration.

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

*Clr Sinclair / Clr Marsden*

**CARRIED**

**CLOSURE OF COMMITTEE OF THE WHOLE**

**MOTION:** That Council move out of the Committee of the Whole and return to open Council at 7.35 pm.

*Clr Sinclair / Clr Marsden*

**CARRIED**

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**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 7.38 PM**

**CONFIRMED.....**

**MINUTE NO.....**

**MAYOR.....** 