

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE  
SHIRE OF COBAR HELD IN COUNCIL CHAMBERS ON THURSDAY  
24 FEBRUARY 2022 COMMENCING AT 5:00PM**

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**PRESENT (FILE C13-2)**

Councillors Jarrod Marsden (Deputy Mayor), Robert Sinclair, Janine Lea-Barrett, Tony Chaplain, Kain Neale, Lillian Simpson, Harley Toomey, Julie Payne and Kate Winders and Peter Maxwell.

**OBSERVERS**


Messrs Peter Vlatko (General Manager), Kym Miller (Director of Corporate and Community Services), Garry Ryman (Director of Planning and Environmental Services) and Miss Kelly Fairbank (Executive Assistant - General Manager/ Mayor).

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Councillor Peter Maxwell completed the affirmation.

**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.*

  
.....  
GENERAL MANAGER

  
.....  
DEPUTY MAYOR

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**APOLOGIES (FILE C13-2)**

- 01.02.2022 **RESOLVED:** 1. That the apology received from Mayor Peter Abbott be accepted.  
2. That Mayor Peter Abbott be granted a leave of absence.  
*Clr Toomey / Clr Winders* **CARRIED**

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

- Nil.

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**CONDOLENCES (FILE M2-3)**

- Darrell Wilson
- Leslie Keith Harbison
- Barry Hay
- Ellen May Tupper
- Donald Datson
- Noah Purton
- Peter James (Tiger) Fisher
- Suzanne Marie Dillon
- Robert Romey (Beeza) Josephson

A minute's 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)**

- 02.02.2022 **RESOLVED:** That the Minutes of the Ordinary Meeting of Council held on Thursday, 09 December 2022 be confirmed as a true and correct record of the proceedings of that meeting.

*Clr Lea- Barrett / Clr Chaplain*

**CARRIED**

**CLAUSE 1 – DELEGATIONS OF AUTHORITY TO GENERAL MANAGER**

**FILE: A2-5, Personnel AOP REFERENCE: 3.1.5 ATTACHMENT: NO**

**AUTHOR: General Manager, Peter Vlatko**

**03.02.2022 RESOLVED:** That Pursuant to *Section 377* of the Local Government Act 1993, Cobar Shire Council hereby delegates to the General Manager, Peter Vlatko and to the person holding the aforementioned position in an acting capacity the exercise of Councils' powers, functions, duties and authorities contained in legislation and matters specified in Schedule 1 subject to the limitations specified in Schedule 2.

This delegation shall commence on 24 February 2022 and remain in force until specifically altered or revoked in writing. All delegations shall be made by and shall flow from, the General Manager pursuant to *Sections 377 (2) and 380* of the Local Government Act.

**Schedule 1**

The functions of the Council as specified in:

- (i) The Local Government Act 1993 and related Acts and Regulations; and
- (ii) Other Acts under which Council has powers, authorities, duties, and functions-
  - Environmental Planning and assessment Act 1979
  - Impounding Act 1993
  - Protection of the Environment Operations Act 1997
  - Roads Act 1993 and Roads Transport Act 2013
  - Boarding Houses Act 2012
  - Road Rules 2014 NSW consolidated Regulations- under the Road Transport Act 2013
  - Food Act 2003
  - Biosecurity Act 2015
  - Rural Fires Act 1997
  - Crown Lands Act 1989
  - Companion Animals Act 1998
  - Plumbing and Drainage Act 2011
  - Heritage Act 1977
  - Public Health Act 2010
  - Graffiti Control Act 2008

<b>Schedule 2</b>
Subject to the provisions of the Local Government Act 1993 and any other relevant Legislation to the delegations and the following functions:-
<b>Approvals</b>
(a) Any application for approval in principle "or "Staged approval"
<b>Town Planning</b>
(a) Designated Development
(b) Non-residential development outside the industrial zones, which are not consistent with the activities presently accepted in the location of the proposed developments.
(c) Applications which are the subject of written objections.
<b>Local Government (General) Regulation 2005</b>
(a) The writing off of bad debts greater than the amount fixed from time to time by Resolution of Council in accordance with Clause 213 of the Local Government Act (General) Regulation 2005.
2. Council may by resolution direct the General Manager in the exercise of any function herein delegated.
3. The General Manager shall exercise the functions herein delegated in accordance with and subject to:-
(a) The provisions of the Local Government Act 1993 as amended.
(b) All and every policy of the Council adopted by resolution and current at the time of exercise of the functions herein delegated.

*Clr Sinclair / Clr Payne*

**CARRIED**

**CLAUSE 2 – COUNCIL DELEGATES**

**FILE: C6-15 AOP REFERENCE: 3.2.2.2 ATTACHMENT: NO**  
**AUTHOR: General Manager, Peter Vlatko**

04.02.2022

**RESOLVED:** That Council determine its delegate for Peak Gold Mine Consultative Committee be Councillor Julie Payne.  
*Clr Lea- Barrett / Clr Chaplain*

**CARRIED**

**CLAUSE 3 – QUARTER 2 – 2021/2022 BUDGET REVIEW**

**FILE: L5-22 AOP REFERENCE: 3.3 ATTACHMENT: YES**  
**(PAGE 54-56)**  
**AUTHOR: Director of Finance and Community Services, Kym Miller**

05.02.2022

**RESOLVED:** 1. That the operating budget for the General Fund 2021/2022 be varied by:

- Increasing grants income by \$100,000;
- Reducing truck wash income by \$50,000;
- Reducing Children's' Services income by \$160,000;
- Increasing 'Kubby' income and by \$600,000;

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- Increasing administration expenses by \$60,000 for election costs;
  - Reducing truck wash expenses by \$50,000;
  - Reducing Children's' Services expenses by \$160,000;
  - Increasing cemetery costs by \$50,000 and
  - Increasing 'Kubby' expenditure by \$600,000.

2. That the operating forecast deficit for the Water Fund be increased to \$2,000,000.

3. That the operating budget for the Sewer Fund be varied by increasing blockage treatment expenses by \$40,000.

4. That the capital budget for the General Fund 2021/2022 be varied by a vote of \$250,000 to re-locate COOSH from its existing location to the 'hostel'

*Clr Lea- Barrett / Clr Simpson*

**CARRIED**

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**CLAUSE 4 – SECTION 356 DONATIONS 2022/2023**

**FILE: D3-1 AOP REFERENCE: 1.4.5 ATTACHMENT: NO**

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

**06.02.2022**

**RESOLVED:** 1. That Council awards donations for the budget year ending 30 June 2023 as follows:

- a. Cobar Pony Club a donation of \$3,150.00 provided all their Council fees and charges are paid.
- b. Autoclub of Cobar a donation of \$3,500.00 provided all their Council fees and charges are paid.
- c. Cobar Amateur Pistol Club Inc a donation of \$3,500.00 provide that their rates overdue amounts are reduced by the same amount.
- d. Cobar Clay Target Club Inc a donation of \$3,500.00 provided that all their Council fees and charge are paid.
- e. Two hundred dollars in Cobar Quids to each of the three schools in Cobar for their year-end awards.
- f. Two hundred dollars in cash to Euabalong West Primary School for its end of year awards.

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1. That Council notes the in-kind allowance to the Outback Science Challenge that will be debited to the Youth Centre Cost Centre.

2. That Council endorse the repair and relocation of the portable toilets from Ward Oval to the Autoclub of Cobar Inc grounds at an approximate cost of \$3,000 and that it be included in the Ward Oval operating budget.

3. That a further \$4,000 be included in the 2022/2023 budget for donation applications that may arise.

4. That Council notes the contributions towards water at the Tom Knight Oval to a ceiling of \$25,000 for the year ended 30 June 2023.

*Clr Lea- Barrett / Clr Simpson*

**CARRIED**

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**CLAUSE 5 – SECOND QUARTERLY REVIEW OF THE ANNUAL OPERATIONAL PLAN 2021/2022 (Q2)**

**FILE: L5-22 AOP REFERENCE: 3.1 ATTACHMENT: YES  
(PAGE 57-117)**

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

**07.02.2022 RESOLVED:** That Council receives and notes the second quarterly review of the 2021/2022 Annual Operational Plan, covering the period October to December 2021.

*Clr Payne / Clr Lea- Barrett*

**CARRIED**

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**CLAUSE 6 – MEETING MINUTES**

**FILE: R5-36 AOPREFERENCE:3.1 ATTACHMENT: YES (PAGE 118)**

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

**08.02.2022 RESOLVED:** That the Minutes of the Lilliane Brady Village Governance and Management Committee be received and noted.

*Clr Lea- Barrett / Clr Toomey*

**CARRIED**

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**CLAUSE 7- MONTHLY STATUS REPORT**

**FILE: C13-10 AOP REFERENCE: 3.1 ATTACHMENT:NO**

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

**09.02.2022 RESOLVED:** That the information contained in the monthly status report be received and noted with item number 1369 to be removed.

*Clr Lea- Barrett / Clr Neale*

**CARRIED**

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**CLAUSE 8 – INVESTMENT REPORT AS AT 31 DECEMBER 2021**

**FILE: B2-7      AOP REFERENCE: 3.1.1.7**

**ATTACHMENT: NO**

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

**10.02.2022      RESOLVED:** That Council receive and note the Investment Report as of 31 December 2021.  
*Clr Lea- Barrett / Clr Payne* **CARRIED**

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**CLAUSE 9 – INVESTMENT REPORT AS AT 31 JANUARY 2022**

**FILE: B2-7      AOP REFERENCE: 3.1.1.7**

**ATTACHMENT: NO**

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

**11.02.2022      RESOLVED:** That Council receive and note the Investment Report as of 31 January 2022.  
*Clr Lea- Barrett / Clr Payne* **CARRIED**

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**CLAUSE 10- BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 31 DECEMBER 2021**

**FILE: B2-7      AOP REFERENCE: 3.1.1.5      ATTACHMENT: NO**

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

**12.02.2022      RESOLVED:** That Council receive and note the Bank Reconciliation, Monthly Total Funds Available, Cash Flow and Loan Facility Report as of 31 December 2021.  
*Clr Payne / Clr Lea- Barrett* **CARRIED**

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**CLAUSE 11 - BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 31 JANUARY 2022**

**FILE: B2-7      AOP REFERENCE: 3.1.1.5      ATTACHMENT: NO**

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

**13.02.2022      RESOLVED:** That Council receive and note the Bank Reconciliation, Monthly Total Funds Available, Cash Flow and Loan Facility Report as of 31 January 2022.  
*Clr Payne / Clr Lea- Barrett* **CARRIED**

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**CLAUSE 12 – RATES RECONCILIATION REPORT AS AT 31 JANUARY 2022**

**FILE: R2-1 AOP REFERENCE: 3.1.1.6 ATTACHMENT: YES  
(PAGE 119-120)**

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

**14.02.2022 RESOLVED:** That the Rates Reconciliation Report as at the 31 January 2022 be received and noted.  
*Clr Lea- Barrett / Clr Maxwell* **CARRIED**

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**CLAUSE 13 – GRANT FUNDING**

**FILE: G4-17 AOP REFERENCE: 3.1.1.3 ATTACHMENT: NO**

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

**15.02.2022 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 Simpson* **CARRIED**

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**CLAUSE 14 – PURCHASING ANALYSIS OF CONTRACTORS**

**FILE: T3-15-6 AOP REFERENCE:3.3.4 ATTACHMENT: NO**

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

**16.02.2022 RESOLVED:** That Council receive and note the information contained in this report.  
*Clr Payne / Clr Toomey* **CARRIED**

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**CLAUSE 15– EXPENDITURE FOR ROADS NETWORK**

**FILE: R5-31 AOP REFERENCE: 4.3.2 ATTACHMENT: YES  
(Under Separate Cover)**

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

Report Deferred



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**CLAUSE 16 – UPDATE ON WATER AND SEWER  
INFRASTRUCTURE PROJECTS**

**FILE: G4-29 AOP REFERENCE: 4.1.3.3 & 4.4.4.2**

**ATTACHMENT: NO**

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

- 17.02.2022 RESOLVED:** That Council receive and note the updated project information for the three Restart NSW Resources for Regions infrastructure projects.  
*Clr Payne / Clr Chaplain* **CARRIED**
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**CLAUSE 17 – DEVELOPMENT APPROVALS: 18 NOVEMBER  
2021 – 15 FEBRUARY 2022**

**FILE: T5-1 AOP REFERENCE: 1.6.3.1 ATTACHMENT: NO**

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

- 18.02.2022 RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 18 November 2021 – 15 February 2022 be received and noted.  
*Clr Payne / Clr Lea- Barrett* **CARRIED**
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**CLAUSE 1C TENDER TO ESTABLISH PANELS FOR PROJECT  
MANAGEMENT SERVICES AND ARCHITECTURAL SERVICES**

**FILE: T3-21-2 AOP REFERENCE: 3.3.4 ATTACHMENT: NO**

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

- 19.02.2022 RESOLVED:** That a further report regarding the tender to establish panels for Project Management Services and Architectural Services (T3-21-2) 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 it contains commercial information of a confidential nature that would, if disclosed in open Council, prejudice the commercial position of the person who supplied it.  
*Clr Lea- Barrett / Clr Payne* **CARRIED**

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**CLAUSE 2C – REGIONAL PROCUREMENT TENDER –  
PROVISION OF ROAD STABILISING**

**FILE: T3-2      AOP REFERENCE: 3.3.4.1 & 4.1.11**

**ATTACHMENT: NO**

**AUTHOR: *Roads Development Manager, Maurice Bell***

- 20.02.2022      RESOLVED:** That a further report regarding the tender to establish panels for Project Management Services and Architectural Services (T3-21-2) 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 it contains commercial information of a confidential nature that would, if disclosed in open Council, prejudice the commercial position of the person who supplied it.  
***Clr Lea- Barrett / Clr Payne*** **CARRIED**

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**CLAUSE 3C – REGIONAL PROCUREMENT TENDER – SUPPLY  
AND DELIVERY OF TRAFFIC AND SAFETY SIGNAGE**

**FILE: T3-2      AOP REFERENCE: 3.3.4.1 & 4.1.1.1**

**ATTACHMENT: NO**

**AUTHOR: *Roads Development Manager, Maurice Bell***

- 21.02.2022      RESOLVED:** That a further report regarding the tender to establish panels for Project Management Services and Architectural Services (T3-21-2) 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 it contains commercial information of a confidential nature that would, if disclosed in open Council, prejudice the commercial position of the person who supplied it.  
***Clr Lea- Barrett / Clr Payne*** **CARRIED**

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

- 22.02.2022      RESOLVED:** That Council move into the Committee of the Whole with the press and public excluded at 5.20 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 Payne*** **CARRIED**

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**Council resumed in Open Council at 5.36 pm.**

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

**23.02.2022 RESOLVED:** That the recommendations of the Committee of the Whole be adopted.  
*Clr Payne/ Clr Toomey* **CARRIED**

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**CLAUSE 1C TENDER TO ESTABLISH PANELS FOR PROJECT MANAGEMENT SERVICES AND ARCHITECTURAL SERVICES**  
**FILE: T3-21-2 AOP REFERENCE: 3.3.4 ATTACHMENT: NO**  
**AUTHOR: *Project Coordinator, Carly Hunter***

**3.COW.2.2022 RESOLVED:** 1. The following ten (10) successful tenderers will form the panel for the Project Management Services:

1. Coldale Consulting Pty Ltd
2. GHD Pty Ltd
3. The State of New South Wales through the Department of Regional NSW t/as Public Works Advisory
4. Turn and Townsend Thinc
5. Complete Urban Pty Ltd
6. Three Stables Pty Ltd
7. Barnsons Pty Ltd
8. Greenwich Advisory Pty Ltd
9. Empire Project Management Pty Ltd
10. Orion Consulting Engineers

1. The following five (5) successful tenderers will form the panel for the Architectural Services:

1. Dunn & Hillam Architects
2. Facility Design Group
3. GHD Pty Ltd
4. Studio Hollenstein Pty Ltd
5. Sala4D Pty Ltd

1. The engagement of the successful companies will be under contractual conditions including the requirement of the performance of the works, rates, insurances and other general conditions of the Contract as executed under the agreement. The successful panel of suppliers will be selected on the basis of price, availability, performance and funding.

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

*Clr Lea- Barrett / Clr Sinclair*

**CARRIED**

**CLAUSE 2C – REGIONAL PROCUREMENT TENDER –  
PROVISION OF ROAD STABILISING**

**FILE: T3-2 AOP REFERENCE: 3.3.4.1 & 4.1.11 ATTACHMENT:  
YES (PAGE 33-37)**

**AUTHOR: *Roads Development Manager, Maurice Bell***

**4.COW.2.2022 RESOLVED:** 1. That Stabilised Pavements of Australia Pty Ltd be first preference, The Mining Pty Ltd as second preference and Downer EDI Works as the third preference be awarded the contract as Panel Source suppliers for provision of Road Stabilising for a term up to 31 December 2023 with provision for a 12-month extension in line with the Regional Procurement Evaluation Panel recommendation.

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

*Clr Lea- Barrett / Clr Neale*

**CARRIED**

**CLAUSE 3C – REGIONAL PROCUREMENT TENDER – SUPPLY  
AND DELIVERY OF TRAFFIC AND SAFETY SIGNAGE**

**FILE: T3-2 AOP REFERENCE: 3.3.4.1 & 4.1.1.1 ATTACHMENT:  
YES (PAGE 38-42)**

**AUTHOR: *Roads Development Manager, Maurice Bell***

**5.COW.2.2022 RESOLVED:** 1. That all tenderers be awarded the contract as Panel Source suppliers for Supply and delivery of Traffic and Safety Signs for a term up to 30 September 2023 with provision for a 12-month extension in line with the Regional Procurement Evaluation Panel recommendation.

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

*Clr Payne / Clr Simpson*

**CARRIED**

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5.35 PM**

**CONFIRMED.....**

**MINUTE NO.....**

**MAYOR.....**

**THIS IS PAGE 12 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 24 FEBRUARY 2022**

**GENERAL MANAGER**

**DEPUTY MAYOR**