

COBAR SHIRE COUNCIL



ORDINARY MEETING AGENDA

THURSDAY 27 FEBRUARY 2014

~ ORDER OF BUSINESS ~

Business for the meeting will be as follows:

1. Apologies
 2. Declaration of Interests
 3. Condolences
 4. Confirmation of Minutes
 - Ordinary Meeting of Council – Thursday 12 December 2013
 - Extraordinary Meeting of Council – Monday 20 January 2014
 - Works Committee Meeting – Thursday 13 February 2014
 - Finance and Policy Committee Meeting – Thursday 13 February 2014
 5. Matters Arising from Minutes
 6. Mayoral Report
 7. General Manager's Report – Part A (Action)
 8. General Manager's Report – Part B (Information)
 9. General Manager's Report – Part C (Confidential)
 10. Matters of Urgency
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PART C – CONFIDENTIAL

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Clause 1C – Staff Attitude Survey October 2013 Report.....(Refer to Confidential
.....Agenda)

(This report is confidential in accordance with Section 10A(2) (a) of the Local Government Act 1993, as the information relates to personnel matters concerning particular individuals (other than councillors).

~ COUNCIL'S VISION ~

Our Vision is for Cobar Shire to be an attractive, healthy and caring environment in which to live, work and play, achieved in partnership with the community through initiative, foresight and leadership.

~ COUNCIL'S MISSION ~

Our Mission is to provide sound and sensible government and ensure that works and services are delivered effectively and equitably to the community of Cobar Shire.

Council will also develop and constantly review its policy on the maintenance of its road network with current priorities to include the sealing of the following strategic roads within the Shire;

- Ivanhoe Road
 - Louth Road
 - Tilpa Road
-

~ COUNCIL'S VALUES ~

Council has adopted the following Values that should be reflected in how the whole organisation operates and interacts with others:

- Continually strive for improvement in every aspect of Council's activities and recognise initiative.
- All activities are to be customer focused and provide equity for all.
- Involve the community in decision making through open government and consultative processes.
- Foster and promote sustainable ecological and economic development, rural pursuits and industries that contribute to the wealth of the region and in keeping with the environment and residents lifestyle.
- Conserve and protect the natural beauty of the area.
- Promote a spirit of regional cooperation particularly in regard to planning, infrastructure, economic development, tourism and employment.

~ COUNCIL'S CHARTER ~

A Council has the following charter (Section 8, Local Government Act 1993):

- To provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively.
- To exercise community leadership.
- To exercise its functions in a manner that is consistent with and actively promotes the principles of cultural diversity.
- To promote and to provide and plan for the needs of children.
- To properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development.
- To have regard to the long term and cumulative effects of its decisions.
- To bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible.
- To facilitate the involvement of Councillor's, members of the public, users of facilities and services and council staff in the development, improvement and coordination of local government.
- To raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants.
- To keep the local community and the State government (and through it, the wider community) informed about its activities.
- To ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected.
- To be a responsible employer.

~ COUNCIL DIARY ~

DATE	ACTIVITY	INVOLVES
Thursday 27 February 2014 (2:00pm – 4:30pm)	Councillor Workshop – Independent Local Government Review Panel Reports Discussion and Submission Finalisation	Councillors/Senior Staff
Thursday 27 February 2014 (5:00pm)	Council Meeting	Councillors/Senior Staff/Community
Thursday 27 February 2014 (7:00pm – 9:00pm) After Council Meeting	Councillor Workshop No. 1 for Draft 2014/2015 Revenue Statement and Fees and Charges	Councillors/Senior Staff
Thursday 13 March 2014 (5:00pm)	Committee Meetings	Councillors/Senior Staff/Community
Thursday 13 March 2014 (7:00pm – 9:00pm) After Council Meeting	Councillor Workshop No. 2 for Draft 2014/2015 AOP, Budget, LTFP and Donations	Councillors/Senior Staff
Thursday 27 March 2014 (5:00pm)	Council Meeting	Councillors/Senior Staff/Community
Thursday 3 April 2014 (5:00pm – 7:00pm)	Councillor Workshop No. 3 for Draft 2014/2015 AOP, Revenue Statement, Fees and Charges, Budget and LTFP	Councillors/Senior Staff
Thursday 10 April 2014 (5:00pm)	Committee Meetings	Councillors/Senior Staff/Community

Thursday 10 April 2014 (7:00pm – 9:00pm)	Councillor Workshop No. 4 for Draft 2014/2015 AOP, Revenue Statement, Fees and Charges, Budget and LTFF (if required)	Councillors/Senior Staff
Thursday 24 April 2014 (5:00pm)	Council Meeting	Councillors/Senior Staff/ Community
Thursday 8 May 2014 (5:00pm)	Committee Meetings	Councillors/Senior Staff/ Community
Wednesday 21 May 2014 (6:30pm – 8:00pm)	Public Meeting Presentation of Draft 2014/2015 AOP, Revenue Statement, Fees and Charges, Budget and LTFF	Councillors/Senior Staff/ Community
Thursday 22 May 2014 (5:00pm)	Council Meeting	Councillors/Senior Staff/ Community

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5

AOP REFERENCE: 3.1

ATTACHMENT: NO

AUTHOR: *Mayor, Councillor Lilliane Brady OAM*

Report to be tabled.

RECOMMENDATION

That Council accepts the information contained in the Mayoral Report for the month of February 2014.

CLAUSE 2A – REVIEW OF CURRENT WATER RESTRICTIONS

FILE: W2-21

AOP REFERENCE: 5.1.2.3

ATTACHMENT: NO

AUTHOR: *Director of Engineering Services, Peter Graf*

Purpose

The purpose of this report is to demonstrate the need for the current water restrictions to be reviewed and altered.

Background

Cobar and the surrounding areas are now well within the warmer period of the year. In late September 2013 Council adjusted the water restrictions to the current levels, as detailed below, effective Monday 7 October 2013.

Cobar and Nymagee:

- Hand held hoses are permitted anytime
- All fixed sprinklers, irrigation systems etc, be permitted between 6pm to 9:00am daily;
- No car washing permitted on hard surfaces.

Euabalong and Euabalong West:

- Hand held hoses are permitted anytime;
- All fixed sprinklers, irrigation systems etc., are banned;
- No car washing permitted on hard surfaces.

As reported to Council in January there have been concerns with the water supply at Nymagee due to pump failures and restrictions were put in place as of Tuesday 21 January 2014 as outlined below.

Nymagee:

- Hand held hoses, all fixed sprinkler and irrigation systems are banned;
- Water should be used for domestic emergency and emergency firefighting purposes only;
- No car washing permitted.

Given the ongoing water shortages as outlined in the Local Cobar paper on Wednesday 12 February 2014 it would be an appropriate time for Council to adjust the current level of Water Restrictions.

With the increase in the temperature usage levels have increased and resulted in the Filtration Plant working for excessive hours. This is not ideal for the Plant because maintenance and detention times are affected and this will definitely have an affect on the final product produced (water quality).

Additionally this is an environmentally sound move for Council to alter the watering times as Council needs to encourage the community to water when evaporation levels are at their minimum so this precious resource is not wasted or misused.

Issues

In late 2012 Council introduced an odds and evens system in Cobar only, which did not have an impact on reducing watering usage due to residents using their allocated day as a right rather than water as required.

It is suggested that due to the low levels of water reserves at Nymagee the additional restrictions need to continue.

RECOMMENDATION

- 1. That Council amends the current water restrictions to as follows commencing on Wednesday 5 March 2014:**

Cobar:

- **Hand held hoses are permitted anytime;**
- **All fixed sprinklers and irrigation systems be permitted between 6pm to 9pm and 6am to 9am daily;**
- **No car washing permitted on hard surfaces.**

Euabalong and Euabalong West:

- **Hand held hoses are permitted anytime;**
- **All fixed sprinklers and irrigation systems are banned;**
- **No car washing permitted on hard surfaces.**

Nymagee:

- **Hand held hoses are banned;**
- **All fixed sprinklers and irrigation systems are banned;**
- **No car washing permitted.**

- 2. That following finalization of the current water supply emergency at Nymagee the Mayor and General Manager be authorised to amend the water restrictions at Nymagee to similar restrictions as those for Euabalong and Euabalong West.**

**CLAUSE 3A– NSW INDEPENDENT LOCAL GOVERNMENT REVIEW
PANEL REPORT – REVITALISING LOCAL GOVERNMENT – COBAR
SHIRE COUNCIL SUBMISSION**

FILE: L5-2

AOP REFERENCE: 3.1

**ATTACHMENT:
UNDER SEPARATE COVER**

AUTHOR: *General Manager, Gary Woodman*

Purpose

The purpose of this report is to adopt Cobar Shire Council's Final Submission in regard to the NSW Independent Local Government Review Panel Report – Revitalising Local Government.

Background

Councillors will recall the Independent Local Government Review Panel Future Directions for NSW Local Government Review Panel Paper – Twenty Essential Steps.

Cobar Shire Council's Position Summary was that the proposed County Councils would lose the "local" in Local Government and it would not deliver any meaningful benefits to the communities and villages we serve and that the Panel had not put forward a compelling evidence based case that demonstrated if the significant transitions costs would be outweighed by the benefits.

Cobar Shire Council made it clear that Council had no interest in a merger as proposed by the Panel nor did it support a County Council model for the region along the lines proposed in the Panel's Report.

All Councillors have been provided copies of the latest reports:

- Revitalising Local Government – Final Report of the NSW Independent Local Government Review Panel, October 2013;
- Strengthening Far West Communities – A Pathway for Change – Supporting Information Volume 3, October 2013;
- Local Government Acts Taskforce – A New Local Government Act for NSW and Review of the City of Sydney Act, 1988 Report, October 2013.

Cobar Shire Council's Draft Submission to the Panel has been formulated from an OROC Forum held on 3 February 2014 attended by Deputy Mayor Marsha Isbester and the General Manager, a Manex Forum held on 12 February 2014 and a Western Division Councils of NSW Forum attended by the Mayor, several Councillors, the General Manager and other Senior Staff.

A further Workshop of Cobar Shire Council Councillors and Manex Members will be held on the afternoon of Thursday 27 February 2014 to finalise Cobar Shire Council's Submission to the Panel.

The Draft Submission is based on Cobar Shire Council remaining an independent local government Council and continuing to improve its services by collaborative arrangements through the Orana Regional Organisation of Councils, Lower Macquarie Water Utilities Alliance, Western Division Councils of NSW and neighbouring Councils, etc with the proposed Far West Regional Authority if it comes to fruition only being responsible for State and Commonwealth services with no funds that are normally provided to Council from any sources being directed to the Authority.

RECOMMENDATION

That Council adopt the final draft Cobar Shire Council Submission on the Final Report of the NSW Independent Local Government Review Panel, October 2013 – Revitalising Local Government determined at the Councillor Workshop on 27 February 2014.

CLAUSE 4A – STAFF ATTITUDE SURVEY OCTOBER 2013 REPORT

FILE: S5-35

AOP REFERENCE: 3.3.2

ATTACHMENT: NO

AUTHOR: *General Manager, Gary Woodman*

Purpose

The purpose of this report is to provide Council with information in relation to the recently completed Staff Attitude Survey October 2013 Report.

Given that the matter concerns personnel matters concerning particularly individuals (other than councillors), it is recommended that Council considers a further report in the Committee of the Whole Closed Council.

RECOMMENDATION

That the report on the Staff Attitude Survey October 2013 be considered in the Committee of the Whole Closed Council with the press and public excluded for the reasons stated in accordance with Section 10A(2) (a) of the Local Government Act 1993, as the information relates to personnel matters concerning particular individuals (other than councillors).

CLAUSE 5A – 2014 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT – AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

FILE: L5-6 AOP REFERENCE: 3.1, 3.1.5

ATTACHMENT: YES

(PAGE 88-103)

AUTHOR: *General Manager, Gary Woodman*

Purpose

To arrange approval of attendance of the Mayor and General Manager to the 2014 National General Assembly of Local Government and to arrange appropriate motions of national significance.

Background

The 2014 National General Assembly (NGA) of Local Government (Australian Local Government Association (ALGA)) is going to be held from the 15 to 18 June 2014 at the National Convention Centre, Canberra.

Normally the NGA is attended by the Mayor and General Manager.

The theme of the 2014 Assembly is 'Getting Down to Business'. A copy of the relevant Discussion Paper is contained within the attachments to this agenda to help develop motions for the 2014 Assembly. Council will need to consider motions that are linked to the Assembly theme with say a deadline of 1 April 2014 for Council to enable submittal to the ALGA by the motion deadline of 17 April 2014.

Financial Implications

Apart from normal travelling costs it would be expected that it will cost \$2,000 for registration, accommodation, meals etc for each person attending. These costs are contained within normal Council budgets for delegate's expenses and conferences.

Options

Council does not need to attend the ALGA NGA however it is considered appropriate that the Council does allow the Mayor and General Manager to attend to network with other Local Government Councillors and Officers, Commonwealth Ministers and Senators, Special Interest Groups and to ensure that the voice of Cobar Shire Council is heard in Canberra. This year the Assembly will be considering particularly important issues such as regional development, broadband, roads and recovery renewal, Cost Shifting, Infrastructure – roads, services, etc, Planning, Engineering Management, Financial Assistance Grants Reviews, etc.

RECOMMENDATION

- 1. That Council approve the attendance of the Mayor and General Manager to the 2014 National General Assembly of Local Government – Australian**

Local Government Association 15-18 June 2014 at the National Convention Centre, Canberra.

- 2. That Councillors consider motions in the form required to be forwarded to the National General Assembly with information to be provided to the General Manager by 1 April 2014 to allow submittal to the Australian Local Government Association by the deadline of 17 April 2014.**

CLAUSE 6A– SECOND QUARTERLY REVIEW OF THE ANNUAL OPERATIONAL PLAN 2013-2014

FILE: L5-22

AOP REFERENCE: 3.1

**ATTACHMENT:
UNDER SEPARATE COVER**

AUTHOR: *Special Projects Officer, Angela Shepherd*

Purpose

To provide Council with a detailed review of all actions outlined in the Annual Operational Plan 2013-2014 for the second quarter (i.e. October to December 2013).

Background

At the June 2013 Council Meeting, Council adopted the 2013-2014 Annual Operational Plan (AOP) and Budget. Council is obligated to review the AOP and Budget each quarter, under the NSW Integrated Planning and Reporting legislation and guidelines. The budget review is presented as a separate report. It should be remembered that this review is only for the period October to December 2013 and does not cover actions or activities that have occurred since then.

Issues

Each responsible officer has provided the attached review of their operations. All actions outlined in the AOP have been addressed. This quarterly review replaces the community services quarterly reports and thus it contains many of the statistics previously presented in these reports.

A summary of the major projects undertaken in Q2 and the emerging concerns for Q3 are as follows:

Governance

- The Federal Government announced they would honour the RDAF Round 3 skate park project. Council is still trying to get a funding agreement from the Department for this project. It is unlikely to commence in Q3;
- Further work is required to improve Council's IT systems and to achieve increased productivity as a result. Some work has been undertaken, improvements to the server system is now the focus;
- Council submitted EOI's for five projects in the second round of the Resources for Regions Program and assisted with two others. Council is now working with consultants to submit final applications for three projects in Q3. Council was also notified that we were successful in Round 1 with our Water Treatment Plant project. Work has been extensive in getting this project underway and will continue to require significant Council resources in Q3;
- An unqualified audit report was received, with no breaches. See the finance report for more detail.
- Industrial relations issues continued to progress, however improvements in the relationship between Council and the unions have been achieved and bullying

and harassment training has been undertaken throughout the organisation with all employees attending.

- Council has been working hard to improve its return to work outcomes in Q2, with a number of employees able to return to work earlier than expected.
- Service awards were presented to all employees with ten or more years service.

Corporate and Community Services

- Brindabella Airlines collapsed and left Cobar without an air service. Council will continue to work with all stakeholders in Q3 in a bid to find an alternative airline to take over the route and provide a service. With no airline service Council will face a significant fall in income that will need to be addressed in future budgets.
- There has been nearly 100% occupancy at the LBV. It is hoped that the extensions project for the LBV will commence in Q3, to be completed in Q4. In Q3 a feasibility study will commence into establishing a MPHS in Cobar;
- The Curator has been working hard on an Inspiring Women History project that will be launched in Q3 at International Womens Day. She has also been putting together a proposal for an ANZAC project and has sought grant funding to undertake it;
- Total visitors for October – December 2013 were 4,400 - a decrease of about 10% from the same period 12 months earlier. However whilst visitor numbers are down, the revenue in the Great Cobar Heritage Centre in those three months was the same at \$22,820. There's been increased interest in tourism from the accommodation sector due to the impact on them from a slower mining sector;
- In 2011 the Outback Tourism Organisation was taken over by a new regional tourism organisation, Inland NSW. Since Inland NSW has been responsible for the Outback Region there has been almost no marketing and promotion of the area. It is in these years that some of our own marketing activities were cut back due to Council's financial position. Inland NSW have about \$500,000 to spend on a marketing campaign this year. The lead time on any increase in visitors will be 12 months to 18 months;
- The Festival of the Miners Ghost was held and a number of good suggestions have been made to further improve the event and return it to a one weekend, mining focussed celebration. The Seniors Christmas party was a resounding success as was the Australia Day celebrations. In Q3 work will focus on Seniors Week and Youth Week celebrations.

Engineering Services

- The RMS reseals and heavy patching programs on the State Highways were completed. All maintenance funds for the year have been expended. Council will seek a further budgetary allocation in Q3;
- Council is currently pricing the Lillyvale Rest Area project which is due to commence in Q3. Crushing is underway for the shoulder widening project on Kidman Way South;

-
- 60% of the Regional Roads money has been expended and 80% of the Shire Road funds. In Q3 crews will be concentrating on the Tilpa Repair Program project (\$800,000);
 - A lack of water has been impacting on many of Council's operations. In terms of roads, works have been undertaken in areas where water has been available, eg SR17, SR18 and SR12. In Q3 two bores will be sunk at Windara and Barnato Tank to allow the Tilpa Repair Program project to be undertaken;
 - Reinstatement works were undertaken on the Tiltagoona Road (Tilpa Road) following damage during establishment of the drill site. Further restorative works may be required following completion of the drilling project in Q3;
 - An audit of the water reticulation system will commence in Q3 and it is expected to raise a number of issues that will need to be undertaken later in the financial year;
 - In early Q3, CASA undertook a report on the state of the Cobar Regional Airport. Results will be available in Q3. Council has been told that the lighting upgrade must be undertaken by December 2014 – no further extensions will be undertaken. This project is subject to a Resources for Regions project proposal. If unsuccessful, further Council resources will be required to address the issue or there will be no flights from Cobar Regional Airport at night or early morning/evening;
 - Investigations into a new or refurbished truckwash have consumed staff time in Q2 with a final options paper to be presented and decision on the future of the project expected in Q3;
 - An extensive review of Plant and Equipment is proposed to be undertaken in Q3 looking at costs, efficiencies etc in order for budget preparations for 2014/2015.

Planning and Environmental Services

- Council has focused resources in the regulatory compliance area in Q2, both reactive in addressing complaints from a range of stakeholders, and proactive by undertaking food and fire safety inspections;
- Reactive matters have included unauthorised goat yard operations, seizure of several dangerous/restricted dogs, noise complaints including motor vehicle with modified exhausts/mufflers removed, food safety inspections (serious breaches detected), conduct development without consent, major illegal dumping (including 1,152*20 litre paint tins at Euabalong), school zone enforcement at Cobar Primary School, investigate significant water theft from Nymagee (110,000 litres stolen from main storage tank);
- Proactive matters addressed include fire safety compliance inspections on commercial properties, education and enforcement of water restrictions, continuance of food safety inspection program (safety breaches include unsafe contaminated food and utensils, inoperative refrigeration and poor hygiene and insect infestations);
- The village addressing project has been completed for all villages except Nymagee (expected to be completed in Q3) and the emergency services and Australia Post are now using the new system.

Legal Situation

Council must review the AOP quarterly as per the NSW Integrated Planning and Reporting guidelines.

Policy Implications

The report outlines what has been achieved to date, what has not been achieved and why, and highlights any concerns regarding the actions in the AOP. Councillors are encouraged to read through the report to get an understanding of where each of the actions has progressed to and to understand any possible issues that may need addressing in future quarters.

Financial Implications

Any financial implications are outlined in the budget review.

Risk Implication

Any risks to achieving outcomes are listed in the report.

RECOMMENDATION

That Council receives and endorses the second quarterly review of the 2013-2014 Annual Operational Plan, covering the period October to December 2013.

CLAUSE 7A– ECONOMIC TASKFORCE

FILE: D2-17 AOP REFERENCE: 2.1

ATTACHMENT: NO

AUTHOR: *Special Projects Officer, Angela Shepherd*

Purpose

To adopt the proposed Terms of Reference for the Economic Taskforce and to consider the recommendations from their meeting of 14 February 2014.

Background

In October 2013, Council resolved:

“That a Senior Marketing Team of Councillors, staff and two key community representatives be formed to identify opportunities to improve the economic stability of Cobar Shire”.

The first meeting of the Taskforce was held on 14 February 2014. The minutes of this meeting are included in the attachments to this meeting agenda.

Issues

The Taskforce has made a number of recommendations that they are now asking Council to adopt.

1. Recommendation: That the attached Terms of Reference be adopted by Council and that Council notes the proposed meeting schedule.
2. Recommendation: That Council endorses the membership of Clrs Yench, Martin and Sinclair as the Councillor Representatives on the Taskforce and that one further member is also nominated.
3. Recommendation: That Council approaches Telstra and the government seeking an information and subsidy plan promoting equipment that can be used to enhance reception levels for mobile phone users across the Shire. Eg external aerials, patch leads, hand sets etc.
4. Recommendation: That Council writes to the NSW Government seeking seed funding of \$30,000 for the Economic Taskforce to allow a business case/prospectus for doing business in Cobar to be developed to counteract the down turn in the mining industry.

Legal Situation

Under the proposed Terms of Reference, the Taskforce is an Advisory Committee to Council. It makes recommendations to Council for consideration. It is up to Council to determine which recommendations to adopt.

Policy Implications

The above recommendations are complimentary to Council's Economic Development Strategy and the Annual Operational Plan.

Financial Implications

There are no negative financial implications to undertaking the recommendations outlined in this paper.

Risk Implication

Nil.

RECOMMENDATION

- 1. That the attached Terms of Reference be adopted by Council and that Council notes the proposed meeting schedule.**
- 2. That Council endorses the membership of Clrs Yench, Martin and Sinclair as the Councillor Representatives on the Taskforce and that one further member is also nominated.**
- 3. That Council approaches Telstra and the government seeking an information and subsidy plan promoting equipment that can be used to enhance reception levels for mobile phone users across the Shire. Eg external aerials, patch leads, handsets etc.**
- 4. That Council writes to the NSW Government seeking seed funding of \$30,000 for the Economic Taskforce to allow a business case/prospectus for doing business in Cobar to be developed to counteract the down turn in the mining industry.**

CLAUSE 8A – QUARTER 2 2013-2014 BUDGET REVIEW

FILE: L5-22 AOP REFERENCE: 3.3 ATTACHMENT: YES (PAGE 104-136)

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

Purpose

To present to Council the budget review for the second quarter of the 2013-2014 financial year and to recommend changes to the 2013-2014 budget.

Background

Council is required to receive a budget review statement that shows the estimate of income and expenditure as set out in its Annual Operational Plan and a revised estimate of the income and expenditure for that year.

Appearing as attachments to this report are:

1. Detailed Income and Expenditure analysis.
2. Section 94 Contribution Details.
3. A report from the Director of Corporate and Community Services indicating that he believes the financial position is satisfactory having regard to the adopted estimates for the 2013-2014 year.

Additionally an analysis on Capital Expenditure is attached. It should be noted that the major project work on the Filtration Plant funded under the Resources for Regions is expected to commence this financial year. \$200k has been included in the capital budget. A first payment of \$780k is also expected. This is included as capital income. It should be noted that this does not impact the operating result.

In analysing the forecast, particularly the General Fund, Council needs to recall that \$1,100k of Financial Assistance Grants was received in 2012-2013 which was applicable to the 2013/2014 financial year.

In summary form the revised forecast appears in the table below:

	General Fund	Waste Fund	Water Fund	Sewer Fund	Total
Adopted	-811,875	109,638	2,967	11,968	-687,302
Carry Overs	-56,750				-56,750
Q1 Adjustments	-11,707	47,976			36,269
Q2 Adjustments	611,184	24,000	21,400	-100,150	556,434
<i>New Forecast</i>	-269,148	181,614	24,367	-88,182	-151,349
Add back prepaid Grants	1,100,000				1,100,000
Underlying Surplus	830,852	181,614	24,367	-88,182	948,651
Capital Grants and Contributions	1,441,000				1,441,000
Underlying deficit after excluding capital contributions and grants	-610,148	181,614	24,367	-88,182	-492,349

The net position after adjusting for the prepaid grants is a surplus of \$168k across all funds. Councillors need to note that the revenue includes the result of the Special Rate Variation (approximately \$676k).

Executive Summary

The **General Fund** has deteriorated by \$168k in the quarter. After adjusting for the grant paid early in 2012-2013 it shows a surplus of \$56k.

The forecast has accounted for losses due to the Brindabella failure, redundant water inventory items and losses on the disposal of fixed assets. Generally these have been brought to Council's attention in the Audited accounts in previous years. Also included in this category is the recovery of an outstanding amount of GST which is several years old (\$113k). It is likely that the Auditor will require this to be recorded "below the line" which would result in the operating deficit forecast of \$63k.

The depreciation accounts have been increased to take into account the revaluations undertaken as at June 30 2013. This has impacted the forecast by negative \$160k.

The forecast has been enhanced by the (re) introduction of \$200k Capital funding for the Skate Park and the first payment for the Filtration Plant. These along with \$461k Road to Recovery grant comprises capital contributions which are separated from the operating result in the financial performance summary.

Water Fund: The forecast for the Water Fund has been amended slightly with an adjustment to depreciation and a share of the LMWUA being charged to the Sewer Fund being reflected.

Sewer Fund: A depreciation adjustment has contributed to an unfavourable variance of \$88k.

Domestic Waste Fund: The current compliance activity revenue of \$24k has been included. There was no budgeted figure.

Details of variances of \$20k or more:

Favourable

1. Cobar Water Board administration contract has been increased by \$20k to reflect the revised agreement with the Board.
2. Ordinary Rates - Mining have been increased by \$58k to reflect actual rates levied due to the revaluation of a new mining lease.
3. Skate Park- \$200k Capital Revenue has been (re) introduced.
4. On costs recovered have been increased by \$290k. This is an internal entry which will be credited to "user centres".
5. Workshop salaries have been reduced by \$80k to reflect the current labour usage.
6. Workshop small plant and tools have been reduced by \$20k to reflect the current usage pattern.

-
7. Rural Fire Service Subsidy has been reduced by \$49k as one quarter was prepaid in the prior financial year.
 8. Ranger Services, fines and costs have been increased by \$40k to reflect the current compliance activity.
 9. Lilliane Brady Village Nursing Home fees have been increased by \$60k to reflect client mix.
 10. Lilliane Brady Village labour and oncost have been reduced by \$112k to reflect the current labour mix. It should be noted that the budget allowed for an increase in labour rates of 3.5%, however it has recently been advised a 2.5% Award increase was effective November 2013.
 11. GST Recovery of \$113k introduced to reflect prior period recovery. This has been recommended by the February Finance and Policy Committee to be restricted as seed funding for a truck wash to leverage further funding from other sources.
 12. Water Fund - Distribution from Cobar Water Board of \$70k introduced now that it has been received.
 13. Domestic Waste – Revenue of \$24k introduced to reflect current compliance activity.
 14. \$780k capital income from the Resources for Regions funding.

Unfavourable

1. Bad and Doubtful Debts of \$45k introduced to reflect the Brindabella Situation. It should be noted that if the airline is liquidated Council may have a further \$30k exposure under the Liquidator's right to recall preferential payments.
2. Ordinary Rates - Residential have been reduced by \$23k to reflect actual amount levied.
3. Engineering Salaries have been increased by \$30k to reflect actual to 31 December 2013.
4. Plant costs/revenue has been increased by a net -\$293k. This will be internally allocated and is approximately offset by the surplus in the (internal) overhead recovery.
5. Workshop - internal costs recovery has decreased by \$139k. This is partly offset by \$80k of reduced salary forecast.
6. Lilliane Brady Village repairs and maintenance has been increased by \$25k as an energy upgrade of the electrical circuit board is required.
7. Environmental Planning - The \$50k received on a court ruling from Peak Gold has been transferred to the Sewer Fund. This is neutral in the revenue budget.
8. RMS Ordered Works as previously reported has a reduction of \$250k to margin.
9. Aerodrome Landing Fees have been reduced by \$30k due to the loss of flights. The budget assumes a resumption of services in the last quarter.
10. Loss on disposal of assets of \$65k has been introduced as per Executive Summary.
11. Water fund net revenue has been reduced by \$80k. Revenue is difficult to predict due to the unknown consumer reaction to the higher charges. This reduction may be conservative but as it does not benefit the General Fund it is suggested to take this conservative approach.

12. Sewer Fund Charges have been reduced by \$50k in light of actual amount billed.

Cash Adjustment

This report also confirms that the cash proceeds for a truck recently sold and not replaced are not required to be retained as a cash reserve for entitlements as per the Council resolution in May 2012 where such funds were set aside to establish restricted funds for entitlements. On balance, the reserve has reached 10% of the actuarial requirement and the proceeds may therefore be applied to the bores as per the report to Council's Ordinary Meeting in December.

RECOMMENDATION

- 1. That the Quarter 2 2013-2014 Budget Review Report be received and noted.**
- 2. That the estimates contained in the attachment to the Quarter 2 2013-2014 Budget Review Report be adopted as the revised forecast for 2013-2014 financial year.**
- 3. That the attachment, Capital Expenditure Quarter 2 2013-2014, be received and noted.**

CLAUSE 9A – 15 YEAR ROLLING PLANT REPLACEMENT PROGRAM

FILE: P3-7 AOP REFERENCE: 3.3.2.6

ATTACHMENT: YES

(PAGE 137-139)

AUTHOR: *Works Manager, Kingsley Page*

Purpose

Review the makeup of the plant, equipment and fleet to ensure operational requirements are being met in a cost effective manner and review the 15 Year Rolling Plant Replacement Program.

Background

This report is submitted for Council to consider the proposed Plant Replacement Program over a 15 year period (refer attached spreadsheet).

This program has been developed based on projected Council budgets and plant usage of each item and an attempt made to predict the most economical time to dispose and replace equipment operated by Council. No allowance has been made for inflation.

The management of light fleet, plant and heavy vehicles and the change over /replacement is critical to ensure operational requirements are met and best value is provided for the Council and Cobar Shire Community.

The decision regarding when to change over the light fleet, plant and heavy vehicles should be based on optimum replacement timing. The optimum replacement point in the life of the vehicle is when the decreasing line of depreciation intersects with the increasing cost of repairs and maintenance. Optimum replacement timing for a vehicle or an item of plant is calculated either in kilometres or engine hours, and time, to achieve the lowest average annual costs during the life of the vehicle/machine.

Council has a Motor Vehicle Policy which covers the provision of light vehicle usage benefits to certain officers and outlines the program of vehicle replacement frequency and responsible management of vehicles.

The policy outlines that vehicles should be replaced between 15,000 and 40,000 km to ensure optimum trade in values. In reality Council is replacing vehicles well over the 100,000 km mark and as a result are achieving poor trade in and high changeovers.

Plant and Heavy Vehicle Utilisation should be reviewed at least bi-annually to ensure machinery is meeting budget utilisation forecasts.

The garbage compactor truck at this stage won't be replaced until the Waste Strategy is complete including a direction on future service provision.

Council's changeover timing for the heavy fleet should be line with the Optimum Replacement benchmarks recommended in the Institute of Public Works Engineering Australasia (IPWEA) Plant & Vehicle Management Manual (refer table).

Optimum Replacement Timing Table:

Group/Type		Optimum Replacement Timing
	Years	KM/Hrs
Backhoe Loader	7	5,000
Grader	10	8,000
Forklift	10	5,000
Heavy Duty Truck (HR & HC)	8	500,000
Medium Duty Truck (MR)	8	200,000
Light Duty Truck (LR)	6	150,000
Loader	8	8,000
Roller Large	10	8,000
Skid Steer Loader	5	5,000
Tractor Medium	8	5,000
Sweeper	8	8,000

In late 2013 a prime mover (P1110) along with a side tipper trailer (P2392) were deemed to be surplus to requirements so their replacement is no longer necessary. This means Council does not have to fund this plant in the future.

The task of monitoring and reviewing the usage patterns of the entire plant fleet ensures that the plant is appropriate to meet the ongoing operational requirements and projected construction and maintenance demands. This monitoring and reviewing process closely follows usage and trends, which become apparent, in the demands for heavy plant and vehicles.

The paveline is a critical machine in carrying out RMCC works and doing important pothole repairs on bitumen roads and will be replaced to ensure continued serviceability in these areas.

Currently graders are proposed to be replaced at around 10,000 hours with a number of units over this amount of hours.

One backhoe dedicated to the water supply is overdue for renewal and will be replaced ensuing that a reliable machine is available for the towns water supply.

There are three multityred rollers for three of the grader teams. Any additional requirements can be met readily by hiring from plant hire companies. However, trials will be held later in 2014 to determine the effectiveness of using a combination roller (combined steel drum and multityres) for the Euabalong crew when the opportunity arises.

With the purchase of an additional tanker this year it will give Council the capacity to run four full Council grader teams or cart more water on capital projects when two water carts are required in the hotter months.

Council currently owns 12 caravans that allows the current grader crews to camp out to meet operational needs.

Council also operates a tender vehicle for each grader crew to transport staff to site after weekend breaks.

The existing 3 inch pumps have poor pumping capacity.

Council's front-end loader has recently had work done to extend its life but will need to be replaced in 2015/2016.

Issues

It would be ideal for Council to pursue a reasonable light vehicle changeover timeframe, that is, maximum 80,000 km but ideally 40,000 to 60,000km. This will help to keep the maintenance budget to a minimum and improve trade in prices.

All the trucks and most of the heavier plant items are deemed to be costed for 1,600 hours per year and the internal rate charged to projects is calculated on this basis. In general terms, Council's internal rates are lower than, or at least equal to, rates that can be sourced externally from the private sector. In most cases, the quality of Council's own fleet is equal to that hired externally.

As can be seen within the program some years attract a higher level of funding seen as optimum to Council's requirements. Expenditure on plant replacement can be reduced by Council formulating a policy on structured rebuilding or refurbishment of major items of plant such as motor graders and side tippers. With regard to heavy plant it is proposed that most graders will have a midlife refurbishment at around 10,000 hours which extends their life and puts off replacing them with new ones. It is proposed that one grader is scheduled to be refurbished in 2014/2015.

When plant and vehicles are sent away for servicing some of the costs involved in this service and maintenance work revolves around the time and costs for the transport to and from the dealer's depot. The supervision of work standards, notification/rectification of faults/defects and the costs of lost time/hire due to non-performance of the servicing dealer can't be recovered.

Council's Operating Budget has a direct bearing on the replacement of Council's fixed and mobile plant.

The total funds available from Regional Roads and Shire Roads is \$ 2,974,350 for 2013/2014, disregarding capital and RMS additional works. The majority of capital works is taken up by purchases of materials or hiring of external contractors so only a small percentage is available for grader teams. The average cost of operating a grader team is \$18,245 per week, comprising of a grader, roller, water cart, operators, caravans, diesel pump, fuel tanker, gensets and an allowance for the supervisor. The construction period is 48 weeks, so multiplied by \$18,245 equates to \$875,760 per grader team. Therefore, \$2,974,350 divided by \$875,760 equates to 3.4 grader teams that can be deployed each year.

Roads and Maritime Service (RMS) with their Road Maintenance Council Contract (RMCC) work is currently under review and may likely lead to Council getting less work in the next period.

The implications of the above two scenarios is that there will be at least one grader unfunded and should be sold off whilst another grader, which is partially funded, worked for part of the year and the rest of the time be held as a spare at the Depot.

The final makeup of graders would be 1 RMCC, 3 for Regional and Shire Roads, 1 Spare. It is anticipated this spare grader will be used for emergency repair work on roads, additional RMS work and be utilised for break downs and scheduled maintenance work on the other graders.

There will be no redundancies as unfilled staff vacancies have meant that there are insufficient operators to cover all the grader crews. The shortfall in roller operators and water cart drivers, have been made up by labour hire from contractors for the past number of years. Therefore, the standing down of one or two graders will have little impact on the number of operators required as there are always short term vacancies that need filling due to annual leave or illness. Occasionally, operators may be given other duties that would reduce the need for contractors.

The expectation of Private Works filling the shortfall in plant hours is unrealistic as “contracting” is not Council’s core business and should only be performed along the RMCC model. Invariably clients want a fixed price or firm quote which exposes Council to all sorts of liabilities including the added possibility of a shortfall in revenue.

There are a few inherent dangers involved in performing private works; the main one is financial risk. The other danger is that private works will take precedence over the completion of Council’s annual works programs which in turn causes huge complications around Grant funding.

If there is an unexpected boost to roads funding by either Federal or State Governments which is highly unlikely, additional capacity can be had with the use of contractors especially around the winter months when the availability and use of water is a lot better.

With the current budget Council can afford 3.4 grader crews with no provision for the side tipper, gravel, guideposts or water costs. This weekly cost does not include breakdowns, mobilisation and site establishment.

With the reduction in grader teams by one, the accompanying two caravans become surplus to requirements and would be disposed of with expected sale should realise \$8,000 and a reduction in plant replacement funding of \$150,000.

Again, with the reduction in grader teams by one, the accompanying tender ute becomes surplus to requirements and will be disposed of with anticipated sale return of \$15,000 and a reduction in plant replacement funding of \$40,000.

The existing 3 inch pumps need to be repowered with 10 h.p motors to increase their pumping capacity in the short term and eventually replaced with larger pumps to increase the turnaround time at the water filling point, normally a ground tank.

Legal Situation

Council is required under the Integrated Planning and Reporting Framework to develop and report the results of the Plant Replacement Program and this is to be taken into consideration when developing the Annual Operational Plan.

Policy Implications

The adoption of this report will result in variations to the plant that is listed in Council's adopted 15 Year Rolling Plant Replacement Program.

Proposed replacement periods are in accordance with Council's policy for changeover periods.

Council can delay expenditure on some items such as graders, trucks and side tippers by adopting a policy of rebuilding and refurbishment which will effectively extend the life of the machine.

Financial Implications

Plant and vehicles should be selected based on original purchase price vs trade in price and ongoing maintenance/running cost and not just the cheapest purchase price. Resale value is a very important criteria and wherever possible Council should select plant and vehicles with the highest resale value possible.

Significant maintenance cost overruns are expected if we continue to delay the replacement of plant and vehicles.

Risk Implication

The risk is that operations will be impacted due to breakdowns. The main risk is cost overruns particularly in maintenance and a significant cost penalty due to poor change over prices.

Options

1. Retain the existing number of graders, caravans and tender vehicle and keep at the depot for a time when available funding increases. Council will also need to employ additional staff to allow grader number six to be deployed when funding is available.
Replace the light fleet (cars and utilities) as Council has been doing.
2. Dispose of one grader and associated equipment such as caravans and tender utility. Move to replacing light fleet at 40,000 to 60,000km or maximum 2 years for cars (three years for utilities).
The grader that should be sold off is the Caterpillar 12M grader (P3051) because it is a joy stick control grader and is incompatible with all of Council's other steering wheel controlled graders. There is only one driver trained to operate it which creates major problems when this driver is away on leave.

It is the worst performing grader reliability wise in the fleet with high maintenance costs and high diesel consumption.

Generally Council should purchase outright all equipment that is involved in our key operational services that would be utilised more than 800 costed hours per year and recover replacement costs over the life of the item.

Alternatively, equipment that will be utilised less than 800 costed hours per year, for example, steel drum rollers need to be analysed on a case by case basis and should be hired taking in to account whether the plant is readily available from contractors or hirers.

The remoteness of Cobar should be taken into consideration with plant that is hard to get at short notice and whether the plant is part of an emergency response. Therefore, this equipment would need to be available on a “just in case” basis regardless of the economics.

Where there is a lack of funding for capital replacement, consideration be given to leasing major plant items in preference to delaying plant replacement. Council has previously opted to acquire equipment by lease and this always remains an option which normally is an accounting decision.

RECOMMENDATION

- 1. That Council receives and adopts the Rolling 15 Year Rolling Plant Replacement Program 2014/2015 - 2028/2029, and the information contained therein be noted.**
- 2. That Council sell the Caterpillar 12M grader (P3051) at a suitable time to achieve the best possible price.**
- 3. That Council downsize the caravan fleet and sell off the oldest two vans.**
- 4. That Council sells off one tender utility belonging to the redundant grader.**
- 5. That Council replace all light fleet as per Council’s Vehicle Policy with no cars kept beyond 60,000km or 2 years to maximise resale values.**

CLAUSE 10A – COBAR CADET / GUIDE HALL - LEASE

FILE: A10-17

AOP REFERENCE: 3.3.4.2

ATTACHMENT: NO

AUTHOR: *Land Management Officer, Heather Holder*

Purpose

The purpose of this report is to update Council on the progress of establishing 5 year lease agreements with the Cadets and Girl Guides at 2 Brennan Street, Cobar.

Background

At the meeting held on 22 March 2012, Council resolved the following:

39.03.2012 RESOLVED:

1. *That Council in the financial year of 2012/2013, maintains the current donation of accommodations at 2 Brennan Street, rent free to the Army Cadets and Girl Guides.*
2. *That Council continues to forgo income for rates and water for 2 Brennan Street.*
3. *That Council, the Army Cadets and Girls Guides negotiate a written lease agreement for a period of 5 years with a 5 year option to renew. The lease agreement to cover rent, maintenance of buildings and grounds, insurance, payment of electricity and other maintenance issues.*
4. *That Council's donation is conditional upon the Army Cadets and the Girl Guides entering into a lease agreement.*
5. *That in accordance with Council Donations Policy adopted in February 2009, further donations to the Army Cadets and Girl Guides will be reviewed annually.*
6. *That Council provides written advice to the Army Cadets and Girl Guides of the donation and all conditions.*

Council at its meeting held on 24 April 2013 again resolved to provide a donation to the Cadets and Girl Guides as provided below:-

88.04.2013 RESOLVED:

1. *That Council grant the request for a donation from Cobar Rugby League Football Club Inc for assistance with the payment of rates, water, insurances and general maintenance costs of the organisation of \$27,000.*
2. *That Council grant a donation to Cobar Mobile Children's Services for the continued use of the Cobar Youth and Fitness Centre site including water and rates with an approximate value of \$5,200.*
3. *That Council grant the request for a donation from Australian Army Cadets for the continued use of the Cobar Barracks in Brennan Street including water and rates with an approximate value of \$750.*

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4. *That Council grant the request for a donation from Cobar Pre School for the continued use of the Cobar Pre School site including water and rates with an approximate value of \$6,000.*
 5. *That Council grant the request for a donation from Cobar Girl Guides for the continued use of the Brennan Street Hall including water and rates with an approximate value of \$750.*

The premise at 2 Brennan Street comprises two lots of land and part of an adjoining crown road. The lots owned by Council are classified as Operational Land in Council's Land Register.

Issues

In regards to the negotiation of a written lease agreement with the Army Cadets and Girl Guides for a period of 5 years with a 5 year option to renew, this is unlikely to be achieved.

Occupation of the premises at 2 Brennan Street is on a shared basis which will pose problems with entering into two separate long term agreements with the individual occupants. The original intent of the recommendation for long term leases was to cut down on administration time associated with managing the premises.

Legal Situation

Council as the owner of land that is classified as Operational may if it wishes, enter into lease or licence agreements with or without financial payment for the use of the land and buildings.

RECOMMENDATION

That the shared occupation of the premises 2 Brennan Street, by the Cobar Cadets and Girl Guides continue on a year to year basis with an annual review by Council when assessing applications under its Donation Policy.

CLAUSE 11A – BREAST CANCER SCREENING UNIT

FILE: P5-48

AOP REFERENCE: 3.2.2

ATTACHMENT: NO

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

Purpose

The purpose of this report is for Council to approve an in-kind donation to assist the operation of the Breast Cancer Screening Unit in the Cobar Shire Region.

Background

The Mobile Breast Screening Unit has a travel schedule in the rural and remote regions, including Cobar Shire, and Council would generally assist in moving the van from the current location to Cobar. Another Council then at most times comes to Cobar to collect the van and move it to their Council area.

Examples would be moving the van from Bourke to Cobar or Louth to Cobar, etc at an approximate cost of \$900.00.

It has not been considered in any of the formal consideration of donations.

RECOMMENDATION

- 1. That Council support the Mobile Breast Screening Units visit to Cobar by providing resources to tow the van from the current location to Cobar.**
- 2. That this commitment be ‘evergreen’ so that the matter is not required to be brought to Council each year.**

CLAUSE 12A – LIFE EDUCATION VAN AND PRIME MOVER

FILE: P5-48

AOP REFERENCE: 3.2.2

ATTACHMENT: NO

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

Purpose

The purpose of this report is for Council to approve an in-kind donation to assist the operation of the Life Education Van and Prime Mover in the Cobar Shire Region.

Background

The Life Education Van and Prime Mover has a travel schedule in the rural and remote regions, including Cobar Shire, and Council would generally assist in moving the van and prime mover from the current location to Cobar. Another Council then at most times would have comes to Cobar to collect the van and prime mover and move it to their Council area.

Examples would be moving the van and prime mover from Bourke to Cobar or Louth to Cobar, etc at an approximate cost of \$500.00.

It has not been considered in any of the formal consideration of donations.

RECOMMENDATION

- 1. That Council support the Life Education Van and Prime Mover visit to Cobar by providing resources to collect the van and prime mover from the current location to Cobar.**
- 2. That this commitment be ‘evergreen’ so that the matter is not required to be brought to Council each year.**

CLAUSE 13A – DALTON PARK HORSE COMPLEX LICENCE AGREEMENTS

FILE: P1-4-3

AOP REFERENCE: 3.3.4.2

ATTACHMENT: NO

AUTHOR: *Land Management Officer, Heather Holder*

Purpose

The purpose of this report is to update Council on the progress of establishing long term licences for users of Dalton Park Horse Complex and recommend new licence arrangements.

Background

On the 22 March 2012, Council made the following resolution:

34.3.2012 *RESOLVED:*

1. *That Council set the annual Dalton Park Racecourse licence fees for all users to the minimum of \$432.00 plus GST for 2012/2013.*
2. *That the General Manager be authorised to negotiate a licence term of up to 7 years but no less than two (2) years with all licence holders.*

The intent of the original recommendation for longer term licences was to cut down on the amount of administration in issuing licences to all users on an annual basis.

Issues

To date, staff has been unable to establish new licence agreements with the users of Dalton Park Horse Complex in accordance with the above resolution.

The main reason for not being able to finalise the new licence agreements has been:

- The authority to issue licence over Crown Land for periods in excess of 12 months lies with the Minister. The documentation required to be submitted with an application to the Minister for a long term licence of up to 7 years has not been forthcoming, particularly in terms of asset maintenance plans for the period of the licence.

Currently there are no licence agreements in place with any user at Dalton Park Horse Complex. A new licence agreement for a term of up to 7 years, recommended as a way to cut down on administration has actually increased the amount of administration and is still not complete.

Prior to the Council resolution made on 22 March 2012, Council provided temporary 12 month licences to all users of the Dalton Park Horse Complex. These were simple and easy to administer and within the powers held by Council under the *Crown Lands Act*.

It is recommended that Council cease trying to establish licence agreements of up to 7 years and returns to the simple and easily administered 12 month temporary agreements for all users at Dalton Park Horse Complex.

RECOMMENDATION

- 1. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to affix the Trusts seal to the 12 month temporary licence agreements for the following organisations and individuals to cover the period 1 July 2013 to 30 June 2014:**
 - **Mr S Griffiths & Ms C Yench;**
 - **Ms Sharon Whitehurst;**
 - **Cobar Pony Club;**
 - **Cobar Miners Race Club;**
 - **Cobar Rodeo Committee.**

- 2. That Council no longer pursues obtaining licences of up to seven (7) years for use of the Dalton Park Racecourse Reserve (R630019) except licences on a 12 month temporary basis.**

CLAUSE 14A – BATHURST STREET RESERVE LICENCE AGREEMENT

FILE: P1-2-2

AOP REFERENCE: 3.3.4.2

ATTACHMENT: NO

AUTHOR: *Land Management Officer, Heather Holder*

Purpose

The purpose of this report is to update Council on the progress of establishing 7 year licences for the Cobar Tennis Club and recommend new licence arrangements.

Background

On the 22 March 2012, Council made the following resolution:

35.3.2012 RESOLVED:

1. *That Council set the annual Bathurst Street Reserve licence fees for all users to the minimum of \$432.00 plus GST for the Draft 2012/2013 Fees and Charges.*
2. *That the General Manager be authorised to negotiate a licence term of up to seven (7) years but no less than two (2) years with the Cobar Tennis Club.*

The intent of the original recommendation for longer term licence was to cut down on the amount of administration in issuing a licence to the Cobar Tennis Club on an annual basis.

Issues

To date, staff have been unable to establish new licence agreement with the Cobar Tennis Club as per the above Council resolution. This is due primarily to the need to prepare and lodge an application for approval by the Minister.

Currently there is no licence agreement in place with the Cobar Tennis Club.

Prior to the Council resolution made on 22nd March 2012, Council provided a temporary 12 month licence to the Cobar Tennis Club. These were simple and easy to administer and within the powers held by Council under the *Crown Lands Act*.

It is recommended that Council cease trying to establish a licence agreement of up to 7 years and returns to the simple and easily administered 12 month temporary agreement for the Cobar Tennis Club.

RECOMMENDATION

1. **That Council acting as Trust Manager for the Bathurst Street (R64199) Reserve Trust, resolve to affix the Trusts seal to a 12 month temporary licence agreement for the Cobar Tennis Club to cover the period 1 July 2013 to 30 June 2014.**
2. **That Council no longer pursue obtaining a licence of up to seven (7) years for use of the Bathurst Street Reserve (R64199) except a licence on a 12 month temporary basis.**

CLAUSE 15A – DRAFT COMPLIANCE AND ENFORCEMENT POLICY

FILE: P5-72 AOP REFERENCE: 1.6.2 & 1.6.5

ATTACHMENT: YES

(PAGE 140-152)

AUTHOR: *Manager (Compliance & Regulation), Nicholas Mamouzelos*

Purpose

To enable Council to consider adoption of the proposed Compliance and Enforcement Policy.

Background

The subject draft Compliance and Enforcement Policy which is attached was placed on Public Exhibition from 18 December 2013 until 3 February 2014. Two written submissions were received during this period. These submissions have been carefully considered in the context of the issues they address.

Key issues addressed within the submissions are listed below, with relevant commentary:-

The NSW Ombudsman's 'Enforcement Guidelines for Councils, 2002 contains 'tips on conducting enforcement investigations,' which the submission draws upon to deem Cobar Shire Council's draft Compliance & Enforcement Policy as unnecessary and redundant.

Comment: The Ombudsman's guideline document is a useful adjunct in local government enforcement; however is only a non-binding guideline advisory document. Cobar Shire Council's proposed Compliance and Enforcement Policy encompasses the spirit of the Ombudsman's guidelines, however enhances Council's position by creating a binding policy in respect of compliance and enforcement.

We are not like a city Council that generates vast sums through parking meters and the concomitant army of brown bombers. The brown bomber is the proactive enforcement officer. In my opinion, there is no need for proactive action in Cobar Shire.

Comment: Proactive enforcement is principally focussed upon protection of public health and public safety. Revenue raising is not a factor in any proactive enforcement activity. Food safety inspections, illegal waste dumping surveillance and school zone parking patrols have been identified by way of strategic risk management as examples of proactive enforcement whereby public health and public safety is enhanced by the deterrent effect of high visibility enforcement.

The EPA, OHS, Building & Development, Fire Safety, Public Health, Parking etc all have relevant Federal & NSW Govt who all have laws in accordance with legislation to suit each separate body with the power to prosecute when the laws are broken. We do not need another level of legal officers underneath the present functions of NSW and federal legislation.'

Comment: Cobar Shire Council is the local government authority within the Cobar Shire and as such is responsible for the administration of various NSW legislation as delegated by the NSW State Government. This legislation includes regulations that govern building and development, protection of the environment, building fire safety, food safety, companion animals, swimming pools and parking/traffic. State and Federal Governments have a limited presence within the Far West Region of NSW; therefore it is important that Cobar Shire Council conducts its' compliance and enforcement activities in a transparent and accountable manner that is aimed at enhancing amenity, health and safety of residents, business operators and stakeholders within Cobar Shire. The proposed Compliance and Enforcement Policy provides clarity and accountability in respect of Cobar Shire Council's administration of this field.

Copies of the two submissions received are provided as attachments to this report.

Issues

There are no valid issues identified that indicate any need to review, amend or withdraw any aspect of the proposed Compliance and Enforcement Policy.

The Division of Local Government 'Promoting Better Practice Review Action Plan' recommended that 'the Council in the next revision of its' Delivery Program and Resourcing Strategy, consider the inclusion of (and risks associated with not including an enforcement and prosecution policy. The report dated 4 December 2013 on page 65 includes:

9. Regulatory & Environmental Management

Enforcement

Cobar Shire Council does not currently have in place the following:

- *A proactive program for monitoring compliance with environmental requirements which it has the responsibility for regulating.*
- *An enforcement and prosecution policy*
- *An orders policy under s159 of the Local Government Act*
- *A system for reporting and investigating reports on non-compliance or unauthorised development.*

These observations within the report from the Division of Local Government provides compelling reasons for the introduction of a Compliance and Enforcement Policy within Cobar Shire Council.

Legal Situation

The proposed Compliance and Enforcement Policy is in accordance with established local government compliance and enforcement protocols and procedures within New South Wales. The subject Policy is entirely consistent with current authorisations and delegations on a state wide basis.

Policy Implications

The proposed Policy provides completeness and clarity in respect of Cobar Shire Council's activities and role in discharging its functions as the regulatory authority within the Cobar Shire.

Risk Implication

All compliance and enforcement activities are risk managed and weighted to ensure that Cobar Shire Council effectively and lawfully discharges its duty of care in the field of compliance and enforcement in a fair, transparent and safe manner.

Options

Accept and adopt the proposed Compliance and Enforcement Policy or not.

RECOMMENDATION

- 1. That Council adopts the Draft Compliance and Enforcement Policy in the form in which it was publicly exhibited.**
- 2. That Council gives public notice of its adoption of the Draft Compliance and Enforcement Policy in the Cobar Weekly newspaper and thereby giving effect to the Plan on the date of such public notice.**

**CLAUSE 16A – PUBLIC EXHIBITION OF COBAR SHIRE COUNCIL
DRAFT SWIMMING POOL BARRIER INSPECTION PROGRAM**

FILE: S9-1

AOP REFERENCE: 1.6.3

ATTACHMENT: YES

(PAGE 153-157)

AUTHOR: *Director Planning and Environmental Services, Garry Ryman*

Purpose

The purpose of this report is to seek Council approval to publically exhibit the attached draft Swimming Pool Barrier Inspection Program for public consultation and comment.

Background

In 2012 a comprehensive review of the *Swimming Pools Act 1992* was finalised. This review identified a number of amendments designed to enhance the safety of children under the age of five years around private ('backyard') swimming pools in NSW.

The *Swimming Pools Amendment Act 2012* commenced on 29 October 2012 and makes a number of significant amendments to the *Swimming Pools Act 1992*.

Issues

The *Swimming Pools Act 1992* requires Council to develop, adopt and implement a swimming pool barrier inspection program in consultation with its community.

The attached draft Program has been prepared and is recommended for public exhibition.

Policy Implications

Council must inspect the swimming pools in its local area in accordance its Swimming Pool Barrier Inspection Program and check that pool barriers comply with the requirements of the Act (Section 22B(4)). Inspections can be performed by Council's authorised officers or a qualified accredited certifier (Section 22A of the Act). Council's power of entry is consistent with the *Local Government Act 1993*.

Financial Implications

In the 2013-2014 Fees and Charges, Council has set Swimming Pool Inspection fees in accordance with the *Swimming Pools Regulation 2008*.

RECOMMENDATION

- 1. That Council publically exhibit the Draft Swimming Pool Barrier Inspection Program for a period of not less than 28 days.**
- 2. That Council advertise the public exhibition of the Draft Swimming Pool Barrier Inspection Program in the local paper and request any comments from the public be submitted.**

-
- 3. That Council invites pool owners in the Cobar Local Government Area who have registered their pools on the State-wide Swimming Pools Register to make a submission during the exhibition period.**

CLAUSE 17A – COBAR TRUCK WASH OPTIONS**FILE: A10-30****AOP REFERENCE: 3.1.1.2****ATTACHMENT: NO****AUTHOR: *Works Manager, Kingsley Page*****Purpose**

The purpose of this report is to address all issues associated with the placement and construction of a truck wash down facility in Cobar, and for Council to consider the best possible outcome for an effective facility that will encompass the needs of both Cobar Shire Council and the Cobar Shire community.

Background

The Fort Bourke vehicle wash down facility was a district wide initiative that involved a wide range of stakeholders and community members. The truck wash operated on a key system that raised a number of security issues. Council had allocated nineteen keys of which seven were to stock carriers. The truck wash was closed on 1 October 2013 due to cost overrun and environmental reasons. The environmental reasons being the greater of the two issues. As a result of the closure the nearest truck wash facilities available for public use are located in the neighbouring towns of Bourke (161 kilometres) and Louth (130 km) from Cobar. It is not feasible to suggest that operators deliver their load, travel to another town to wash down their truck, then return to pick up their next load.

It is important that members of the Cobar Shire community have a facility available where they can wash down their vehicles, especially stock carriers to wash down their cattle trucks. A new wash down bay suitable for stock trucks would deliver benefits in bio-security, weed control and provide for the effective and sustainable treatment of animal waste.

Council also has a need of such a facility to wash down its own fleet vehicles and equipment including the street sweeper and garbage trucks whenever they go into the workshop for maintenance, repairs or annual inspections.

Clearly the need for a truck washing facility in Cobar can not be ignored.

A new facility suitable for stock trucks poses additional problems around the siting because of noise and odor issues along with management of manure generation (it cannot be entered into the sewerage system untreated), water availability, 24/7 access including flood lighting and electricity for pumps.

Issues

Council has done some investigation in regards to the wash facilities and services provided by surrounding Councils:

- Central Darling Shire – no truck wash provided;
- Bourke Shire – cattle truck wash at the showground, with a private truck wash in town and one at Louth;

-
- Bogan Shire – there is an unlicensed truck wash at Nyngan but this is rarely used;
 - Lachlan Shire - a truck wash at Condobolin saleyards;
 - Carathool Shire – truck wash at Hillston.

The use of the Avdata key/invoicing system was a common response and was recommended by many Councils.

Avdata have supplied some base information on the nationwide truck wash system. The majority of owners are Councils, but there are some private companies that have the control of the vehicle washing facility in their area.

Costs of the Avdata system are in the order of \$6,000 to \$7,000. Access to the facility is gained by a special key that identifies the user. Users are charged per minute for water with the charge rate and/or minimum set by the relevant Council.

Council Depot Truck Wash Bay

There were several proposed designs for the facility, the most appropriate for the Shire Depot was obtained from Clarke Contracting however this will require some refining at the detailed design stage.

Proposed facility – Main slab 27m long, 6m wide, sloping both longitudinally and transversely to a side sludge collection pit.

Sludge collection pit 2.8m long, 9.0m wide and 0.5m deep. Located beside the main slab, divided into three bays 2.8m wide (backhoe bucket width) with removable timber baffles (if needed for major cleaning). Drive through ramps. Sludge collection area with ultimate disposal to the Cobar Depot sewage system. Bitumen entry/exits plus signs and lighting.

The design is termed a Heavy Duty Deluge unit and incorporates sediment collection tanks. The Deluge wash equipment is designed to remove all material from the underbody, chassis and wheels of heavy and light vehicles as they move through the wash. The Deluge systems can be installed with waste water treatment and recycling systems. Water can be treated by gravity, a flocculent or mechanical filter. The preferred options would be treatment by gravity or a flocculent when necessary as mechanical filtration methods would have a higher cost with similar results.

The water discharged from the wash facility passes through the filtration system and the dirty water and residue is transferred to the proposed trade waste outlet. The filtration system is cleaned on a regular basis in accordance with manufacturer specifications.

The town water and raw water supply is located relatively close to the site, providing the benefit of a constant uninterrupted supply of water. The cost to provide water to the site is minimal (\$3,000). Power traverses the site and three (3) phase power can be supplied to the site from the Depot supply.

Provision to recycle contaminated water could be incorporated within the design through the usage of sedimentation ponds. The sedimentation ponds can be situated in

or above ground and require pumps to draw off water for recycling. Open sludge and sedimentation pits are preferred to collect waste runoff which would be filtered through several ponds then recycled to a storage tank; the sludge can then be removed from the ponds via mechanical removal. This is the preferred option due to issues and legislation related to the entering of confined spaces such as holding tanks and costs of ongoing maintenance.

The Council Depot site is unsuitable for stock truck washing because of its close proximity to Cobar Public School and Council workers in the workshop. Prevailing southerly winds could possibly carry odor all the way to the Cobar Central Business District (CBD).

Also, this type of facility is not suitable for cattle trucks as it cannot handle the high volume of solids generated by stock trucks.

Several estimates have been obtained from suppliers and a local contractor. The design and construct civil works component would cost in the vicinity of \$85,000. Fleet wash can supply a deluge system for \$80,000 making the total cost approximately \$165,000.

The anticipated number of construction trucks to be cleaned would be twelve to fifteen per week. It takes about 15 to 40 minutes to wash a large truck with the average being 20 minutes.

Washes per year - approximately 15 washes x 52 weeks = 780 washes.

**ESTIMATED ANNUAL OPERATING COSTS FOR
CONSTRUCTION TRUCK WASH**

Overheads		Cost per Annum
Cost of water per wash (assuming usage of 800L/wash)	800L = 0.8kL Raw water = \$1.92/kL 0.8kL x \$1.92/kL = \$1.54/wash	-
Water costs per annum (based on 780 washes/year)	780 washes x \$1.54/wash = \$1,201/year (Not flood washing)	\$1,201
Water access charge per annum	As per Council Fees and Charges	\$227
Maintenance costs, solids removal per annum	Estimated per annum	\$2,000
Electricity costs per annum	Estimated per annum	\$1,000
Trade waste usage charge per annum (assuming 624kL of water usage per year)	Trade Waste Charge as per Council Fees and Charges = \$1.65/kL 624kL x \$1.65/kL = \$1,030/annum	\$1,030

Annual Trade Waste Licence Fee	As per Council Fees and Charges	\$176
Annual EPA Licence Fee	-	\$600
Total Cost		\$6,234

ESTIMATED ANNUAL REVENUE FOR CONSTRUCTION
TRUCK WASH

		Revenue per Annum
Revenue per annum (based on 780 washes/year at 20mins/wash)	780 washes/year x 20 minutes/wash = 15,600 minutes/year Avdata charge \$0.60/minute to user 15,600 minutes/year x \$0.60/minute = \$9,360/year	\$9,360
Sub-Total		\$9,360
Less Avdata Commission of 10%		-\$936
Less Operating Costs		-\$6,234
Total Revenue		\$2,190

Stock/Cattle Truck Wash Bay

The logical option for a stock/cattle truck wash would be the reopening of the existing site at Fort Bourke after concrete/storm water modifications and a single pond dam are constructed.

If no other suitable site can be obtained then Peak Mines are conducive to having the Truck Wash continue in its present location with the possibility of a boundary adjustment to accommodate a larger pond. The lease period and rent is to be confirmed but preliminary discussions have nominated a 30 year lease with the rent being a nominal rate of \$1 per year with the proviso that the site is properly licensed and the pond is well maintained.

There are a number of other sites that have been proposed as suitable for the construction of a new truck wash if the former Fort Bourke truck wash site is not available.

A proposed site near the new standpipe located adjacent to the Rugby Union Club, however this land is zoned Recreational and re-zoning to Industrial would be required. The possibility of purchasing this land from the Cobar Rugby Union Club would have to be negotiated.

A site in the vicinity of the Council sewerage treatment works. A facility at the Cobar sewerage treatment works however would not be that desirable due to the land topography and possible runoff affecting neighbouring recreational land. There is also a major traffic problem for trucks turning at the intersection of Kidman Way. It would be

highly unlikely that the Road and Maritime Services (RMS) would give approval without major intersection works.

A site in the locality of the racecourse is a possibility but the exact position needs to be investigated as there is a lack of raw water in this area.

The most southern part of the Council Depot could possibly be an option provided it met Environmental Protection Authority (EPA) design regulations and achieved the required distance from residential dwellings and the RMS Inspection Shed. This clearance is commonly referred to as the “buffer zone” and varies on the amount of pre-treatment the waste goes through before ending up in the effluent pond. As a guide 400 metres is recommended which would mean the RMS shed (250 metres) along with the Rugby Union Club (250 metres) would be in the zone and the nearest school building at approximately 330 metres would be also affected. Council’s Planning and Environmental Services Department would more than likely exclude the washing of trucks that have been carrying pigs.

The challenge of all these options is to comply with the provisions of the Protection of the Environment Operations Act 1997 (POEO Act) of “no pollution to waters”. The following is an extract from the NSW Government Environment and Heritage website:

“Under section 120 of the POEO Act it is illegal to pollute or cause or permit pollution of waters. Under the Act, ‘water pollution’ includes introducing litter, sediment, oil, grease, wash water, debris, and flammable liquids such as paint, etc. into waters or placing such material where it is likely to be washed or blown into waters or the storm water system or percolate into groundwater”.

As Council is the proponent of the truck wash, Council would need to prepare a Review of Environmental Factors (REF) under Part 5 of the Environmental Planning and Assessment Act 1979. Under Part 5 the EPA does not have an official referral role, however being the Appropriate Regulatory Authority (ARA) it will need to know about the operations at some point.

Whatever option Council adopts waste will need to be disposed of either on site or to a licensed facility, such as the sewerage works.

To dispose on site the EPA would require an Effluent Irrigation Management Plan. This plan would be developed using the Effluent Reuse Guidelines and would need to include demonstrated ability to capture/collect the generated waste, treatment process for the waste and demonstrate a sustainable on site application method.

Alternatively Council could adopt a collect and transport model. In using this model Council would need to demonstrate an effective collection, transport and capacity in the sewerage treatment plant (STP) to dispose of waste.

For an external consultancy to analyze the issues on site, the costs associated would be in the order of \$2,000 for an initial consult and approximately \$10,000, depending on complexities, for the whole site.

The consultancy then would focus on:

-
- Development of a water balance model;
 - Development of an irrigation model to determine probable volumes that could be irrigated onto nearby land;
 - Sizing of a water balance pond for effluent storage;
 - Conceptual design of an on-site effluent treatment system;
 - Conceptual design of any minor drainage changes needed on site;
 - Concept drawings for each option; and
 - An opinion of costs for each option.

The strength of the existing site option is to utilise as much as possible of the existing site in terms of the concrete assets (sedimentation basin and concrete wash down apron). Installation of a Avdata payment system and floodlighting to the whole area are also required.

To assist in the containment process an effluent holding dam will have to be constructed to contain all liquids from the site. It is proposed that flow from the current sedimentation basin behind the manure pit be by gravity means to this proposed sedimentation pond.

The pond must hold at least equal to the amount of water passing through the wash in any one year. The pond is anticipated to hold a minimum of 1.3 megalitres in capacity.

Containment is not the only challenge faced. Disposal of the water contained is another.

Initially the water is designed to evaporate off. This type of disposal may not be approved due to the accumulation of salts, leaching and storm water surcharge issues. Preferences to irrigation and nutrient take up by a crop could be preferred.

A budget estimate was obtained from Geolyse Consulting that stated the anticipated cost to construct a stock truck wash would be approximately \$200,000 plus \$20,000 for design, approvals and licensing. The cost of land would depend on which option further studies revealed as the preferred option, assume \$10,000.

When the truck wash was operational in 2013 there were nineteen key holders with seven key holders being stock transporters.

The anticipated number of stock trucks to be cleaned would be five or six per week. It takes about 60 to 90 minutes to wash a stock truck with the average being 75 minutes. Washes per week - historically 4 – 5 washes, then the washes per year = 5 x 52 = 260 washes.

ESTIMATED ANNUAL OPERATING COSTS FOR STOCK TRUCK WASH

Overheads		Cost per Annum
Cost of water per wash (assuming usage of 3,000L/wash)	3000L = 3kL Raw water = \$1.92/kL 3kL x \$1.92/kL = \$5.76/wash	-
Water costs per annum (based on 260 washes/year)	260 washes x \$5.76/wash = \$/year (Not flood washing)	\$1,498
Water access charge per annum	As per Council Fees and Charges	\$227
Maintenance costs, solids removal per annum	Estimated per annum	\$1,700
Electricity costs per annum	Estimated per annum	\$500
Annual EPA Licence Fee	-	\$600
Sub-Total		\$4,525
Operating Costs from Construction Trucks less duplicate charges (refer to previous table)		\$4,201
Total		\$8,726

ESTIMATED ANNUAL REVENUE FOR STOCK TRUCK WASH

		Revenue per Annum
Revenue per annum (based on 260 washes/year at 75mins/wash)	260 washes/year x 75 minutes/wash = 19,500 minutes/year Avdata charge \$0.60/minute to user 19,500 minutes/year x \$0.60/minute = \$11,700/year	\$11,700
Revenue from Construction Trucks per annum	Refer to previous table	\$9,360
Sub-Total		\$21,060
Less Avdata Commission of 10%		-\$2,106
Less Operating Costs		-\$8,726
Total Revenue		\$10,228

It should be noted that this cost does not include provision for depreciation, equipment maintenance, land or overhead costs.

Policy

There were no policy implications arising from this report at the time of the issue.

Legal Situation

Compliance with EPA and ongoing monitoring.

Financial Implications

There are financial implications arising from this report.

In 2013 Harden Shire Council secured a joint Commonwealth and State Government grant of \$75,000 towards the capital construction cost of their truck wash.

During the investigation period representation was made to the Local State Member Hon. Kevin Humphries MP to seek a grant from the State Government similar to Harden's. His first reaction was that the number of stock trucks would not make the truck wash a viable enterprise on its own and that other criteria would be needed such as bio-security to justify any State contribution.

Initial discussions have been held with Mr. Rob Gregory General Manager of the Western Local Land Services (WLLS) and they would be happy to review any proposal we put forward regarding funding for a stock type truck wash. The WLLS is a State Government Authority formed from amalgamating the Western Catchment Management Authority, Livestock Health and Protection Authority and part of Department of Primary Industry.

The facility would be equipped with Avdata meters as a user pays system for the wash down of machinery and vehicles. This system is generally installed as a way of cost recovery or to provide part funding for the operation and maintenance of the facility.

Commonly a charge ranging from \$0.30 cents to \$1.10 per minute is the basis of the operational cost beginning when the water is first started. National truck wash rates average at about \$0.75/ minute use.

Risk Implication

That external funding is not granted from Western Local Land Services or other Government Departments.

Options

Option 1

Construct a truck wash for Council and construction vehicles at the rear of the depot relatively close to the RMS Inspection Shed.

There are number of proprietary truck wash types available with the average price approximately \$80,000:

-
- Civil and concrete works - \$55,000
 - Design and approvals - \$15,000
 - Contingency 10% - \$15,000

Anticipated cost in the vicinity of \$165,000 at Council Depot.

Option 2

Construct a stock type truck wash at a site to be finalised.

Anticipated cost in the vicinity of \$230,000 including land acquisition costs.

These options would be jointly funded by Council and Western Local Land Services or the stock industry. No action would be taken on construction works until appropriate Grant Funds are obtained.

However if the facility is constructed Council would need to commission further work before applying for an operational license from the EPA.

Legal Situation

Compliance with EPA and annual licensing requirements.

RECOMMENDATION

- 1. That Council considers building a stock type truck wash at the old location and allocate where possible funds of \$230,000 in the 2014/2015 budget being \$113,000 from 2013/2014 and Grant Funds from the NSW State Government.**
- 2. That Council seek external funding from Western Local Land Services and other Government Departments to fund the dollar amount difference between available Council funds (\$113,000) and required budget (\$230,000).**
- 3. That approval be given for the signing under seal if required of any documents for the lease or purchase of the land required for the truck wash facility and if required the land be classified as operational.**

CLAUSE 18A – COMMUNITY NOTICE BOARD

FILE: C8-1 AOP REFERENCE: 1.331 ATTACHMENT: YES (PAGE 158)

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

Purpose

For Council to provide in principle support to place a community notice board in Marshall Street.

Background

Despite electronic disbursement of community information having developed to a very fast moving and sophisticated level many people are much more able to be reached by using conventional 'written word'.

A community notice board would provide this opportunity. Council could place its own notices on the notice board as well as providing a space for bona fide community events.

In recent years a community notice board existed beside the Grand Hotel and was used with positive results. It is believed that it was decommissioned at the time of the Marshall Street upgrade.

A review of the options in Marshall Street has seen two adjacent spots identified. Both are high traffic spots and are in a leisure related section of the street with the Library and 'Gecko's' providing a leisure seeking passerby and also a walk way through to the back car park.

- 1) The front window of the Library. However this is already used heavily for Library promotions and its openness assists to create a pleasant atmosphere in the Library.
- 2) The recessed area in front of the shop currently tenanted by the optician. There is an ideal space on a set back.

The design would be lockable and content would be managed by customer service staff at Linsley Street assisted by the Library staff. Attached is a simple design of what is proposed.

RECOMMENDATION

- 1. That Council approve in principle the placing of a community notice board in the inset area at 39 Marshall Street, Cobar.**
- 2. That an allocation of \$5,000 be included in the (draft) 2014-2015 budget for the community notice board.**
- 3. That should the project proceed the General Manager be delegated to establish the content management guidelines.**

CLAUSE 1B – DEVELOPMENT APPROVALS**FILE: T5-1****AOP: REFERENCE: 1.6.3.1****ATTACHMENT: NO****AUTHOR: *Director of Planning & Environmental Services, Garry Ryman*****Complying Development Approvals**

The following Complying Development Applications have been approved under delegated authority for the period 5 December 2013 – 18 February 2014.

CERTIFICATE NO.	ADDRESS	DESCRIPTION	VALUE (\$)
2014/LD-00006	41 Morrison St, Cobar	Demolition of Dwelling	20,000

The value of Complying Development approvals for 2013/2014 to date is \$20,000.00.
The value of Complying Development approvals for the similar period in 2012/2013 was \$57,780.00.

Local Development Approvals

The following Local Developments have been approved under delegated authority for the period 5 December 2013 – 18 February 2014.

CERTIFICATE NO.	ADDRESS	DESCRIPTION	VALUE (\$)
2013/LD-00053	3 Tindera St, Cobar	Alts & Adds	75,000
2013/LD-00056	6 Booroomugga St, Cobar	Alts & Adds	130,000
2014/LD-00002	5 Conduit St, Cobar	Conversion of Existing Shed to Detached Granny Flat	5,000
2014/LD-00007	34 Woodiwiss Ave, Cobar	Patio	18,000
2014/LD-00005	21/23 Marshall St, Cobar	Change of Use – Tattoo Shop	3,000
2014/LD-00009	3 Cowper St, Cobar	Decking Addition	20,000

The value of Local Development approvals for 2013/2014 to date is \$2,569,818.00.
The value of Local Development approvals for the similar period in 2012/2013 was \$11,710,280.00.

Construction Certificates

The following Construction Certificates have been approved under delegated authority for the period 5 December 2013 – 18 February 2014.

CERTIFICATE NO.	ADDRESS	DESCRIPTION
2013/CB-00041	13 Belagoy St, Cobar	Shed & Boundary Fence
2013/CB-00045	Ward Oval Maidens Ave, Cobar	Shed – Stage 2
2013/CB-00044	Maryantha East, Cobar	Dwelling
2013/CB-00042	3 Tindera St, Cobar	Alts & Adds
2013/CB-00046	Lot 17 Booroomugga St, Cobar	Alts & Adds
2014/CB-00001	5 Conduit St, Cobar	Conversion of Existing Shed to Detached Granny Flat
2014/CB-00003	34 Woodiwiss Ave, Cobar	Patio
2014/CB-00004	3 Cowper St, Cobar	Decking Addition

RECOMMENDATION

That the information detailing the Local Development and Construction Certificate approvals for the period 5 December 2013 - 18 February 2014 be received and noted.

CLAUSE 2B – INVESTIGATION INTO COUNCIL OWNED AND MANAGED LAND

FILE: A10-1 & A9-17 AOP REFERENCE: 1.6.3.3. ATTACHMENT: NO
AUTHOR: *Land Management Officer, Heather Holder*

Purpose

The purpose of this report is provide information to Council in regards to the land that Council owns and manages. The information may be used for the purpose of assessing the appropriateness of current user charges adopted by Council.

Background

At the meeting held on 28 November 2013, Council as part of Resolution 92COW.11.2013 resolved:

3. *That an investigation be undertaken to determine that all users of Crown Land where Cobar Shire Council is the trustee and Council Owned Land are being charged appropriately for the use of the land and that they hold appropriate insurances with an appropriate report to be provided in the near future.*

Council is required to have a Land Register in accordance with Section 53 of the *Local Government Act 1993*. Cobar Shire Council's Land Register is available on the website and provides information about all land that Council owns, manages or has a vested interest in. The Land Register classifies land as Operational, Community, Crown Reserves and other vested interests.

There are 111 land parcels that are classified as Operational:

- 20 parcels are utilised by Council for Administration & Operations (eg Administration Office, Cobar & Euabalong Works Depot, Family Day Care, Museum, Lilliane Brady Village, Youth Centre etc);
- 11 parcels are used for staff housing;
- 21 parcels are commercial properties which have leases (eg Doctors & Dentist surgeries, Shire Hall, Cobar Caravan Park, Swimming Pool etc);
- 19 parcels are used for infrastructure assets (eg sewerage, water and landfill, drainage easements);
- 14 parcels are used by the Community or other agencies (eg Cadets, Girl Guides, Bushfire Sheds, Pre School);
- 19 parcels are vacant land at Euabalong, Euabalong West, Nymagee and Cobar;
- 3 parcels are involved in land transfer with Peak Gold Mines;
- 4 parcels are over existing access roads in and around the Common and Peak Gold land immediately south of Cobar.

There are 280 land parcels that are classified as Community:

- 53 parcels are used for Parks (Drummond Park, Ward Oval, Heritage Park etc);

- 191 parcels are vacant land at Canbelego, Shuttleton, Gilgunnia, Nymagee, Florida and Mount Hope, the majority of which were purchased by Council at auction from parcels that were sold for non-payment of rates;
- 2 parcels are used for staff housing (should be reclassified as Operational at some time);
- 19 parcels are used for the Nymagee Sportsground;
- 8 parcels are used for road purposes;
- 5 parcel is used for Infrastructure assets (sewerage, drainage easement and carpark);
- 2 parcels are used by the Community (Mount Hope & Nymagee Hall).

There are 189 land parcels that are classified as Crown Land Reserves:

- 29 parcels are used as cemeteries;
- 39 parcels are used as a Common;
- 21 are used for Regeneration Areas (eg Green belt);
- 67 parcels are used as a Park (eg Lions Park Cobar, Ward Oval and Public Recreation Reserves at Nymagee, Canbelego, Euabalong and Euabalong West);
- 17 are used for infrastructure assets (eg Water Supply at Cobar, Mount Hope, Rubbish Depots at Nymagee, Euabalong, Euabalong West and Emergency Airstrips at Nymagee, Mount Hope and Euabalong West);
- 1 parcel is part of a commercial property (Cobar Caravan Park);
- 15 parcels are used by the community or other agencies (eg Dalton Park Horse Complex, Bathurst Street Reserves, the Newey, Racecourses in Mount Hope and Euabalong, Wilkinson Parks at Nymagee and Bushfire shed and administration).

There are 16 land parcels that are not owned by Council, however Council has a vested interest in:

- 3 land parcels are stock watering places which Council has a 5 year lease agreement with the former Livestock Health and Protection Authority;
- 5 land parcels are gravel extraction sites (with licence agreements);
- 8 land parcels are railway authority owned land of which Council has sewer and water infrastructure assets (with signed agreements).

Issues

Land parcels used by Community groups and other agencies may be of specific interest to Council.

Building/Land	Signed Lease or Licence Agreement in Place	Fees Payable	Insurance Details held by Council
OPERATIONAL LAND PARCELS			
Old Nymagee School Community Centre (<i>Nymagee Progress</i>)	No (still to be signed)	No	No

Building/Land	Signed Lease or Licence Agreement in Place	Fees Payable	Insurance Details held by Council
<i>Association)</i>			
Euabalong SES Shed	Yes (Legislation to provide)	No	No
Nymagee Bush Fire Shed	Yes (Services Level Agreement)	No	No
Mount Hope Bush Fire Shed	Yes (Service Level Agreement)	No	No
Booroomugga Street Pre School	No	Council provided donation in 2013/14 of rates and water of approximately \$6,000 (Resolution 88.04.2013)	No
Euabalong Community Hall (<i>Euabalong Progress Association</i>)	No	No	No
2 Brennan Street (<i>Cadets & Girl Guides</i>)	No	Council provided donation in 2013/14 of rates and water of approximately \$1,500 (Resolution 88.04.2013)	No
Youth and Fitness Centre (<i>Cobar Mobile Children's Services</i>)	No	Council provided donation in 2013/14 of rates and water of approximately \$5,200 (Resolution 88.04.2013)	No
COMMUNITY LAND PARCELS			
Ward Oval	No	As per Council Fees and Charges	Yes
Mount Hope Hall (<i>Mount Hope Progress Association</i>)	No	No	No
Nymagee Memorial Hall	No	No	No
Nymagee Sports Ground (<i>Cobar Cricket Association</i>)	No	No	No
Land/Open Space – Golf Course	No	No	No
CROWN RESERVE LAND PARCELS			
Cobar Water Supply Reserve Trust (<i>Cobar Water Board</i>)	No	No	No
Mount Hope Public Watering Place No. 8 (<i>Damian Cullenward</i>)	Yes	Yes	No

Building/Land	Signed Lease or Licence Agreement in Place	Fees Payable	Insurance Details held by Council
Dalton Park Horse Complex (5 Users)	No	As per Council Fees and Charges	No
Bathurst Street Reserve (Cobar Tennis Club)	No	As per Council Fees and Charges	No
Cobar Showground Reserve Trust (Newey & Golf Course area)	No	No	No
Cobar Caravan Park (Dineen Tourism Management)	Yes	Yes	Yes
Railway Parade Nth (Cobar Emergency Services & Bushfire Brigade) Reserve Trust	Yes (Service Level Agreement)	No	No
Wilkinson Park Reserve Trust (recently used for Nymagee Gymkhana)	No	No	No
Euabalong Racecourse Reserve Trust (staff at Euabalong allow the facility to be used)	No	No	No
Euabalong Sportsground Reserve Trust (used by the cricket clubs)	No	No	No

In regards to all commercial leases, it is a condition of the lease that the lessee is to have public liability insurance. As per the lease agreement, Council can request copies certificates of insurance.

Legal Situation

Council as the owner of land that is classified as Operational may if it wishes, enter into lease or licence agreements with or without financial payment for the use of the land and buildings.

Council as the owner of land that is classified as Community may if it wishes, enter into lease or licence agreements with or without financial payment for the use of land and buildings as per a plan of management prepared and adopted under the *Local Government Act 1993*.

Council as the Trustee of Crown Land Reserves may if it wishes, enter into lease or licence agreements with or without financial payment for the use of land and

buildings subject to Ministerial approval in accordance with the *Crown Lands Act 1989*.

Options

This report has been prepared as an information report which may be received and noted. Council may wish to further consider specific land parcels at a future Committee/ Council meeting or workshop.

RECOMMENDATION

That the information contained in the Investigation into Council Owned and Managed Land Report be received and noted.

CLAUSE 3B – MONTHLY STATUS REPORT**FILE: C13-10****AOP REFERENCE: 3.1****ATTACHMENT: NO****AUTHOR: *General Manager, Gary Woodman***

COUNCIL RESOLUTIONS 24 SEPTEMBER 2009					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
1	Council – Clause 2B – The Wool Track Project	153.9.2009	GM/SPO/DES/WM	Council be kept informed of progress.	Letter and copy of report sent to K Humphries, J Cobb, S Ley, J Williams, M Coulton and F Nash. Letters sent to trucking companies seeking support for sealing. Information provided to all OROC councils. Initial contact undertaken with Central Darling Shire Council and Balranald Shire Council in regard to arrangements for a delegation to the Minister for Regional Services. Wool Track Development Advisory Committee has met and formulated an Action Plan for 2013/2014.

COUNCIL RESOLUTIONS 28 APRIL 2011					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
14	Committee of the Whole Closed Council – Clause 1C – Cobar Caravan Park Business Development Strategy	81.4.2011	GM/LMO	Arrange acquisition of Lot 317 DP 755649 from the Crown subject to the availability of funds from the 2011/2012 budget.	Acquisition arrangements commenced with Land and Property Management Authority with acquisition subject to allocation of funds. Application provided to the Division of Local Government in regard to acquisition. Finalisation of purchase processes will not be undertaken until funds are confirmed in a Council budget. Report provided to December 2013 Council

				<p>Following successful acquisition of the above land, classify this land as Operational under the Local Government Act 1993.</p>	<p>Meeting with support now given for consideration for funding in the 2014/2015 Budget.</p> <p>Will be undertaken at time of acquisition.</p>
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COUNCIL RESOLUTIONS 23 JUNE 2011

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
28	Committee of the Whole Closed Council – Clause 3C – Plant and Equipment Utilisation Improvement Report	122.6.2011	GM/DES	Undertake actions in accordance with the relevant recommendations of the report.	Appropriate communication strategy and action plan instigated.

COUNCIL RESOLUTIONS 28 JULY 2011

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
30	Finance & Policy Committee – Report 2A – Cemetery	125.7.2011	DCCS/HRO	That Community Members of the Cemetery Committee receive appropriate volunteer training.	Arrangements in train for volunteer training.

	Maintenance – Set Up of a Cemetery Committee under Section 355, Local Government Act 1993				
47	Council – Clause 4B – Project Status Report	135.7.2011	DPES	Investigate the costings for acquiring the land at the end of the Old Bourke Road around to the New Bourke Road, the Old Pipeline Road to the Barrier Highway, the southern side of North Railway Parade in the vicinity of the old trucking yards and the land behind Polyfabrications for industrial purposes or town development	Initial report provided to the October 2011 Committee Meeting. Industrial Strategy to be determined.

COUNCIL RESOLUTIONS 25 AUGUST 2011

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
61	Council – 3A – Lower Macquarie Water Utilities Alliance (LMWUA) Agreement	149.8.2011	DES	Mayor & GM execute the Deed of Agreement once consent is obtained.	Deed will be executed when consent obtained.

COUNCIL RESOLUTIONS 27 OCTOBER 2011

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
87	Council – Clause 4A – Land Acquisition – Cobar Caravan Park Lot 317 in DP755649	193.10.2011	DPES/LMO	Undertake all processes required for the acquisition of the Cobar Caravan Park Lot 317 in DP755649.	Completed. Need to fund acquisition before proceeding any further. Acquisition steps to ‘Proposed Acquisition Notice’. Report provided to December 2013 Council Meeting with support now given for consideration for funding

in the 2014/2015 Budget.

COUNCIL RESOLUTIONS 22 MARCH 2012

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
157	Council – Clause 10A – Dalton Park Racecourse – Consideration of Fees and Licences	34.3.2012	LMO	General Manager be authorised to negotiate a licence term of up to 7 years but no less than two (2) years with all licence holders.	Report provided to the February 2014 Council Meeting – No further action required.
158	Council – Clause 11A – Bathurst Street Reserve (R64199) – Consideration of Fees for Licences	35.3.2012	DPES/LMO	That the General Manager be authorised to negotiate a licence term of up to seven (7) years but no less than two (2) years with the Cobar Tennis Club.	Report provided to the February 2014 Council Meeting – No further action required.
161	Council – Clause 14A – Cobar Scout/Guide Hall – 2 Brennan Street – Donation	39.3.2012	DCCS/LMO	<p>Maintains the current donation of accommodations at 2 Brennan Street, rent free to the Army Cadets and Girl Guides the financial year of 2012/2013.</p> <p>Continue to forgo income for rates and water for 2 Brennan Street.</p> <p>Negotiate a written lease agreement for a period of 5 years with a 5 year option to renew. The lease agreement to cover rent, maintenance of buildings and grounds, insurance, payment of electricity and other maintenance issues.</p> <p>Set conditions that the donation is conditional upon the Army Cadets and the Girl Guides entering into a lease</p>	Report provided to the February 2014 Council Meeting – No further action required.

				agreement. Review further donations annually. Provides written advice to the Army Cadets and Girl Guides of the donation and all conditions.	
162	Council – Clause 16A - Liquid Trade Waste Policy – Costs and Implementation Method	14.3.2012	DES/SM	Adopts option one (1) for the upgrading of the existing trade waste outlets and purchase the required pre-treatment units and complete the installation works on all trade waste premises with all costs to be funded out of the Sewer Fund Reserves with a no-interest three (3) year loan to local proprietors of businesses, and further that repayment will be a condition of approval on their Liquid Trade Waste licence agreement as per the NSW Office of Water regulations.	Action Plan instigated for implementation of resolution.

COUNCIL RESOLUTIONS 26 APRIL ADJOURNED TO 3 MAY 2012

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
177	Council - Clause 7A – Nymagee Old School Community Centre	71.4.2012	DPES/LMO	Authorise the Mayor and General Manager to sign a license agreement with the Nymagee Progress Association once incorporated under the Common Seal of Council.	Final Licence Agreement has been sent to Nymagee Progress Association for signing.
194	Committee of the Whole Closed Council - Clause 4C – Sale of Land	94.4.2012	GM/LMO	That Council provides authority for the General Manager to negotiate the sale of land at either 100 or 105 Marshall Street, Cobar for at least the minimum amount per square metre detailed in the report.	Further Councillor workshop strategies planning for land in concern held on 9 August, 2012.

			<p>That Council provides authority for the General Manager to undertake investigations into any party in regards to the standard financial and company checks, the company's previous experience with similar projects and their previous experience in completing projects with timeframes.</p> <p>The Council may in its absolute discretion elect to terminate negotiations with any party prior to exchange of a contract for the sale of land.</p> <p>That Council approve the sale of land conditional on:- Surveying undertaken and new plans submitted and approved; Subdivision plans submitted and approved; Rezoning of the land to allow for motel accommodation; All legal cost for both parties paid; Submission of a detailed development application that includes but is not limited to: Detailed architectural and design plans including elevations, footpaths, ramps, disabled access etc; Detailed site plan; Detailed car parking and access plans, including disabled parking;</p>	<p>Currently no interested party.</p>
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				<p>A detailed risk assessment for Council water and sewerage systems; Detailed landscaping plan including footpaths;</p> <p>That Council authorise the Mayor and the General Manager to sign all relevant documentation under the Common Seal of Council.</p> <p>That investigations and reporting be undertaken for appropriate master planning of Council land at 100 and 105 Marshall Street, Cobar;</p> <p>That any sale of the land be subject to the negotiated development proceeding within a reasonable time;</p>	
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COUNCIL RESOLUTIONS 26 JULY 2012

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
219	Council – Clause 8A – Road Closure – Corner of Murray and Blakey Street, Cobar	168.7.2012	DPES/LMO	<p>That Council resolves to close part of the road reserve on the corner of Murray and Blakey Street, Cobar identified as being Lot 2 in Deposited Plan 46869.</p> <p>That Council provides authority for the General Manager to make application to the Department of Primary Industries, Crown Land Division to close the road.</p>	<p>Action plan instigated for implementation of resolution.</p> <p>Advertising of proposed road closure undertaken by Crown Land Division of Department of Primary Industries. Submissions being managed in conjunction with DPI.</p>

				That Council authorise the Mayor and the General Manager to sign all relevant documentation under the Common Seal of Council.	Follow up has been occurring with providers of submissions and now waiting on response from Crown Lands.
				That the land be acquired as operational land pursuant to the provisions of Section 31 of the <i>Local Government Act 1993</i> .	Classification to be arranged at acquisition.

COUNCIL RESOLUTIONS 23 AUGUST 2012

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
234	Council – Clause 7A – Festival of the Miners Ghost	197.8.2012	DCCS/MTPR	Seek grant funding for the event to assist it to grow into an event with broader appeal beyond residents of Cobar.	Action plan instigated for implementation of resolution.
240	Committee of the Whole Closed Council – Clause 1C – Goat Handling Facility – Lot 40 DP755649 Kidman Way, Cobar	213.8.2012	DPES	Decline to accept that the current operation of the goat handling facility at Lot 40 DP 755649 Kidman Way, Cobar is a continuing use under S109 of the Environmental Planning and Assessment Act 1979. That the continued operation of the goat handling facility at Lot 40 DP 755649 Kidman Way, Cobar be dealt with as a compliance matter to be followed up by the Director of Planning and Environmental Services.	Action plan instigated for implementation of resolutions.

COUNCIL RESOLUTIONS 27 SEPTEMBER 2012

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
254	Council – Clause 21A – Application for	238.9.2012	DES/WM	That representations and submissions be provided to Commonwealth Ministers and	Action plan instigated for implementation of

	Exemption – Pavement Concession and Future Maintenance of Cobar Regional Airport			Agencies in seeking 100% funding for the essential pavement upgrading works that are required to be able to handle larger aircraft as that proposed by Brindabella Airlines at Cobar Regional Airport.	resolution. Currently applications being made to the State Government through the Resources for Regions Program.
COUNCIL RESOLUTIONS 13 DECEMBER 2012					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
307	Council – Clause 12A – Plant Replacement Program, Proposed Purchase of 34,000 Litre Water Tank Trailer in lieu of Side Tipper Trailer	320.12.2012	GM/WM	<p>That the Plant Replacement Program be altered to provide for the purchase of one only 34,000 litre trailer road tanker in lieu of the side tipper trailer.</p> <p>That quotations be called for the supply and purchase of one only 34,000 litre trailer water tanker suitable for use as the lead trailer in a road train configuration at an estimated cost of \$100,000.</p>	Rescission Motion reported again to the April 2013 Council Meeting which was lost. Action plan instigated and implemented of original resolution.
COUNCIL RESOLUTIONS 28 FEBRUARY 2013					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
343	Council – Clause 22A – Proposed Hangar Construction and Lease of Plant of Land at Cobar Regional Airport by Sullivan’s Mining and Hardware	28.2.2013	DES/WM	<p>That Council approve the construction of a hangar (subject to the building regulations) to be known as Hanger No. 2, on the current site of the “Aero Club”.</p> <p>That the applicant, Sullivan’s Mining and Hardware be responsible for the cost of relocation of the Aero Club to a site determined by the Works Manager.</p>	<p>Action plan instigated for implementation of resolutions.</p> <p>Action plan instigated for implementation of resolutions.</p>

				<p>That Council enter into a lease with the applicant for a 5 x 5 x 5 year lease with the annual fees being in line with the Fees and Charges as determined by Council.</p> <p>That Council investigate the possibility of arranging a lease for the management and maintenance to the appropriate standard of the Cobar Aerodrome, including the house and all amenities.</p>	<p>Expressions of interest advertising will be delayed until final result of Resources for Regions EOI known.</p>
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COUNCIL RESOLUTIONS 28 MARCH 2013

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
350	Finance and Policy Committee – Notice of Motion – Management of the Youth and Community centre	41.3.2013	DCCS/MYFC	That expressions of interest be called for seeking an independent operation of the Youth and Community Centre.	Expressions of interest advertising will be delayed until final result of Resources for Regions EOI known.
362	Committee of the Whole Closed Council - Clause 3C – Consideration of RMS Agency Agreement	62.3.2013	DCCS	That Council approve in principle entering an agency agreement with Roads and Maritime Services for a further three years provided that the projected revenue covers Council's costs.	Action plan instigated for implementation of resolution.

COUNCIL RESOLUTIONS 24 APRIL 2013

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
380	Committee of the Whole Closed Council – Clause 1C – Notice of Rescission Motion – Consideration of	95.4.2013	GM	That in the year 2013/2014 that Council develops a tourism management plan that details appropriate commitments and plans that aid the tourist industry in Cobar.	Action plan instigated for implementation of resolution.

	Tourism Cost Centre				
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COUNCIL RESOLUTIONS 25 JULY 2013					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
419	Council – Clause 10A – Proposed NSW Grain Harvest Management Scheme (GHMS) – 2013/2014	162.7.2013	WM	That this matter be taken up with the State Government to receive additional funding to maintain these roads, and the damage caused by these vehicles.	Appropriate correspondence provided to the NSW Government – No further action required.
422	Committee of the Whole Closed Council – Clause 1C – Industrial Relations Matters	171.7.2013	GM/HRO	That a follow up report on the financial and risk implications be presented to Councillors when available.	Initial report provided to July Ordinary Council Meeting and Committee of the Whole Closed Council – No further action required.
423	Committee of the Whole Closed Council – Clause 3C – Expressions of Interest for Lease of the Town Hall Cinema	171.7.2013	DPES	That Council leases the cinema to the Western Studio of Performing Arts as per their expression of interest submission.	Lease finalised and signed – No further action required.

COUNCIL RESOLUTIONS 22 AUGUST 2013					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
427	Works Committee – Report 1A – Pedestrian Access Mobility Plan (PAMP) and Access Audit	173.8.2013	CM	That the works program be developed to address the priority one items. That the risk of un-actioned priority one items be entered into Council's Risk Register.	Action plan instigated for implementation of resolutions.
435	Council – Clause 9A –	187.8.2013	WM	That Mt. Gap Road within Mt. Gap	Waiting on gazettal by

	Determination of Status of Mt Gap Road			Station shall be dedicated a public road and remain on the Roads Register as a Shire Road.	Western Lands.
437	Committee of the Whole Closed Council – Clause 1C – Tender T3-13-5 – Design and Construction of Skate Park Facility	195.8.2013	SPO	That Council award the tender for the Cobar Skate Park (T3-13-5) to Precision Skate Parks Pty Ltd, conditional upon, and once the RDAF Round 3 funding agreement is finalised.	Currently seeking Funding Agreement.
ORDINARY COUNCIL RESOLUTIONS 26 SEPTEMBER 2013					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
447	Committee of the Whole Closed Council – Clause 1C – Cobar Truck Wash Options	203.9.2013	DES/WM	That Council proceeds to investigate the options of developing a new truck wash at the rear of the Council Depot for consideration in the 2014/2015 budget with the options being to cater for construction vehicles only and both construction and stock carrying vehicles.	Report provided to the February 2014 Council Meeting – No further action required.
457	Council – Clause 12A – Side Tipper and Rock Crusher Report	219.9.2013	WM	<p>That Council hires a gravel crusher on a trial basis.</p> <p>That an appropriate investigation be undertaken and reported to Council in regards to new water bores and turkey nest dams for road work construction and maintenance.</p> <p>That council does a complete evaluation of plant and equipment in relation to budget, expected services levels and staff numbers prior to the 2014/2015 budget.</p>	<p>Quotes being obtained.</p> <p>Report provided to the December 2013 Council Meeting – No further action required.</p> <p>Report to be provided to the February 2014 Council Meeting - No further action required.</p>

COUNCIL RESOLUTIONS 28 NOVEMBER 2013

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
479	Finance and Policy – Report 1A – Notice of Motion – Invitation to Parkes and Barwon MP’s to Attend Council Meetings	256.11.2013	GM	That prior to such attendance an agenda/strategy be formulated.	Action plan instigated for implementation of resolution. Meeting with Hon. Kevin Humphries set for Wednesday 12 March 2014.
484	Committee of the Whole Closed Council – Clause 1C – Cobar Memorial Services Club Car Park Lease Agreement	256.11.2013	DPES/LMO	That an investigation be undertaken to determine that all users of Crown Land where Cobar Shire Council is the trustee and Council Owned Land are being charged appropriately for the use of the land and that they hold appropriate insurances with an appropriate report to be provided in the near future.	Report provided to February 2014 Council Meeting - No further action required.
486	Council – Clause 3A – Proposal to Facilitate Financial Issues in Local Government Workshop for Cobar Shire Council Councillors and Senior Staff and Other Interested Councils	261.11.2013	GM	That Council participate in a Financial Issues in Local Government Workshop in Cobar as detailed in the Report on Thursday 13 February 2014.	Financial Issues in Local Government Workshop held - No further action required.
492	Council - Clause 9A – Economic Taskforce Community Representatives	268.11.2013	SPO	That following the development of the Terms of Reference of the Taskforce that Council again calls for Community Representatives to sit on the group.	Action plan instigated for implementation of resolution. Draft Terms of Reference reported to February 2014 Council Meeting.
493	Council – Clause 10A – Donations Requests from Schools in Cobar Shire.	270.11.2013	DCCS	That Council assist the schools to apply for donations for the 2014/2015 year.	Information provided to schools – No further action required.

COUNCIL RESOLUTIONS 12 DECEMBER 2013

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
494	Council – Clause 1A – Mayoral Report	280.12.2013	GM	That Council write to the Department of Primary Industries requesting that the Cobar Shire and Bogan Shire areas be included in the Drought Declared Area of NSW to ensure that fodder transport subsidies, etc are able to be provided to primary producers in the Cobar and Bogan Areas.	Letter provided to the Department of Primary Industries – No further action required.
495	Notice of Motion – Registration Fee for Common 2014/2015	282.12.2013	GM	Registration fees for the 2014/2015 Common be reduced by 50 per cent to help our Local Commoners with a form of drought relief inline with the drought relief announced by the Deputy Premier Hon. Andrew Stoner and Minister for Primary Industries Hon. Katrina Hodgkinson.	Noted, will be considered at Council Workshops concerning the 2014/2015 Fees and Charges - No further action required.
496	Notice of Motion – Mobile Phone Coverage	283.12.2013	GM	That Council write to the Chief Executive Officer of Telstra, Commonwealth Minister for Communications, Member for Parkes Mark Coulton MP, Hon. Kevin Humphries MP Minister for Western NSW and Regional Development Australia - Orana pointing out the inequities of mobile service coverage in the rural areas of NSW and in particularly Western Council Areas such as Cobar Shire, Bourke Shire, Central Darling Shire, Caroothal Shire, Bogan Shire, Brewarrina Shire, Lachlan Shire and Walgett Shire etc and ask for appropriate mobile service coverage in Western NSW as an appropriate community service instead of needing to	Letters provided to Telstra, Minister for Communications, Local Members and RDA - Orana - No further action required.

				contract co - contribution funding for tower erections and for emergency situations and that an assessment study be undertaken to determine how the coverage can be practically improved using existing facilities and whether aerial equipment subsidies for external users in rural communities could be included for improved services.	
497	Council – Clause 2A – Interim Bore Drilling Report – Lilyvale Rest Area and Barnato – Tilpa Road	284.12.2013	WM	That existing bore holes be investigated and if required approval be given to hire a water drilling contractor to sink three water bores in the road reserve at Windara Station, Barnato Station and Jacobs Well Station for an estimated cost of \$40,000. Further investigation of other water bore sites be conducted on an “as needed” basis and reported to Council for approval.	Existing bore holes investigated and water bore drilling contractor engaged - No further action required. Action plan instigated for implementation of resolution.
498	Council – Clause 3A – 2013 Aerodrome Safety Inspection Report	285.12.2013	WM	That an estimate is made so that \$20,000 can be allocated in the 2014/2015 budget to address the backlog of outstanding safety recommendations. That the runway and lighting upgrade be evaluated at the conclusion of the Resources for Regions Program deliberations.	Noted, will be considered at Council Workshops concerning the 2014/2015 Budget - No further action required. Action plan instigated for implementation of resolution.
499	Council – Clause 4A – NSW Revenue Professionals Conference	286.12.2013	RO	That one delegated Council employee attend the NSW Revenue Professionals Conference.	Attendance arranged – No further action required.
500	Council – Clause 5A – Australia Day Awards	287.12.2013	DCCS	That the selection panel for the Australia Day Awards comprise of the Mayor, Councillors Kings, Marsden and Martin and two community members with one community	Selection panel arranged – No further action required.

				member to be chosen from within the Tourism Advisory Committee with one community member to be chosen by Council and that the Mayor is authorised to make this selection.	
501	Council – Clause 6A – 2014 Western Division Councils of NSW Annual Conference	288.12.2013	GM	<p>That Council note the attendance of Councillors Marsden and Sinclair at the 2014 Western Division Councils of NSW Annual Conference who will attend with the Mayor, Deputy Mayor and General Manager or his delegate.</p> <p>That Councillors provide advice to the General Manager by Friday 24 January 2014 on matters that should be considered as resolutions to the 2014 Western Division Councils of NSW Annual Conference.</p>	<p>Attendance arranged – No further action required.</p> <p>Any proposed resolutions sent off to the Executive Officer of the Western Division Councils of NSW – No further action required.</p>
502	Council - Clause 7A – Advice of Expenditure in Excess of Budget	289.12.2013	DCCS	<p>That the advice of expenditure on light vehicles and sedans exceeding budget by \$40,000 be received and noted.</p> <p>That the amount is incorporated into the second quarter budget review.</p>	<p>Noted – No further action required.</p> <p>Budget changes reported to Quarterly Review at the February 2014 Council Meeting – No further action required.</p>
503	Council - Clause 8A - Cobar Shire Council Internal Audit Committee – Community Representatives (Independent External Members)	290.12.2013	GM	That Council appoint for a period of three (3) years from the date of appointment, Mr Dan Simmons as a Community Representative (Independent External Member) of Council’s Internal Audit Committee, with the appointment being dependent on Mr Simmons continuing in his position as General Manager or other Senior Position at Brewarrina Shire	Appointment arranged – No further action required.

				Council.	
504	Council - Clause 9A – Compliance & Enforcement Program	291.12.2013	MPES	<p>That Council endorses the continuation of the current compliance and enforcement program as having precedence within the resources available and duties undertaken by Planning and Environmental Services.</p> <p>That the attached draft Compliance and Enforcement Policy be placed on public exhibition for a minimum period of twenty eight (28) days (exclusive of the Christmas/New Year period) and a further report be considered by Council at its February 2014 Meeting for the purpose of adopting a policy.</p>	<p>Noted - No further action required.</p> <p>Public Exhibition arranged and reported to the February 2014 Council Meeting - No further action required.</p>
505	Council - Clause 10A – Engagement of Project Manager	292.12.2013	DES	That the General Manager be authorised to engage a Project Manager with a salary package including accommodation and vehicle negotiated in the range of existing Engineering Managers (Band 3 Level 4 Grade 4), for the duration of employment being for the life of the Resources for Regions projects currently for a period of three years.	Advertising for newly created position commenced.
506	Council – Clause 12A – Division of Local Government Promoting Better Practice Review of Cobar Shire Council	294.12.2013	GM	<p>That the Division be advised that the Report as been tabled before Council and will be placed on Council’s Website.</p> <p>That Staff continue to work towards the completion of any work required by the recommendations contained within in the Report and detailed within the Action Plan.</p>	<p>Advice to Division provided and Promoting Better Practice Review of Cobar Shire Council Report placed on Council’s Website - No further action required.</p> <p>Action plan instigated for implementation of resolution.</p>

507	Committee of the Whole Closed Council – Clause 1C – Land Acquisition Cobar Caravan Park, Lot 317 DP755649	307.12.2013	LMO	That Council confirm its support for the compulsory acquisition of the crown land by allocating a budget for the 2014/2015 financial year for the amount as outlined in the report.	Noted, will be considered at Council Workshops concerning the 2014/2015 Budget - No further action required.
508	Matter of Urgency – Economic Taskforce	308.12.2013	GM	<p>That the first Economic Taskforce Meeting be set for the morning of Friday, 14 February 2014.</p> <p>That Council write to the NSW Government requesting an Economic Stimulus package similar to the Cobbora Transition Fund to be provided to the Cobar Shire due to the current down turn in the mining industry with the retrenchments by the local mines and contractors.</p>	<p>Economic Taskforce Meeting arranged – No further action required.</p> <p>Letter provided to the Deputy Premier – No further action required.</p>

COUNCIL RESOLUTIONS 20 JANUARY 2014

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
509	Extraordinary Meeting of Council – Clause 1A – The Rex Group Application for RPT Services, Cobar - Sydney	01.1.2014	GM/DCCS	<p>That the representative from ‘The Rex Group’ be invited to speak and answer questions.</p> <p>That Council make a determination on ‘The Rex Group’s’ request to enter into a partnership agreement.</p> <p>That Council thank the representative from ‘The Rex Group’ for their attendance.</p>	<p>Representatives invited to speak at the Meeting – No further action required.</p> <p>Determination undertaken in Committee of the Whole Closed Council – No further action required.</p> <p>Representatives verbally thanked – No further action required.</p>

				That Council seek further community comment on their views regarding the licensing of the Cobar – Sydney Air route.	Action plan instigated for implementation of resolution. Including appropriate meetings with three major mines in Cobar.
510	Extraordinary Meeting of Council – Clause 3A – Increased Water Restrictions to Nymagee	05.1.2014	GM/SM	<p>That Council approve the following immediate water restrictions for the village of Nymagee until the water supply crisis is addressed:</p> <ul style="list-style-type: none"> ▪ Hand held hoses, all fixed systems, irrigation systems are banned; ▪ No car washing; ▪ Water should be used for domestic and emergency fire fighting purposes only. <p>If these restrictions are not followed then water usage be furthered restricted with the Mayor and General Manager delegated the authority to impose those restrictions.</p> <p>That Council apply for urgent financial assistance from the NSW Government for Drought Proofing of Nymagee with appropriate advice also through the Local Member.</p>	<p>Appropriate advertising arranged in the media, Council Website and a letterbox/ door knock at Nymagee undertaken – No further action required.</p> <p>Action plan instigated for implementation of resolution.</p> <p>Action plan instigated for implementation of resolution</p>
511	Extraordinary Meeting of Council – Clause 1C – The Rex Group Application for RPT Service, Cobar - Sydney	07.1.2014	GM/DCCS	<p>That Council agree to a commercial agreement with the Rex Group if they are successful in being awarded the regulated route Cobar to Sydney by Transport NSW on the basis of:</p> <ul style="list-style-type: none"> ▪ Total Head Tax Revenue of \$22.00 per head inclusive of GST per passenger; 	Appropriate advice provided to Rex Group – No further action required.

				<ul style="list-style-type: none"> ▪ Passenger numbers cap to be minimum 11,500 before the Rex Group is eligible for collection of the RPT Payment with a 50% share arrangement between the Rex Group and Council for passenger numbers over the 11,500; ▪ A 3 year agreement commencing 1 July 2014; ▪ Allowance for an annual CPI increase; ▪ Waiver on any terminal rental charges. <p>That the General Manager of Cobar Shire Council be the Cobar Community Representative in regards to the Transport NSW consultation process.</p> <p>That Council delegate to the Finance and Policy Committee if required to make a final recommendation to Transport NSW and decisions on any commercial arrangements in relation to the most advantageous airline and air service for the regulated route Cobar to Sydney.</p> <p>That commercial matter discussions in regards to the Rex Group Application for RPT Services remains in the Committee of the Whole Closed Council.</p>	<p>Noted – No further action required.</p> <p>Appropriate report provided to the February 2014 Finance and Policy Committee Meeting – No further action required.</p> <p>Noted – No further action required.</p>
512	Extraordinary Meeting of Council – Clause 2C – Material Differences to Operating Budget,	07.01.2014	DCCS/MFA	<p>That the Report Material Differences to Operating Budget, 20 January 2014 be considered.</p> <p>That the Report Material Differences to Operating Budget be received and noted by</p>	<p>Noted – No further action required.</p> <p>Noted - No further action required.</p>

	20 January 2014		Council.	
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RECOMMENDATION

That the information contained in the monthly status report be received and noted.

CLAUSE 4B – MEETING MINUTES**FILE: L5-4-3, WB1-22, C8-17, C8-6-4, D2-17****AOP REFERENCE: 3.1****ATTACHMENT: YES (PAGE 159-192)****AUTHOR: *General Manager, Gary Woodman*****Background**

Councillors and Council staff are required to represent Council at a variety of meetings.

Included in the attachments to this agenda are copies of the minutes of those meetings which have been held recently for the information of Councillors. They include:

- OROC Meeting, Gilgandra Shire Council Chambers – Friday, 6 December 2013;
- Cobar Youth Council Committee Meeting - Wednesday, 11 December 2013;
- Cobar Water Board Meeting – Thursday, 12 December 2013;
- Cobar Youth Council Committee Meeting - Wednesday, 8 January 2014;
- Cobar Youth Council Committee Meeting - Wednesday, 22 January 2014;
- Rural Roads Advisory Committee Meeting – Mount Hope – Wednesday, 5 February 2014;
- Cobar Youth Council Committee Meeting - Wednesday, 12 February 2014
- Western Division Councils of NSW Meeting, Cobar Shire Council – Wednesday, 12 February 2014;
- Cobar Shire Council Economic Taskforce Meeting – Friday, 14 February 2014.

RECOMMENDATION

That the minutes of the meetings of OROC, Cobar Water Board, Cobar Youth Council, Western Division Councils of NSW, Rural Roads Advisory and Cobar Shire Council Economic Taskforce Committees be received and noted.

CLAUSE 5B – JULY – DECEMBER 2013 REPORT ON THE IMPLEMENTATION OF THE COBAR SHIRE COUNCIL DELIVERY PROGRAM

FILE: I5-22

AOP REFERENCE: 3.3.3

ATTACHMENT: NO

AUTHOR: *Special Projects Officer, Angela Shepherd*

Purpose

To provide Council with the required six monthly report on the implementation of the Council's Delivery Program 2012/2013 – 2015/2016.

Background

The Delivery Program directly addresses the objectives and strategies of the Community Strategic Plan and identifies the principal activities Council will undertake across all operations. The Delivery Program aims to give a focus to Council's activities for the Councillors four year term in office. Council is provided with a six monthly update on the implementation of the Delivery Program.

Issues

This report outlines the main achievements of Council for the period July – December 2013, by Department.

General Manager

- Grant funding continues to be sought with RDAF Round 3 funds finally committed to by the new Government and Resources for Regions applications made in two rounds of funding. Council was successful with their application for a new Water Treatment Plant and this project is underway with a report to Council due March 2014. Council continued to apply for smaller grants and assisted community groups to do so as well.
- Council successfully switched financial institutions to the NAB with a number of new electronic banking options now available and being implemented.
- Council's financial statements were successfully submitted on time, were unqualified and there were no breaches made.
- Efforts continue to upgrade Council's IT system with further work still required to improve efficiencies and reliability.

Engineering Services

- Concerns regarding the entry price to the pool were prevalent at the start of the pool season with Council set for further discussions on the matter during the development of the 2014/2015 budget.
- The collapse of Brindabella Airlines left Cobar without a RPT service. Whilst efforts continue to get a new provider to Cobar, the 2013/2014 budget will require alterations and the level of income will need serious consideration in developing the 2014/2015 budget. Budget consideration also needs to be given

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- to the need to upgrade lighting at the airport or face a ban on night time operations.
- The lack of water has affected all Council operations and residents in hot dry conditions. Road works have been undertaken according to water availability and Council is looking to sink two bores in the west of the Shire to undertake the Repair Program project along the Tilpa road.
 - Audits of Council's footpaths (undertaken) and water reticulation systems (to be undertaken in Q3) will highlight deficiencies in the budget for both items that will need significant consideration during the development of the 2014/2015 budget.
 - As the plant fleet ages, increased breakdowns have been experienced affecting productivity on the work sites. Consideration needs to be given to the Plant Replacement Program to clearly identify the most urgent items of plant requiring replacement.
 - The RMS budget for maintenance on State Highways has been expended. 60% of the Regional Roads money has been expended and 80% of the Shire Road funds. In Q3 crews will be concentrating on the Tilpa Road Repair Program project (\$800,000). Council needs to look at length or road works undertaken with funding when setting the 2014/2015 budget and plant utilisation rates.

Corporate and Community Services

- The Lilliane Brady Village continues to operate with full utilisation rates and to a high standard. The extensions project is yet to commence, however plans have been agreed to. Discussions have commenced with the NSW Government and a submission started to look at the feasibility of bringing an MPHS to Cobar.
- Strong participation continues at the Cobar Youth and Fitness Centre. Some gym equipment has been replaced and the gym has been performing well. Participation in the Youth Council has continued with a new Executive elected in Q3.
- Children's Services continue to provide a valuable community service. COOSH is operating with strong participation rates. Family Day Care is currently fully subscribed with additional Educators being sought.
- The Festival of the Miners Ghost was successfully held with stronger community participation. The Festival has been brought back to a strong mining focus and was held over two weeks. It has been recommended to reduce this back to one long weekend in 2014. Other events held include the Seniors Christmas party and Australia Day.
- The Library continues to provide a valued service, including the only school holiday activities being offered in Cobar. There has been good participation in reading programs and children's activities. Work continues in seeking grant funding to enclose the alcove to allow the establishment of a community meeting room and proper, safe storage and preservation of local historical information.

Planning and Environmental Services

- Council has focussed resources in the regulatory compliance area this period, working on both reactive and proactive areas. Council has been busy addressing complaints around dogs, noise, undertaking and enforcing food safety

inspections, addressing road safety issues, policing fire regulations and significant littering offences. A number of fines and penalty notices have been issued. This has resulted in good customer service with complaints being effectively dealt with in a timely manner.

- Council has also been working hard on implementing the new pool registration legislation, a project that will continue into Q3.

Legal Situation

Council has a legislative requirement to report to Council at least every six months on the implementation of the Delivery Program.

Policy Implications

Implementation is on track where resourcing is adequate.

Financial Implications

The Delivery Program is being implemented in accordance with the four year Council Cycle and Budget.

Risk Implication

Some projects will not progress until adequate funding and staff resources are found.

RECOMMENDATION

That the information contained in the six monthly report on the implementation of the Delivery Program – July to December 2013, be received and noted.

ATTACHMENTS



ORDINARY MEETING AGENDA

THURSDAY 27 FEBRUARY 2014

~ REFERENCE TO ATTACHMENTS ~

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