

COBAR SHIRE COUNCIL



ORDINARY MEETING AGENDA

THURSDAY 22 AUGUST 2013

~ ORDER OF BUSINESS ~

Business for the meeting will be as follows:

1. Apologies
 2. Public Access Session – Presentation – Chief Executive Officer Earle Burrows - ConnectJet
 3. Declaration of Interests
 4. Condolences
 5. Confirmation of Minutes
 - Ordinary Meeting of Council – Thursday 25 July 2013
 - Works Committee Meeting – Thursday 8 August 2013
 - Finance and Policy Committee Meeting – Thursday 8 August 2013
 6. Matters Arising from Minutes
 7. Mayoral Report
 8. General Manager’s Report – Part A (Action)
 9. General Manager’s Report – Part B (Information)
 10. General Manager’s Report – Part C (Confidential)
 11. Matters of Urgency
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Clause 1C – Tender T3-13-5 – Design and Construction of the Skate Park Facility	(Refer to Confidential Agenda)
Clause 2C – General Manager’s Annual Performance Appraisal – Presentation to Council and Feedback to Appraisal Review Committee.....	(Refer to Confidential Agenda)

(These reports are confidential in accordance with sections 10A (2) (a) and (d) (i) of the Local Government Act 1993, as the matters are personnel matters concerning particular individuals other than Councillors and contains commercial information of a confidential nature that would, if disclosed would prejudice the commercial position of the person who supplied it.).

Reference to Attachments51

~ 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 22 August 2013 (5:00pm)	Council Meeting	Councillors/Senior Staff/ Community
Saturday 31 August 2013	Lilliane Brady Village Fete	Community
Thursday 12 September 2013 (4:00pm)	Extra-ordinary Council Meeting	Councillors/Senior Staff/ Community
Thursday 12 September 2013 (5:00pm)	Committee Meetings	Councillors/Senior Staff/ Community
Thursday 26 September 2013 (5:00pm)	Council Meeting	Councillors/Senior Staff/ Community
Thursday 10 October 2013 (5:00pm)	Committee Meetings	Councillors/Senior Staff/ Community
Thursday 10 October 2013 (After Committee Meetings – estimated start 6:30pm)	Tour De OROC Function	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 August 2013.

CLAUSE 2A – CONNECTJET SERVICES FROM COBAR REGIONAL AIRPORT

FILE: A5-3

AOP REFERENCE: 4.3.4.2

ATTACHMENT: NO

AUTHOR: *General Manager, Gary Woodman*

Purpose

The purpose of this report is to provide Council with information in relation to proposed ConnectJet services from Cobar Regional Airport through a presentation from the ConnectJet Chief Executive Officer Earle Burrows.

Background

At the time of writing this report further written information from ConnectJet was not available. It will be provided to Councillors however as soon as practical.

ConnectJet are a brand new Australian Airline. Its Founders and Senior Management Team are made up of Commercial Pilots and Aviation Managers. Over the past two years they have been focused on researching what airline users require which is easy connection.

It is proposed that an approximate 17 seat plane would be based in Cobar that would be used to travel to and from Dubbo and where possible connect to Newcastle or Brisbane or Melbourne with arrival times to and from Cobar appropriate to allow practical and suitable connections particularly to Sydney.

It is envisaged that there would be minimal competition with the current service provided by Brindabella Airlines as a clear focus is to attract airline users who are driving to Dubbo for connecting flights and other services to Newcastle, Brisbane and Melbourne.

It is expected that the presentation by Mr Burrows will be for a period of 15 minutes with questions.

RECOMMENDATION

- 1. That the information in relation to ConnectJet Services from Cobar Regional Airport be received and noted.**
- 2. That Council thanks Mr Earle Burrows from ConnectJet for his time and presentation.**

CLAUSE 3A – TENDER T3-13-5 – DESIGN AND CONSTRUCTION OF THE SKATE PARK FACILITY

FILE: T3-13-5

AOP REFERENCE: 1.2.2

ATTACHMENT: NO

AUTHOR: *Special Projects Officer, Angela Shepherd*

Purpose

To award Tender T3-13-5 to rebuild the Cobar Skate Park, conditional upon the signing of the funding agreement by the Australian Government.

Background

In June 2013 the Australian Government announced that Cobar Shire Council was successful with a \$200,000 RDAF Round 3 grant to build a new skate park. This, along with the contribution from Peak Gold Mines and Council enabled Council to call for tenders for the project. Tenders opened on 2 July 2013 and closed 1 August 2013. A total of five tenders were received.

In the meantime, Council continued to progress the funding agreement with the Australian Government. However, this document was not signed prior to the call of the Federal election and the government is now in Caretaker Period. This means funding agreements such as the Skate Park can not be signed until a new Minister is appointed. As such, the project is on hold until the Agreement is signed. This is likely to mean that the project will not be completed prior to Christmas. The length of the delay is unknown and will be affected by which party is elected to office.

It is proposed to determine the preferred tender but not award the contract until the Funding Agreement is signed.

Given the sensitive nature of the information to be provided in the assessment process, it is recommended that Council considers the report in Closed Council in the Committee of the Whole with the press and public excluded.

Legal Situation

Council has complied with requirements of the Local Government Act 1993, Section 55 and the Local Government (General) Regulation Part 7.

RECOMMENDATION

That the evaluation report and recommendations concerning Tender T3-13-5 to build a Cobar Skate Park be considered in the Committee of the Whole Closed Council with the press and public excluded for the reason as stated in Section 10A (2) (d) (i) of the Local Government Act 1993, as discussions of this information in Open Council would prejudice the commercial position of the person who supplied it.

CLAUSE 4A – GENERAL MANAGER’S ANNUAL PERFORMANCE APPRAISAL – PRESENTATION TO COUNCIL AND FEEDBACK TO APPRAISAL REVIEW COMMITTEE

FILE: C6-11, PERSONAL AOP REFERENCE: 3.1 ATTACHMENT: NO

AUTHOR: *General Manager, Gary Woodman*

Background

Councillors are aware that arrangements are in train for the conduct of the General Manager’s Annual Performance Appraisal by the Appraisal/Review Committee in the morning of Friday 23 August 2013.

As part of the process the General Manager will provide a presentation and/or report to Council and Councillors will be able to provide feedback to the Appraisal/Review Committee to further enable the Committee to complete the process the next morning.

The Appraisal/Review presentation and feedback session to the Committee is considered a personnel matter in accordance with the Local Government Act 1993 and accordingly should be considered by Council in the Committee of the Whole Closed Council with the press and public excluded.

RECOMMENDATION

That the 2012/2013 General Manager’s Annual Performance Appraisal/Review presentation to Council and feedback session to the Appraisal/Review Committee be considered in the Committee of the Whole Closed Council with the press and the public excluded in accordance with Section 10A (2) (a) of the Local Government Act 1993 as the matter and information relates to personnel matters concerning particular individuals (not Councillors).

CLAUSE 5A- CEMETERY INTERNMENT ARRANGEMENTS

FILE: C3-3

AOP REFERENCE: 4.4.2.2

ATTACHMENT: NO

AUTHOR: *Services Manager, Mr Timothy Wark*

Purpose

The purpose of this report is to update Council on the previous and current internment processes for Cobar Cemetery.

Background

Past Process

“The family members of the deceased person would contact the relevant Funeral Directors and they would then take all appropriate steps on their behalf for right of burial, this included direct contact with Council to make all internment arrangements.

This provided numerous benefits for both parties for example;

- *A professional experienced company was coordinating the funeral arrangements on behalf of both parties, this ensured a satisfactory outcome;*
- *The family members of the deceased only had to have contact with one company (Funeral Director) which assisted these persons during the grieving process;*
- *Council received prompt payment of all their related fees as the Funeral Directors paid Council at the time of purchase of the burial plot”.*

Unfortunately this system has not been able to continue into 2013 – 2014 as the Funeral Directors have advised Council that they will be referring their clientele directly to Council to arrange the Council portion of the internment process.

The reasons that the Funeral Directors have taken this step are:

- 26% increase in cemetery fees and charges in 2013 - 2014 (these fees and charges increases were required as Council was significantly subsidising the service previously);
- The Funeral Directors pay Council at the time of purchasing the burial plot prior to payment from their clients, they are worried they maybe exposed to possible non payment issues as a result of the increased fees and charges;
- The Funeral Directors ultimately believe Council fees and charges have become too expensive in comparison to other Councils.

Council’s Services Manager has contacted the Funeral Directors and had extensive conversations with them to provide the reasons to why the increases in Council’s fees and charges were required.

These conversations were very positive with the Funeral Directors coming to the understanding of why the increases were required (rock base formation at the

cemetery causing extensive excavation works that are very time consuming, restricted access to pre reserved burial plots causing Council Officers to either dig by hand or engage a contractor with a small excavator). Nevertheless they still think they are too great of an increase and are standing their ground in directing their clientele to deal with Council directly for that portion of the internment process.

Current Process (not adopted by Council)

“The family members of the deceased person contact the Funeral Directors and they commence the initial arrangements. They then refer their clients to Council to directly organise all internment arrangements on their own behalf (including payment).

Council is currently requesting 100% payment of the related fees and charges prior to the internment process commencing. There have been no issues with this process but as you would appreciate the number of funerals post the 1 July 2013 has been minimal. It is expected sometime in the near future there will be instances where payment plans will be requested by the clients as the fees and charges are substantial ranging from \$128 - \$1,210 depending on the type of internment.

Council can appreciate that entering into these payment plans may create issues including non payment or extension requests similar to the issues the Funeral Directors are trying to avoid”.

It may be non related but it needs to be brought to Councils attention that recently Council was contacted by a former community member requesting permission to plant a remembrance tree at the Newey Recreational Reserve. This was approved by the Services Manager with tree selection and tree location jointly decided upon between the former community member and the Council Officer.

The question is, will the increase in internment fees and charges encourage family members to cremate their deceased family members and plant remembrance trees in significant locations similar to the Newey Recreational Reserve and if this is the case how does Council want to monitor this process so these locations do not become an annexure to the designated cemetery.

Things that need to be considered are:

- Location;
- Spacing between remembrance trees;
- Plaque size (if plaques allowed).

This situation needs to be monitored and if more cases arise a future report to Council will need to be submitted. Initial thoughts are that the location will have to be approved by a delegated Council Officer with a minimum distance between remembrance trees of 50 metres and a maximum plaque size 100 millimetres by 100 millimetres allowed. These requirements would combat the possibility of significant locations evolving to an annexure of the designated cemetery.

RECOMMENDATION

- 1. That Council adopt the current internment process and continue to request 100% payment of the internment fees and charges prior to the internment process commencing.**
- 2. That the request to place remembrance trees be noted and the situation monitored by Council Officers.**
- 3. That a report be provided to Council detailing the requirements of planting remembrance trees if the situation warrants it.**

**CLAUSE 6A – PANEL OF CONDUCT REVIEWERS UNDER COUNCIL’S
ADOPTED CODE OF CONDUCT**

FILE: P5-8

AOP REFERENCE: 3.1.5

ATTACHMENT: NO

AUTHOR: *General Manager, Gary Woodman*

Purpose

To report to Council for adoption of an appropriate panel of Conduct Reviewers in accordance with Council’s Code of Conduct and procedures for administration of the Code of Conduct.

Background

Council at its meeting on the 28 February 2013 adopted a recommendation from the Finance and Policy Committee of 14 February 2013 to adopt the new Model Code of Conduct and new Procedures for the Administration of the Model Code of Conduct for Local Government Council’s in NSW as Cobar Shire Council’s Policies and Procedures as commencing 1 March 2013.

Council was provided advice that the Orana Regional Organisation of Council’s (OROC) Code of Conduct Review Committee Panel was not established in accordance with Part 3 of the new Procedures but Council will be able to continue to use this Panel after 1 March 2013 with a new Panel needing to be in place by 30 September 2013 using the selection process prescribed under the Procedures.

Accordingly, Expressions of Interest were called by OROC. On the closing date, twenty-two (22) applications were received covering twenty-five (25) applicants (with three (3) solicitors/investigative firms nominating two (2) applicants each).

SCHEDULE 1

First	Last	Company	Hourly Rate preliminary	Hourly Rate investigative	Business Status
Matthew	Rodgers	MR Business Solutions	\$77	\$99	Sole Trader
Graham	Church	TianandDi Pty Ltd (Hornsby)	\$88	\$110	Company
Fayez	Nour	Fayez Nour (Edensor Park)	\$140 (ex)	\$155 (ex)	Company
Chris	Gallagher	Chris Gallagher (Bateau Bay)	\$150 (ex)	\$200 (ex)	Sole Trader
Lee	Downes	Investigation Associates Australia (Liverpool)	\$175	\$200	Company
Peter	Mulhall				
Jerome	McClintock	McLintock Lawyers Dungog	\$180	\$240	Sole trader
Gina	Vereker	Big Dog Planning Pty Ltd	\$198 (incl)	\$242 (incl)	Company

First	Last	Company	Hourly Rate preliminary	Hourly Rate investigative	Business Status
Mark	Pigram	TQC Solutions (Westmead)	\$200 (inc)	\$240 (ex)	Not supplied
Andrew	Fletcher	Andrew Fletcher Consulting (Bathurst)	\$200 (ex)	\$200 (ex)	Sole trader
Shane	Boyd	Internal Audit Bureau of NSW (Darlinghurst)	\$200-220 (ex)	\$200 (ex)	NSW Government Entity
Norman	Mann	Norman Mann (Bathurst)	\$222 (inc)	\$222 (inc)	-
Monica	Kelly	Prevention Partners	\$230 (ex)	\$230 (ex)	Sole Trader
Bruce	Clarke	Allygroup Pty Ltd (Sydney CBD)	\$230	\$230	Company
Jason	Masters	Allygroup Pty Ltd (Sydney CBD)	\$230	\$230	Company
Greg	Waters	MMS Pty Ltd (Sydney)	\$240 (inc)	\$240 (inc)	Company
Jennifer	Hilmer	Jennifer Hilmer (Mosman)	\$230 (ex)	\$230 (ex)	Not supplied
Kathy	Thane	Train Reaction Pty Ltd (Balmain)	\$240 (ex)	\$250 (ex)	Company
Greg	Wright	Wright Associates (Picton)	\$240 (ex)	\$240 (ex)	-
Robyn	Bartlett	Robyn L Bartlett	\$275	\$295	Sole Trader
Kath	Roach	Sinc Solutions (Glebe)	\$280 (ex)	\$260 (ex)	Company
Kelvin	Kenney	O'Connor Marsden & Associates (Sydney CBD)	\$285 (ex)	\$285 (ex)	Company
Paul	Crennan	Crennan Legal (Bathurst)	\$350 (ex)	\$350 (ex)	Company
Jennifer	Wyborn	Meyer Vandenberg Lawyers	\$495	n/a	P/ship
Greg	Brackenreg	Meyer Vandenberg Lawyers (Sydney CBD)	\$495	\$2400/day	P/ship

A meeting of OROC members subsequently appointed a group to determine which applicants would be suitable to be on the Panel of Conduct Reviewers based on how those applicants addressed the criteria as advertised. The group comprised Dubbo

City Council's General Manager, Mark Riley, Narromine Shire Council's General Manager, Greg Lamont, OROC Executive Officer, Belinda Barlow and Dubbo City Council's Manager Administrative Services, John Etccl.

This group met to review each application based on the following core services and additional requirements as advertised by OROC when Expressions of Interest were called:

- An understanding of local government.
- A demonstrated experience in, and knowledge of, investigative processes including, but not limited to, procedural fairness requirements and the requirements of the Public Interest Disclosures Act 1994.
- An understanding of the Model Code of Conduct for Local Councils in NSW 2013 and Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2013 and other relevant applicable Legislation including but not limited to the Local Government Act 1993.
- Knowledge and experience of one or more of the following: law, investigations, public administration, public sector ethics, or alternative dispute resolution.
- Not precluded from eligibility as a "conduct reviewer" under Clause 3.6 of the Procedures for Administration of the Model Code of Conduct for Local Councils in NSW 2013.
- Independence and freedom from contractual arrangements in relation to local councils in the OROC region.
- The ability to prepare a report to Councils on the investigations, findings and recommendations.
- The ability to provide the service at a high standard, which reflects value for money.
- The ability to communicate effectively and work in partnership with officers of Council.
- The ability to provide flexibility and availability of time whenever an assessment or investigation as required.
- The ability to travel throughout the OROC region, the Councils of Bogan, Bourke, Brewarrina, Cobar, Coonamble, Gilgandra, Narromine, Walgett, Warren, Warrumbungle and Dubbo City being the constituent councils of OROC.

Following consideration by the group, based on the above criteria, the following were considered to be appropriate appointees to the Panel of Conduct Reviewers:

SCHEDULE 2

First	Last	Company	Hourly Rate preliminary	Hourly Rate investigative	Business Status
Chris	Gallagher	Chris Gallagher (Bateau Bay)	\$150 (ex)	\$200 (ex)	Sole Trader
Lee	Downes	Investigation Associates Australia (Liverpool)	\$175	\$200	Company
Peter	Mulhall				

First	Last	Company	Hourly Rate preliminary	Hourly Rate investigative	Business Status
Mark	Pigram	TQC Solutions (Westmead)	\$200 (inc)	\$240 (ex)	Not supplied
Andrew	Fletcher	Andrew Fletcher Consulting (Bathurst)	\$200 (ex)	\$200 (ex)	Sole Trader
Norman	Mann	Norman Mann (Bathurst)	\$222 (inc)	\$222 (inc)	Sole Trader
Monica	Kelly	Prevention Partners	\$230 (ex)	\$230 (ex)	Sole Trader
Kathy	Thane	Train Reaction Pty Ltd (Balmain)	\$240 (ex)	\$250 (ex)	Company
Greg	Wright	Wright Associates (Picton)	\$240 (ex)	\$240 (ex)	Company
Kath	Roach	Sinc Solutions (Glebe)	\$280 (ex)	\$260 (ex)	Company
Kelvin	Kenney	O'Connor Marsden & Associates (Sydney CBD)	\$285 (ex)	\$285 (ex)	Company
Paul	Crennan	Crenna Legal (Bathurst)	\$350 (ex)	\$350 (ex)	Company

Issues

It is reasonable to say that each of the applicants who submitted their Expression of Interest may be capable of undertaking the tasks associated with the role of a Code of Conduct Reviewer. However, the group reviewed the applications separately and collectively in a subjective manner and eliminated some applicants based on their responses or lack of responses to the above criteria.

It is now recommended that those applicants listed in Schedule 2 above be appointed the Cobar Shire Council Panel of Conduct Reviewers under Council's adopted Code of Conduct.

Legal Situation

Section 440, Local Government Act 1993.

Policy Implications

There are no policy implications arising from this report.

Financial Implications

Should the Panel meet and/or one (1) of the members act as a sole reviewer, there will be costs incurred by Council. Funds are available in Council's Governance Function for this purpose.

Risk Implication

Nil.

Options

Council does not necessarily need to adopt the recommended list of Conduct Reviewers. However, Conduct Reviewers must be established in accordance with Part 3 of the new Procedures.

RECOMMENDATION

That the persons listed in Schedule 2, as contained in this report, be appointed as members to Cobar Shire Council Panel of Conduct Reviewers and/or act as sole reviewers.

**CLAUSE 7A – PLANT REPLACEMENT – SIDE TIPPER TRAILER
INSURANCE ACQUISITION REPORT**

FILE: P3-7

AOP REFERENCE: 3.3.2.6

ATTACHMENT: NO

AUTHOR: *Director of Engineering Services, Peter Graf*

Purpose

To provide Council with a report on the overrun costs associated with the acquisition of a side tipper trailer from the insurance claim and to seek approval for further funding.

Background

Under Clause 202 of the Local Government Regulations (General) 2005 the responsible officer of Council must report any material variations to estimates to the “next meeting of Council”.

One of Council’s side tippers was damaged resulting in an insurance claim. The unit was ultimately written off and Council received an insurance pay out. The pay out was insufficient to replace the vehicle.

Issues

The figure is not included in the budget as we were intending on getting the money from insurance.

Legal Situation

There are no legal implications.

Policy Implications

There are no policy implications.

Financial Implications

The insurance payout figure is \$68,500 whereas the cost of purchasing a new side tipper trailer is approximately \$120,000. This would require Council to pay an additional \$51,500 to secure the purchase of a new machine. Funding would be available from the carry over to 2013/2014 of \$135,000 for the purpose of the water trailer and road train dolly.

This would mean that most probably a second hand water trailer will be purchased and set up which is a reasonable scenario.

Risk Implication

There are no risk implications.

Options

1. Replace the side tipper trailer given Council have insurance funds to use. This is the preferred option;
2. Not replace the side tipper and hire a unit when needed.

RECOMMENDATION

That Council approve the overrun of \$51,500 for the purchase of a replacement new side tipper trailer using some of the funds allocated for the water trailer and road train dolly.

CLAUSE 8A – RAW WATER STANDPIPE

FILE: W2-1

AOP REFERENCE: 5.1.2.3

ATTACHMENT: NO

AUTHOR: *Services Manager, Mr Timothy Wark*

Purpose

The purpose of this report is to outline to Council the necessity in changing the current charging (billing) process of the raw water out of the stand pipe just off the Hillston Road (near the Rugby Union Oval).

Background

Current outside contractor process

The contractor will come into the Council administration office to purchase the raw water, they pay up front the amount for the raw water they wish to purchase.

The contractor is given a docket clearly displaying the amount of raw water that they have purchased and subsequently paid for and are provided with a contact number for the delegated Council Officer that will unlock the stand pipe for them to access their purchased raw water.

The next step is the contractor will contact the delegated Council Officer to unlock the stand pipe, when the Council Officer arrives on site to unlock the standpipe the Council Officer will take possession of the docket, fill the truck and stay on site to relock the padlock after the filling of water truck.

Deficiencies in this process are;

- Council Officers can be called at times outside normal Council hours of work (labour costs, overtime penalty rates);
- The Council Officer is often called at times during heavy workloads etc, so there is a tendency for the Council Officer to leave the site straight after unlocking the padlock asking the contractor to re-lock the padlock after the purchase, and this is proven to not be occurring as regularly the padlock is not relocked or dummy locked (water unaccountability);
- The whole process is very Council Officer intensive (front administration staff, Services staff etc) from start to finish (labour costs);
- There is no capacity to cover water loss/spillage during the filling process (water unaccountability);
- Contractors have in the past been provided with keys to the standpipe so there is no definitive answer on how many keys may be in circulation (water unaccountability);
- The Council Officer may forget to take docket so the docket potentially is able to be utilised again (water unaccountability).

Current internal charging (Council roadwork's etc) process

The ganger of the roadwork's project (for example) keeps a tally sheet of how many loads of raw water are used at the work site daily, this can be both Council water trucks and outside contractor water trucks (working on Council roads).

This tally paperwork is kept for a full fortnight then handed into the Rates Officer for billing purposes.

Deficiencies in this process are;

- This system is very heavily reliant on the accuracy of the ganger and because the grader operator is usually the ganger there is the potential that all loads may not be tallied as he may be in a different section of the work site to the water truck operators or deep in concentration, for example final trimming works (water unaccountability);
- It is very Council Officer intensive (ganger, operators, rates officer etc) from start to finish (labour costs);
- Sometimes water truck operators may be dropping water at different locations so inaccurate job costing could occur (misallocation of charges);
- Multiple water truck operators could be operating out of the same work site so there is a tendency to leave the padlock unlocked for the next operator then the last operator may not realise he is the last fill of the day and therefore does not lock the padlock at the end of the day. The stand pipe then becomes accessible to anybody (water unaccountability);
- There is no capacity to cover water loss/spillage during the filling process (water unaccountability).

Both of these processes are proving to be very inefficient as it has been proven that at least 50% of the water that is removed from the stand pipe is unaccounted for. With 12.5ML being extracted annually on average from this stand pipe utilising the 2013 – 2014 adopted fees and charges this would cost Council approximately \$11,875 in lost income.

Options

Council has two options to consider;

Option 1

Council can leave both the current outside contractor and internal charging process for the purchasing of raw water the same knowing the inefficiencies that this process will present, or

Option 2

Council can install a flow meter touch pad system. This system would be excellent with the end result being that not one litre of water would be unaccounted for.

It would work quite simple for outside contractors they would simply have to come into the Council Administration Centre once and fill relevant paperwork out to gain a pin number. Every time that pin gets entered for a period of a month they will be

invoiced for the total amount of water extracted for that period. If the contractor chooses to give their pin out they do that at their own peril because they will be charged for the water.

This system will also work well for internal usage, Council would be able to create pin numbers for certain projects and certain work crews this would make job costing very accurate in regards to water usage on Council work sites.

The cost for this system would be approximately \$7,000 so essentially it would pay for itself within a 7 month period.

RECOMMENDATION

That Council approve the purchase and installation of a flow meter touch pad system for the raw water stand pipe off the Hillston Road.

CLAUSE 9A– DETERMINATION ON STATUS OF MT GAP ROAD

FILE: SR7-1

AOP REFERENCE: 4.3

ATTACHMENT: NO

AUTHOR: *Works Manager, Kingsley Page*

Purpose

To make a final determination on the status of Mt. Gap Road.

Background

The Department of Primary Industries (DPI) has been conducting a program called “The Legal Roads Network Project – Public Roads and Easements in the Western Division”.

A dedicated public road will define the route of legal access and allow for the removal of the lease condition that refers to the use of tracks by any person. This will limit access and provide greater security in the management of the property as well as providing surety of access to the general public.

Crown Lands Division of NSW Department of Trade & Investment, Far West Region have been systematically terminating roads that end within properties at the their relevant boundary.

Mt. Gap Road is one such road in the Western Division that has never been formally dedicated as a public road. The last 11.5 kilometres that was within the Mt. Gap Station property boundary was determined by the Department of Primary Industries to not be classed as a public road but instead an “Easement for Access”.

The current owners of Mt. Gap Station, Mr and Mrs Bourke strongly contested this notion and were adamant that the existing road segment within their property should become a public road and along with the rest of the road remain a Shire Road. The Bourke’s took public access at the Council Meeting on 25 July 2013.

A Workshop was held on the 8 August 2013 following the Council Committee Meeting to consider additional information regarding the status of Mt Gap Road.

Issues

At the Workshop it was mentioned that other affected properties except one, had signed up with the Crown Lands Division of NSW and they have also accepted that the roads will end at their relevant boundaries and not within the property.

Legal Situation

Mt Gap Road is affected by the latest Amendments to the Western Lands Act 1901 and if it becomes a public road it will then come under the Roads Act 1993, No. 33.

Policy Implications

There are no policy implications.

Financial Implications

Council's Shire Road funding would cover this new road dedication for the full length.

There will be further survey costs to cover the Department of Primary Industries staff in re-doing the survey and plans for this segment of road.

Risk Implication

There are no risk implications.

Options

1. The first option is to accept Mr and Mrs Bourke's request that the existing road segment within Mt. Gap Station should be a dedicated public road and therefore become a Shire Road.
2. The second option is to accept the Department of Primary Industries determination that roads that end inside a property should be terminated at the relevant boundary and added to the Roads Register. The remainder of the road that is within the property's internal portion then becomes an "easement of access".

RECOMMENDATION

- 1. That Mt. Gap Road within Mt. Gap Station shall be dedicated a public road and remain on the Roads Register as a Shire Road.**
- 2. That Mr & Mrs Bourke be required to pay the additional survey costs.**
- 3. That Mr and Mrs Bourke are to be advised of Council's decision.**

CLAUSE 10A – ROAD CAPITAL WORKS PROGRAM 2013/2014

FILE: R5-15, R5-16 AOP REFERENCE: 4.3.1 ATTACHMENT: YES (PAGE 52)

AUTHOR: Works Manager, Kingsley Page

Purpose

To confirm the Road Capital Works Program for 2013/2014.

Background

Council as part of the 2013/2014 Annual Operation Plan (AOP) approved the following funding for works on Regional and Shire Roads:

- Roads & Maritime Services (RMS) Repair Program MR7518
52 Mile Road (Tilpa Rd); \$400,000

- MR7518 from Block Grant 52 Mile Road (Tilpa Rd). \$400,000
Council's contribution to match RMS Repair Program - 50/50 joint
funding. Works are to be carried out from 12.3 km to 18.3 km measured
from intersection with Barrier Highway (HW8) going towards Tilpa.
Reconstruction to provide 9m formation width with 7m seal and 200mm
gravel overlay of existing gravel road, including drainage works.

- (Remaining Regional Roads funds for Operational needs is \$1,185,000).

- Council Special Rate Variation (SRV) \$376,000
Comprising:
 - Resealing \$200,000
 - Gravelling Shire Roads \$176,000

- Shire Roads Joint Funding for Roads to Recovery \$82,050
Council has been required to contribute its part towards all projects
that were nominated to R2R that would be joint funded and this is the
remaining amount required to fulfil that requirement.

- Shire Roads Funding for R2R Becker/Bathurst/Monaghan Streets \$42,562
Council contribution from Shire Roads funds to complete works.

- Remaining Funds from Roads to Recovery Program (2013/2014) \$421,723

- Roads to Recovery – carry over (AOP \$262,000) \$319,842

SR23 (\$57,182) was a carry over from 2011/2012 R2R program that received no works during the 2012/2013 period and has now been added to the 2013/2014 program.

Issues – Proposed Program

The following program is considered appropriate to ensure an even spread of work and also reduce significant maintenance problem areas.

Roads to Recovery Schedule of Proposed Projects for Shire Roads

SR26 – Wilga Road road sealing (R2R) \$221,723
Gravel and seal approximately 2 kilometres of rural road. This will extend the length of sealing for this road. This road is the main route to Council’s prime aggregate supply in Byrock and fits in with the long term strategy to ultimately change this road into a regional road.

SR12 – Yathong Road gravelling (R2R) \$200,000
Supply, spread, and compact 150 mm of crushed gravel to the surface of the road, in conjunction with a maintenance grade of the road.

Total **\$421,723**

R2R Schedule for Unfinished Projects (carried forward funds)

SR23 – Booberoi Road gravelling (R2R) \$57,182
Supply, spread and compact 150 mm of crushed gravel to the surface of the road, in conjunction with a maintenance grade of the road.

SR9 – Neckarbo Road rehabilitation (R2R) \$100,000
Drainage work will be undertaken to allow the creek to return to its natural flow line. Additional re-enforcement of the floodway is required to maintain roadway integrity.

SR7 - Mt Gap Road causeway stabilization (R2R) \$49,707
Construct concrete and rock stabilized causeways with appropriate cut off walls. Further works are required to complete the remaining causeways.

Becker St/Bathurst St/Monaghan St, asphalt reformation (R2R) \$155,515
Comprising:
R2R contribution from 2012/2013 (carryover \$112,953)
Excavate base and replace base works with gravel, reconstruct, and overlay and reseal damaged intersections. This project was commenced in 2011/2012 with the resealing of the parking area on Marshall Street and a price has been obtained to complete the remainder of the work in the adjacent streets as soon as the Caltex Service Station refurbishment work nears completion.
Includes R2R c/f of \$319,842 plus council to contribute \$42,562 from Shire Roads funds in order to complete works.

Total **\$362,404**

Proposed Works with Special Rate Variation (SRV) Funds

Cobar Streets Reseals (SRV) \$50,000
Pavement reconstruction of various streets in Cobar town centre. The location of the most urgent work is still to be confirmed.

Shire Roads Reseals (All) – resealing and shoulder works (SRV) \$150,000
Resealing damaged segments, urgent pot holing and repairing shoulder drop-offs. The location of the most urgent work is still to be confirmed.

Total **\$200,000**

SR17 – Merri Road gravelling for 7.0 km (SRV) \$75,000
Re-establish table drains, channels and rebuild the pavement with ridge gravel. This road is in a much neglected state as a lot of vehicles use the table drain instead of the carriageway.

SR18 – Bruce Cullenward Drive gravelling for 8km (SRV) \$80,000
Re-establish table drains, channels and rebuild the pavement with ridge gravel. This road receives a lot of trucks from the south-west area as it is the main route to Condobolin.

SR44 - Old Reservoir Road, gravelling for 1.3 km (SRV) \$21,000
Re-establish table drains and rebuild pavement with ridge gravel. A lot of vehicles including tourists use this road to go out to the Old Reservoir and Rifle Range.

Total **\$176,000**

RECOMMENDATION

That the following Roads Capital Works Program be adopted:

- **MR7518 Barrier Highway / Tilpa Road Repair Program 2013/2014** **\$800,000**
- **SR23 – Booberoi Road R2R 2011/2012** **\$57,182**
- **Shire Roads R2R Joint Funding Contribution 2013/2014** **\$82,050**
- **Becker Street / Bathurst St / Monaghan St** **\$155,515**
(Comprising R2R 2012/2013 carryover \$112,953 and Shire Road Funds \$42,562 2013/2014)
- **SR26 – Wilga Road Sealing R2R 2013/2014** **\$221,723**
- **SR12 – Yathong Road Gravelling R2R 2013/2014** **\$200,000**
- **SR9 – Neckarbo Road Rehabilitation R2R 2013/2014** **\$100,000**
- **SR7 – Mt Gap Road Causeway Stabilization R2R 2013/2014** **\$49,707**
- **Cobar Streets Reseals SRV 2013/2014** **\$50,000**
- **Shire Roads Reseals (all), pot holing / shoulder works SRV 2013/2014** **\$150,000**
- **SR17 – Merri Road Gravelling SRV 2013/2014** **\$75,000**
- **SR18 – Bruce Cullenward Drive gravelling SRV 2013/2014** **\$80,000**
- **SR44 – Old Reservoir Road gravelling SRV 2013/2014** **\$21,000**

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

There were no Complying Development Applications approved under delegated authority for the period 18 July 2013 – 14 August 2013.

The value of Complying Development approvals for 2013/2014 to date is Nil.

The value of Complying Development approvals for the similar period in 2012/2013 was \$48,780.00

Local Development Approvals

There were no Local Development Applications approved under delegated authority for the period 18 July 2013 – 14 August 2013.

The value of Local Development approvals for 2013/2014 to date is \$87,200.00

The value of Local Development approvals for the similar period in 2012/2013 was \$2,035,500.00

Construction Certificates

The following Construction Certificates have been approved under delegated authority for the period 18 July 2013 – 14 August 2013.

CERTIFICATE NO.	ADDRESS	DESCRIPTION
2013/CB-00027	16 Annies Lne, Cobar	Pergola
2013/CB-00023	Terramia Stn, Cobar	Shed

RECOMMENDATION

That the information detailing the Local Development and Construction Certificate approvals for the period 18 July 2013 – 14 August 2013 be received and noted.

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

ATTACHMENT: NO

AUTHOR: *General Manager, Gary Woodman*

COUNCIL RESOLUTIONS 24 SEPTEMBER 2009				
NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
1	Council – Clause 2B – The Wool Track Project	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.

COUNCIL RESOLUTIONS 28 APRIL 2011				
NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
14	Committee of the Whole Closed Council – Clause 1C – Cobar Caravan Park Business Development Strategy	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

			<p>Following successful acquisition of the above land, classify this land as Operational under the Local Government Act 1993.</p>	<p>Government in regard to acquisition. Finalisation of purchase processes will not be undertaken until funds are confirmed in a Council budget.</p> <p>Will be undertaken at time of acquisition.</p>
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COUNCIL RESOLUTIONS 23 JUNE 2011

NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
28	Committee of the Whole Closed Council – Clause 3C – Plant and Equipment Utilisation Improvement Report	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	ACTION BY	ACTION REQUIRED	OUTCOME
30	Finance & Policy Committee – Report 2A – Cemetery Maintenance – Set Up of a Cemetery Committee under Section 355, Local Government Act 1993	DCCS/HRO	That Community Members of the Cemetery Committee receive appropriate volunteer training.	Arrangements in train.
47	Council – Clause 4B – Project Status Report	DPES	Investigate the costings for acquiring the land at the end of the Old Bourke Road around to the New Bourke Road, the Old	Initial report provided to the October 2011 Committee Meeting.

			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	Industrial Strategy to be determined.
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COUNCIL RESOLUTIONS 25 AUGUST 2011

NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
61	Council – 3A – Lower Macquarie Water Utilities Alliance (LMWUA) Agreement	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	ACTION BY	ACTION REQUIRED	OUTCOME
87	Council – Clause 4A – Land Acquisition – Cobar Caravan Park Lot 317 in DP755649	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’.

COUNCIL RESOLUTIONS 22 MARCH 2012

NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
157	Council – Clause 10A – Dalton Park Racecourse – Consideration of Fees and Licences	DPES / 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.	Action Plan instigated for implementation of resolution.
158	Council – Clause 11A –	DPES / LMO	That the General Manager be authorised to negotiate	Action Plan instigated for

	Bathurst Street Reserve (R64199) – Consideration of Fees for Licences		a licence term of up to seven (7) years but no less than two (2) years with the Cobar Tennis Club.	implementation of resolution.
161	Council – Clause 14A – Cobar Scout/Guide Hall – 2 Brennan Street – Donation	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 agreement.</p> <p>Review further donations annually.</p> <p>Provides written advice to the Army Cadets and Girl Guides of the donation and all conditions.</p>	Action Plan instigated for implementation of resolutions.
162	Council – Clause 16A - Liquid Trade Waste Policy – Costs and Implementation Method	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	ACTION BY	ACTION REQUIRED	OUTCOME
177	Council - Clause 7A – Nymagee Old School Community Centre	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.	Draft Licences Agreement has been sent to Nymagee Progress Association and Council Officers have met with Association to provide further information.
194	Committee of the Whole Closed Council - Clause 4C – Sale of Land	GM / LMO	<p>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.</p> <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;</p>	<p>Further Councillor workshop strategies planning for land in concern held on 9 August, 2012.</p> <p>Currently no interested party.</p>

			<p>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; 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	ACTION BY	ACTION REQUIRED	OUTCOME
219	Council – Clause 8A – Road Closure – Corner of Murray and Blakey Street, Cobar	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</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</p>

			<p>the road.</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 the land be acquired as operational land pursuant to the provisions of Section 31 of the <i>Local Government Act 1993</i>.</p>	<p>with DPI.</p> <p>Follow up has been occurring with providers of submissions and now waiting on response from Crown Lands.</p>
COUNCIL RESOLUTIONS 23 AUGUST 2012				
NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
234	Council – Clause 7A – Festival of the Miners Ghost	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	DPES	<p>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.</p> <p>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.</p>	Action plan instigated for implementation of resolutions.
COUNCIL RESOLUTIONS 27 SEPTEMBER 2012				
NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
254	Council – Clause 21A – Application for Exemption – Pavement Concession and Future	DES / WM	That representations and submissions be provided to Commonwealth Ministers and Agencies in seeking 100% funding for the essential pavement upgrading works that are required to be able to handle larger	Action plan instigated for implementation of resolution.

	Maintenance of Cobar Regional Airport		aircraft as that proposed by Brindabella Airlines at Cobar Regional Airport.	
COUNCIL RESOLUTIONS 25 OCTOBER 2012				
NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
266	Council – Clause 7A – Exhibition Draft – Cobar Local Infrastructure Contributions Plan 2012	DPES / LMO	That a submission and delegation be made to the Minister for Planning that appropriate changes be made to Planning and Environmental Legislation to allow Councils to receive appropriate development contributions for community infrastructure provision and ongoing operational costs from Part 4 development applications.	Action plan instigated for implementation of resolution.
COUNCIL RESOLUTIONS 13 DECEMBER 2012				
NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
304	Council – Clause 8A – Dalton Park Racecourse (D630019) Reserve Trust	DPES / LMO	That Council acting as Trust Manager for the Dalton Park Racecourse (D630019) Reserve Trust, resolve to affix the Trusts seal to the licence agreements for the following organisations and individuals: <ul style="list-style-type: none"> • Mrs C and Mr S Griffiths • Mr K L Buckman (now Sharon Whitehurst). • Cobar Pony Club. • Cobar Miners Race Club. • Cobar Rodeo Committee. 	Action plan instigated for implementation of resolution – Griffiths, Whitehurst, Cobar Pony Club, Cobar Miners Race Club, complete. Rodeo Committee at present not prepared to sign licence agreement.
305	Council – Clause 9A – Bathurst Street Reserve (D64199) Reserve Trust	DPES / LMO	That Council acting as Trust Manager for the Bathurst Street Reserve (R64199) Reserve Trust, resolve to affix the Trusts seal to the licence agreement for the Cobar Tennis Club.	Action plan instigated for implementation of resolution – Payment has been made, awaiting documentation.
307	Council – Clause 12A – Plant Replacement	GM / WM	That the Plant Replacement Program be altered to provide for the purchase of one only 34,000 litre	Rescission Motion reported again to the April 2013 Council

	Program, Proposed Purchase of 34,000 Litre Water Tank Trailer in lieu of Side Tipper Trailer		trailer road tanker in lieu of the side tipper trailer. 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.	Meeting which was lost. Action plan instigated and implemented of original resolution.
311	Committee of the Whole Closed Council – Clause 1C – Tenders for the Supply and Delivery of One Rubber Tyred Roller	GM / WM	That Council not accept any Tender for the supply and Delivery of one Rubber Tyred Roller on the basis that both tenders were non – compliant. That under Regulation 178 (3) (e) of the Local Government Act 1993, the General Manager be authorised to enter negotiations with the suppliers of Rubber Tyred Road Rollers and negotiate an agreement to purchase on favorable terms and in accordance with the specification. The reason this action is proposed is that the tenders as submitted do not meet the specification relating to unballasted weight and this is seen by Council to be an important factor in extending the periods between grading on its rural road network. That on reaching an agreement a further report be submitted to Council for its consideration and approval.	Rescission Motion reported to the April 2013 Council Meeting which was not resolved. Appropriate report expected to be provided to the September 2013 Council Meeting.

COUNCIL RESOLUTIONS 28 FEBRUARY 2013

NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
337	Council – Clause 16A – Dalton Park Racecourse (D630019) Reserve Trust	DPES / LMO	That Council acting as Trust Manager for the Dalton Park Racecourse (D630019) Reserve Trust, resolve to affix the Trusts seal to the licence agreements for Ms Sharon Whitehurst.	Licence signed, paid for and insurance received – No further action required.

343	Council – Clause 22A – Proposed Hangar Construction and Lease of Plant of Land at Cobar Regional Airport by Sullivan’s Mining and Hardware	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>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>Action plan instigated for implementation of resolutions.</p> <p>Action plan instigated for implementation of resolutions.</p> <p>Expressions of interest advertising will be delayed until result of Resources for Regions EOI known.</p>
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COUNCIL RESOLUTIONS 28 MARCH 2013

NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
350	Finance and Policy Committee – Notice of Motion – Management of the Youth and Community centre	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 result of Resources for Regions EOI known.
362	Committee of the Whole Closed Council - Clause 3C – Consideration of RMS Agency Agreement	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	ACTION BY	ACTION REQUIRED	OUTCOME
372	Council – Clause 9A – Crime Prevention CCTV System for Cobar	GM	That a minimum three (3) month community consultation program be commenced that requests community input and public submissions on the support for or not of the installation of a Crime Prevention CCTV system for Cobar and that an appropriate report be provided back to Council after the completion of the consultation program.	Appropriate report provided to the August 2013 Council meeting – No further action required.
380	Committee of the Whole Closed Council – Clause 1C – Notice of Rescission Motion – Consideration of Tourism Cost Centre	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.

COUNCIL RESOLUTIONS 23 MAY 2013

NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
384	Works Committee – Report 1A - Road Capital works Program - SR9 Neckarbo Road	DES/CM	That investigations be undertaken into determining whether Sandy Creek can be cleared downstream of the Neckarbo Road crossing as a way to reduce the level of sand build up at the location and if this is possible the 2012/2013 Roads to Recovery funding remainder be spent undertaking this work with savings to be made where possible.	Investigations completed and required work will be undertaken within the budget for the project – Appropriate report provided to the August 2013 Council Meeting – No further action required.

COUNCIL RESOLUTIONS 27 JUNE 2013

NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
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395	Council – Clause 4A – Inaugural Local Government NSW Annual Conference	GM/COUNCILLORS	<p>That the Mayor, Deputy Mayor and General Manager be authorised to attend the inaugural Annual Conference of the Local Government NSW to be held in Sydney 1-3 October 2013 and the Seminar of the Western Division Councils of NSW to be held in Sydney also, on the 30 September 2013, and that all costs associated with attendance be met from within the relevant budget allocation.</p> <p>That Councillors detail appropriate advice to the General Manager at the June 2013 Council Meeting on 3-5 issues of importance and appropriate solutions that can be forwarded to the Local Government NSW for inclusion in the business sessions of the 2013 Local Government NSW Annual Conference.</p> <p>Note: An appropriate resolution will be put to the Conference in regards to requesting the State Government to have a bounty on fox skins similar to the Victorian model.</p>	Registration arranged – No further action required.
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397	Council – Clause 7A – Payment of Expenses for Provision of Facilities to the Mayor and Councillors Policy	HRO	That the draft Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy be placed on public exhibition for a minimum of 28 days. That Council consider at the October 2013 Council Meeting, the draft Provision of Facilities to Mayor and Councillors Policy along with any submissions received following the public exhibition period.	Draft Policy Exhibited – No further action required. Report to be provided to the October 2013 Council Meeting.
406	Committee of the Whole Closed Council – Clause 1C – Potable Water Charging at Dalton Park Horse Complex	DCCS/RO	That Council creates an assessment for each licence holder at Dalton Park Horse Complex and apply the three tiered Potable Water Usage Charges as per Council's Schedule of Fees and Charges, noting that this is consistent with the Licence Agreement.	Assessment for individual licence holders arranged including advice on the changed charge structure – No further action required.

COUNCIL RESOLUTIONS 25 JULY 2013

NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
411	Committee of the Whole Closed Council – Clause 1C – Review of Council's Organisation Structure and Workforce Plan	GM	That Council adopts the Organisation Structure which appears as an attachment to this report and the Workforce Plan. A report comes to council setting out the employee positions (current) in conjunction with the Q1 Review.	Organisation structure distributed - No further action required. Appropriate report expected to be provided by the November 2013 Council meeting.
412	Committee of the Whole Closed Council – Clause 2C	GM	That a full report be brought to the next Council Meeting in regards to the four	Report provided to the July 2013 Council Meeting with a report also

	– Matter of Urgency – Industrial Relations Issues		(4) Industrial Relations issues that have been heard in the past month. The report needs to include full detail and an itemized description of proceedings to the next Council Meeting with a report also being submitted to next Committee of the Whole Closed Council Meeting.	submitted to Committee of the Whole Closed Council – No further action required.
413	Works Committee – Report 2A – Review of Community Enhancement Program	SPO	That Council adopts the draft Community Enhancement Program.	Community Enhancement Plan distributed - No further action required.
414	Works Committee – Report 2B – Engineering Works Report	DES/GM	Write to our State and Federal Members of Parliament and also RMS seeking support to reduce the speed limit in the main street to 40 km per hour. Seek special funding for all highways within the Cobarr Shire Council identified as “high risk hotspots”.	Letter sent to Peter Dearden, Kevin Humphries MP, and Mark Coulton, MP – No further action required. Action plan instigated for implementation of resolution.
415	Council – 5A – Code of Meeting Practice	GM	That the draft Code of Meeting Practice which is included in the attachment to this report be placed on public exhibition for a period of not less than 28 days pursuant to Section 361 of the Local Government Act 1993.	Draft Policy on Exhibition. Expect appropriate report to be provided to the September 2013 Finance and Policy Committee meeting.
416	Council – 7A – 2013 Statewide Mutual Risk Management Conference – The Local Government Risk Management Conference	HRO	That one delegated Council employee attends the 2013 Local Government Risk Management Conference.	Attendance arrangements finalised – No further action required.
417	Council - Clause 8A – Projects Carried Forward as at 30 June 2013	DCCS/MFA	That the schedule of capital and operational items above be carried forward to be included in the budget for	Action plan instigated for implementation of resolutions.

			the 2013/2014 financial year.	
418	Council – Clause 9A – Fourth Quarterly Review of the Annual Operational Plan 2012-2013	SPO	That Council receives and endorses the fourth quarterly review of the 2012-2013 Annual Operational Plan covering the period April to June 2013.	Noted - No further action required.
419	Council – Clause 10A – Proposed NSW Grain Harvest Management Scheme (GHMS) – 2013/2014	WM	That Cobar Shire Council supports the approval of permits to operate large vehicle combinations on Council’s local roads including the nominated overweight tolerances provided that basic safety requirements are met. 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 letter provided to Transport NSW - No further action required. Action plan instigated for implementation of resolution.
420	Council - Clause 12A – Notice of Motion – Status of Truck Wash at Fort Bourke	DES/WM/SPO	That Council seeks grant funding and/or financial partners when available to construct a truck wash suitable for the rural and industrial heavy traffic which operates in and around Cobar.	Appropriate report expected to be provided to the September 2013 Committee meetings.
421	Council – Clause 13A – Notice of Motion v- “Wishlist” to the Federal Government	GM	That Council prepare an agenda which details its “wish list” from the Federal Government and actively seeks an appointment to present it to all candidates in the coming Federal Election. Lists from Councillors to be presented to General Manager prior to the August Committee Meeting, items from lists should form as part of the community forum funding.	Workshop held 8 August 2013 after the Committee Meetings with Councillor Wish List items finalised. Appropriate advice to be provided to all appropriate candidates in the Federal Seat of Parkes – No further action required.

422	Committee of the Whole Closed Council – Clause 1C – Industrial Relations Matters	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 – follow up report to be determined.
423	Committee of the Whole Closed Council – Clause 3C – Expressions of Interest for Lease of the Town Hall Cinema	DPES	That Council leases the cinema to the Western Studio of Performing Arts as per their expression of interest submission. That a letter be sent to COOSH advising that their EOI has been unsuccessful and their submission has been discussed.	Action plan instigated for implementation of resolution. Appropriate letter sent – No further action required.
424	Committee of the Whole Closed Council – Clause 4C – Notice of Recession Motion – Matter of Urgency – Lease of 53 Linsley Street, Cobbar – Dr Indra’s Surgery	GM	Further discussions be held to create a Council Policy regarding all Commercial lease rates on all Council properties provided for medical related services. That a discussion be held at the August Workshop and that the current commercial rent on all relevant properties remains in place until such a policy is formed.	Action plan instigated for implementation of resolution. Appropriate workshop held after the August 2013 Committee Meetings – No further action required.

RECOMMENDATION

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

CLAUSE 3B – MEETING MINUTES

FILE: L5-4-3 AOP REFERENCE: 3.1 ATTACHMENT: YES (PAGE 53-57)

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 – Held at Bourke Shire Council - 5 July 2013.

RECOMMENDATION

That the minutes of the meeting of the OROC Meeting be received and noted.

CLAUSE 4B – DISCLOSURE OF INTEREST – COUNCILLORS AND DESIGNATED PERSONS

FILE: C12-3

AOP REFERENCE: 3.1

ATTACHMENT: NO

AUTHOR: *General Manager, Gary Woodman*

Background

The Annual Disclosure of Interest Returns in accordance with Section 449 of the Local Government Act 1993 for Councillors and Designated Persons have been completed for the period 1 July 2013 to 30 June 2014.

These documents are tabled and will be held in Council's records.

RECOMMENDATION

That Council note the Annual Disclosure of Interest Returns for Councillors and Designated Persons for the period 1 July 2013 to 30 June 2014.

CLAUSE 5B – CRIME PREVENTION CCTV SYSTEM COMMUNITY CONSULTATION REPORT

FILE: C8-16 AOP REFERENCE: 1.6.2 ATTACHMENT: YES (PAGE 58-63)

AUTHOR: *Special Projects Officer, Angela Shepherd*

Purpose

To report the results of the community consultation undertaken in regards to installation of a CCTV project in Cobar.

Background

In April 2013, Council considered a report on the installation of a CCTV system in Cobar to reduce crime levels in the CBD and in Council's parks and gardens (attached). At that meeting, Council decided to undertake a community consultation program to determine if there was adequate support for the installation of the CCTV system and for a further report to be provided to Council.

This consultation was undertaken during May, June and July 2013, with public advertisements and a representation made to the Cobar Business Association as a key stakeholder. During this time, Council also applied for federal grant funding to undertake a project to install 45 cameras and associated equipment in the CBD, Drummond Park, Ward Oval, the cemetery and Fort Bourke (under their crime prevention program). The outcome of this grant process is unknown – however a key assessment criteria was having undertaken the community consultation.

Council received three written responses:

- The Cobar Business Association;
- The Copper City Mens Shed;
- A private individual – Mrs Lisa Lee.

The Cobar police also provided very positive verbal comment on the project at the quarterly Community Crime Precinct meeting.

Issues

In summary, all three submissions supported having a CCTV system installed if it would reduce crime in town. The Copper City Mens Shed has been the victim of a number of break-ins at Ward Oval (as have other groups there) so they are particularly keen to have something done. Mrs Lee was also supportive of having CCTV installed in other children playground areas (I believe she is referring to the Dalton Park playground in Goold St) if CCTV is an effective tool to reduce vandalism and graffiti. The Business Association do not want the project to be a drain on Council's resources or those of individual businesses but support it in the CBD and Ward Oval. The three submissions are attached.

Legal Situation

A recent challenge to the validity of CCTV systems in NSW has been settled and legislative changes have been made to ensure that CCTV systems are a lawful way of collecting information and evidence to prevent crime.

Policy Implications

Council will not pursue CCTV systems unless they are fully funded through grants and further investigations on the on-going maintenance of such a system is costed.

Financial Implications

Nil at this stage.

RECOMMENDATION

That Council receives and notes the outcomes of the community consultation regarding a proposed CCTV system for Cobar.

ATTACHMENTS



ORDINARY MEETING AGENDA

THURSDAY 22 AUGUST 2013

~ REFERENCE TO ATTACHMENTS ~

PART A – ACTION

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