

COBAR SHIRE COUNCIL



ORDINARY MEETING AGENDA

THURSDAY 26 JUNE 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 22 May 2014
 - Finance and Policy Committee Meeting – Thursday 12 June 2014
 - Works Committee Meeting – Thursday 12 June 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. Matters of Urgency
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~ 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 26 June 2014 (5:00pm)	Council Meeting	Councillors/Senior Staff/ Community
Thursday 10 July 2014 (5:00pm)	Committee Meetings	Councillors/Senior Staff/ Community
Thursday 24 July 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 June 2014.

**CLAUSE 2A – CASUAL COUNCILLOR VACANCY COBAR SHIRE
COUNCIL REPORT**

FILE: E2-3-5

AOP REFERENCE: 3.2

ATTACHMENT: NO

AUTHOR: *General Manager, Gary Woodman*

Purpose

To advise of resignation of a Cobar Shire Council Councillor and the process required to fill the casual Councillor vacancy by a by-election using the NSW Electoral Commissioner.

Background

It is with regret to advise that Councillor Pamela Smith resigned as a Councillor effective 23 May 2014, due to business and personal reasons. Councillor Smith advised that she could not dedicate the time needed for Councillor affairs.

A by-election to replace Councillor Smith must be undertaken.

Issues

In accordance with Section 291 of the Local Government Act 1993 if a casual vacancy becomes available in a civic office the vacancy is to be filled by a by-election.

The by-election is to be held on a Saturday that is fixed by the Electoral Commissioner and that falls no later than three months after the vacancy occurs.

Unfortunately, following advice from the NSW Electoral Commission a by-election must be held to fill the casual Councillor vacancy and Council is not in the position to use an operable Section 224A of the Local Government Act 1993 (currently not operable) to reduce its number of Councillors as that particular section of the Act, only allows Council to reduce its number at the next full election and in between time Council must fill its number of Councillors to the current level of twelve (12).

Arrangements are in train for the conduct of the required by-election by the NSW Electoral Commissioner on Saturday, 23 August 2014.

Advice has been received from the NSW Electoral Commission that an appropriate resolution is required for the engagement of the NSW Electoral Commissioner to administer the required by-election.

Legal Situation

Part 5: Local Government Act 1993 Sections 291, 292 and 296.

Policy Implications

Nil.

Financial Implications

It would be expected that if a full by-election is undertaken it will cost Council of the order of \$30,000. If an election is not required if only one nomination is received it would still cost Council of the order of \$15,000. The actual cost of the by-election will need to be catered for in a Q1 Quarterly Review of the 2014/2015 Budget.

Options

Unfortunately Council is not in the position to be able to not have a by-election to fill the casual Councillor vacancy and is not in the position to undertake the administration of the by-election by itself.

RECOMMENDATION

- 1. That Council note with regret the resignation as a Councillor of Pamela Smith effective 23 May 2014.**
- 2. That Cobar Shire Council resolves pursuant to section 296(2) and (4) of the *Local Government Act 1993* (NSW) that:**
 - An election arrangement is to be entered into for the Electoral Commissioner to administer the upcoming Cobar Shire Council by-election to fill the casual vacancy occurring by reason of the resignation of Pamela Smith; and**
 - Such electoral arrangement will be entered into by contract between the Electoral Commissioner and the Council.**

**CLAUSE 3A – NSW WATER SUPPLY AND SEWERAGE PERFORMANCE
MONITORING REPORT**

FILE: W2-1, S3-1 AOP REFERENCE: 4.1.4.1, 4.4.3.3 ATTACHMENT: NO

AUTHOR: *Services Manager, Wayne D. Mills*

Purpose

The purpose of this report is to provide information on Cobar Shire Council's performance in delivering Water Supply and Sewerage Services within the period of 2012/2013.

Background

Performance monitoring and benchmarking is a key requirement under the National Competition Policy and the National Water Initiative, it is important for public accountability and has been strongly endorsed by the NSW Independent Pricing and Regulatory Tribunal and the Productivity Commission. Performance monitoring is also a key requirement of the NSW Best Practice Management of Water Supply and Sewerage Guidelines which drive the NSW Best Practice Management Framework.

Cobar Shire Council's Performance Report Results

WATER SUPPLY

Cobar Shire Council achieved 90% compliance with Best Practice requirements. The typical residential bill was \$992 which was well above the state wide median of \$540. The economic real rate of return was 2.6% (last year 0.8%) which was greater than the statewide median (0.7%) The operating cost per property was \$867 (last year \$600) which was well above the state wide median of \$410. Water quality complaints recorded were 11 per 1,000 properties (last year 13.3 per 1,000 properties) which were well above the state wide median of 3. Compliance with microbiological water quality was 100%, physical compliance was 100% and chemical compliance was 100%. Current replacement cost of system assets is \$26m (\$10,800 per assessment). Cash and investments were \$1.0m, debt was nil and revenue was \$2.6m (excluding capital works grants).

Listed below are the key actions required by Cobar Shire Council to address following the 2012/2013 Water Supply Performance Report.

- Address and ensure a decrease in water quality complaints. This will be achieved by improved operation and maintenance procedures, associated with the water supply treatment and reticulation. These improvements will be greatly assisted by the recent installation on monitoring equipment and if successful in securing additional funding that allow for the inclusion of additional monitoring equipment and resources.

SEWERAGE

Cobar Shire Council achieved 78% compliance with Best Practice requirements. The typical residential bill was \$310 (previous year \$300) which was much less than the state wide median of \$625. The economic real rate of return was negative -0.6% (last year -1.8%) compared to the statewide median of 0.6%. The operating cost per property was \$190 (last year \$221) was much less than the state wide median of \$430. Sewerage odour complaints 0 were less than the state wide median of 0.7. Council complied with all the requirements of the environmental regulator for effluent discharge. The current replacement cost of system assets is \$17m (\$9,500 per assessment), cash and investments were \$1m, debt was nil and revenue was \$0.6m and Council reported no public health incidents.

I have listed below the key actions required by Cobar Shire Council to address the 2012/2013 Sewerage Performance Report.

- Address Best Practice Management requirements and introduce Non-Residential Sewer user charges;
- Adjustment of Typical Residential Bill as currently it is \$310 lower than the state wide median of \$625 an increased in 2014/2015 Fees and Charges.

Overall Cobar Shire Council has performed very well as indicated in the Water Supply and Sewerage Performance Reports in 2012/2013.

Council is moving in the right direction towards Best Practice compliance and this is expected during the 2013/2014 period, following the necessary data and information is forwarded to NSW Office of Water demonstrating appropriate non-residential sewerage charges.

RECOMMENDATION

That information contained in the 2012/2013 NSW Water Supply and Sewerage Performance Monitoring Report be received and noted.

CLAUSE 4A - INTERNAL AUDIT OPTIONS

FILE: A12-4

AOP REFERENCE: 3.1.4

ATTACHMENT: NO

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

Purpose

To advise Council of impending options to appoint an internal auditor at the conclusion of the Luka Group's term on 30 June 2014.

Background

The Luka Group are providing the lead function as Council's internal auditor. Year ended 30 June 2014 is the final year of a three year term. The approximate cost of the twice yearly visit and reports is \$24,000 p.a.

The Luka Group have been recently re-appointed as external auditor to Council. It is unusual for the same firm/ person to hold both appointments and at a purist level is seen as a conflict. The lack of firms interested when the Internal Audit was put out to tender was seen as sufficient to justify the one firm holding both roles.

A review of the effectiveness of the various internal audit arrangements within the OROC Group of Councils has concluded that by pooling funds and seeking a person with specialist Local Government skills a more robust internal audit may be performed, certainly, Cobar Shire Council's senior management are of the view that the present program is not delivering a major contribution to the financial health and governance of the Council.

It is proposed to seek a professional with Local Government specific knowledge and skills who, by performing the internal audit function on member Councils will be able to enhance the knowledge flow amongst those Councils. The internal audit would be able to extend beyond the traditional areas of internal audit and extend to Local Government specific issues such as plant costs, overall risk management, governance including delegations etc.

The proposed funding model allows approximately twenty days of time per member Council rather than the current six which this Council receives.

The enhanced approach would still be consistent with Council's charter and guidelines.

A number of options were considered by OROC but conceptually are based on Councils pooling their current budgets to engage a specialist to act as internal auditor for each member. This would generate approximately \$250k p.a. which would allow a salary and employment cost to the order of \$160k. It is further proposed to form an 'executive committee' to oversee the program. This would provide the link between all of the individual internal audit committees.

The linking could be enhanced by having a common independent chair and other committee member across all Councils. This would require a fee of \$30k from the funding. The balance of the funding would be consumed by operational costs such as travel and accommodation and possibly an honorarium for the further community member.

The review has considered negative arguments and these included whether the proposed remuneration is sufficient to attract an appropriate candidate and whether relying on one person is a sound strategy. The senior management believes that the concept is worth developing for two reasons:

The existing program ceases on 30 June 2014 and the reappointment of the Luka Group should be avoided if possible to eliminate them holding both internal and external audit roles.

If the concept can be developed it will add much value to the internal audit for no incremental cost.

However, it is also recognised that there are some issues yet to be overcome and the model may take further time to develop or may not proceed. For this reason it is recommended that flexibility be accommodated in Council's resolution.

RECOMMENDATION

- 1. That Council support in principle the formation of an OROC member pooled approach to its internal audit function.**
- 2. That a further report be brought to Council when the model is finalised or if it is not finalised by 31 October 2014 the Luka Group be invited to extend their participation for a further year, pending further evaluation of Council's internal audit function.**

CLAUSE 5A – MATERIAL DIFFERENCES IN INCOME AND EXPENDITURE FORECASTS AS PER REGULATION 202

FILE: L5-22

AOP REFERENCE: 3.1.1.5

ATTACHMENT: NO

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

Purpose

To advise Council of two line items which are materially different from the estimates contained in the Budget.

Background

Regulation 202 of the Local Government (General) Regulation 2005 requires Council's Responsible Accounting Officer to report to the next meeting of Council where an instance arises "that the actual income or expenditure is materially different from its estimated income and expenditure".

Two material amounts are required to be reported:

- 1) The 2013/2014 Budget includes \$200,000 grant for the Skate Park. This will not be received until 2014/2015. Council will not be cash negative on this capital project as it will not commence until the 2014/2015 Financial Year.
- 2) The recent Federal Government budget has made no allowance for an early payment of Financial Assistance Grants. This first occurred in the 2008 financial year as a component of the Labour Government's reaction to the Global Financial Crisis.

Since 2008 either one quarter or two quarter's grants have been paid in late May or early June of the year prior to their intended expenditure. Australian Accounting Standards require that such monies be reported as income in the year in when they are received and not the year that the grant is applicable for.

This is accommodated by treating the monies received early as *Restricted Cash*. As at 30 June 2013 the schedule of restricted cash included \$2.044m for Financial Assistance Grants received as prepayments. The amount received in 2013/2014 will be \$979k less than budget.

The timing factors of these two revenue sources will impact the reported deficit significantly (\$1.179k) but have no impact on the "underlying operating deficits after excluding capital grants and contributions".

RECOMMENDATION

That the material differences in capital income and Financial Assistance Grants received when compared to the adopted estimates be noted.

CLAUSE 6A – DEBTORS TO BE WRITTEN OFF

FILE: P8-3, A5-3, B2-4 AOP REFERENCE: 3.1.1.2 ATTACHMENT: NO
AUTHOR: *Manager Finance & Administration, Neil Mitchell*

Purpose

For Council to approve writing off debts which have been determined as unrecoverable.

Background

In December 2013 Brindabella Airlines and related companies went into liquidation. Much effort was made to keep Council's exposure as low as possible, as is evidenced when comparing Cobar Shires unpaid creditor amount to other Local Government bodies there is an outstanding amount of \$50,710.32. Due to the large number of unsecured creditors and staff leave entitlements, there appears little hope of receiving any substantial amount.

A resolution is now required to write off this unrecoverable debt.

The amount was factored into the Q3 Budget Review.

RECOMMENDATION

That Council write off the unrecoverable debt of Brindabella Airlines in the sum of \$50,710.32 as detailed within the Report.

CLAUSE 7A – ECONOMIC TASKFORCE

FILE: D2-17 AOP REFERENCE: 2.1 ATTACHMENT: YES (PAGE 65-67)

AUTHOR: *Special Projects Officer, Angela Shepherd*

Purpose

To accept the Community Representative nomination as a member of the Economic Taskforce.

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”.

Council called for nominations for the position of community representatives and accepted Peter Abbott’s nomination. Council again advertised for interested community representatives to come forward and nominate during April and May.

Issues

Council has received one nomination for the position of community representative - Ms Heather Christie. Her nomination is attached. She is interested in diversifying the business base and building employment opportunities.

Under the Terms of Reference, the Taskforce - an advisory group to Council – should have two community representatives. Ms Christie’s nomination will fill the current vacant position.

Financial Implications

There are no financial implications to filling the vacant position.

Risk Implication

Nil.

RECOMMENDATION

That Council accepts the nomination of Ms Heather Christie to the Economic Taskforce.

**CLAUSE 8A – PUBLICATION GUIDE – GOVERNMENT INFORMATION
(PUBLIC ACCESS) ACT 2009**

FILE: A2-6-2 AOP REFERENCE: 3.1.5.2 ATTACHMENT: YES (PAGE 68-88)

AUTHOR: *General Manager, Gary Woodman*

Purpose

To report on a review of the Publication Guide in accordance with the Government Information (Public Access) Act 2009.

Background

Council at its meeting on the 27 June 2013 adopted an amended version of the Publication Guide in accordance with the Government Information (Public Access) Act 2009 as Policy of the Council.

Council must review its Publication Guide at least once every twelve (12) months.

Issues

There has been no problems implementing the requirements of the Publication Guide over the past twelve (12) months.

Legal Situation

Government Information (Public Access) Act 2009.

Policy Implications

Only minor amendments have been made to the existing Policy to bring the new draft to be in accordance with legislative changes, current policies and processes, etc.

Financial Implications

Nil.

Options

The current Publication Guide has been reviewed and only minor amendments to correct information have been undertaken.

It is considered appropriate for Council to adopt as Policy the amended Publication Guide as attached.

RECOMMENDATION

That Council adopts the Publication Guide dated 26 June 2014 as the current Policy of Council.

CLAUSE 9A – PROPOSAL BY THE DEPARTMENT OF PLANNING AND ENVIRONMENT TO ESTABLISH DRAFT REGIONS FOR GROWTH PLANNING IN NSW

FILE: T5-3 AOP REFERENCE: 1.1 ATTACHMENT: YES (PAGE 89-108)

AUTHOR: *General Manager, Gary Woodman*

Purpose

To obtain Council input on any required submission concerning the recently released NSW draft regions for growth planning in NSW.

Background

The NSW Government through the Department of Planning and Environment has released new draft regions for growth planning in NSW. The Government says taking a fresh look at regions for growth planning allows them to consider how best to support growth and change across NSW and deliver new Regional Growth Plans in the most efficient way.

Attached is a copy of the new 'Draft Regions for Growth Planning NSW – What it Means for You'. The State has been split into 10 Regions with the Cobar Shire Council area being part of the Far West Region along with Bourke Shire, Brewarrina Shire, Broken Hill City, Central Darling Shire, Walgett Shire, Balranald Shire, Wentworth Shire Council Areas and the Unincorporated Area.

The Areas were supposedly determined based on evidence relevant to strategic planning including:

- Spatial patterns of population growth and migration;
- Relationships between major regional centres and neighbouring communities;
- The cross-border influence of adjacent regions in other states and territories;
- Shared economic, social and environmental opportunities and challenges;
- Current and long- standing working relationships between neighbouring local government areas; and
- Information and evidence from the Independent Local Government Review Panel.

The Far West Region certainly looks like an area determined by the Independent Local Government Review Panel for the Far West Regional Authority. Council would consider that there has been no evidence shown that this area was relevant particularly to Cobar Shire Council.

Within the attached document there are some questions to consider:

1. How well do you think your community fits within the proposed regional grouping?
2. Do you think we have the right number and division of regions?
3. Do these regions strike the right balance between the need for big picture planning for the region and the specific local needs of communities?

-
4. Do you think this new approach to Regional Growth Plans will encourage communities to become more involved in regional planning?
 5. What opportunities or challenges do you think these new regional groupings may provide?

The Department of Planning and Environment is consulting with local councils across New South Wales on the draft regions for growth planning, noting that partnering with local government is vital to effectively plan for our towns, cities and regions.

The paper indicates that Local Government will be central to the development and delivery of Regional Growth Plans.

A series of seminars has been scheduled to enable the further explanation of the concept with the Far West Regional Seminar being held in Wentworth on the 24th June and another scheduled for Dubbo for Orana Central West on the 19th June.

The timing of the seminars has not been ideal for Council and with that in mind the Regional Manager of the Department of Planning and Environment has been asked if the Department is able to convene an additional seminar in this area, probably Bourke and to also have in attendance one of the demographers who may provide an insight into the compilation of the population projections.

Submissions are due in relation to the proposed Regions on 25 July 2014 so it is hoped that the requested meeting will be held prior to this date.

Legal Situation

Nil.

Policy Implications

Council's submission to the Independent Local Government Review Panel was clear that the Cobar Shire Council area focussed on being part of the Orana Region not the Far West Region with absolutely no affinity with the Broken Hill area. It is considered that the Cobar Shire Council area is in the Orana Region of NSW.

I believe that Cobar Shire Council should be in its own Region, the Orana Region, most probably an eleventh Region, separate to Central West.

Financial Implications

No significant financial implications are identified at this stage.

Risk Implications

Nil.

Options

Council has the option of not providing any submission or input.

RECOMMENDATION

- 1. That Council note the proposal establishment of new Regions for Growth Planning in NSW by the Department of Planning and Environment.**
- 2. That Council review the proposal groupings of Councils with a view to ensuring that the grouping in which Cobar Shire Council Area is located reflects both a community of interest between members and suits the community of Cobar Shire, most probably the Orana Region not the Far West Region.**
- 3. That Council prepares a submission to the Department of Planning and Environment detailing the thoughts and discussions held on the proposed Regions.**

CLAUSE 10A – DETERMINATION OF FEES PAID TO MAYOR AND COUNCILLORS

FILE: C12-2

AOP REFERENCE: 3.1.5

ATTACHMENT: YES

(PAGE 109-119)

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

Purpose

To determine fees payable to the Mayor and Councillors for 2014/2015 in line with the Local Government Remuneration Tribunal's Report.

Background

Section 248 of the Local Government Act 1993 requires that:

- 1) *A council must pay each councillor an annual fee.*
- 2) *A council may fix the annual fee and, if it does so, it must fix the annual fee in accordance with the appropriate determination of the Remuneration Tribunal.*
- 3) *The annual fee so fixed must be the same for each councillor.*
- 4) *A council that does not fix the annual fee must pay the appropriate minimum fee determined by the Remuneration Tribunal.*

Cobar Shire Council currently pays the following annual fee as adopted in June 2013:

Mayor - \$22,314.25 p.a. monthly in arrears;
Councillor - \$10,219.25 p.a. monthly in arrears.

The Tribunal has determined that an increase of 2.5% effective 1 July 2014 is appropriate.

The attachment to this report details the determination for all category Councils.

For Cobar Shire Council which is a Category 4 - Rural Council, the determination levels are as follows:

	Councillor Annual Fee		Mayor (Additional)		Total Mayor Fee	
	Min \$	Max \$	Min \$	Max \$	Min \$	Max \$
Category 4 - Rural	8,130	17,930	17,310	39,110	25,440	57,040

Applying a 2.5% increase to the current amount paid results in the following amounts.

Mayor - \$22,872.11 p.a.
Councillor - \$10,474.73 p.a.

Financial Implications

The recommended changes are within the budgets provided in the 2014/2015 Estimates.

RECOMMENDATION

That the Councillor's fees are set at \$10,474.73 per annum and the Mayor's fee is set at \$22,872.11 per annum, all paid monthly in arrears for the twelve months commencing 1 July 2014.

**CLAUSE 11A – UNREGULATED FREE CAMPING IN THE COBAR SHIRE
AND THE AFFECTS ON THE COBAR CARAVAN PARK**

FILE: P1-1, C1-2

AOP REFERENCE: 2.2.3.1

ATTACHMENT: YES

(PAGE 120-227)

AUTHOR: *General Manager, Gary Woodman*

Purpose

The purpose of this report is to provide Council with details of what is currently happening in relation to unregulated free camping in the Cobar Shire, the effects on the Cobar Caravan Park and information in relation to both sides of the argument in relation to the economy particularly of Cobar and its businesses.

This should then allow Council to provide appropriate direction on the matter.

Background

On Thursday, 12 June 2014 ten (10) RV's/ Caravans camped at the Newey Reservoir (Crown Land) and a further ten (10) RV's/ Caravans were camped at the Cornish Rest Area. On this day/ night Cobar Caravan Park was at 45% capacity.

At the Newey Reservoir at least one RV/ Caravan set up was discharging their waste into the Newey Reservoir. These RV/ Caravaners were provided appropriate warning of this illegal activity and advice was given to the other (9) RV/ Caravaners.

At the Cornish Rest Area the ten (10) RV/ Caravans were spread through the area and in particular off the pavement on the grassed/ gravel areas. Also at the location were numerous B-Double and Road Train Truck combinations.

Council is aware that camping on crown reserves such as the Newey Reservoir and Old Reservoir is illegal. Following the installation of signage concerning this matter in 2012 Council considered a full report in August 2012 which is attached together with all relevant correspondence, emails, position papers, etc from relevant persons at the time. Council subsequently resolved 'that the signs that have recently been erected at the Newey and the Old Res be removed'.

On 30 May 2014 John and Karen Dineen, the leasees of the Cobar Caravan Park advised that he had undertaken a count of vans for the past three (3) nights at the Cornish Rest Area and that the count was as follows:

- 28 May 2014 – 14;
- 29 May 2014 – 10;
- 30 May 2014 – 7 by 4:30pm.

And, that there was a further 15 vans at the Meadowglen Rest Area on the Barrier Highway.

The Dineens advised that for the Cornish Rest Area Vans, if they had stayed at the Cobar Caravan Park it meant an income of $31 \times \$35 = \$1,085$ and income to Cobar Shire Council of \$55 in just those three (3) nights. It is believed that those vans would

not have driven on at that time of night. The Cobar Caravan Park occupancy at the time was less than 55%.

Also attached is a copy of a Position Paper 'Commercial verse Non-Commercial Camping – April 2014 – Cobar' produced by John and Karen Dineen.

Attached is the Cobar Caravan Park Site Occupancy Details comparing 2012 to 2013. The Dineens are saying that the drop in occupancy is directly attributed to 'free camping' sites in the Cobar Shire.

Attached are further photographs of the camping at the Cornish Rest Area and signs that could be erected by the RMS to deter camping in Rest Areas such as Cornish, Meadowglen and Florida.

Attached is a copy of Council's 'Amended Letter of Understanding for the RV Friendly Town Scheme at Cobar'. Contained within this agreement is that long-term parking will be provided for self-contained motorhomes, campervans and caravans at the Cornish Rest Area and short term overnight parking (24 hours) in the parking area adjacent to the Great Cobar Heritage Centre. This agreement was a continuation of a similar agreement arranged when the RV Friendly Town Scheme and Status for Cobar was arranged.

If Council changes the status of the Rest Area in regard to long and short term parking (24 hours) through any request to the RMS Cobar may lose its RV Friendly Town Status. However Cobar Shire Council would still be providing the following:

- Street parking adjacent to the shopping precinct (Drummond Park Carpark and Lewis Street and the parking areas across from the Great Cobar Heritage Centre);
- Free dump point that is fully accessible including Saturdays, Sundays and Public Holidays;
- Water tap near dump point for flushing after use and filling.

The Cobar Community also provides 7 days per week supermarkets and fuel, pharmacy facilities and health services.

Attached are the following:

- Position Paper – Councils competing with Local Small Business Operators, 2013 – Caravan and Camping Industry Association of NSW and Manufactured Housing Industry Association of NSW;
- Cobar Caravan Park Reviews, April 2014;
- 17 October 2013 Letter from the Caravan and Camping Industry Association NSW that details position papers and NSW Planning Circular PS 10-019 – Illegal Camping.

On 24 April 2014 Mr John Dineen presented to Council's Economic Taskforce on free camping in the Shire and the economic impact on businesses and the Council. Attached is a copy of the Economic Taskforce Minutes that details the Dineen's position.

On the otherhand there is an alternate argument that free camping is beneficial to the businesses of an area. Attached is a presentation produced by the Campervan and Motorhome Club of Australia – ‘RV Travellers – Busting the Myths’ together with a survey conducted by a member of the public who approached free campers at the free sites around Cobar asking a series of questions based on why they chose to ‘free camp’ and what they had spent or intended to spend in Cobar businesses while camping here. Please note the qualifications.

Issues

The effect of unregulated free camping can have adverse environmental impacts. The current example is the size that the Rest Areas in the Cobar Shire are starting to become as campers look for more secluded locations away from other campers, the sites just get bigger and bigger. The discharge of waste into water bodies is also of particular concern.

The community appears divided on whether unregulated camping (free camping) is a positive or a negative social outcome. There have also been incidences of where there is conflict between truck drivers (particularly refrigerator type and animal carrier type trucks/ trailers) and RV/ Caravaners due to noise and odours.

Tourists are obviously very important to the Cobar Shire economy and each option will have an economic impact that is difficult to quantify.

Council represents the community and needs to demonstrate leadership on this difficult issue.

Legal Situation

- Local Government Act 1993 particularly Sections 68 and 78;
- Crown Lands Act particularly Trust Manager’s responsibilities and Section 155;
- Environment Planning and Assessment Act, 1979;
- Cobar LEP 2012;
- SEPP 21 Caravan Parks;
- Local Government (Manufactured Home Estates, Caravan parks, Camping Grounds and Moveable Dwellings) Regulation 2005;
- Crown Lands Regulation 2006;
- Crown Lands Policy 2010 – The Use of Crown Reserves for Operating Caravan Parks and Camping Grounds;
- Department of Planning Circular PS10-D19.

Policy Implications

The NSW Governments’ position is quite clear, they do not support camping on unserviced public land at the expense of the private operators of caravan and camping facilities.

Financial Implications

If Council determines to enforce legal requirements concerning unregulated camping there will be costs associated with reinstalling signage at the Newey Reservoir, Old Reservoir and other locations. Eventually there would be costs associated with enforcement.

The RMS would be responsible for the installation costs of required signage in Rest Areas.

There may be a chance that Council will receive increased income from higher usage of the Cobar Caravan Park.

Financial Implications

Lack of enforcement will see a continuation of unregulated free camping. Council risks criticism from competing community interest groups and businesses.

The RMS has signed all its Rest Areas along the Pacific Highway to be 'No Camping'. It is expected that the same will eventually happen on other State Highway networks within NSW.

Options

Option 1 – Do Nothing.

This option means exactly that. Council would not enforce camping restrictions on reserves under its control or ask the RMS to take appropriate action on locations under its control (All Rest Areas) and thus allow the continuation of the present free ad hoc and unregulated camping to all and sundry.

Pros:

- May entice travellers to stop in the Cobar Shire and spend in the local economy.

Cons:

- Strongly against current State Government Policy;
- May put at risk Council's contractual arrangements for the Cobar Caravan Park and revenue stream;
- Does not comply with Competition Policy Guidelines;
- Random overnight parking at locations particularly those around Cobar reflects poorly on the overall look and feel of the Cobar Shire as a tourist destination;
- Difficult to enforce other rules and regulations on reserves if no camping is not enforced.

Option 2 – Enforce the Current Statutory Position

This option would require the installation of signage by both Council (Crown Land Trust and Council Controlled Sites) and the RMS and then the enforcement of camping restrictions.

Pros:

- Would over a period of time remove illegal campers from reserves;
- Complies with State Government Policy;
- Complies with Competition Guidelines;
- Provides a level playing field for those engaged in the accommodation industry.

Cons:

- Adverse publicity, attacking Council and the Cobar Shire in general for not being tourist/ traveller friendly;
- Possible loss of income to local economy if less travellers stay overnight;
- As Council receives some income from Cobar Caravan Park, could be seen as a way of increasing revenue by forcing travellers to pay to stay.

RECOMMENDATION

- 1. That Council address the issue of illegal camping on reserves and other locations under its control including the Newey Reservoir and other Locations such as the Drummond Park Car Park by the installation of appropriate signage and the appropriate enforcement.**
- 2. That signage be installed within Cobar Shire detailing what facilities Cobar Shire Council and the community has provided to be RV Friendly such as a free dump point and water flushing and filling tap at the Great Cobar Heritage Centre and parking adjacent to the shopping precinct, 7 day per week supermarkets, fuel, pharmacy facility and health services.**
- 3. That the RMS be requested to install ‘No Camping’ signage on all Rest Areas within the Cobar Shire Area as soon as practical to address the extensive illegal unregulated use of the facilities for free camping.**
- 4. That the NSW Government be asked to show leadership on the unregulated camping issue and put in place clear legislation/ regulations that will resolve this issue State wide.**
- 5. That the neighbouring Councils and other Councils in the Orana Region be advised of Cobar Shire Council’s decision on the unregulated free camping issue and that they be asked to instigate a similar program to ensure there is a level playing field in the area and for both privately and Council owned Caravan Parks in the area.**
- 6. That the appropriate Industry Association and the Media be advised of Council’s decision in relation to the addressing of illegal free camping in the Cobar Shire Area.**

**CLAUSE 12A – AUSTRALIAN INSTITUTE OF BUILDING SURVEYORS
ANNUAL STATE CONFERENCE**

FILE: S1-5-1

AOP REFERENCE: 3.3.2

ATTACHMENT: NO

AUTHOR: *Manager Planning and Environmental Services, Stephen Poulter*

Purpose

The purpose of this report is to provide information to the Council about the 2014 Australian Institute of Building Surveyors Annual State Conference which is to be held on Monday 21 July 2014 – Tuesday, 22 July 2014 at Dockside, Cockle Bay, Darling Park, Sydney and to seek approval for an appropriate employee to attend. The theme of this year's conference is '*Moving with Change*'.

Background

This report details the relevance of the attendance at the Conference and the costs and recommendations for appropriate attendance. The Annual State Conference is designed to provide learning and networking opportunities for practicing building surveyors.

The Conference Program includes topics covering:

- The role of Council in Certification and Regulation;
- Complying Development;
- Certification vs Building practices;
- Impact on Climate Change on Building Design;
- Design Assessment for Natural Forces;
- Disciplinary Options.

Issues

This Conference is important as it provides the opportunity to keep up to date with changes to building certification, building regulation, Legislative and Building Code changes and State Government proposals that would likely have an impact on Councils roles as building certifier and regulator.

On the 1 March 2010, NSW State Government required Building Surveyors employed by local councils to be accredited pursuant to the Building Professionals Act. This accreditation needs to be renewed once a year. To satisfy the accreditation body (NSW Building Professionals Board) that each accredited building surveyor meets certain professional standards, each building surveyor needs to complete a certain number of hours of specific professional training, known as continuing professional development (CPD) points.

Following the need for local council building surveyors to be accredited and to accrue a certain number of CPD points, the NSW Local Government (State) Award 2010 was amended to include requirements that reasonable costs associated with maintaining accreditation are met by the Council (Cl. 14 (xv) of the Award).

By attending this Conference, the attendee will obtain 12 CPD points.

The key areas that will be addressed at the Conference which will be beneficial to the attending delegate would be:

- Changes to Building Regulation;
- Interpretations of Building Law Requirements;
- Professional Ethics;
- Maintenance of Fire Safety Equipment;
- New building techniques, common issues and building materials.

Financial Implications

Registration costs are \$805.00 (incl. GST) per delegate. Accommodation costs will be met by the attendee.

Costs are provided for in Council's 2014/2015 Planning and Environment Services Department Training/ Conferences Budget.

RECOMMENDATION

That approval is given to Council's Manager Planning and Environmental Services to attend the 2014 Australian Institute of Building Surveyors Annual State Conference in Sydney on 21 and 22 July 2014.

CLAUSE 13A – PUBLIC EXHIBITION OF THE DRAFT MANAGEMENT PLAN LOT18 DP213415

FILE: A2-7-22

AOP REFERENCE: 4.4.2.4

**ATTACHMENT: YES
(PAGE 228-239)**

AUTHOR: Land Management Officer, Heather Holder

Purpose

For Council to resolve to hold a public hearing and publically exhibit the Draft Management Plan for Lot18 DP213415 for a period of 28 days with the period for submissions being 42 days.

Background

This Plan of Management applies only to Lot 18 of DP213415; being owned by Cobar Shire Council and classified as “community land”. This land forms part of the Cobar Golf Course operated by the Cobar Bowling & Golf Club Ltd and includes a natural drainage line along the entire eastern edge of the land parcel.

The Draft Management Plan complies with all requirements of the *Local Government Act 1993* Section 36 for the preparation of Draft Management Plan.

Legal Situation

The *Local Government Act 1993* section 36(1) requires Council to adopt a plan or plans of management in respect of all public land classified as “community land”.

The *Local Government Act 1993* section 38 requires Council to give public notice of a Draft Management Plan.

The *Local Government Act 1993* section 39 requires Council to forward a copy of the draft plan to the person who owns or controls the land before public notice is given. Council staff held a meeting with Cobar Bowling & Golf Club and provided a copy of the draft plan prior to the Council meeting, which satisfies this requirement.

The *Local Government Act 1993* section 40A requires Council to hold a public hearing in respect of the Draft Management Plan.

Financial Implications

This Management Plan does not require any additional funding to implement.

This Management Plan allows for the issuing of licences or leases which requires the payment of fees, which will be determined by Council as part of the Annual Operational Plan Fees and Charges. The fees are to be consistent with licence or lease fees payable for similar community recreational facilities.

RECOMMENDATION

- 1. That Council resolve to publically exhibit the Draft Management Plan for Lot 18 DP213415 for a period of 28 days.**
- 2. That Council resolve to allow submissions to be received for a period of 42 days.**
- 3. That Council resolve to hold a public hearing about the Draft Management Plan for Lot 18 DP213415 at a suitable time.**

CLAUSE 14A – MAKING OF RATES AND ANNUAL CHARGES REPORT

FILE: L5-22

AOP REFERENCE: 3.1.1.1

ATTACHMENT: NO

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

Purpose

For Council to make general rates and annual charges for domestic waste management, water and sewerage services in accordance with the Local Government Act 1993.

Background

Sections 491 through 607 of the Local Government Act 1993 detail how Council may make rates and annual charges for various services.

At the 24 April 2014 Ordinary Council Meeting it was resolved to place the Draft 2013/2014 Annual Operational Plan that included the general rates and annual charges for domestic waste management, water and sewerage services rates on public exhibition for the required period in accordance with Section 532 of the Local Government Act.

On balance, the increase in the rates for 2014/2015 proposed is the rate peg of 2.3% with the burden spread evenly across all land categories.

RECOMMENDATION

- 1. That the Cobar Residential rate of 2.0500 cents in the dollar on all rateable Cobar Residential Land in pursuance of Section 516 Local Government Act 1993, be now made along with a minimum rate of \$475.00 for each assessment of land for financial year 2014/2015.**
- 2. That the Business Ordinary Rate of 1.9600 cents in the dollar on all rateable Cobar Business Land in pursuance of Section 518 Local Government Act 1993, be now made along with a minimum rate of \$500.00 for each assessment of land for the financial year 2014/2015.**
- 3. That the Cobar Business CBD Rate of 3.4500 cents in the dollar on all rateable Cobar Business CBD Land in pursuance of Section 518 Local Government Act 1993, be now made along with a minimum rate of \$500.00 for each assessment of land for the financial year 2014/2015.**
- 4. That the Cobar Farmland Rate of 0.3960 cents in the dollar on all rateable Cobar Farmland in pursuance of Section 515 Local Government Act 1993, be now made along with a base rate of \$302.00 for each assessment of land for the financial year 2014/2015.**
- 5. That the Village Residential Rate of 19.7500cents in the dollar on all rateable Village Residential Land in pursuance of Section 516 Local Government Act 1993, be now made along with a base rate of \$112.00 for each assessment of land for the financial year 2014/2015.**

-
6. That the Village Business Rate of 8.7000 cents in the dollar on all rateable Village Business Land in pursuance of Section 529 (2) (d) Local Government Act 1993, be now made along with a base rate of \$151.00 for each assessment of land for the financial year 2014/2015.
 7. That the Rural Residential Rate of 1.6500cents in the dollar on all rateable Rural Residential Land in pursuance of Section 529 (2) (b) Local Government Act 1993, be now made along with a minimum rate of \$475.00 for each assessment of land for the financial year 2014/2015.
 8. That the Mining - Gold Rate of 4.7600cents in the dollar on all rateable Mining - Gold Land in pursuance of Section 517 and 529 (2) (c) Local Government Act 1993, be now made along with a minimum rate of \$600.00 for each assessment of land for the financial year 2014/2015.
 9. That the Mining - Other Rate of 2.2550cents in the dollar on all rateable Mining - Other Land in pursuance of Section 517 and 529 (2) (c) Local Government Act 1993, be now made along with a minimum rate of \$600.00 for each assessment of land for the financial year 2014/2015.
 10. That the Domestic Waste Management Charge of \$208.00 on all properties within Council's Garbage Collection Area in pursuance of Section 496 of the Local Government Act 1993, be now made along with a charge on vacant land of \$97.50 for each assessment also a charge of \$12.25 per service per single additional Bin be made for the financial year 2014/2015.
 11. That the annual charge for waste management services which will apply to allow rateable assessments in the Cobar Shire during 2014/2015 of \$97.50 in pursuance of Section 501 of the Local Government Act 1993, within 5kms radius of the following locations: Euabalong Post Office, Euabalong West Public School, Nymagee Police Station, Mount Hope Hotel and Canbelego intersection of Edward and Coronga Streets.
 12. That a Cobar Sewerage Access Charge of \$320.00 on all lands rateable to the Cobar Sewerage Residential Area in pursuance to Section 539(1) of the Local Government Act 1993, be now made along with a charge of \$98 for each additional closets (including urinals) in excess of 3 connections and a zero water discharge charge for the financial year 2014/2015.
 13. That a minimum Cobar Sewerage Non- residential Charge of \$520.00 on all lands rateable to the Cobar Sewerage Commercial Area in pursuance to Section 539 (1) of the Local Government Act 1993, and Liquid Trade Waste Charges as per the Fees and Charges for the financial year 2014/2015.
 14. That a Cobar Water Supply Access Charge of \$233.00 on all connected Filtered Water Residential lands rateable to the Cobar Water Supply Area in pursuance to Section 539(1) of the Local Government Act 1993, and that connected Unfiltered Water be \$150.00, be now made along with the following: Unconnected \$233.00 and for the following connections: 32mm \$425.00, 40mm \$745.00, 50mm \$1,170.00, 80mm \$2,340.00, and 100mm \$2,880.00 in pursuance of the Local Government Act 1993, along with a Water Charge of 1kl up to 450kl, \$2.05 per kl, 451kl up to 550kl, \$3.00 per

kl and a above 551kl, \$3.90 per kl and Connected Raw Water at \$1.55 per kl be made for the financial year 2014/2015.

15. That a Cobar Water Supply Access Charge of \$338.00 on all connected Commercial lands rateable to the Cobar Water Supply Area in pursuance to Section 539(1) of the Local Government Act 1993, be now made along with the following : Unconnected \$338.00 and for the following connections: 32mm \$425.00, 40mm \$745.00, 50mm \$1,170.00, 80mm \$2,340.00, and 100mm \$2,880.00 in pursuance of the Local Government Act 1993, along with a Water Charge of 1kl up to 450kl, \$2.05 per kl, 451kl up to 550kl, \$3.00 per kl and a above 551kl, \$3.90 per kl be made for the financial year 2014 / 2015.
16. That a Nymagee Water Supply Access Charge of \$565.00 be applied to all 25mm connected properties in the Nymagee Water Supply Area and that all properties over 25mm connections be charged at \$1,050.00 per connection and that all unoccupied properties be charged at \$280.00 for each vacant land for the financial year 2014/2015 in pursuance of Section 539 (1) Local Government Act 1993.
17. That a Euabalong and Euabalong West Water Supply Access Charge of \$565.00 be applied to all 20mm connected properties in the Euabalong and Euabalong West Water Supply Area and that all properties over 25mm connections be charged at \$1,050.00 per connection and that all unoccupied properties be charged at \$280.00 for each rateable land for the financial year 2014/2015 in pursuance of Section 539 (1)Local Government Act 1993 .
18. That a Mount Hope Water Supply Access Charge of \$660.00 be applied to all 20mm connected properties in the Mount Hope Water Supply Area and that all properties over 25mm connections be charged at \$1,050.00 for each rateable land for the financial year 2014/2015 in pursuance of Section 539 (1) Local Government Act 1993.
19. That the interest rate for unpaid rates and charges be made at 8.5%, as advised by the Minister of Local Government, for the financial year 2014/2015.
20. That the interest rate for overdue water usage charges be made at 8.5%, for the financial year 2014/2015.

**CLAUSE 15A– 2014/2015 ANNUAL OPERATIONAL PLAN AND BUDGET
INCLUDING REVENUE POLICY AND FEES AND CHARGES**

**FILE: L5-22 AOP REFERENCE 3.1: ATTACHMENT: YES
(UNDER SEPARATE COVER)**

**AUTHOR: *Director of Corporate and Community Services, Kym Miller and
Special Projects Officer, Angela Shepherd***

Purpose

This report recommends that the 2014/2015 Annual Operational Plan and Budget including Revenue Policy and Schedule of Fees and Charges be adopted as required by the Local Government Act 1993.

Background

The 2014/2015 Annual Operational Plan and Budget including Revenue Policy and a Schedule of Fees and Charges was placed on public exhibition for the required period as per Council's resolution of the Ordinary Meeting of Council on 24 April 2014. A public meeting was held as a component of the consultation process during May.

Council received two submissions during the consultation period and these are attached to this report and should be considered prior to the adoption of the budget.

In summary:

- The Cobar Blues Football and Netball Club are seeking to be able to use the Cobar Youth and Fitness Centre free of charge for two weeks around the Cobar Annual Show due to the unavailability of Ward Oval during this time;
- The Pilots and Aircraft Owners of Cobar are seeking changes to the landing fees and refuelling charges (out of hours) for recreational aircraft. They believe the current charges are excessive.

The Cobar Blues

It is recommended that Council agrees to their use of the Cobar Youth and Fitness Centre free of charge for the two weeks a year when Ward Oval cannot be used due to the Annual Cobar Show.

In support of community sporting organisations, it is also recommended that Council allow them to use the Cobar Youth and Fitness Centre during rain when it is not suitable to train outdoors at the lower 'non sporting activity' rate.

Pilot and Aircraft Owners

The Pilot and Aircraft Owners have written to Council regarding a raft of issues. Some are out of Council's control, such as the price of fuel, some are broader than the budget such as safety concerns. They will be addressed separately to the budget process. The current fee, (which remains unchanged for next year), for a recreational aircraft to be permanently based at the airport, is \$400 per annum. The refuelling

callout fee is currently \$85 per callout and this fee is proposed to increase to \$100 per callout.

To improve the relationship between the Pilots and Owners group and Council it is recommended that Council staff meet with the group to further discuss the issues raised in the submission around service levels provided at the airport.

Water Charges

Due to public feedback arising from the public exhibition of draft fees and charges Council has workshopped alternative charging options. All options considered were required to raise the same amount of revenue as in the draft budget so as to ensure the integrity of the Water Fund. The two tier system shown in the table below will achieve that if the same amount of water is consumed. It is suggested that 550kls per annum is adequate for most households after considering water usage standards and adjusting for the local climate. The change would impact Council's General Fund \$20k as it is internally charged for water for parks and gardens, Aged Care Facility and the swimming pool at the same rate as consumers.

It is possible that an increased number of households will be able to stay within the 550KL per annum. This will be a risk to Council's Water Fund budget as there is likely to be more water sold at a lower rate to households which reduces total revenue.

Results of the analysis are outlined in the table below:

Tier	2013/2014	As Exhibited	Considered
Tier 1 - per kl	\$2.00	\$2.05	\$2.05
Tier 2 – per kl	\$2.90	\$3.00	\$4.18
Tier 3 – per kl	\$3.80	\$3.90	

- The two tier system was based upon a thresh hold of 550kls per annum.

If Council resolves to make the change, it will require an appropriate public awareness campaign focussing on the benefits.

As such, it is thought the most appropriate way forward is to retain the 3 tier system in 2014/2015, whilst undertaking community consultation and further analysis during the year.

Council currently does not charge interest on overdue water usage accounts. It is considered that Council should apply the same approach on overdue water usage accounts as it does on overdue general rates, noting that the interest rate is set by IPART. This has been included as an amendment to the Fees and Charges Schedule placed on exhibition. An appropriate recommendation is also included in the Council paper on Making of Rates and Associated Charges. Staff believes that this has possibly been intended but has been an omission from the printed document.

Key Events since Draft Released

1. The Federal Government announced that it would not be paying in advance the Federal Assistance Grants (FAGs). This was factored into the draft budget. However, the Federal Government also announced a freeze to indexation of the FAGs they pay to the States to then be administered to Local Government.

Consequently, \$114k has been removed from the budget, resulting in the FAGs contribution to the 2014/2015 budget being the same as the current year. This allocation is yet to be confirmed. Whilst it is hoped that the funding formula may again increase the grants weighting towards Regional Councils, it must also be acknowledged that there is a risk of a further reduction in the FAGs Council receives.

2. Due to the new gym in town, \$70k in income has been removed from the gym budget, \$10k in wages savings has also been factored in, and a marginal adjustment has been made to the canteen income due to the lower expected traffic. This item will continue to be monitored.
3. \$135,000 in wage savings has been made through staff secondments to the new project team to manage the Resources for Regions projects. These secondments are fully funded as a component of capital expenditure from the grants received.
4. The RMS has strongly indicated that the amount of work that Council will undertake and the margin on that work will be severely reduced on previous years. A reduction in contribution from the RMS of \$116k has been factored in the budget recommended for adoption.

Resources for Regions Capital Projects

The budget includes \$4.25m in capital works projects, funded by the Resources for Regions program. This includes:

- \$1.25m for the planning phase of the new Water Treatment Plant (the first year of a three year project);
- \$2.5m for the upgrade of pavement and lighting at the Cobar Regional Airport (project will be started and completed in the financial year);
- \$500k for the upgrade and expansion of the sewer network (a further \$1.7m of work to be undertaken the following year).

Treasury

The 2014/2015 budget reduces borrowings by \$297k and allows for up to \$265k of new borrowings to acquire a specific asset.

Budget Summary

Key features of the budget are:

- Projected deficit after capital income and contributions - \$491k;
- Capital expenditure - \$8.7m;
- Break even cash generation;
- 'Section 355' donations - \$34k.

The Fees and Charges have been reviewed and on balance have been increased by 2.3% (rate peg for 2013/2014) other than airport landing fees and the swimming pool fees (both remain steady).

In summary the operating budget and cash generation is as per the table below:

COBAR SHIRE COUNCIL

WHOLE OF COUNCIL SUMMARY BY FUND - OPERATING STATEMENT BUDGET - DRAFT

YEAR ENDED 30 JUNE 2015

	General	Waste	Sub-total	Water	Sewer	Total
Operating Revenue	26,322,880	832,535	27,155,415	3,202,467	2,871,894	33,229,775
Operating Expenditure	25,901,474	717,149	26,618,623	2,630,484	857,691	30,106,798
Operating Surplus/Deficit	421,406	115,386	536,792	571,982	2,014,203	3,122,977
<u>less</u> Capital Income	1,198,500	0	1,198,500	570,000	2,100,000	3,868,500
<u>add</u> Project team credit	255,000	0	255,000	0	0	255,000
Net of capital income and contributions	-522,094	115,386	-406,708	1,982	-85,797	-491,523
CALCULATION OF CASH CONSUMPTION / GENERATION FOR EACH FUND						
Operating Revenue	26,322,880	832,535	27,155,415	3,202,467	2,871,894	33,229,775
<u>less</u> Internal Cost Charges	4,229,572	0	4,229,572	0	0	4,229,572
<u>less</u> Cross Charging	568,240	0	568,240	0	0	568,240
<u>less</u> Internal Rates and Charges	61,000	43,000	104,000	50,000	25,000	179,000
Total External Cash Generated	21,464,067	789,535	22,253,603	3,152,467	2,846,894	28,252,963
Operating Expenditure	25,901,474	717,149	26,618,623	2,630,484	857,691	30,106,798
<u>less</u> Internal Cost Charges	4,229,572	0	4,229,572	0	0	4,229,572
<u>less</u> Cross Charging	0	159,380	159,380	211,024	197,836	568,240
<u>less</u> Internal Rates and Charges	179,000	0	179,000	0	0	179,000
Total External Payments plus Dep	21,492,902	557,769	22,050,671	2,419,460	659,855	25,129,986
<u>add</u> back Depreciation	3,949,282	83,281	4,032,563	335,780	365,000	4,733,343
<u>less</u>						
Plant Capital Expenditure	1,535,000	0	1,535,000	1,570,000	625,000	3,730,000
Infrastructure Capital Expenditure	4,253,000	0	4,253,000	0	0	4,253,000
Other Capital Expenditure	731,500	0	731,500	0	0	731,500
<u>add</u>						
Proceeds from Plant Reduction	173,000	0	173,000	0	0	173,000
Proceeds from Plant Sales	463,000	0	463,000	0	0	463,000
<u>add</u>						
New Loan proceeds	265,000	0	265,000	0	0	265,000
<u>less</u>						
Repay Loans - Principal	297,651	0	297,651	0	0	297,651
Cash Generated	-1,290,463	198,667	-1,091,796	-662,238	1,754,203	169

Long Term Financial Plan

Council's Long Term Financial Plan has been reviewed and adjusted in accordance with the budget year now being year one of the next ten year period. It is included in the documents attached to this report.

RECOMMENDATION

- 1. That Council adopts the 2014/2015 Operational Plan and Budget as exhibited, with the reduction of \$114,300 in Federal Assistance Grants, a \$64,000 net reduction in gym income, a \$135,000 saving in wage costs and an \$116,000 reduction in RMS contribution.**
- 2. Council adopts the 2014/2015 Capital Expenditure Budget as exhibited.**
- 3. Council adopts the 2014/2015 Schedule of Fees and Charges as exhibited, noting the omission regarding interest on overdue water usage fees.**
- 4. Council adopts the Revenue Policy as exhibited.**
- 5. Council adopts the Long Term Financial Plan as exhibited.**
- 6. Council develops a two tier water charging system to be considered for 2015/2016 including proper consultation with the community based on detailed analysis.**
- 7. Council approves in principal to the raising of an asset purchase loan of up to \$265,000, with a detailed report being provided prior to the transaction being finalised.**
- 8. The Cobar Blues Football and Netball Club are entitled to use the Cobar Youth and Fitness Centre free of charge for two weeks around the Cobar Show due to the unavailability of Ward Oval at that time.**
- 9. Community sporting organisations are entitled to use the Cobar Youth and Fitness Centre when weather prevents them from using Ward Oval, at the lower 'non sporting activity' hire rate.**
- 10. That the Director of Engineering Services convene a meeting with the Pilot and Aircraft Owners, and if considered appropriate provide a further report to a Council workshop.**

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 14 May 2014 – 17 June 2014.

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 14 May 2014 – 17 June 2014.

CERTIFICATE NO.	ADDRESS	DESCRIPTION	VALUE (\$)
2014/LD-00024	35/39 Linsley St, Cobar	Change of Use	5000
2014/LD-00025	30 Woodiwiss Ave, Cobar	Shed, Carport & Replacement of Existing Veranda	18,000
2014/LD-00026	15 Mopone St, Cobar	Shed	23,500
2014/LD-00027	21 Cornish St, Cobar	Carport	12,580
2014/LD-00028	60 Marshall St, Cobar	Patio Cover	5,740

The value of Local Development approvals for 2013/2014 to date is \$3,908,638.00.
The value of Local Development approvals for the similar period in 2012/2013 was \$12,386,280.00.

Construction Certificates

The following Construction Certificates have been approved under delegated authority for the period 14 May 2014 – 17 June 2014.

CERTIFICATE NO.	ADDRESS	DESCRIPTION
2014/CB-00021	30 Woodiwiss Ave, Cobar	Shed, Carport & Replacement of Existing Veranda
2014/CB-00022	15 Mopone St, Cobar	Shed
2014/CB-00024	21 Cornish St, Cobar	Carport
2014/CB-00023	60 Marshall St, Cobar	Patio Cover

RECOMMENDATION

That the information detailing the Local Development and Construction Certificate approvals for the period 14 May 2014 - 17 June 2014 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	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

				Following successful acquisition of the above land, classify this land as Operational under the Local Government Act 1993.	budget. Report provided to December 2013 Council Meeting with support now given for consideration for funding in the 2014/2015 Budget. Will be undertaken at time of acquisition.
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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 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
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 –	71.4.2012	DPES/LMO	Authorise the Mayor and General	Final Licence Agreement has

	Nymagee Old School Community Centre			Manager to sign a license agreement with the Nymagee Progress Association once incorporated under the Common Seal of Council.	been sent to Nymagee Progress Association for signing, awaiting its return. Waiting on action by the Association.
194	Committee of the Whole Closed Council - Clause 4C – Sale of Land	94.4.2012	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; All legal cost for both parties paid;</p>	<p>Further Councillor workshop strategies planning for land in concern held on 9 August, 2012.</p> <p>Currently no interested party.</p>

				<p>Submission of a detailed development application that includes but is not limited to:</p> <p>Detailed architectural and design plans including elevations, footpaths, ramps, disabled access etc;</p> <p>Detailed site plan;</p> <p>Detailed car parking and access plans, including disabled parking;</p> <p>A detailed risk assessment for Council water and sewerage systems;</p> <p>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	168.7.2012	DPES/LMO	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	Action plan instigated for implementation of resolution.

	Street, Cobar			<p>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>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>Advertising of proposed road closure undertaken by Crown Land Division of Department of Primary Industries. Submissions being managed in conjunction with DPI.</p> <p>Follow up has been occurring with providers of submissions and now waiting on response from Crown Lands.</p> <p>Classification to be arranged at acquisition.</p>
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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	<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</p>	Action plan instigated for implementation of resolutions.

				compliance matter to be followed up by the Director of Planning and Environmental Services.	
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>	<p>Rescission Motion reported again to the April 2013 Council Meeting which was lost. Action plan instigated and implemented of original resolutions.</p> <p>Due to reduction in works for related activity quotation process has been delayed pending consideration of other matters.</p>
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	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>Once pavement reconstruction completed that Council apply to CASA to upgrade the airport classification to a certified aerodrome so that heavier charter planes can use the airstrip.</p> <p>Optimistically, RPT flights could fly Broken Hill,</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>Cobar, Sydney and return.</p> <p>Expressions of interest advertising will be delayed until final result of Resources for Regions Project is 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 future Resources for Regions EOI's known.

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 –	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. Interim Report provided to March 2014

	Consideration of Tourism Cost Centre				Council Meeting. Expect Plan to be developed in 2014/2015.
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COUNCIL RESOLUTIONS 22 AUGUST 2013

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
435	Council – Clause 9A – Determination of Status of Mt Gap Road	187.8.2013	WM	That Mt. Gap Road within Mt. Gap Station shall be dedicated a public road and remain on the Roads Register as a Shire Road.	Waiting on gazettal by Western Lands.

COUNCIL RESOLUTIONS 28 NOVEMBER 2013

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
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.	Advertising arranged. Report provided to June 2014 Council Meeting – No further action required.

COUNCIL RESOLUTIONS 12 DECEMBER 2013

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
497	Council – Clause 2A – Interim Bore Drilling Report – Lilyvale Rest Area and Barnato – Tilpa Road	284.12.2013	WM	Further investigation of other water bore sites be conducted on an “as needed” basis and reported to Council for approval.	Report will be provided if further sites required and identified – No further action required.
506	Council – Clause 12A – Division of Local	294.12.2013	GM	That Staff continue to work towards the completion of any work required by the	Action plan instigated for implementation of resolution.

	Government Promoting Better Practice Review of Cobar Shire Council			recommendations contained within in the Report and detailed within the Action Plan.	
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COUNCIL RESOLUTIONS 20 JANUARY 2014

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
510	Extraordinary Meeting of Council – Clause 3A – Increased Water Restrictions to Nymagee	05.1.2014	GM/SM	That Council apply for urgent financial assistance from the NSW Government for Drought Proofing of Nymagee with appropriate advice also through the Local Member.	Action plan instigated for implementation of resolution.

COUNCIL RESOLUTIONS 27 FEBRUARY 2014

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
523	Council – Clause 9A – 15 Year Rolling Plant Replacement Program	21.2.2014	GM	That Council sell the Caterpillar 12M grader (P3051) at a suitable time to achieve the best possible price. That Council downsize the caravan fleet and sell off the oldest two vans. That Council sells off on tender utility belonging to the redundant grader.	Action plan instigated for implementation of resolution. Action plan instigated for implementation of resolution. Action plan instigated for implementation of resolution.
524	Council – Clause 10A – Cobar Cadet/ Guide Hall - Lease	22.2.2014	LMO	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.	Action plan instigated for implementation of resolution – No further action required.
527	Council – Clause	25.2.2014	LMO	That Council acting as Trust Manager for the	Action plan instigated for

	14A – Bathurst Street Reserve Licence Agreement			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.	implementation of resolution, waiting on Tennis Club to returned signed documentation.
530	Council – Clause 17A – Cobar Truck Wash Options	28.2.2014	WM	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.	Action Plan instigated for implementation of resolution.
531	Council – Clause 18A – Community Notice Board	29.2.2014	DCCS	That should the project proceed the General Manager be delegated to establish the content management guidelines.	Action plan instigated for implementation of resolution.

COUNCIL RESOLUTIONS 27 MARCH 2014

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
537	Council – 3A Cobar Rural Fire Service Brigade Building Proposal	45.3.2014	DES	That Council approves the provision of a parcel of land to the Rural Fire Service for the location of the Cobar Rural Fire Service Brigade building either directly or via a long term lease. That Council approval be given for the signing under seal of any document for the lease of the land for the construction of Cobar Rural Fire Service Brigade Building.	Action plan instigated for implementation of resolutions.
538	Council – 5A Employee Health and Wellbeing	47.3.2014	HRO	That Council supports the initiative to reimburse permanent employees with	Action plan instigated for implementation of resolution.

	Program			the cost of pool season tickets up to the cost of a single adult ticket upon production of a receipt and evidence that the employee is named as a person covered by the season ticket.	Employees will be advised prior to the commencement of the next swimming season and procedures will be put in place to reimburse employees – No further action required.
542	Clause 10A – Cobar Truck Wash	53.3.2014	DES/WM	That staff be authorised to arrange appropriate cost effective design of the stock/cattle truck wash in 2013/2014 using available funds. That Council continues to seek external funding from Western Local Land Service and/or other Government Departments and/or others.	Arrangements in train for cost effective design. Grant and other funding being sought, Western Local Land Services have declined to provide any funds at present.

COUNCIL RESOLUTIONS 24 APRIL 2014

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
551	Council - Clause 8A – Grading of Shire Road 20 (Grain Road) by Local Contractors	75.4.2014	WM	That Council trial the Grain Road contractor in the 2014/2015 financial year and allocate \$46,000 for the section of road from Tallebung Road to the bitumen section at the southern end (approx.40 km long), and compare it with Council’s standard. All work to be approved by the Works Manager prior to commencement on each occasion. That Council to investigate a long term strategy of using contractors and Council graders to accomplish its maintenance grading routine.	Action plan instigated for implementation of resolutions.

				<p>That Council lobby State and Federal Governments for increases in funding to maintain Council's Regional and Shire Roads at a better level.</p> <p>That Council notify Mr. Phillip Hague of its decision.</p>	
554	Clause 12A – Rural Addressing Consultation Regarding Road Name for SR46	79.4.2014	TCET	<p>That Council consult with the community about the proposed road name change for Shire Road 46.</p> <p>That Council consider a further report regarding any submissions received prior to taking further action on the proposed road name change.</p> <p>That Council serve notice of the proposed road name change for Shire Road 46 on Australia Post, The Registrar General, The Surveyor General, The Chief Executive of the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service, NSW Police Force, State Emergency Service, NSW Volunteer Rescue Association Incorporated, RMS, The Rural Roads Advisory Committee and to each adjoining Local Government Area (i.e. Bogan, Lachlan, Bourke, Central Darling and Carrathool).</p>	<p>Appropriate advertsing arranged in local media and letters provided to landowners on road – No further action required.</p> <p>Action Plan instigated for implementation of resolution expect report to be provided to July 2014 Council Meeting.</p> <p>Notice served – No further action required.</p>
556	Council - Clause 15A –	82.4.2014	LMO	That Council acting as Trust Manager	Action plan instigated for

	Dalton Park Horse Complex Licence Agreements (Carried over from 27 February 2014)			<p>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:</p> <ul style="list-style-type: none"> • Mr S Griffiths & Mrs C Griffiths; • Ms Sharon Whitehurst; • Cobar Pony Club; • Cobar Miners Race Club; • Cobar Rodeo Committee. 	implementation of resolution, Cobar Miners Race Club complete, waiting on return of signed documentation from others.
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COUNCIL RESOLUTIONS 22 MAY 2014					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
557	Council – Clause 1A – Mayoral Report	89.5.2014	GM	That Council where practical engage Local Government NSW to facilitate the General Manager’s 2013/2014 Annual Performance Review with Council and the Review Committee.	Arrangements finalized for review early July 2014 with Local Government NSW engaged – No further action required.
558	Council – Clause 2A – Engagement of Project Contract Administration Team	90.5.2014	DES	That the General Manager be authorised to engage a Project Contract Administration team consisting of a Procurement/ Clerical Officer and a part time Administration Officer with a salary negotiated in the range of existing similar positions (Band 2 Level 2 Grade 1 to 4), for the duration of employment being for the life of the Resources for Regions projects for a	Arrangements in train for secondment of relevant Officers internally – No further action required.

				period of three years.	
559	Council – Clause 3A – LGNSW Personal and Executive Assistants Annual Conference	91.5.2014	EA-GM	That approval be given to Council’s Executive Assistant to the General Manager and Mayor to attend the 2014 LGNSW Personal and Executive Assistants Annual Conference in Sydney.	Attendance arranged – No further action required.
560	Council – Clause 4A – Cobar Shire Council Policy Direction Concerning Coal Seam Gas Exploration and Production	92.5.2014	GM	<p>That Cobar Shire Council supports in principle the Association of Mining Related Council’s Draft Policy on Coal Seam Gas including the relevant Position Statement and additional information and that Council’s direction is as follows in relation to Coal Seam Gas Exploration and Production:</p> <ul style="list-style-type: none"> ▪ That impacts on Local Government Council Infrastructure are adequately compensated for in the immediate and future life of those assets; ▪ In regard to the communities environmental assets, that the appropriate oversight body, whether government or private, is engaging effectively and is communicating with Council and the processes are put in place to independently obtain baseline data on air and water quality; ▪ Council’s position as far as practicable is a “nil” effect 	Finalised Policy Document being formulated.

				<p>position in regard to the quality of surface water, domestic, stock and irrigation aquifers used by our community and a “nil” net effect on above ground environmental assets in relation to coal seam gas activities;</p> <ul style="list-style-type: none"> ▪ That health and environmental impact assessments are conducted for all significant mining and extractive industries during the approval process; ▪ That individual property rights in regard to unwelcome drilling, exploration and/or extraction activities are supported; ▪ That the ten (10) International Council of Mining and Metals (ICMM) principles are supported by Council; ▪ That Cobar Shire Council recommends to the State Government that the pre-gateway determination process be modified to enable a refusal where appropriate, and; ▪ That Council promotes the dissemination of information to landholders that is independent and informs them of their rights and obligations prior to entering into any agreements relating to coal seam gas exploration or production. 	
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561	Council – Clause 5A – Dental Surgery and Residence at 45 Barton Street, Cobar	93.5.2014	DPES	<p>That Council take no action at this time to facilitate the establishment of a dental practice at 45 Barton Street, Cobar.</p> <p>That the residence at 45 Barton Street, Cobar in the immediate term be managed as non-permanent accommodation related to Council business.</p>	<p>Noted – No further action required.</p> <p>Action plan instigated for implementation of resolution.</p>
562	Council – Clause 6A – Review of Investment Policy	94.5.2014	DCCS	That the Investment Policy be amended to read as per the attachment to this report.	Adopted Investment Policy distributed and on web – No further action required.
563	Council – Clause 7A – Comparison of Water Restrictions between 2013 and 2014	95.5.2014	SM	That Council collect additional data to allow further analysis to be carried out on the effected changes in water restrictions are having on consumption within the towns and within the whole of the Shire.	Action plan instigated for implementation of resolution.
564	Council – Clause 8A – Mobile Phone Coverage Across Cobar Shire	96.5.2014	SPO	That Council resolves to write to the Department of Communications further highlighting the need for a mobile phone base station at Mount Hope and Gilgunnia, however noting that due to Council’s financial position, we are unable to allocate any resources (cash or in-kind) to the project.	Letter written and sent – No further action required.

RECOMMENDATION

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

CLAUSE 3B – MEETING MINUTES

FILE: R5-36, C8-6-4, C8-17, WB1-22, L5-4-3,

AOP REFERENCE: 3.1

ATTACHMENT: YES (PAGE 240-267)

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:

- Rural Roads Advisory Committee – Wednesday, 7 May 2014;
- Cobar Youth Council Committee Meeting - Wednesday, 21 May 2014;
- OROC Board Meeting (Warrumbungle Shire Council) – Friday, 23 May 2014;
- Cobar Youth Council Committee Meeting - Wednesday, 4 June 2014;
- Cobar Liquor Accord Committee Meeting – Wednesday, 11 June 2014;
- Cobar Youth Council Committee Meeting - Wednesday, 11 June 2014;
- Cobar Water Board Meeting – Thursday, 12 June 2014.

RECOMMENDATION

That the minutes of the meetings of Rural Roads Advisory Committee, Cobar Youth Council, OROC, Cobar Liquor Accord and Cobar Water Board Committees be received and noted.

CLAUSE 4B – CROWN LANDS LEGISLATION – WHITE PAPER

FILE: A9-17

AOP REFERENCE: 3.1.5.2

ATTACHMENT: NO

AUTHOR: *Land Management Officer, Heather Holder*

Purpose

To provide Council with information about the Crown Lands Legislation White Paper.

Background

Crown land for the purposes of the White Paper includes:

- Crown land held under lease, licence or permit;
- Crown reserves managed by local councils and community trusts;
- Crown land retained in public ownership for environmental purposes;
- Land within the Crown public roads network;
- Many non-tidal waterways and most tidal waterways; and
- Other unallocated Crown land.

Within Cobar Shire Council this means:

- About 610 Western Land leases covering approximately 950 parcels of land and the majority of land area;
- An unknown number of licences and permits that Crown lands have issued;
- 47 Crown Reserves managed by Council as Trustee being 182 land parcels and covering approximately 8,000ha;
- 209 land parcels that are Crown Reserves not managed by Council and covering approximately 10,500ha;
- An unknown amount of land in Crown public roads network;
- A system of travelling, camping and stock reserves, including approximately 40 stock watering places;
- A number of crown land parcels around the edges of the township of Cobar.

Information from Trade & Investment Crown Lands states that the review in a nutshell is:

1. NSW Government to retain land that is required for the public of NSW;
2. Land with predominately local values to be owned or managed by Council;
3. New consolidated Crown lands legislation;
4. Review of TSRs to determine their best future management;
5. Flexible measures for Western lands leases;
6. Reserve management system to be simplified.

1 & 2 NSW Government to retain land that is required for the public of NSW & Land with predominately local values to be owned or managed by Council.

There will be a pilot project that will assess ‘State’ and ‘Local’ significant land. Land that is deemed to be of State significance will remain as land owned by the Crown and may be managed directly by the Crown or another appropriate authority.

Land that is deemed to have a predominately local value is suggested to be owned by Local Government and managed under the *Local Government Act 1993*. Ownership of the land is proposed to be transferred as freehold title where possible.

Please note that the Pilot project will be testing the viability of using the State/Local land model, identify impediments and solutions and propose a possible model for rolling out such a program (if appropriate) across NSW. No land will be transferred as a result of the pilot.

The pilot proposes to identify 4 Local Governments, which have not been selected.

3. New consolidated Crown Lands Legislation

The White Paper proposes that the best way to support the management of the Crown estate in the twenty-first century is to develop one new piece of legislation to replace the following eight Acts:

- *Crown Lands Act 1989*
- *Crown Lands (Continued Tenures) Act 1989*
- *Western Lands Act 1901*
- *Commons Management Act 1989*
- *Trustees of Schools of Arts Enabling Act 1902*
- *Public Reserves Management Fund Act 1987*
- *Wentworth Irrigation Act 1890*
- *Hay Irrigation Act 1902.*

And repeal:

- *Wagga Wagga Racecourse Act 1993*
- *Hawkesbury Racecourse Act 1996*
- *Orange Show Ground Act 1897*
- *Irrigation Areas (Reduction of Rents) Act 1974*
- *Murrumbidgee Irrigation Areas Occupiers Relief Act 1934.*

Crown land is currently administered under eight different pieces of legislation, which together create a complex web of overlapping and confusing requirements. This is to a large extent an inevitable but unintended consequence of legislative change since the 1890s.

This new Crown Lands Legislation will not amend the *Aboriginal Land Rights Act 1983*, which is being considered in a separate review process. In developing the new legislation, the requirements of the Commonwealth's Native Title legislation will need to be considered.

The new Crown Lands Legislation will be consistent with, but will not duplicate, the proposed new local government and planning frameworks and the existing environmental legislation.

Effective management and protection of Crown Land will continue to be a core concern for the NSW Government. This will be reflected in the objects of the new Act.

4. Review of TSRs to determine their best future management

Travelling Stock Routes (TSRs) are located across NSW. Typically these were used for droving stock long distances and include a connecting network reserve and land parcels. This network consists of a variety of different land tenures that are now generally not used for their original purpose and have over time evolved to have recreational, heritage or environmental values. In partnership with Local Land Services the extensive network across NSW needs to be better understood so that the right decisions are made about the future management of these areas. A pilot project will be run in partnership with Local Land Services.

5. Flexible measures for Western Land Leases

The Western Division is mainly property held under Western Lands Leases issued under the Western Lands Act, together with a small amount of freehold land. Crown Land in the Western Division makes up around 88 per cent of the total Crown estate.

Most of the Western Division is classified as a semi-arid rangeland that is mainly suitable for livestock grazing, although some areas have more resilient land that is suitable for cultivation and other intensive agricultural activities.

Rangelands are particularly sensitive to disturbance (including drought and overgrazing) and are slow to recover. It is important to continue to protect this fragile environment.

There is an opportunity to introduce greater flexibility into land management in the semi-arid parts of the Western Division, without weakening the protections provided by the leasehold system. Flexibility measures proposed include:

- allowing lessees of Western Lands grazing leases that have current cultivation consents to apply for freehold conversion;
- reviewing the requirement that the land use proposed following conversion must be ecologically sustainable;
- allowing certain activities to occur on Western Lands leases in rural areas without the need for approval.

6. Reserve management system to be simplified

NSW currently has a three-tier management structure consisting of Crown reserves, reserve trusts, and reserve trust managers. This arrangement is complex and confusing, especially for reserve trust managers. NSW is unusual in having a three-tier Crown reserve system: other states and territories mostly have only Crown reserves and reserve managers.

As there are no apparent benefits of the three-tier structure, it is proposed to move to a two-tier structure by removing reserve trusts and reserve trust managers and having all reserves administered by Crown reserve managers.

Streamlining management structures will make it easier for multiple reserves to be managed by a single Crown reserve manager. For example, it makes sense for a council to be appointed once as the manager of a number of reserves, rather than being appointed separately for each reserve.

This will also allow Councils to manage reserves under the *Local Government Act 1993*, reducing administration and reporting requirements.

Issues

Comments regarding the Crown Lands Legislation White Paper have been submitted to Trade and Investment.

Key points in the submission are summarised below:

- Support for the pilot project that will conduct a strategic assessment of Crown Land requirements and test the viability of a State vs Local significant land model;
- Support in principle to the devolving of land of local significance to Council where possible and subject to Council ensuring they will not be unduly burdened by additional assets;
- Strong support for the selection of at least one Council from the Western Region to be part of the pilot project;
- Support for the White Paper's recommendation to consolidate Crown Land legislation into one new piece of legislation, reducing duplication, confusion, red tape and administration;
- Support for the pilot project that will review TSR's, gaining a better understanding of these assets, so that all aspects about the future management of TSR's is taken into account;
- Support for the introduction of greater flexibility into land management across the Western Division, reducing administration process which may enable landholders greater flexibility in their enterprises;
- Support for the simplification of the reserve management system and the potential to manage all land assets under one piece of legislation. This will ensure that administration of these assets is reduced, providing better long term management outcomes for the community.

RECOMMENDATION

That Council note the information contained in this report concerning the Crown Land Legislation White Paper.

ATTACHMENTS



ORDINARY MEETING AGENDA

THURSDAY 26 JUNE 2014

~ REFERENCE TO ATTACHMENTS ~

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