



**COBAR SHIRE  
COUNCIL**  
outback nsw

# Publication Guide

## **Government Information (Public Access) Act 2009**

Mr Peter Vlatko | Public Officer  
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## Preface

The *Government Information (Public Access) Act 2009 (NSW)* (GIPA Act) replaced the *Freedom of Information Act 1989 (NSW)*, and introduced a new right to information system. The new system is focused on making government information more readily available.

Section 6 of the *GIPA Act* makes it mandatory for agencies to disclose some information proactively and free of charge, unless there is an overriding public interest against disclosure. Section 20 of the *GIPA Act* requires agencies to develop and adopt a publication guide as part of their mandatory open access information.

Council's publication guide is a summary of what we do, how we do it and the type of information we hold and generate through the exercise of our functions, with a particular focus on how those functions affect members of the public. Council will review its publication guide at least once every 12 months.

## Version Control Table

Date Reviewed	Responsible Officer	Date Adopted	Version
July 2010	Mr Gary Woodman	Draft version	1.0
December 2010	Mr Gary Woodman	16 December 2010	1.1
June 2011	Mr Gary Woodman	23 June 2011	2.0
June 2012	Mr Gary Woodman	28 June 2012	3.0
June 2013	Mr Gary Woodman	27 June 2013	4.0
June 2014	Mr Gary Woodman	26 June 2014	5.0
May 2015	Mr Gary Woodman	28 May 2015	6.0
June 2016	Mr Peter Vlatko	23 June 2016	7.0

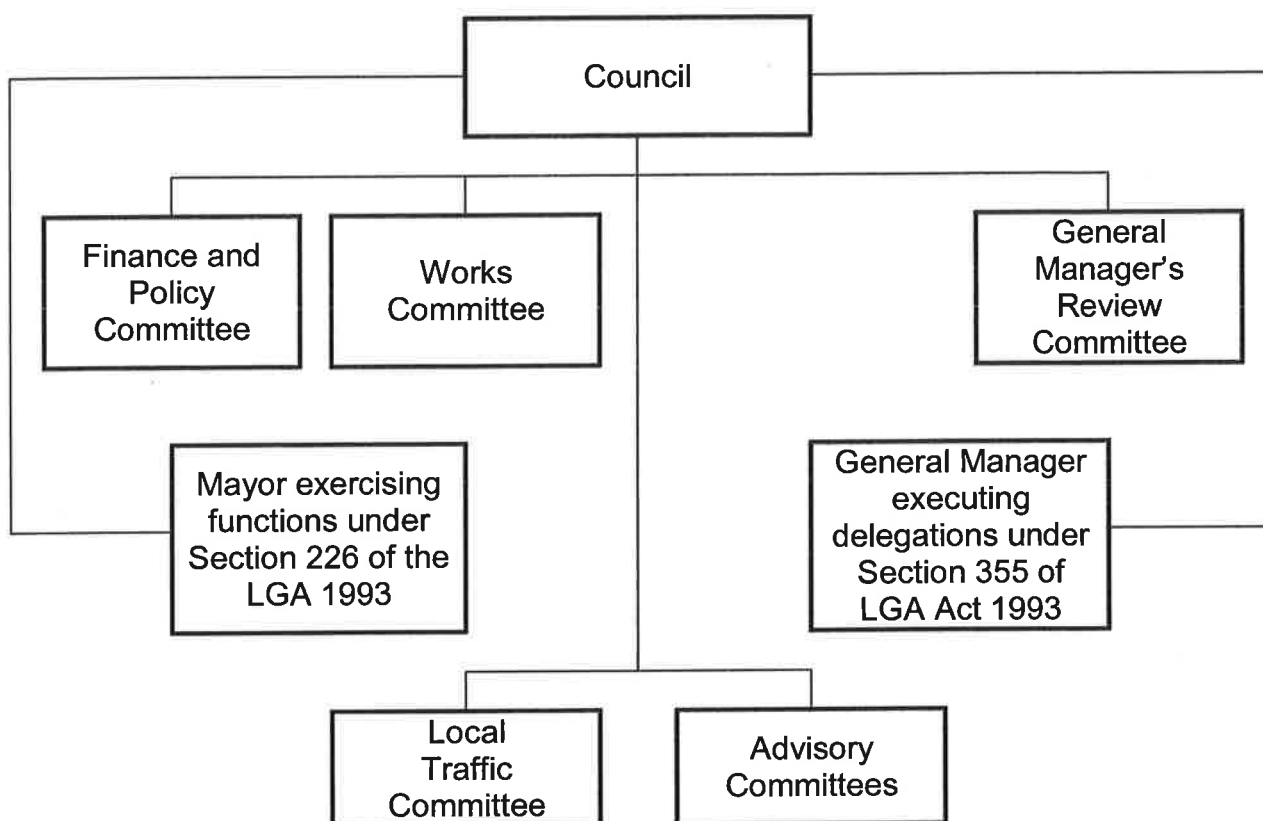
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## Structure and Functions

### Structure

Cobar Shire Council is a Council constituted under Section 219 of the *Local Government Act 1993*. Section 222 provides that the elected representatives called 'Councillors', comprise the governing body of the council.



### How Council Works

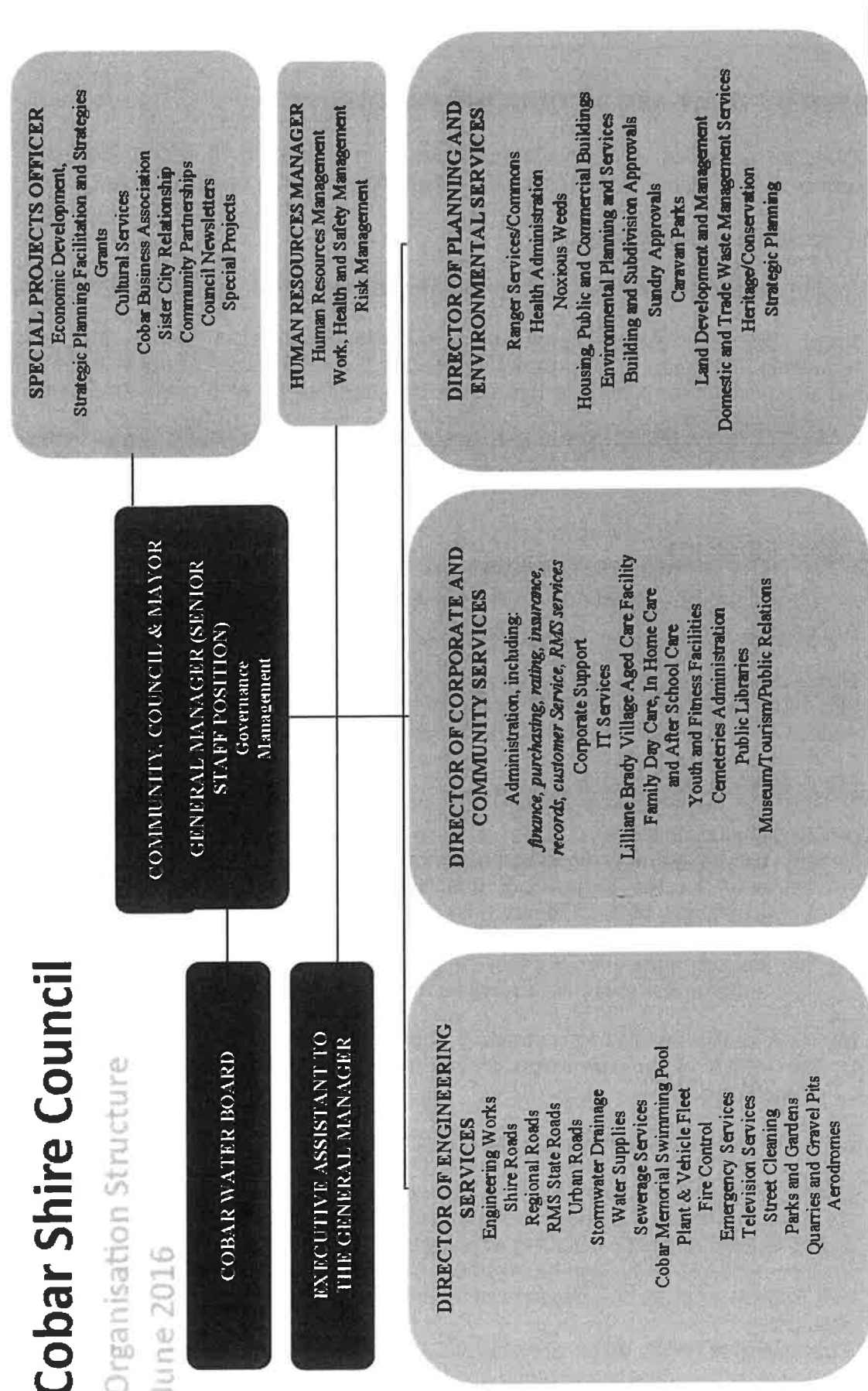
To assist the Council in its policy decision-making role, the Council utilises a 'committee system' through which the majority of matters which need determination by Council are considered comprehensively. It has two (2) major Standing Committees: these being the Finance and Policy Committee and Works Committee. There is also the General Manager's Review Committee which is responsible for the General Manager's performance reviews. The Local Traffic Committee and a number of Advisory Committees and Organisations report to Council and occasionally through the Standing Committees.

## Organisational (Departmental) Structure

# Cobar Shire Council

Organisation Structure

June 2016



## Functions

Chapter 5 of the *Local Government Act 1993* specifies the functions of the Council as follows:

### CHAPTER 5 – WHAT ARE A COUNCIL'S FUNCTIONS

This Chapter specifies a council's functions. In doing so, it recognises that all functions of a council come from statute, either from this Act or another Act.

#### (s21) Functions under this Act

A council has the functions conferred or imposed on it by or under this Act.

**Note:** This Act classifies certain of a council's functions as service, that is, non-regulatory (Chapter 6), regulatory (Chapter 7) or ancillary (Chapter 8). Ancillary functions are those functions that assist the carrying out of a council's service and regulatory functions.

A council also has revenue functions (Chapter 15), administrative functions (Chapters 11, 12 and 13) and functions relating to the enforcement of this Act (Chapters 16 and 17).

#### (s22) Other functions

A council has the functions conferred or imposed on it by or under any other Act or law.

**Note:** While the main functions of councils are provided for under this Act, councils also have functions under other Acts. An important general provision is contained in section 50 of the *Interpretation Act 1987* which provides, in part:

- (1) A statutory corporation:
  - (a) has perpetual succession;
  - (b) shall have a seal;
  - (c) may take proceedings and be proceeded against in its corporate name;
  - (d) may, for the purpose of enabling it to exercise its functions, purchase, exchange, take on lease, hold dispose of and otherwise deal with property; and
  - (e) may do and suffer all other things that bodies corporate may, by law, do and suffer and that are necessary for, or incidental to, the exercise of its functions.
- (4) This section applies to a statutory corporation in addition to, and without limiting the effect of, any provision of the Act by or under which the corporation is constituted.

Some other Acts and some of the functions they confer include:

*Community Land Development Act 1989* – planning functions as consent authority  
*Companion Animals Act 1998* – companion animal registration and control  
*Conveyancing Act 1919* – placing covenants on council land  
*Environmental Planning and Assessment Act 1979* – environmental planning  
*Fire Brigades Act 1989* – payment of contributions to fire brigade costs and furnishing of returns  
*Fluoridation of Public Water Supplies Act 1957* – fluoridation of water supply by council  
*Food Act 2003* – inspection of food and food premises  
*Impounding Act 1993* – impounding of animals and articles  
*Library Act 1939* – library services

*Protection of the Environment Operations Act 1997* – pollution control  
*Public Health Act 1991* – inspection of systems for purposes of microbial control  
*Recreation Vehicles Act 1983* – restricting use of recreation vehicles  
*Roads Act 1993* – roads  
*Rural Fires Act 1997* – issue of permits to light fires during bush fire danger periods requiring the furnishing of information to the Rural Fire Service Advisory Council and its Co-ordinating Committee  
*State Emergency Service Act 1989* – recommending appointment of local controller  
*Strata Schemes (Freehold Development) Act 1973* – approval of strata plans  
*Strata Schemes (Leasehold Development) Act 1986* – approval of leasehold strata plans  
*Swimming Pools Act 1992* – ensuring restriction of access to swimming pools

The exercise by a council of its functions under this Act may also be modified by the provisions of another Act. Some of those Acts and some of the modifications they effect include:

*Coastal Protection Act 1979* – limitation on coastal development by councils  
*Environmental Offences and Penalties Act 1989* – forfeiture of council functions to person appointed by Governor  
*Government Information (Public Access) Act 2009* – council required to publish certain information and to grant access to certain documents  
*Heritage Act 1977* – rating based on heritage valuation  
*Privacy and Personal Information Protection Act 1998* – council required to amend certain records that are shown to be incomplete, incorrect, out of date or misleading  
*State Emergency and Rescue Management Act 1989* – council required to prepare for emergencies  
*Unclaimed Money Act 1995* – unclaimed money to be paid to the Chief Commissioner of Unclaimed Money

### **(s23) Supplementary, incidental and consequential functions**

A council may do all such things as are supplemental or incidental to, or consequential on, the exercise of its functions.

In order to undertake its functions, Council has identified the following Principal Activities and Functions.

Principal Activities	Functions
<b>Administration</b>	<ul style="list-style-type: none"> <li>• Corporate Support</li> <li>• Human Resources</li> <li>• Computer Support</li> <li>• Engineering Support</li> <li>• Plant/Workshop Operations</li> </ul>
<b>Economic Affairs</b>	<ul style="list-style-type: none"> <li>• Land Development</li> <li>• Caravan Parks</li> <li>• Tourism Promotion &amp; Museum</li> <li>• Special Projects</li> </ul>
<b>Public Order &amp; Safety</b>	<ul style="list-style-type: none"> <li>• Fire Protection (Rural)</li> </ul>

	<ul style="list-style-type: none"> <li>• Ranger Services</li> <li>• Emergency Services</li> </ul>
<b>Health</b>	<ul style="list-style-type: none"> <li>• Public Health/Environment Administration</li> <li>• Noxious Weeds</li> </ul>
<b>Community Services</b>	<ul style="list-style-type: none"> <li>• Lilliane Brady Village</li> <li>• Family Day Care, In Home Care &amp; After School Care (COOSH)</li> <li>• Youth Services</li> <li>• Fitness Centre</li> <li>• Television and Radio Services</li> </ul>
<b>Housing &amp; Community Amenities</b>	<ul style="list-style-type: none"> <li>• Housing</li> <li>• Development Approval &amp; Control</li> <li>• Domestic &amp; Trade Waste Management Services</li> <li>• Street Cleaning</li> <li>• Urban Stormwater Drainage</li> <li>• Cemeteries</li> </ul>
<b>Water Supplies</b>	<ul style="list-style-type: none"> <li>• Cobar &amp; Village's Water Supply</li> </ul>
<b>Sewerage Services</b>	<ul style="list-style-type: none"> <li>• Sewerage Services</li> </ul>
<b>Recreation &amp; Culture</b>	<ul style="list-style-type: none"> <li>• Library Services</li> <li>• Public Halls</li> <li>• Other Cultural Services</li> </ul>
<b>Public Facilities</b>	<ul style="list-style-type: none"> <li>• Cobar Memorial Swimming Pool</li> </ul>
<b>Recreational Facilities</b>	<ul style="list-style-type: none"> <li>• Parks, Gardens &amp; Reserves</li> <li>• Skate Park</li> </ul>
<b>Mining, Manufacturing &amp; Construction</b>	<ul style="list-style-type: none"> <li>• Sunday Approvals</li> <li>• Quarries &amp; Gravel Pits</li> </ul>
<b>Transport &amp; Communication</b>	<ul style="list-style-type: none"> <li>• Urban Roads</li> <li>• Rural Roads</li> <li>• Aerodromes</li> </ul>



## **Integrated Planning and Reporting Framework**

In accordance with Section 406 of the Local Government Act 1993 Council has developed a Community Strategy Plan, Resourcing Strategy, Delivery Program and Annual Operational Plan. These documents were developed using Council's Community Engagement Strategy and are available to the public.

The objectives of the Principal Activities of the Council are as follows:

### **ADMINISTRATION**

#### **Corporate Support**

- Provision of timely Internal Management Reporting to allow the monitoring of financial performance.
- Provide advice to council of the financial implications of actions.
- Completion of Statutory Accounts for Council.
- Effective management of the rating function including a reduction in the level of outstanding rates.
- Investment of Surplus Funds to provide a maximum benefit to Council.
- Provide a high standard of administrative support to the organisation.

#### **Human Resources**

- Provide a human resources service for the organisation, in order to progressively improve the knowledge, skills, qualifications, performance and job satisfaction of all Council employees.

#### **Computer Support**

- Provide an effective computer system to support Council's operations.
- Ensure that staff are able to fully utilise software and hardware products.

#### **Engineering Works**

- Efficient management and operation of the Engineering Office, Depots and the Workshop.

#### **Plant/Workshop Operations**

- Ensure that the purchase or replacement of plant is justified by their economic and/or social return.
- To effectively and efficiently utilise all plant to its maximum utilisation.

### **ECONOMIC AFFAIRS**

#### **Land Development**

- To plan and maintain sufficient residential and industrial land stock so as to provide for the future growth and development within the Shire.

#### **Caravan Parks**

- To provide a Caravan Park of a high standard and attractive for tourists, camping and permanent residents with a cash positive result for Council.

### **Tourism Promotion & Museum**

- Develop and market Cobar Shire as an attractive tourist destination/stop-over and as a viable location for tourism development for ongoing social, employment and economic benefits to the whole community.
- Provide a facility for the collection, conservation, exhibition and interpretation of objects, documents and photographs relating to the culture and history of Cobar and the region.

### **Special Projects**

- Work with Council and business groups to foster and promote economic development within the Shire of Cobar.
- Improve the soft and hard infrastructure of the Shire through special projects.
- Leverage Council funding for projects and Council functions by attracting grant funding where possible.
- Improve the operation of Council through effective strategic planning and reporting.
- Increased opportunities for Cobar through partnerships with other organisations.

## **PUBLIC ORDER & SAFETY**

### **Fire Protection (Rural)**

- To provide an effective and economically viable organisation to assist in the protection of individuals and minimise property damage under threats by rural fires.

### **Ranger Services**

- To provide ranger services for the control of animals found on a public place and to enforce the requirements of the various acts, regulations, and codes.
- To provide ranger services for the management and control of commons.
- Carry regular inspection of Council's properties.
- Carry regular surveillance of Waste Depot and surrounding areas.

### **Emergency Services**

- To assist the community to prepare for and minimise the damage to individuals and property from threats from natural hazards.
- To have contingency plans to address the community to recover after a natural disaster.

## **HEALTH**

### **Public Health/Environment Administration**

- To provide service to monitor the operation of food shops, licensed premises, hair dressers, beauty salons, swimming pools, water supplies, and public health.

### **Noxious Weeds**

- Monitor the quantity of Noxious Weeds within Cobar Shire at an acceptable level, incorporating the *Noxious Weeds Act 1993*, *Local Government Act 1993* and Weed Control Plans.
- To provide a vision for the future eradication and maintenance of Noxious Weeds.

## **COMMUNITY SERVICES**

### **Lilliane Brady Village**

- To be recognised as a regional centre of excellence for the provision of flexible, quality care for the aged and disabled whose needs cannot be met in the wider community.
- Aim to provide a place of security, safety and ongoing care in a welcoming home like atmosphere, at the same time considering the staff's needs and safety.

### **Family Day Care, In Home Care & After School Care (COOSH)**

- To provide a safe and affordable home based child care service that delivers quality care.

### **Youth Services and Fitness Centre**

- To provide youth services and a facility that will create interaction between all ages, interests and social standing by providing recreational, sporting and cultural activities, and support services for the youth and community of Cobar.

### **Television and Radio Services**

- Provision of a broader range of television and radio services to the township of Cobar.

## **HOUSING & COMMUNITY AMENITIES**

### **Housing**

- To provide a range of quality housing for rental as an employment incentive for professional staff.
- To provide a range of quality housing and surgeries as an incentive to recruit medical doctors to work in Cobar.

### **Development Approval & Control**

- Provide development services to the community for the processing of Development Applications.
- Encourage forms of development, which are compatible with and enhance the environment of the area.
- Provide services for the preparation and review of Local Environmental Plans and Development Control Plans and Developer Contribution Plan in accordance with the provisions of the *Environmental Planning & Assessment Act 1979*, and *Local Government Act 1993*.

### **Domestic & Trade Waste Management Services**

- To provide modern environmentally acceptable waste disposal services which encourage waste minimisation, are cost effective and meets the needs of residential, commercial, industrial and agricultural sectors of Cobar Shire.

### **Street Cleaning**

- To provide the community with an aesthetically pleasing and clean, healthy environment within the urban areas.

### **Urban Stormwater Drainage**

- Provide a stormwater drainage system that copes with storms with pollution and inconvenience to residents and motorists minimised.
- Preserve and enhance a suitable environment that meets the sustainable needs of the population and to protect the environment against degradation.

### **Cemeteries**

- Maintain the Cobar Cemetery at an acceptable level.
- To provide a vision for the future development and maintenance of the Cobar Cemetery.
- Establish a financial arrangement so that the Cobar Cemetery is partially self-funding for maintenance and capital improvements so far as it is practicable.
- To work towards an area in the Cobar Cemetery where all denominations are in the same section.
- Provide maintenance of all Village Cemeteries.

## **WATER SUPPLIES**

### **Cobar & Villages Water Supply**

- Provision of potable water supply that meets the National Health and Medical Research Centre's Australian Drinking Water Guidelines within Cobar.
- Education of public on importance of water and the water cycle.
- Provision of future water reticulation services in new residential/industrial subdivisions in Cobar.
- Provision of basic non-potable water supply to Village areas.

## **SEWERAGE SERVICES**

### **Sewerage Services**

- Collection and treatment of effluent.
- Education of public on importance of water and the water cycle.
- Compliance with Environment Protection Authority (EPA) requirements.
- Maximise effluent reuse.

## **RECREATION & CULTURE**

### **Library Services**

- To provide a quality and readily accessible library service to support the educational, informational, recreational and cultural needs of the community.

### **Public Halls**

- Provide facilities for use as public halls in Nymagee, Euabalong and Mount Hope.

### **Other Cultural Services**

- To provide support services for the Regional Arts Development Officer.

## **PUBLIC FACILITIES**

### **Cobar Memorial Swimming Pool**

- To ensure the standard of Cobar Memorial Swimming Pool meets community expectations.
- To provide an aquatic facility for the social, recreational and sporting requirements of residents and visitors to Cobar in a cost effective basis.

## RECREATIONAL FACILITIES

### Parks, Gardens & Reserves

- Maintain street trees.
- Enhance the streetscape within budget allocated annually.
- Assess community needs for upgrading/ increases to the current level of parks, gardens and sporting grounds.
- Maintain parks and open spaces to a standard that encourages recreation, relaxation and enjoyment by the community.
- Create a clean and tidy image through creative landscaping.
- Maintain public amenities.
- Safeguard recreational facilities for the community.

### Skate Park

- Maintain Peak Skate Park.

## MINING, MANUFACTURING & CONSTRUCTION

### Sundry Approvals

- To provide advice, approval and inspection services for functions that do not require approval under the *Environmental Planning & Assessment Act 1979*.

### Quarries & Gravel Pits

- Oversees the control of quarrying activities in Cobar Shire.

## TRANSPORT & COMMUNICATION

### Urban Roads

- To provide, maintain and improve facilities which enhance the roads and streets infrastructure to meet relevant standards and community expectations.

### Rural Roads

- To maintain/reconstruct classified roads to current standards within constraints of funding allocations from Block Grant Agreements.
- To construct/maintain rural sealed and unsealed rural roads to current standards with financial assistance and Council funds.
- To continue a program of improvement works to enable all weather access throughout the Cobar Shire to allow for the safe movement of people and goods between local centres of population.

### Aerodromes

- To provide a facility for regional aircraft to use for both RPT and general aviation to serve the needs of the community at Cobar.
- To maintain landing strips at Nymagee, Euabalong and Mount Hope.

The Community Strategic Plan, Four (4) Year Delivery Program and Annual Operational Plan contain details of the way in which the Council will measure its performance in achieving the above objectives.

### Resources

At 30 June 2015, Cobar Shire Council employed 131.4 full time equivalent staff in all Departments. The value of Non-Current Assets held at 30 June 2015 was \$295.6M. The Operating Revenues were \$30.2M (including capital income of 11.1M) and the Operating Expenses were \$24.8M for the year ended 30 June 2015.

## Effect of Council's Functions on Members of the Public

The table below sets out a general description of the powers exercised by Council in the performance of its functions.

A COUNCIL EXERCISES FUNCTIONS UNDER:					
THIS ACT					OTHER ACTS
Service Functions	Regulatory Functions	Ancillary Functions	Revenue Functions	Administrative Functions	Enforcement Functions
For example: <ul style="list-style-type: none"> <li>• Providing community health, recreation, education &amp; information services</li> <li>• Environmental protection</li> <li>• Waste removal &amp; disposal</li> <li>• Land &amp; property, industry &amp; tourism development &amp; assistance</li> </ul> For other functions, see Introduction to Chapter 6 LGA 1993	<ul style="list-style-type: none"> <li>• Approvals</li> <li>• Orders</li> <li>• Building certificates</li> </ul>	<ul style="list-style-type: none"> <li>• Resumption of land</li> <li>• Powers of entry</li> </ul>	<ul style="list-style-type: none"> <li>• Rates</li> <li>• Charges</li> <li>• Fees</li> <li>• Borrowings</li> <li>• Investments</li> </ul>	For example: <ul style="list-style-type: none"> <li>• Employment of staff</li> <li>• Integrated Planning/Reporting Framework Documents</li> <li>• Financial reporting</li> <li>• Annual reports</li> </ul>	For example: <ul style="list-style-type: none"> <li>• Proceedings for breaches of the Act</li> <li>• Prosecution of offences</li> <li>• Recovery of rates and charges</li> </ul>
					See the Note to section 22 on page 6 of this document

## Public Participation in Policy Formulation

Members of the community have an opportunity to participate in the formulation of Council's policies and the exercising of its functions as follows:

- Attending meetings of Council and most of its Standing Committees.
  - Ordinary Meetings of Council are held on the fourth Thursday of the month, except January (when no meeting is held), and are open to the public and includes a public forum.
  - Finance and Policy Committee meetings are held on the second Thursday of the month, except January and December (when no meetings are held), and are open to the public and includes a public forum. Recommendations are submitted to the next Ordinary Meeting of Council for consideration and adoption.
  - Works Committee meetings are held on the second Thursday of the month, except January and December (when no meetings are held), and are open to the public and includes a public forum. Recommendations are submitted to the next Ordinary Meeting of Council for consideration and adoption.
  - General Manager's Review Committee meetings are held when required, however does not allow for public participation.
  - Traffic Committee Meetings are held quarterly on the second Tuesday of the month and the recommendations are submitted to the Ordinary Meetings of Council for consideration and adoption.
- Making submissions for Council's consideration in relation to the development of its Integrated Planning and Reporting Framework Documents, Strategic Plans and Supporting Plans in accordance with Council's Community Engagement Strategy.
- Making submissions, comments or objections to proposals relating to development, subdivision and building approvals in accordance with the requirements of the *Local Government Act 1993* and the *Environmental Planning and Assessment Act 1979*.
- Voting at Local Government Elections and in Constitutional Referendums conducted by Council.

A Council may not do any of the following unless approval to do so has been given at a Constitutional Referendum:

- Divide its area into Wards or abolish any Wards in its area.
- Change the basis on which the Mayor obtains office.
- Increase or decrease the number of Councillors in accordance with the *Local Government Act 1993*.
- Change the method of Ordinary Election of Councillors for an area divided into Wards or the voting system used in Council Elections.

## Information held by Council

### Information Categories

Council holds information (hard copy and/or electronic form) that relate to a number of different issues concerning the Cobar Shire Council area. This information is grouped into three categories.

1. Electronic Documents;
2. "Physical Files";
3. Policy and General Documents.

### Electronic Documents and Physical Files

Council has a form of 'Electronic Document Management System' that is a mirror image of its 'Physical Files' for information that has been created electronically by Council.

Council's 'Physical Files' capture information against the following indices:

- Aboriginal matters;
- Administration;
- Advertising Signs;
- Agriculture;
- Airports;
- Ambulance Services;
- Animals;
- Arts;
- Asset Management;
- Assets;
- Associations;
- Auditors;
- Bands;
- Banking;
- Beautification;
- Bluett Memorial Trust;
- Boundaries;
- Bridges;
- Building and Building Control;
- Bureau of Meteorology;
- Bushfires/NSW Rural Fire Service;
- Bus Services;
- Caravan Parks;
- Celebrations and Ceremonies;
- Cemeteries;
- Centrelink;
- Certificates;
- Clubs;
- Codes;
- Committees;
- Commons;
- Community Services;
- Complaints;
- Computers;
- Conferences;
- Conservation of Land Management;
- Consultants;
- Councillors;
- Council Meetings;
- Creditors;
- The Cancer Council of NSW;
- Dental Services;
- Development Strategies;
- Disability Services;
- Donations;
- Drainage;
- Drought Issues;
- Development;
- Education;
- Electricians;
- Electricity;
- Emergencies;
- Employment;
- Environmental Issues;
- Estimates;
- Engineering;
- Factories & Shop Act;
- Finance;
- Financial Statements;
- Fire Matters;
- Forests;
- Fuels;
- Gas;
- General Manager;
- Government Gazette Notices;
- Graffiti;
- Grants;
- Health Matters;
- Heritage Matters;
- Historical Society;
- Holidays;
- Housing;
- Independent Commission Against Corruption;
- Insurances;



- Leases;
- Legal Services;
- Library Matters;
- Licences;
- Litter;
- Loans;
- Local Government;
- Mapping;
- Maritime Services;
- Mayoral;
- Media;
- Medical Services;
- Mining;
- Museum;
- Noxious Weeds;
- National Competition Policy;
- National Disaster Relief;
- Ombudsman;
- Parks, Gardens and Public Reserves;
- Parliamentary Issues;
- Plant and Equipment;
- Police Matters;
- Policies and Codes;
- Postal Matters;
- Printing and Stationery;
- Private Works;
- Property (Rates);
- Public Works;
- Quarries and Gravel Pits;
- Railways;
- Rates;
- Records Management;
- Risk Management;
- Roads (Local Roads, Regional Roads);
- Roads and Traffic Authority (RTA);
- Rural Lands Protection Board;
- Security;
- Seminars, Conferences and Training;
- Septic Tanks;
- Sewerage;
- Single Invitation Maintenance Contract;
- Sister City Relationships;
- Sport and Recreation;
- Staff;
- Standards;
- Statistics;
- Streets
- Subdivisions;
- Swimming Pools;
- Taxation;
- Telephones;
- Tenders;
- Tourism;
- Town Planning;
- Trees;
- Waste Management Services;
- Water Supply;

These Electronic Documents and Physical Files are not available on Council's website however this information may be available either by informal release or via an access application in accordance with Sections 7-9 of the *Government Information (Public Access) Act 2009*, unless there is an overriding public interest against disclosure of the information as outlined in Section 14 of the *Government Information (Public Access) Act 2009*. Members of the public who require an informal release or an access application can do so by contacting Council's Public Officer on 02 6836 5888 or at [mail@cobar.nsw.gov.au](mailto:mail@cobar.nsw.gov.au).

## Policy and General Documents

The *Government Information (Public Access) Regulation 2009 (NSW)* requires that the following list of Policy and General Documents held by Council are to be made publicly available for inspection, free of charge. The public is entitled to inspect these documents on Council's website or from Council's Administration Office during ordinary office hours or at any other place as determined by the Council. Any current and previous documents of this type may be inspected by the public free of charge. Copies can be supplied for a reasonable copying charge.

## Codes, Plans, Policies and Reports

- Code of Conduct and Administration Procedure

- Code of Meeting Practice
- Any Codes Referred to in the *Local Government Act 1993*
- Other Council Policies
- Integrated Planning and Reporting Framework Documents (Community Engagement Strategy, Community Strategic Plan, Resources Strategy (Including Long Term Financial Plan, Workforce Plan and Asset Management Plans), Four (4) Year Delivery Program, Annual Operational Plan)
- EEO Management Plan
- Social Plan
- Crime Prevention Plan
- Crime Prevention Strategy
- Plans of Management for Community Land
- Payment of Expenses and Provision of Facilities to the Mayor and Councillor Policy
- Annual Report
- Annual Financial Reports
- Auditor's Reports
- GIPA Annual Reports
- Annual Reports of Bodies Exercising Delegated Council Functions (available by contacting the Public Officer)
- Departmental Representatives' Reports presented at a meeting of the council in accordance with section 433 of the *Local Government Act 1993* (available by contacting the Public Officer)

### **Registers and Returns**

- Contracts Register
- Land Register
- Roads Register (available by contacting the Public Officer)
- Register of Investments (available by contacting the Public Officer)
- Register of Delegations
- Gifts Registers (available by contacting the Public Officer)

- Returns of the Interests of Councillors, Designated Persons and Delegates (this document is available for inspection at Council's Administration Office only, and not on the website, in accordance with the Information Commissioner's guidelines)
- Returns as to Candidates' Campaign Donations
- Council Use of Common Seal Register (available by contacting the Public Officer)
- Register of graffiti removal work kept in accordance with Section 67C (available by contacting the Public Officer)

### **Agendas, Business Papers and Minutes**

- Agendas and business papers for Council Meetings, not including business papers for matters considered when part of a meeting is closed to the public
- Agendas and business papers for Committee Meetings, not including business papers for matters considered when part of a meeting is closed to the public
- Minutes of Council Meetings - if any part of a meeting is closed to the public then only the resolution and recommendations that were made are included in the minutes
- Minutes of Committee Meetings - if any part of a meeting is closed to the public then only the resolution and recommendations that were made are included in the minutes

### **Planning and Development Documents**

- Building and Development Applications under the *Environmental Planning and Assessment Act 1979* and associated documents (available by contacting the Public Officer)
- Records of Approvals Granted, any variation from local policies with reasons for the variation and decisions made on appeals concerning approvals (available by contacting the Public Officer)
- Local Policies adopted by Council concerning approvals and orders
- Records of Building Certificates under the *Environmental Planning and Assessment Act 1979* (available by contacting the Public Officer)
- Plans and Land Proposed to be Compulsorily Acquired by Council (available by contacting the Public Officer)
- Leases and Licences for the use of Public Land Classified as Community Land
- Planning Decisions Register
- Environmental Planning Instruments, Development Control Plans and plans made under sections 94A and B of the *Environmental Planning and Assessment Act 1979* that apply to land within Council's area (available by contacting the Public Officer)

## How is Council Information Made Available

There are four ways Council Information will be made available;

### 1. Mandatory Release

This generally includes information found on Council's website such as policy and general documents, the current Publication Guide and Disclosures Log.

### 2. Proactive Release

These are additional documents that are made available to the public on Council's website and at the Administration Centre.

### 3. Informal Request

This is for specific information. Under the *Government Information (Public Access) Act 2009* Council can choose to release this information without the need for a formal access application. Access via this path may be subject to reasonable conditions such as photocopying charges. Requests for information should be emailed to Council at [mail@cobar.nsw.gov.au](mailto:mail@cobar.nsw.gov.au) or contacting Council's Public Officer at the Administration Centre on 02 6836 5888.

### 4. Formal Access Application

If you have not been able to obtain the information you need through any other form of access you can lodge a Formal Access Application. Unlike the Informal Request you have a legally enforceable right to be provided with access unless there is an overriding public interest against disclosure of the information. An application fee and processing charge may apply. A formal *Government Information (Public Access) Act 2009* Application Form (downloadable from Council's website) will need to be completed and submitted to Council with the application fee.

## How Members of the Public May Access and Amend Council Information

Access to Council information may be obtained Council's website at [www.cobar.nsw.gov.au](http://www.cobar.nsw.gov.au) or by contacting Council's Public Officer at the Administration Office between 8am and 4pm Monday to Friday.

If the information you require is not available on the website please email Council at [mail@cobar.nsw.gov.au](mailto:mail@cobar.nsw.gov.au) or contact Council's Public Officer at the Administration Office on (02) 6836 5888.

If you ask for information and you are not able to obtain it, you may apply for them under the *Government Information (Public Access) Act 2009 (NSW)* by:

- Completing a GIPA Application Form downloadable from Council's website. If you cannot download this form you may obtain a copy from Council's Administration Office.
- Present the form and the appropriate fee to Council's Administration Office, 36 Linsley Street, Cobar.

Details of procedures and fees are detailed in the *Government Information (Public Access) Act 2009 (NSW)* or may be obtained from Council's Public Officer at the Administration Office.

Arrangement can be made for amendments to information concerning personal information of members of the public by contacting Council's Public Officer. Enquiries should be addressed as follows:

General Manager  
Cobar Shire Council  
PO Box 223  
COBAR NSW 2835  
Email: [mail@cobar.nsw.gov.au](mailto:mail@cobar.nsw.gov.au)

## Further Information

If you require further information regarding the *Government Information (Public Access) Act 2009*, members of the public can review the website of the Information and Privacy Commission (IPC) at:

[www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)

The Information Commissioner can also be contacted as follows;

Free Call Telephone:	1800 472 679
Email:	<a href="mailto:ipcinfo@ipc.nsw.gov.au">ipcinfo@ipc.nsw.gov.au</a>
Address:	GPO Box 7011 SYDNEY NSW 2001
Office Address:	Level 11 1 Castlereagh Street SYDNEY NSW 2001

# Cadastral Records Enquiry Report

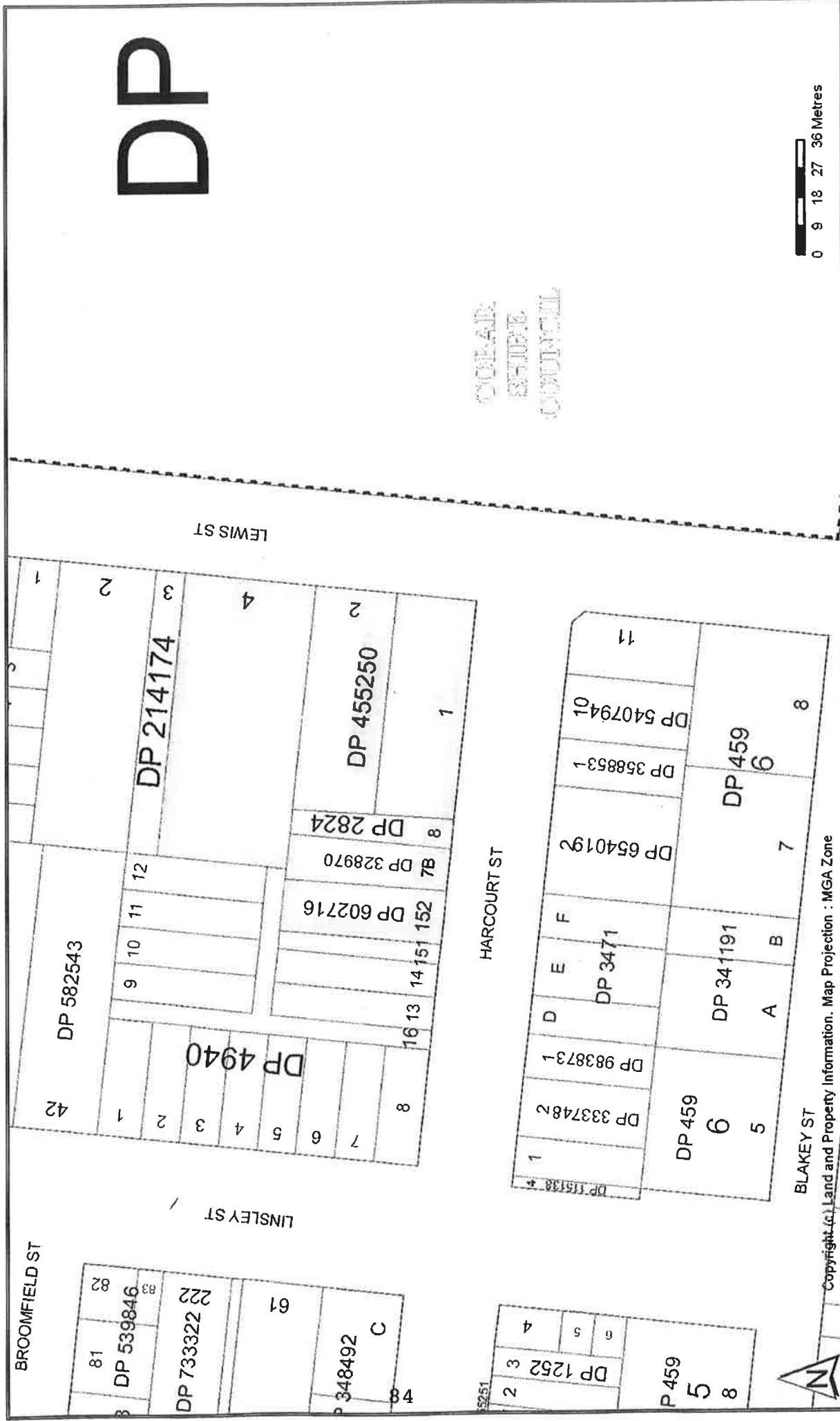
Requested Parcel : Lot 1 DP 455250

LGA : COBAR

Parish : COBAR

Identified Parcel : Lot 1 DP 455250

County : ROBINSON





**Family &  
Community  
Services**

# **Program Level Agreement**

**DEPARTMENT OF FAMILY AND  
COMMUNITY SERVICES NSW**

**The Minister for Family and Community  
Services, for and on behalf of the State of New  
South Wales, acting through the Department of  
Family and Community Services**

**AND**

**Cobar Shire Council  
ABN 71579717155**

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# Program Level Agreement

Date: 14/04/2016

## Program: Community Builders

Program Level Agreement: CBOranaFarWest010  
1-5124781609

## Parties

### First party

**Name** The Minister for Family and Community Services, for and on behalf of the State of New South Wales, acting through the Department of Family and Community Services

**ABN** 87 503 966 787

**Contact** Barbara Brown

**Telephone** 02 6826 7416

### Second party

**Name** Cobar Shire Council (**Service Provider**)

**ABN** 71579717155

**Contact** Narelle Kriz

**Telephone** 68362360

**Postal address** C/- 36 Linsley St  
Cobar, New South Wales 2835

**Operating Name** Local Government Salary Subsidy - Cobar Community Worker

## Background

- A. Family and Community Services and the Service Provider are party to a Funding Deed.
- B. The Service Provider offers to provide the Services described in this Program Level Agreement, on the terms and conditions set out in the Funding Deed and this Program Level Agreement, as and when directed by Family and Community Services.
- C. Family and Community Services, with the agreement of the Service Provider, may issue a Service Delivery Schedule in writing, which may be varied from time to time.
- D. The Service Provider agrees to provide the Services as may be directed and as may be varied by Family and Community Services from time to time.

## Operative part

### 1 Terms

#### 1.1 Commencement and duration

This Program Level Agreement commences on the Service Start Date and, unless terminated earlier, continues until the Service End Date.

#### 1.2 Terms and Conditions

The terms and conditions of this Program Level Agreement are set out in:

- a. Clauses 2.3 to 24 of the Funding Deed;
- b. This Program Level Agreement; and
- c. Any Service Delivery Schedule.

### 2 Service Details

#### 2.1 Service Start Date and End Date

- a. The Service Start Date is 01/07/2016.
- b. The Service End Date is 30/06/2017.

#### 2.2 District

The District administering the Services is Western NSW.

#### 2.3 Geographic Coverage

The Geographic Coverage for the Services is as follows:

Local government areas to be covered	If the area to be covered is smaller than the local government area, please specify the area
Cobar	

#### 2.4 Client Group

The client group/s for the Services are outlined in the Program Guidelines, Service Delivery Schedule, or other documentation including other procurement documentation.

2.5 Service Levels

The following table shows the maximum number of Services that Family and Community Services may direct the Service Provider to provide under this Program Level Agreement:

Financial Year	Type of Service	Maximum Quantity	Unit of Measure	Unit Price	Total Funds
2016/2017	Community Capacity Building	2	Activity	\$8,680.90	\$17,361.80

### 3 Services

#### 3.1 Services

The Service Provider must provide the services outlined in this Program Level Agreement in accordance with:

- a. this Program Level Agreement;
- b. Funding Deed;
- c. Program Guidelines;
- d. Practice Guidelines or similar program related documents;
- e. any implementation plan approved by Family and Community Services; and
- f. if Family and Community Services and the Service Provider agree to a Service Delivery Schedule, the Service Provider must deliver the services in accordance with the Service Delivery Schedule.

#### 3.2 Service Delivery Schedule

Any Service Delivery Schedule issued under clause 3.1f must be materially consistent with this Program Level Agreement, in particular the Service Details in clause 2.

### 4 Funds

#### 4.1 Funds

- a. Family and Community Services will pay the Service Provider Funds, based on the Services actually provided by the Service Provider, in accordance with the Funding Deed and this Program Level Agreement.
- b. The Funds payable by Family and Community Services to the Service Provider will be based on the service levels specified in clause 2.5 and any Service Delivery Schedule issued by Family and Community Services from time to time.
- c. The agreed maximum Funds payable by Family and Community Services to the Service Provider at commencement of this Program Level Agreement are:

Financial Year	Type of Funds	Total Maximum Funds
2016/2017	Annual	\$17,381.81

- d. Family and Community Services will pay Funds to the Service Provider quarterly unless otherwise negotiated.
- e. Family and Community Services may also agree to pay the Service Provider an amount of one-off funding. Any such payment will be subject to the terms and conditions of this Program Level Agreement and the Funding Deed.
- f. At the end of each financial year, or at any time during the year, Family and Community Services may reconcile the Funds paid to the Service Provider against the level and number of Services provided by the Service Provider during that financial year. Family and Community Services may require the Service Provider to repay Funds, in accordance with clause 8.2 of the Funding Deed.

## 5 Performance Measures

The Service Provider must meet or exceed the Performance Measures specified in the Program Guidelines, Service Provision and Practice Guidelines, contract and performance frameworks, or as otherwise notified by Family and Community Services from time to time.

## 6 Data Collection

### 6.1 Data Collection

- a. The Service Provider must collect and provide the following information to Family and Community Services:
  - i. Information required to report on the Service Provider's Performance against the Performance measures, as outlined in the Program Guidelines and contract and performance frameworks, or as otherwise notified by Family and Community Services from time to time;
  - ii. Information relating to the delivery of all services contracted under this Program Level Agreement.
  - iii. Information in accordance with any data collection requirements outlined in the Program Guidelines; and
  - iv. Information required for surveys or research authorised by Family and Community Services.

## 7 Insurance

### 7.1 Insurance

The Service Provider must take out and maintain insurance in accordance with the relevant Insurance Clauses contained within the Family and Community Services Funding Deed.

## 8 Indemnity

### 8.1 Indemnity

The Service Provider's indemnity is specified in clause 18 of the Funding Deed.

## 9 Special Conditions

*Special Conditions relating to this service may be listed here if required:*

Contracting arrangements with the Department of Family and Community Services are subject to change. In the case where policy and program reform occurs during the contractual period, the existing agreement will be renegotiated with services to reflect new policy and program requirements.

## 10 Relationship between parties

- a. Nothing in this Program Level Agreement:
  - i. constitutes a partnership between the parties; or
  - ii. except as expressly provided, makes a party an agent of another party for any purpose.
- b. A party cannot in any way or for any purpose:
  - i. bind another party; or
  - ii. contract in the name of another party.
- c. If a party must fulfil an obligation and that party is dependent on another party, then that other party must do each thing reasonably within its power to assist the other in the performance of that obligation.

## 11 Variation

A provision of this Program Level Agreement can only be varied by a later written document, including but not limited to a Service Delivery Schedule, executed by or on behalf of all parties.

## 12 No assignment

A party cannot assign or otherwise transfer its rights under this Program Level Agreement without the prior written consent of the other party.

## 13 Counterparts

This Program Level Agreement may be executed in any number of counterparts. All counterparts taken together constitute one instrument.

## 14 Legal expenses and stamp duty

- a. Each party must pay its own legal costs and disbursements in connection with the negotiation, preparation, execution and carrying into effect of this Program Level Agreement.
- b. Each party must pay all stamp duty assessed on or in relation to this Program Level Agreement and any instrument or transaction required by or necessary to give effect to this Program Level Agreement.

## 15 Invalidity

- a. A word or provision must be read down if:
  - i. this Program Level Agreement is void, voidable, or unenforceable if it is not read down;
  - ii. this Program Level Agreement will not be void, voidable or unenforceable if it is read down; and
  - iii. the provision is capable of being read down.
- b. A word or provision must be severed if:
  - i. despite the operation of clause 15a, the provision is void, voidable or unenforceable if it is not severed; and
  - ii. this Program Level Agreement will be void, voidable or unenforceable if it is not severed.
- c. The remainder of this Program Level Agreement has full effect even if clause 15b.i or 15b.ii applies.

## 16 Waiver

A right or remedy created by this Program Level Agreement cannot be waived except in writing signed by the party entitled to that right. Delay by a party in exercising a right or remedy does not constitute a waiver of that right or remedy, nor does a waiver (either wholly or in part) by a party of a right operate as a subsequent waiver of the same right or of any other right of that party.

## 17 Survival after termination

Clauses 7 and 8 continue to apply after expiration or termination of this Program Level Agreement.

## 18 Governing law and jurisdiction

- a. The laws applicable in New South Wales govern this Program Level Agreement.
- b. The parties submit to the non-exclusive jurisdiction of the courts of New South Wales and any courts competent to hear appeals from those courts.

## 19 Definitions

In this Agreement, unless the context indicates a contrary intention:

**Funds** means the funds to be calculated in accordance with the Service clause of this Program Level Agreement.

**Funding Deed** means the funding deed between Family and Community Services and the Service Provider.

**Program** means the Program as described in the Program Guidelines and this Program Level Agreement.

**Service Details** means the details contained in clause 2 of this Program Level Agreement.

**Program Guidelines** means the guidelines for this Program contained at the Family and Community Services website as may be amended by Family and Community Services from time to time.

**Program Level Agreement** means this Agreement.

**Services** means services within the parameters of the Service Details, and more fully described in the Program Guidelines.

**Service Delivery Schedule** means a service delivery schedule, and any attached orders, issued by Family and Community Services to the Service Provider, and as may be varied from time to time.

**Service End Date** means the date specified in clause 2.1a.

**Service Start Date** means the date specified in clause 2.1b.



[illegible]

and

ABN: 71579717155

ABN: 71579717155

Signature of Authorised Representative

Date \_\_\_\_\_

as authorised representative for the **Minister for Family and Community Services**, for and on behalf of the State of New South Wales, acting through the Department of Family and Community Services:

Date \_\_\_\_\_

12 Belagoy Street

Cobar

25/05/2016

General Manager

Mayor

Councillors

Cobar Shire Council

- 7 JUN 2016

While reading the details for the Council's plans and budget for the upcoming year in the Cobar Weekly I observed \$20,000 worth of staged works planned for the Newey.

As a regular user of the Newey for over 25 years I have seen improvements made to the Newey( some good , others not so good) but after the latest "improvement "– the laying of a strip of bitumen, I would like to know who makes the decisions on what happens at the Newey and just who these staged works are to benefit.

I have been able to source the minutes from a meeting of the Newey Improvement Committee dated 18<sup>th</sup> December 2014, and after reading the suggested stage and project ideas I did wonder what the committee was "on". Remember this is Cobar and we have to be realistic. I did not see the latest "improvement" on the list, so again I ask " who makes the decisions?" I also managed to contact 5 of the 8 committee members who also knew nothing about the decision to lay the bitumen strip or any other planned future staged works.

Please, I ask you do not commercialise the Newey any further. Complete the walking/cycle track with an all weather access and bridge the Golf Course and Ward Oval creeks for pedestrian and cycle use only. Already the regular walkers, cyclists, joggers, dog exercisers, pram pushers and people generally enjoying the tranquility of the Newey, have to battle the hordes of campers who seem to benefit more from a lot of these improvements.

The Newey offers enough in it's present state with locals enjoying the facilities and ambience without this being destroyed by too much commercialism.

Is it possible that we could revive the Old Res to accommodate the boating and skiing "wish list". Why doesn't anyone appreciate the serenity of the Newey and suggest we keep it to man powered crafts such as canoes, kayaks, paddleboards, dinghys, pedal boats, fishing and maybe a Dragon Boat.

- copy DCCS  
- copy SPO & OES

LS-22

96608

DCCS

I have made enquiries to other councils such as Forbes and Gunghalin ACT who have water bodies in or near residential areas and they have a non motorized policy . As a nearby resident of the Newey I know just how much noise is generated when The Newey is full and used by motor boats and jet skis from 7am to after 9pm(ESDT).

I would also like to know who pays for the maintenance on any of the stages planned for the future. Does it come out of the allocated budget or from somewhere else?

I already observe council staff mowing lawns, emptying bins, cleaning toilets and barb-b-ques which I assume, is ultimately paid for by the ratepayers, which brings me to the campers.

Does Council have a policy regarding camping at the Newey?

Some evenings there are in excess of 20 vans parked at the Newey. There is very little regard for the sign which reads fires and grey water discharge are prohibited. I find campers blatantly ignoring the sign and doing both as well as camping on the walking/ cycle track . Why should those trying to have a healthy lifestyle have to inhale campfire smoke, manoeuvre push bikes around fires on the bike track, step over or around puddles of grey water discharge and dodge the excessive amount of caravans , tents and campervans parked "willy-nilly" at the Newey. The Newey is not a caravan park ,which is why I ask that council please don't make any changes to attract more campers. As far as I am aware Cobar has a perfectly good caravan park being under utilized as more and more campers use our "free" facilities.

As a Cobar Shire rate payer I feel I should be able to voice my concern publicly , however I do not wish to be ostracized by those who believe the "free" campers bring all this extra trade to Cobar .

I also believe the "Free Camping" issue should be revisited by Council due to the overwhelming number of campers filling Cornish Rest and the Newey .

I would appreciate my letter to be acknowledged and await a reply.

Yours Faithfully

Julie Payne



## **Resolution Passed at Association of Mining Related Councils Meeting Held 13<sup>th</sup> May 2016-- Memorandum of Understanding with NSW Minerals Council and Timeline for Completion of Voluntary Planning Agreements.**

**Moved** Councillor John Martin, Singleton Council **Seconded** Councillor Chris Connor, Wollongong City Council

**29/2016** The member councils be asked to advise the Association by no later than 22<sup>nd</sup> July 2016 of their acceptance or, rejection of these documents.

**Carried**

### **Background**

In November 2015, The Association resolved to enter discussions with the NSW Minerals Council to see if there were opportunities to develop a closer working relationship on behalf of members of both organisations particularly in relation to Voluntary Planning Agreements (VPAS) and related contribution methodology. VPAS for some member councils in past years had become expensive and time consuming matters.

The Association approached the discussions by the appointment in November 2015 of a small advisory Panel with two Councillors and two General Managers as members. This Panel has now been increased to three Councillors and two General Managers. All meetings with the NSW Minerals Council are chaired by an independent Association member council delegate. The Association in November 2015 also appointed a consultant to assist the Panel in its negotiations. He is Mr Warwick Giblin, Managing Director, OZ Environmental Pty Ltd who has considerable experience in assisting Councils with their VPA negotiations with mining companies. The consultancy is being paid for from the Association's cash reserves built up over past years and set aside for projects such as the VPA negotiations.

Between November 2015 and May 2016, the Panel has been able to debate and negotiate a draft Memorandum of Understanding with the NSW Minerals Council to a point where the Association has resolved it is ready for signing by both organisations.



Another outcome has been the Panel's successful negotiations with the NSW Minerals Council of a Time Line document which sets out an acceptable framework and methodology for the negotiation of a VPA. The Association has also resolved to accept this document as a fair and reasonable solution to past problems with negotiations on this important local issue.

The negotiation process with the NSW Minerals Council is ongoing for the time being, with the need for an acceptable model for contributions to local social and physical infrastructure particularly roads. This matter will take some time. In the meantime, The Association wishes to gain member Council's support to sign the Memorandum of Understanding and approval of the time line. The Association by resolving to accept both documents believes the agreements contained therein are in the best interests of member councils and the adopted processes will assist with future VPA negotiations.

As per a resolution at the recent meeting of the Association (13<sup>th</sup> May 2016) it is the intention of the Association to authorise the Chairperson to sign the Memorandum of understanding if there is positive agreement in returned responses (in writing) by a majority of member councils (50% plus one).

The Association trusts your Council will be supportive of the actions taken so far to assist member councils with this important matter.

# Memorandum of Understanding

## Negotiating Voluntary Planning Agreements for NSW Mining Development

### Preamble

This memorandum of understanding documents an agreement of the parties to work collaboratively to develop a mutually acceptable framework for the negotiation of voluntary planning agreements (**VPA**) for Mining Development in New South Wales.

In the past, negotiation of VPAs by mining proponents and local governments has been characterised by a lack of a robust, transparent process which in turn has sometimes generated uncertainty, delay, distrust and ad hoc and variable outcomes. The parties to this agreement share a belief that the process by which VPAs are negotiated can be improved to the mutual benefit of all parties involved. It is therefore the intention of the parties to work together collaboratively and in good faith to see if a better process can be agreed upon.

Nothing in this MoU obliges either Party to enter a final agreement regarding a framework for VPA negotiations nor about any of the component parts (e.g economic impacts calculator and road contribution calculator) of the framework.

<b>Date</b>	X April 2016 (to be inserted upon execution)
<b>NSWMC</b>	<b>NSW Minerals Council</b> on behalf of its members.
<b>AMRC</b>	<b>Association of Mining Related Councils</b> on behalf of its member Councils.
<b>Parties</b>	Together the NSWMC and AMRC.
<b>Additional parties</b>	[Insert any other non AMRC councils that agree to this memorandum of understanding]
<b>Voluntary Planning Agreement Negotiation Framework</b>	<p>The Parties agree to:</p> <ul style="list-style-type: none"> <li>(a) work collaboratively and constructively to establish an agreed framework for the negotiation of VPAs for <i>Mining Development</i><sup>1</sup> in NSW;</li> <li>(b) seek to develop a framework which is mutually beneficial to, and better addresses the interests of the Parties' members;</li> <li>(c) approach and undertake negotiations in good faith;</li> <li>(d) establish respective VPA working groups that: <ul style="list-style-type: none"> <li>(i) shall meet on a regular basis;</li> <li>(ii) will be adequately resourced; and</li> <li>(iii) authorise the respective secretariats to take steps to progress the negotiations out of session.</li> </ul> </li> </ul>

<sup>1</sup> For the purposes of this agreement, '**Mining Development**' means a mining related project which is of a scale or nature that will have an impact on infrastructure demands within the relevant Local Government Area (**LGA**) and:

- (a) for which development consent is being sought for State Significant Development under Part 4 of the Environmental Planning and Assessment Act 1979 (NSW) (**EP&A Act**); or
- (b) an application has been made for the modification of a development consent in respect of a State Significant Development; or
- (c) an application has been made for the modification of a transitional Part 3A project pursuant to section 75W of the EP&A Act.

<b>Methodology to calculate demands on local infrastructure</b>	The Parties agree to work cooperatively together over the next 9 months to develop a tool that can be used by the Parties to assess the potential impact of a <i>Mining Development</i> on local government infrastructure and to calculate an appropriate contribution to be offered by the proponent to offset the potential impacts.
<b>Methodology for calculating road upgrade and maintenance contributions</b>	<p>The Parties agree to work cooperatively together over the next 9 months to develop a tool that can be used by the Parties to:</p> <ul style="list-style-type: none"> <li>(a) assess the likely impact of a Mining Development on council roads within a local government area and to identify which roads will require upgrading and maintenance;</li> <li>(b) determine the standard to which a road should be upgraded and maintained;</li> <li>(c) develop a formula that can be used to calculate the cost of any necessary road upgrades and maintenance, using agreed industry guidelines; and</li> <li>(d) use the above information to apportion the cost of the necessary road upgrades and maintenance to a particular Mining Development.</li> </ul>

EXECUTED as an agreement

Executed by  
New South Wales Minerals Council  
on     /     /20     by:

^

^

^

Full name of

^

Full name of

Executed by  
Association of Mining Related Councils  
on     /     /20     by:

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Full name of

^

Full name of





Negotiation period

Key date

Council action

Proponent action

Joint action

Stop-the-clock mechanism to be utilised as required

PEA stage

Issue of SEARs

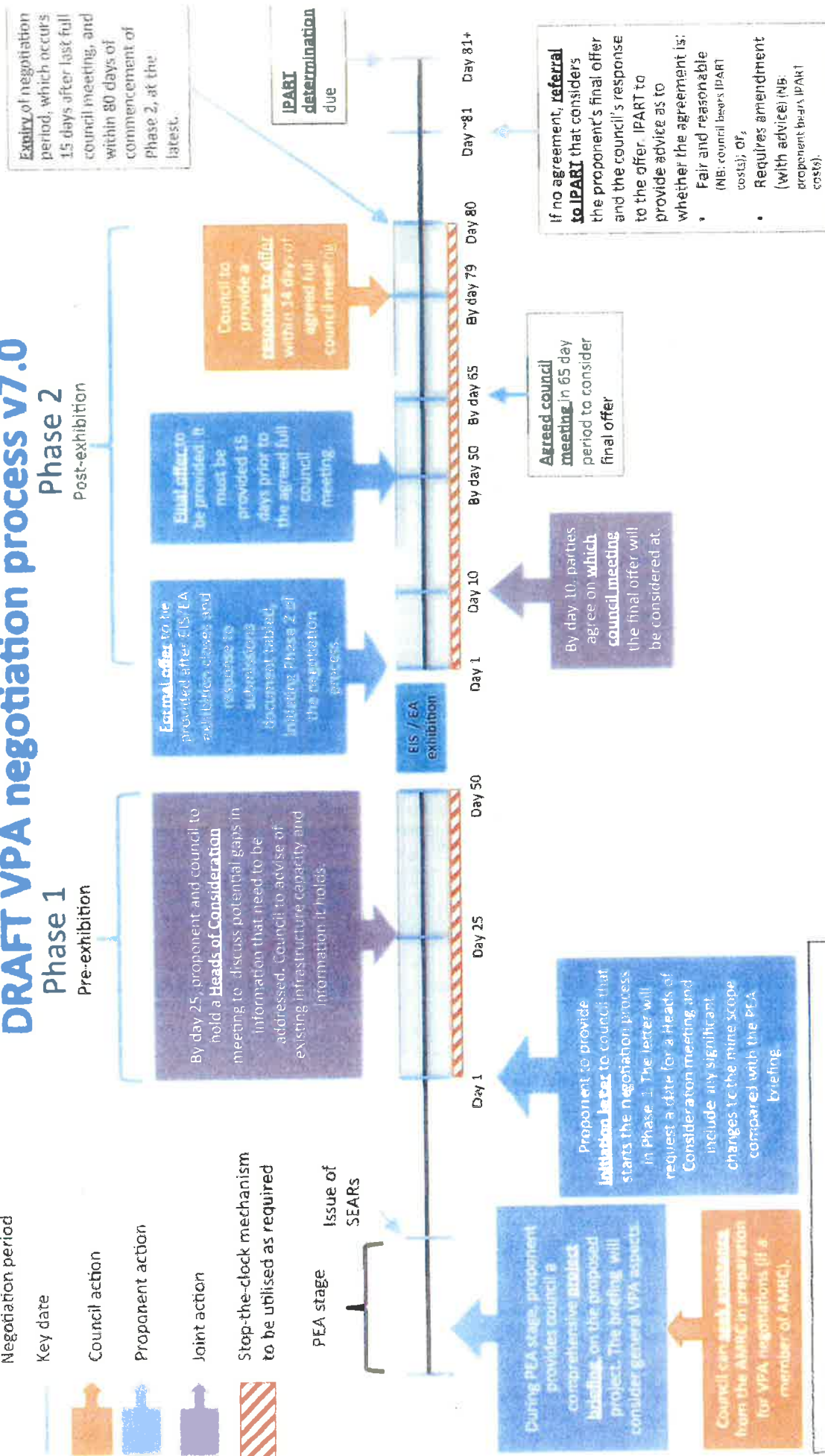
# DRAFT VPA negotiation process v7.0

## Phase 1

Pre-exhibition

## Phase 2

Post-exhibition



Notes:

1. A council's acceptance of a final offer has no bearing on whether or not it endorses a mining project proposal in its entirety, these are separate matters.
2. Days are business days.

### Acronyms

AMRC – Association of Mining Related Councils

EA – Environmental Assessment

EIS – Environmental Impact Statement

IPART – Independent Pricing and Regulatory Tribunal

PEA – Preliminary Environmental Assessment

SEARs – Secretary's Environmental Assessment Requirements

VPA – Voluntary Planning Agreement





## **PROPOSAL TO ESTABLISH AN ALCOHOL-FREE ZONE IN COBAR**

### **INTRODUCTION**

On 26 June 2016 the existing alcohol-free zone covering the township of Cobar will expire. Recently Council has received four (4) applications in relation to an alcohol-free zone.

Due to the alcohol related crime, vandalism, graffiti and littering concerns relating to alcohol consumption in Cobar, Council proposes that an alcohol-free zone be re-established for the maximum period of four years.

### **AIM OF ALCOHOL-FREE ZONES**

- To reduce the incidence of alcohol related crime in Cobar.
- To reduce the incidence of alcohol related vandalism in Cobar.
- To reduce the incidence of alcohol related graffiti in Cobar.
- To reduce the amount of alcohol related litter in Cobar.
- To provide a safe environment for users of local streets, footpaths and public car parks without hindrance from irresponsible people drinking alcohol.

### **PROPOSED TIMEFRAME OF OPERATION**

The alcohol-free zone will operate from 27 June 2016 to 26 June 2020 and be in force for 24 hours per day.

### **LEGISLATION**

The legislation associated with an alcohol-free zone relates to individuals who are consuming alcohol on the streets (including footpaths) or in public car parks but does not affect individuals who have unopened alcohol moving from one location to another and is created by Council under Section 644 of the *Local Government Act 1993*.

### **PROPOSED ZONES**

It is proposed that the alcohol free zone cover all roads, streets (including footpaths), lanes and public car parks in Cobar.

Refer to Attachment 1 for a map of the proposed alcohol-free zone in Cobar.

### **RATIONALE**

Council has received formal applications for an alcohol-free zone to be established in Cobar from four (4) different organisations.

The Cobar Liquor Accord has requested the alcohol-free zone be re-established across all roads, streets (including footpaths), lanes and public car parks in Cobar.

The NSW Police, Cobar Station and the Darling River Local Area Command has requested the alcohol-free zone be established across all roads, streets (including footpaths), lanes and public car parks in Cobar. The request was made to reduce the public order incidences, assaults, domestic violence, under age alcohol consumption, PCA offences, noise disturbances, anti-social behaviour and littering. The establishment of an alcohol-free zone across all roads, streets and laneways in Cobar will assist the NSW Police to target alcohol related crime hotspots.

The Community Working Party stated reasons for establishment of an alcohol-free zone was to reduce property damage and destruction and littering. An area for the alcohol free zone was not provided.

Below are the NSW Crime statistics downloaded from the NSW Bureau Crime Statistics and Research website and presented as a comparison between 2010 and 2014 for alcohol related and not alcohol related crime statistics for the Cobar Local Government Area.

Offence Type	Alcohol Related*		Not Alcohol Related	
	2010	2014	2010	2014
Assault – domestic violence related	20	13	9	27
Assault – non-domestic violence related	38	12	14	16
Robbery	1	0	0	0
Break and enter dwelling	5	0	26	36
Break and enter non-dwelling	1	4	19	49
Motor vehicle theft	1	1	7	18
Steal from motor vehicle	2	2	20	80
Steal from retail store	0	2	10	10
Steal from person	0	0	0	0
Malicious damage to property	23	25	90	86

*\* It is difficult for police to make a determination about the involvement of alcohol in a criminal incident if the identity of the offender is not known. This is common for many property offences and these data should therefore be interpreted with this in mind.*  
**Source of above statistics tables:** NSW Bureau Crime Statistics and Research, [www.bocsar.nsw.gov.au](http://www.bocsar.nsw.gov.au)

## CONSULTATION

It is important that the community is thoroughly consulted throughout the process of establishing an alcohol-free zone in Cobar. The following organisations and businesses, but not limited to, have already been requested to provide a submission for the establishment of an alcohol-free zone, and will be sent a copy of this proposal and invited to make representation, submissions or objections within 30 days from the date the proposal was sent.

- NSW Police, Darling River Local Area Command
- NSW Police, Cobar Police Station
- Liquor licensees in Cobar
- Community Safety Precinct Committee
- Secretaries of Registered Clubs in Cobar
- Cobar Liquor Accord
- Cobar Business Association
- Cobar Mental Health Network
- Mine Managers
- Cobar Local Aboriginal Land Council

- Murdi Paaki Regional Assembly
- Bila Muuji (Upper Sector) Social Emotional Well Being
- Cobar Community Working Party
- Cobar Community Drug Action Team (CCDAT)
- Housing NSW – Dubbo Office

Notices will also be placed in the Cobar Weekly informing people of the proposal and invite representations, submissions or objections within 30 days of the publication. A copy of the proposal will be placed on the Cobar Shire Council website and available from the Council Administration Building and people will be invited make representations, submissions or objections within 30 days of the proposal being placed on the website.

### **ESTABLISHING & OPERATING ALCOHOL-FREE ZONES**

After completing the consultation, Cobar Shire Council may, by resolution, adopt this proposal to establish an alcohol-free zone in Cobar. This resolution itself will establish the zone. Once resolved Council will then inform all interested parties including the local Police, all affected liquor licensees, club secretaries and other organisations advised of the original proposal.

Once resolved the Council will then publish in the newspaper the establishment of an alcohol-free zone. A notice will be placed in The Cobar Weekly. The alcohol-free zone will come into force 7 days after the notice is published and when the roads and car parks affected are adequately signposted as per the *Local Government Act 1993*.

### **COMMUNITY EDUCATION**

Council will develop and implement community education about the alcohol-free zone which will run when the zone is established and then again during the peak times throughout the four years.

### **ALCOHOL-FREE ZONES AND ALFRESCO DINING**

In some circumstances an alcohol-free zone may be proposed for an area that includes footpath alfresco dining areas for cafés and restaurants which fall within the zone. When Council issues a licence for the use of public footpaths for such dining use in an alcohol-free zone, it will impose conditions on the licensee (e.g. restaurant operator) about the requirements of the zone, including clear delineation and control of the licensed area from the alcohol-free zone.

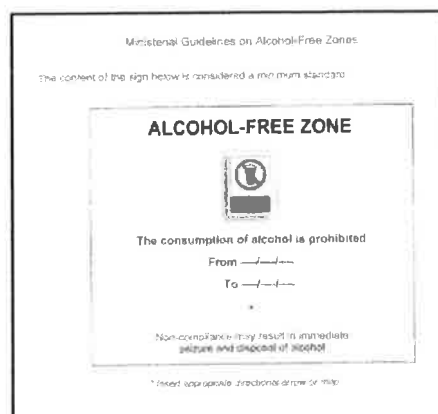
### **SIGNAGE**

Signs will be placed on the outer limits of the zone, at specific trouble spots and at other suitable intervals within the zone.

The signs erected will be similar to the one shown in the Ministerial Guidelines.

### **ENFORCEMENT OF ALCOHOL-FREE ZONES**

The legislation applies to all persons, including minors.



An alcohol-free zone may be enforced by any Officer of the NSW Police Force or a Cobar Shire Council Enforcement Officer who has been authorised in writing by the Commissioner of Police for the purpose of section 642 of the *Local Government Act 1993*.

The Police and an authorised Enforcement Officer have the power to seize and tip out or otherwise dispose of alcohol without the need to issue a warning within an alcohol-free zone. A Police Officer or authorised Council Enforcement Officer may use their discretion to issue a warning to a person who is drinking in an alcohol-free zone, for example, where the person may be unaware of the zone.

It should also be noted that in circumstances where a person does not co-operate with a Police Officer or authorised Council Enforcement Officer, they can be charged with obstruction under section 660 of the *Local Government Act 1993* which carries a maximum penalty of \$2,200.

For further information refer to the "Ministerial Guidelines on Alcohol-Free Zones".

### **SUSPENSION OR CANCELLATION OF AN ALCOHOL-FREE ZONE**

Once established, the proposed alcohol-free Zone in Cobar can be suspended or cancelled by Council passing a valid resolution. This action may be taken if a request has been received from any person, body or at Council's own initiative. Such action will only be considered after consultation with local Police.

If an alcohol-free zone is suspended or cancelled, it will be notified to the local Police and advertised in the local newspaper. If cancelled, all signage will be removed immediately.

### **RECORDING OF ALCOHOL-FREE ZONES**

It is important that records are kept of the processes of establishing of an alcohol-free zone in Cobar. Council will record and store the information within Council's Record System. At a minimum, the Council will record:

- All the relevant documentation showing all the steps taken to establish a zone.
- All relevant documentation relating to the removal of signs at the conclusion of period.
- All documentation relating to a request to suspend or cancel a zone once it is established.
- All steps taken to avoid overlap in the establishment of any alcohol-free zones.
- Information including statistical data that will help to provide a reference base if a re-establishment of an alcohol-free zone is requested.

### **REPRESENTATION, SUBMISSION OR OBJECTION**

People are invited to make representation, submissions or objections regarding this proposal to establish an alcohol-free zones in Cobar within 30 days from the date of this proposal. A copy of this proposal will be made available from:

- Cobar Shire Council Office, 36 Linsley Street, Cobar
- Cobar Shire Council Website ([www.cobar.nsw.gov.au](http://www.cobar.nsw.gov.au))

**All representation, submissions or objections are to be sent to:**

General Manager  
Cobar Shire Council  
PO Box 223  
COBAR NSW, 2835

Fax: (02) 6836 5889  
Email: [mail@cobar.nsw.gov.au](mailto:mail@cobar.nsw.gov.au)

**For further information regarding this proposal please contact**

Heather Holder  
Land Management Officer  
PO Box 223  
COBAR NSW 2835

Phone: (02) 6836 5888  
Fax: (02) 6836 3964  
Email: [mail@cobar.nsw.gov.au](mailto:mail@cobar.nsw.gov.au)

## All streets, footpaths, laneways and public carparks in Cobar



**All streets, footpaths, laneways and public carparks in Cobar**

**Minutes of the Cobar Shire Council Economic Taskforce  
Meeting No.10 held in the Council Chambers on  
Thursday 26 May 2016 commencing at 3:02pm**

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**PRESENT**

Councillor Peter Yench  
Councillor Peter Abbott  
Councillor Bob Sinclair  
Janine Lea-Barrett (Community Representative)  
Heather Christie (Community Representative)  
Peter Vlatko (General Manager)  
Angela Shepherd (Special Projects Officer)  
Garry Ryman (Director of Planning and Environmental Services)  
Kym Miller (Director of Corporate and Community Services)

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**APOLOGIES**

Councillor Jarrod Marsden.

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**MINUTES OF THE PREVIOUS MEETING**

Noted as true and correct.

**Clr Bob Sinclair / Mr Garry Ryman**

**CARRIED**

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**COMMUNITY REPRESENTATIVE UPDATE**

Mrs Janine Lea-Barrett was welcomed as the new community representative as resolved by Council at their February 2016 meeting.

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**COMMITTEE MEETING RECOMMENDATIONS - UPDATE**

The Council Committee meeting recommendations were noted, as were the Forbes Flying School Proposal and the Sydney Expo information on aviation in rural areas.

Clr Yench reported that the RDA Board is currently undertaking an aviation study. They are looking at the possibility of Dubbo being a hub for a flight training school and sending pilots to the surrounding region for training. There was a concern that through this study a model that actually brings money into Cobar needs to be developed, not one where the pilots just fly to Cobar (in and out of Dubbo) and do not stay here.

Ms Christie has spoken with an overseas investor looking at a big picture flying school project.

There has been positive feedback from the service Council is providing at the airport.

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It was suggested that rather than building new school rooms etc at the airport for the flight training school, that it would be better to run the theory classes at the TAFE if possible, to increase the use of that asset.

It was noted that Council should progress the development of a master plan for our airport as soon as practical. Council should also continue to assist Mr Brophy with his business idea.

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John Martin arrived 3.15pm

### **TOURISM REPORT**

Mr John Martin provided a written report on tourism in Cobar for this year. This report was noted and discussions held.

It was noted that the trend towards free camping continued to increase and caravan sales are increasing. The Taskforce is interested to develop ideas on how we can utilise the skills of travellers whilst they are in the Shire, this may also encourage them to stay longer. It was noted as a worthwhile idea to have information boards at the Newey and the Cornish Rest Area.

It was noted that a motion should go to the Western Division seeking a strategy for the region to manage free camping.

The use of the Newey for camping was discussed.

### **RECOMMENDATION:**

1. That Council prepare a Plan of Management for the Newey Reserve and review the free camping issue in Cobar.

Clr Bob Sinclair/ Ms Janine Lea-Barrett

**CARRIED**

2. That Council lobby the Minister for Tourism and Destination NSW to outline their vision for promoting Outback NSW.

Clr Peter Yench/Ms Heather Christie

**CARRIED**

It was also noted that this motion should go to the Western Division Conference.

3. Do a study and identify and estimate the cost of sealing the Ring Road and put together a proposal to talk to neighbouring Councils for their support.

Clr Peter Yench/ Ms Janine Lea-Barrett

**CARRIED**

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### **BIOHUB AND BIOCHAR UPDATE**

Clr Yench declared an interest in the biohub project, noting he donated \$5,000 to the pre-feasibility study.

A written update was provided on two projects currently underway.

Mark Glover, the author of the pre-feasibility study for the biohub project will be in Cobar around 16-17 June. Cllr Yench will arrange for a meeting of Mr Glover and Peter Vlatko for a project briefing and to see what assistance he requires from Cobar Shire Council to progress the project.

Cllr Yench talked about the ERF and how the current methodologies are not suitable to many landholders and the current prices are not attractive enough.

**RECOMMENDATION:**

**That GreenCollar Group be invited to talk to the General Manager so he can provide a report to the Economic Taskforce to further consider the issue of new methodologies and how Council could assist to progress the issue.**

**Cllr Yench/ Ms Heather Christie**

**CARRIED**

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**SOLAR ENERGY UPDATE**

Mr Ryman provided a verbal update. AGL has advised Council that their next project will be a 200MW plant. The most Cobar could support is a 50MW plant due to the capacity of the network. Any upgrade would be too expensive. Staff are continuing to investigate options and a further report will be provided at the next Taskforce Meeting.

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**ECONOMIC DEVELOPMENT STUDY UPDATE**

Council has written to four organisations seeking project proposals to develop and economic study of the Shire, with some funding anticipated from the NSW Government. Proposals are due 6 June.

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**BUSINESS MARKETING PROJECT AND REGIONAL PLATTERS PROJECT**

Information received and noted.

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**THE TASKFORCE – WHERE TO FROM HERE?**

It was agreed to review the terms of reference and the objectives of the Taskforce at the next meeting. This review should ensure the ToR allow for the group to meet as frequently as required to address issues as they arise and for working groups to be developed to address single issues.

This will allow any changes to be recommended to the next Council Meeting. A report to the next Taskforce Meeting should also include a report card on what the Taskforce has achieved to date.

**RECOMMENDATION:**

**That the Taskforce review their Terms of Reference at their next meeting and report their recommendations to the new Council.**  
**Clr Sinclair/Ms Christie** **CARRIED**

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**OTHER BUSINESS**

An update was provided on the idea to establish a Community Trust to allow the community to access more philanthropic funding.

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**NEXT MEETING**

Thursday, 25 August 2016 at 3:00pm.

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 4.47PM**

**DEED OF VARIATION  
OF ORIGINAL  
PLANNING AGREEMENT**

**PARTIES**

**Cobar Shire Council**  
ABN 71 579 717 155

**Hera Resources Pty Ltd**  
ABN 72 138 992 9992

**BETWEEN: COBAR SHIRE COUNCIL**  
ABN 71 579 717 155  
of 36 Linsley Street, Cobar NSW 2835.  
("Council")

**AND: HERA RESOURCES PTY LIMITED**  
ABN 72 138 992 9992  
of 2 Corporation Place (PO Box 7058) Orange NSW 2800.  
("Hera")

## **INTRODUCTION**

- A. Council and Hera negotiated a Planning Agreement dated 15<sup>th</sup> and 18<sup>th</sup> March 2013 by Council and 10<sup>th</sup> April 2013 by Hera for the establishment and operation by Hera of an underground mine, processing plant and infrastructure to support the extraction and processing of up to 355,000 tonnes of gold, silver, lead and zinc ore. Called the Hera Gold Project it is located approximately 100 kms south east of Cobar and 4 kms south of the village of Nymagee.
- B. Project approval was granted by the NSW Government on 31 July 2012 to develop the Hera Gold Project. As part of the approval Hera was required to enter into a Planning Agreement with Council. That Planning Agreement is referenced in point A above.
- C. Hera agreed in the Planning Agreement to provide Development Contributions (shown in Schedule 1 of that Agreement) to Council during the construction and operational phases of the project totalling approximately seven years.
- D. Hera's most recent modification to this project is called Modification 3. As part of the latest modification both Parties have agreed to terms to amend the Planning Agreement referred to in Point A above.
- E. This Deed of Variation states the terms and conditions under which the original Planning Agreement has been amended. Henceforth the terms and conditions stated in Schedule A herein replace Schedule 1 in the original Planning Agreement. The balance of the original Planning Agreement remains unchanged.

## **IT IS AGREED**

### **1. Definitions and Interpretation**

#### **1.1 Definitions**

In this Deed:

- a) "**Deed**" means this Deed of Variation document.
- b) "**Effective Date**" means the date the last party signing signs this Deed.

## **1.2 Interpretation**

The following rules apply unless the context requires otherwise:

- a) Where a defined term is used in the Deed, it has the same meaning as in the original Planning Agreement.
- b) No provision of this Deed will be construed adversely to a Party on the ground that such Party was responsible for the preparation of this Deed or that provision.

## **2. Deed of Variation Commitments**

2.1 The Parties agree that the terms relating to the revised Development Contributions are set out in Schedule A herein.

2.2 The original Planning Agreement is varied with effect from the Effective Date.

2.3 Subject to the variations contained in this Deed, in all other respects the terms of the original Planning Agreement remain unaltered.

## **3. Accrued Rights**

3.1 Nothing in this Deed affects any accrued rights or remedies of a Party under the original Planning Agreement.

## **4. Further Assurance**

4.1 Each Party must promptly at its own cost do all things necessary or desirable to give full effect to this Deed.

## **5. Severability**

5.1 If anything in this Deed is unenforceable, illegal or void then it is severed and the rest of this Deed remains in force.

## **6. Costs and Outlays**

6.1 Each Party is responsible for its own costs in relation to this Deed.

## **7. Governing Law and Dispute Resolution**

7.1 The law of the State of New South Wales governs this Deed.

7.2 If there is any dispute or difference arising between the Parties to this Deed, Clause 10 of the original Planning Agreement applies.

## **8. Notices**

8.1 Any notice, consent, information, application or request that must or may be given or made to a Party under this Deed shall be made in accordance with Clause 12 in the original Planning Agreement.

## 9. SCHEDULE A

The Parties agree to amend the original Planning Agreement as follows:

- a) CPI adjustments will be made to the Development Contributions listed in Schedule 1 of the original Planning Agreement, for inclusion in the April 2016 payment and in all payments thereafter;
- b) The current Planning Agreement Development Contributions plus CPI will remain in place until 31 December 2016 unless subclause c) below is enacted beforehand;
- c) If Hera decides to commence the increased production rate contemplated in Modification 3 before 1 January 2017 it will advise Council in a timely manner and the date for revised payments will be brought forward to an agreed date and the payment will be made within 30 days of the revised date and annually thereafter;
- d) The Modification 3 Community Fund Contribution of \$32K pa will be paid by Hera to Council on 1 January 2017, or before if Hera enacts subclause c) above;
- e) The Modification 3 Road Repair and Maintenance Contribution of \$60K pa will be paid by Hera to Council on 1 January 2017, or before if Hera enacts subclause c) above;
- f) The Modification 3 Development Contributions plus CPI will remain in force until such time as:
  - i. The Parties agree to modify them; or
  - ii. The project is the subject of further DA modifications at which time the Deed and Planning Agreement may be reviewed and amended; or
  - iii. the project is sold to another party at which time the Deed and Planning Agreement may be reviewed and amended; or
  - iv. The project reaches the end of its operational life and closes; or
  - v. The project is placed on care and maintenance
- g) Hera and Council will hold six monthly performance review meetings to discuss mine activities and Council related matters. Such meetings will be initiated by Council.

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**DATED:**

**EXECUTED AS A DEED BY BOTH PARTIES:**

**Executed by Cobar Shire Council.** The Common Seal of **Cobar Shire Council** was affixed in the presence of:

\_\_\_\_\_  
Mayor (signature)

\_\_\_\_\_  
General Manager (signature)

\_\_\_\_\_  
Name (print)

\_\_\_\_\_  
Name (print)

**Executed by Hera Resources Pty Limited** in accordance with section 127(1) of the *Corporations Act 2001* (Cth) by authority of its directors:

\_\_\_\_\_  
Director (signature)

\_\_\_\_\_  
Director/Company Secretary (signature)

\_\_\_\_\_  
Name (print)

\_\_\_\_\_  
Name (print)



# **DRAFT AMENDMENTS TO PLANNING AGREEMENT**

Cobar Shire Council and Aurelia Metals Pty Ltd

## **EXPLANATORY NOTE**

### **Introduction**

The purpose of this explanatory note is to provide a plain English summary to support the notification of the draft amendments to the planning agreement (**Deed of Variation**) prepare under Subdivision 2 of Division 6 of Part 4 of the Environmental Planning and Assessment Act 1979 (the **Act**).

This explanatory note has been prepared jointly by the parties as required by Clause 25E of the Environmental Planning and Assessment Regulation 2000 (the **Regulation**).

### **Parties to the Planning Agreement**

The parties to the Planning agreement are Cobar Shire Council (the **Council**) and Aurelia Metals Pty Ltd (the **Developer**).

### **Summary of Objectives, Nature and Effect of the Deed of Variation**

The terms of the Deed of Variation require the Developer to:

1. CPI adjustments will be made to the Development Contributions payable to Cobar Shire Council
2. The current developer contributions rate will remain in place until 31 December 2016, unless term 3 is enacted.
3. If the Developer chooses to commence the works approved under the third modification of the Development Consent, the Developer will advise Council of this proposal and the date for revised payments will be brought forward to an agreed date.
4. The Developer will pay \$32K to Council as a Community Fund Contribution.
5. The Developer will pay \$60K to Council as a Road Repair and Maintenance Contribution.
6. The contributions detailed in terms 4 and 5 will remain in force until such times as:
  - (i) Both parties agree to modify them; or
  - (ii) The project is the subject of further DA modification at which time the Deed of Variation and Planning Agreement may be reviewed and amended; or
  - (iii) The project is sold to another party at which time the Deed of Variation and Planning Agreement may be reviewed and amended; or
  - (iv) The project reaches the end of its operational life and closes.
7. The Developer and Council will hold six monthly performance review meetings. Council will instigate these meetings.

## **Assessment of the Merits of Planning Agreement**

### **The Planning Purpose of the Deed of Variation**

In accordance with Section 93F(2)(c) of the Act, the Deed of Variation has the following public purposes:

(e) The funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure.

The Council and Developer have assessed the Deed of Variation and both hold the view that the provisions of the Deed of Variation provide a reasonable means of achieving the public purposes set out above.

### **How the Deed of Variation Promotes the Public Interest**

The Deed of Variation promotes the public interest by requiring the Developer to contribute funds that will enable specific projects to be funded in the Nymagee region. These projects will have public benefit by improving existing community assets and roads and possibly providing new infrastructure.

### **How the Deed of Variation Promotes the Objects of the Act**

The Deed of Variation promotes the objects of the Act by:

- i. It encourages the proper management of villages for the purposes of promoting the social and economic welfare of the community and a better environment by providing funding to improve community assets in the Nymagee area
- ii. It encourages the orderly and economic use and development of land by establishing a committee to consider community needs and to determine appropriate levels of funding for projects that the Nymagee community seek.
- iii. It provides a more coordinated system to evaluate and fund community services and facilities in the Nymagee area.
- iv. It provides increased opportunity for public involvement and participation in environmental planning and assessment.

### **How the Planning Agreement Promotes the Elements of the Councils Charter**

The Deed of Variation and Planning agreement promotes the elements of Council's Charter under Section 8 of the Local Government Act 1993 (NSW) by assisting Council to:

- Provide adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- 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; and
- Effectively plan for, account for and manage the assets for which it is responsible.

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**MINUTES OF THE COBAR YOUTH COUNCIL COMMITTEE  
MEETING HELD IN THE COUNCIL CHAMBERS ON  
WEDNESDAY 11 MAY 2016 COMMENCING AT 4:34PM**

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**PRESENT:** Steph Mitchell, Britney Fazulla, Sarah Dunne, Owen Potter, Charlee Davis, Connor McLeod, Clr Jarrod Marsden, Kym Miller, Narelle Kriz and Thomas Jones.

**APOLOGIES:** Zainab Khan, Michaela Christie, Jake Manns, Andrew Rorke and Hannah Kriz.

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**MINUTES FROM THE PREVIOUS MEETING WEDNESDAY, 16 MARCH 2016**

A guest speaker presented the plans for the new alcohol free zones around Cobar and asked whether we wanted to accept the plans.

A discussion was held about the Cobar Youth Council's opinions about the alcohol free zones.

**MOTION:** That the Minutes of the Meeting held on Wednesday, 16 March 2016 be accepted as true and correct record of that Meeting.

Owen Potter/ Sarah Dunne

**CARRIED**

**BUSINESS ARISING FROM MINUTES**

**FAMILY FUN DAY:**

- Cobar Youth Council agrees the Family Fun Day was an utter success for the community;
- Unchained BMX was a highlight of the event with rave reviews from the kids;
- \$77.00 was raised for Camp Quality when we wore costumes;
- The letdown of the event was the markets, not many people there, poor attendance of people running it;
- Rides and face paint went as planned and was well received.

**MOTION:** That more bins and seating be arranged for the next Cobar Youth Council event.

Steph Mitchell/ Owen Potter

**CARRIED**

**COLOUR RUN:**

- The Colour Run was very successful last year, but the Cobar Youth Council is unsure if there is enough interest to hold another Colour Run this year;
- This year there may be more support from the community and more sponsors involved which could generate further interest for the colour run.

**MOTION:** That the Cobar Youth Council hold a Colour Run in 2016 in-conjunction with the Festival of the Miners Ghost. Following that, the Colour Run is to be held biannually.

Sarah Dunne/ Charlee Davis

**CARRIED**

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## **GENERAL BUSINESS**

### **HAYWIRE PROJECTS:**

- ICE chats with families, discusses gender roles/stereotypes, face to face, cultural food festivals;
- Back to the Bush campaign in conjunction with the Festival of the Miners Ghost - could introduce crib lunches at the open cut;
- Funding applications close on June/July. Run between September and September.

**MOTION:** Haywire Projects discussions moved to the next meeting (to be held on Wednesday, 25 May 2016). It needs to be considered between now and then if we wish to apply for funding.

Clr Jarrod Marsden/ Thomas Jones

**CARRIED**

### **MEETING DAY:**

**MOTION:** Sarah Dunne proposes the meeting day of the Cobar Youth Council be moved from Wednesdays to Fridays at 4:15pm.

Steph Mitchell/ Britney Fazulla

**CARRIED**

### **GUEST SPEAKER:**

- Bec Harris, works for interrelate, family relationship service, indigenous assembly, collaborate ideas to put a program in place for our community;
- \$1,500 grants that the community gets to spend. Bec asks if the Cobar Youth Council has any ideas on what we could spend it on;
- Jerry from Interrelate wants to talk to Cobar Youth Council about the Leaders that Bec is with and ask us to find other people that may be interested in an Aboriginal Youth Leadership Program. Jerry will attend the next meeting (Wednesday, 25 May 2016).

### **HAUNTED HOUSE:**

- The Cobar Youth Council had to decide between the colour run and the haunted house for the 2016 Festival of the Miners Ghost;
- Narelle Kriz is against the haunted house as it is time consuming and may not come together as planned.

**MOTION:** Narelle Kriz proposes the haunted house be pushed back until next year. She suggests Charlee Davis and Michaela Christie form a subcommittee to start organising the event for 2017 (risk assessments, budgeting, funds etc.)

Charlee Davis/ Owen Potter

**CARRIED**

### **MENTAL HEALTH MONTH:**

- Mental health month is coming up;
- Cobar Youth Council wants to collaborate with Batyr;
- Consider for next meeting - ideas for mental health month.

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### RELAY FOR LIFE:

- The Cobar Youth Council suggests holding a Relay for Life event to raise money for the Cancer Council;
- The community want to focus on people within Cobar;
- Possibly run something similar, like the colour run but for locals;
- Donate the profits to the Mayoral Chest (for those local residents who are diagnosed with cancer) or the Hospital;
- Must advertise that the money is going towards those affected by cancer;
- Owen to look into the Relay for Life, where Cobar has a fundraiser for cancer;
- Jarrod will talk to Lilliane.

### OTHER:

- The Youth Week movie night has been postponed.
- Keep that idea for any future event.

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### NEXT WEEK

- Discuss any ideas for mental health month and/or a collaboration with Batyr;
- Discuss the Haywire Projects and decide whether we want to apply for funding.

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### CORRESPONDENCES

Nil.

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### NEXT MEETING

The next Cobar Youth Council Meeting is scheduled to be held on Wednesday, 25 May 2016 at 4:15pm in the Council Chambers.

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5:06PM**

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**MINUTES OF THE COBAR YOUTH COUNCIL COMMITTEE  
MEETING HELD IN THE COUNCIL CHAMBERS ON  
WEDNESDAY 25 MAY 2016 COMMENCING AT 4:10PM**

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**PRESENT:** Narelle Kriz, Andrew Rourke, Owen Potter, Charlee Davis, Michaela Christie, Sarah Dunne, Britney Fazulla and Connor McLeod.

**APOLOGIES:** Cllr Jarrod Marsden, Thomas Jones, Georgina Whiteman, Quinton Place, Jacob Manns, Kym Miller, Stephen Taylor and Steph Mitchell.

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**MINUTES FROM THE PREVIOUS MEETING – WEDNESDAY, 11 MAY 2016**

**MOTION:** That the Minutes of the Meeting held Wednesday, 11 May 2016 be accepted as true and correct record of that Meeting.

Owen Potter/ Charlee Davis

**CARRIED**

**BUSINESS ARISING FROM MINUTES**

**COLOUR RUN:**

- Cobar Youth Council are organising another Colour Run to be held during the Festival of the Miners Ghost;
- The Cobar Youth Council want to get more sponsors this year and make sure the sponsors are contacted soon;
- Plan to make sure the promotion for the event is improved over last year (ads in the paper, posts on social media) to generate interest;

**MOTION:** That a meeting be held at the Cobar Youth and Fitness Centre entirely dedicated to the planning of the Colour Run and discussions be held on what needs to be done.

Owen Potter/ Britney Fazulla

**CARRIED**

**HEYWIRE PROJECTS:**

- Applications for the grants close on Wednesday, 1 June 2016;
- If the Cobar Youth Council decide to apply for a grant of \$10,000. The funding must be spent on an event explaining one of the Haywire topics;
- The topics are related to drugs, alcohol, domestic violence and gender equality.

**MOTION:** That the Cobar Youth Council do not submit an application for 2016, but will reconsider applying in 2017.

Charlie Davis/ Owen Potter

**CARRIED**

**INTERRELATE:**

- Guest speaker Jerry from Interrelate could not make the meeting but will try and re-organise it as soon as possible;
- Bec Harris spoke to the Cobar Youth Council last meeting about a \$1,500 grant and asked for advice on an idea about how to spend it;
- The Cobar Youth Council suggests bringing in an Indigenous artists to paint a mural with the Indigenous children of the community;
- Charlee Davis will contact Bec Harris and present the Cobar Youth Council's mural idea.

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## **GENERAL BUSINESS**

### **HAUNTED HOUSE:**

- The Haunted House will be held in-conjunction with the 2017 Festival of the Miners Ghosts as the Colour Run will be held this year;
- The Cobar Youth Council - Haunted House subcommittee will begin making a risk assessment and start making general plans for the event;
- Charlee Davis (Subcommittee President) is to hand out a survey to school children asking them what they would like to see at the Haunted House and will present the results at the next meeting.

**MOTION:** Due to Michaela Christie being unavailable, the subcommittee needs to be reelected at the next Cobar Youth Council Meeting.

Sarah Dunne/ Britney Fazulla

**CARRIED**

### **MENTAL HEALTH MONTH:**

- Mental Health Month is in October;
- Hannah Kriz, Charlee Davis and Britney Fazulla will attend the Batyr meeting and propose a collaboration for mental health month;
- The Cobar Youth Council suggests a disco for both primary and high school students.

**MOTION:** Hannah Kriz, Charlee Davis and Britney Fazulla will attend the Batyr meeting on Thursday, 26 May 2016 and propose a collaboration and will present the findings at the next meeting.

Hannah Kriz/ Andrew Rourke

**CARRIED**

### **RELAY FOR LIFE:**

- The Cobar Youth Council wants to hold a Relay for Life and donate the profits to the Mayoral Chest;
- A community camp out with family tents, live entertainment, markets and food;
- Every family tent could have their own stall selling a good to raise money;
- Owen Potter will contact the Relay for Life and make an inquiry;
- Could possibly hold our own event similar - "Relay for Cobar";
- The Cobar Youth Council are aiming to have a Relay for Life in April 2017 rather than having a Family Fun Day. Possibly have a few rides (e.g. jumping castles);
- Subcommittee to plan the Relay for Life - Owen Potter, Britney Fazulla and Connor McLeod.

**MOTION:** The Relay for Life Subcommittee to begin planning and brainstorming. The Cobar Youth Council are to hold a meeting dedicated entirely to organising the Relay for Life event.

Charlee Davis/ Sarah Dunne

**CARRIED**

### **OTHER**

- The Cobar Youth Council are to brainstorm simple ways to make some extra money to pay for the Colour Run and Relay for Life. Some of the ideas were a cake stall, raffle or trash/treasure store.

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### **NEXT MEETING**

- Haunted House subcommittee elections;
  - Haunted House survey results presentation from Charlee Davis;
  - Indigenous Mural feedback from Interrelate;
  - Batyr meeting feedback from Hannah Kriz, Britney Fazulla and Charlee Davis;
  - Relay for Life feedback from Owen Potter;
  - Colour Run planning.
- 

### **CORRESPONDENCES**

Nil.

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### **NEXT MEETING**

The next Cobar Youth Council Meeting is scheduled to be held on Friday, 3 June 2016 at 4:15pm in the Council Chambers.

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 4:55PM**



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**MINUTES OF THE COBAR YOUTH COUNCIL COMMITTEE  
MEETING HELD IN THE COUNCIL CHAMBERS ON  
FRIDAY 3 JUNE 2016 COMMENCING AT 4:14PM**

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**PRESENT:** Narelle Kriz, Owen Potter, Zainab Khan, Steph Mitchell, Drea Dowling, Michaela Christie, Jacob Manns, Sarah Dunne, Hannah Kriz, Thomas Jones, Britney Fazulla, Andrew Rorke and Connor McLeod.

**APOLOGIES:** Cllr Jarrod Marsden, Rebekah Harris and Charlee Davis.

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**MINUTES FROM THE PREVIOUS MEETING – WEDNESDAY, 25 MAY 2016**

**MOTION:** That the Minutes of the Meeting held Wednesday, 25 May 2016 be accepted as true and correct record of that Meeting.

Owen Potter/ Michaela Christie

**CARRIED**

Michaela Christie has resigned from her position on the Cobar Youth Council and as a Haunted House Subcommittee Member.

**BUSINESS ARISING FROM MINUTES**

**COLOUR RUN:**

- Narelle Kriz spoke to Chris Higgins about the Cobar Youth Council applying for funding from the Peak Gold Mine. The funding application for the Colour Run has been sent to Chris Higgins;
- The application is for a \$3,000 grant to pay for the costs of the event;
- The Cobar Youth Council agree to approach local businesses asking if they would like to donate
  - in pairs. Thomas Jones said there was difficulty finding time to reach all the businesses and that it was left too late;
- Create a list of all the businesses we wish to approach and have a sponsor pack planned in the next meeting;
- The official date of the Colour Run is Saturday 29 October 2016.

**MOTION:** That the next Cobar Youth Council on Friday 17 June 2016 is a meeting entirely dedicated to the planning of the Colour Run.

Thomas Jones/ Steph Mitchell

**CARRIED**

**INTERRELATE:**

- Charlee Davis has contacted Rebekah Harris asking her about the Cobar Youth Council's indigenous mural idea;
- Rebekah said she will pitch the idea to Interrelate and decide if that's how they want to spend the funding;
- Narelle Kriz will contact Jerry and Rebekah to invite them to the meeting on Friday 1st July, 2016 meeting.

**HAUNTED HOUSE:**

- Zainab Khan and Charlee Davis will further plan the Haunted House in the subcommittee;
- The Cobar Youth Council review the results of the survey presented by Charlee Davis;

- 
- The data results show there is a significant amount of interest for a haunted house within the youth of the community. Many children also said they would be happy to volunteer if needed.

**MOTION:** Narelle Kriz proposes push back all Haunted House discussion to January 2017. The subcommittee will still brainstorm ideas for the event.

Steph Mitchell/ Sarah Dunne

**CARRIED**

#### **MENTAL HEALTH MONTH:**

- Britney Fazulla and Hannah Kriz update the Cobar Youth Council about their meeting with the Batyr group. They were happy to collaborate but didn't have any dates planned;
- Batyr liked the idea of a disco and selling the socks. They proposed using the themes for the disco as blue and yellow to represent Beyond Blue and RU Okay;
- The temporary date on Friday, 30th of September. If the date is any closer it will clash with the colour run.

**MOTION:** Hannah Kriz, Charlee Davis and Britney Fazulla attend the next Batyr meeting and discuss the Cobar Youth Council's proposed disco date and any other details.

Sarah Dunne/ Britney Fazulla

**CARRIED**

#### **RELAY FOR LIFE:**

- Owen Potter has contacted the Relay for Life and they said all the funds will go to the Cancer Council;
- The Cobar Youth Council wish to hold their own event with all the profits going to the Mayoral Chest;
- Possibly order our own merchandise through Brilliamps with local sponsors on the goods. Ideas such as shirts and stubby holders can be sold on the day;
- The Cobar Youth Council want to make their own design with the colours yellow, blue and pink to represent the different types of cancers;
- Need to propose an official name and date. Some suggested names for the event include "Cobar Caring Campers" or "Relay for Cobar."

**MOTION:** The Cobar Youth Council have a meeting to dedicated entirely to the discussion and planning of the Relay for Life on Friday, 15 July 2016.

Owen Potter/ Zainab Khan

**CARRIED**

#### **GENERAL BUSINESS**

##### **KRISPY KREME FUNDRAISER:**

- Narelle Kriz sent an inquiry on Cobar Youth Council's Facebook page to see if there was any interest for a possible fundraiser. She wishes to see if there is enough community interest and if they would order donuts.
- The Cobar Youth Council will spread the word and ask around for feedback from the community;
- Narelle is contacting Krispy Kreme to work out how they would be shipped to Cobar;
- Narelle Kriz suggests sending an order form and money around for the fundraiser. She also suggests selling Krispy Kreme's at a stall at the markets after the colour run.

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#### GENERAL MANAGER MEETING:

- The GM is going to try and come to the Cobar Youth Council meetings;
- He is keen for the Cobar Youth Council to present at a council meeting to introduce ourselves. Narelle Kriz will work out the dates;

**MOTION:** The Cobar Youth Council will present at a Council Meeting to introduce themselves and discuss future plans.

Connor McLeod/ Sarah Dunne

**CARRIED**

#### HALLOWEEN DANCE VOLUNTEER WORK:

- Michelle Gillette who planned last year's Halloween dance has asked for the Cobar Youth Council to supervise and volunteer for the event

**MOTION:** Cobar Youth Council will help Michelle Gillette supervise the event.  
Steph Mitchell/ Zainab Khan

**CARRIED**

#### NEXT WEEK

- Colour Run planning (how much colour left, what we need to purchase, etc)

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#### CORRESPONDENCES

Nil.

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#### NEXT MEETING

The next Cobar Youth Council meeting is scheduled to be held on Friday, 17 July 2016 at 4:15pm in the Youth Centre.

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 4:50PM**

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**MINUTES OF THE COBAR WATER BOARD MEETING  
HELD AT COBAR SHIRE COUNCIL CHAMBERS ON  
THURSDAY 9 JUNE 2016 COMMENCING AT 10:05AM**

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**ATTENDANCE – BOARD MEMBERS**

***Present:***

- Mrs Lilliane Brady OAM (Cobar Shire Council)
- Mrs Tanya Gilbert (CSA Mine Representative)
- Mr Doug McKay (Board President)
- Mr Peter Yench (Cobar Shire Council)
- Mr Peter Abbott (Cobar Shire Council)

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**ATTENDANCE – OBSERVERS**

***Present:***

- Mr Peter Vlatko (Cobar Shire Council General Manager/ Board Secretary)
- Mr Stephen Taylor (Cobar Shire Council Director of Engineering Services)
- Mr Kym Miller (Cobar Shire Council Director of Corporate and Community Services/Board Contract Administration/Financial Services Officer)
- Mr Wayne Mills (Cobar Shire Council Services Manager/ Contract Technical Services Officer)

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**APOLOGIES**

- Mr Phillip Gilligan (Endeavor Mine)
- Mr Michael Zannes (Peak Gold Mine Representative)

**RESOLVED:** That the apologies from Mr Phillip Gilligan and Mr Michael Zannes be accepted.

***Lilliane Brady OAM/ Tanya Gilbert***

**CARRIED**

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**CLAUSE 1 – CONFIRMATION OF MINUTES**

**FILE: WB1-22**

**AUTHOR: *Secretary, Peter Vlatko***

**RESOLVED:**

1. That the notes of the Cobar Water Board Meeting held on Thursday 10 March be confirmed as a true and correct record of the proceedings of that meeting.
2. With the following amendment noting that Mr Peter Abbott was in attendance as an Observer of that Meeting.

***Tanya Gilbert/ Peter Yench***

**CARRIED**

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**THIS IS PAGE 1 OF THE OF THE MINUTES OF THE COBAR WATER BOARD  
MEETING HELD ON THURSDAY 9 JUNE 2016**

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## **MATTERS ARISING FROM THE MINUTES**

Nil.

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### **CLAUSE 2 – BOARD MATTERS STATUS REPORT**

**FILE: WB1-22**

**AUTHOR: *Secretary, Peter Vlatko***

**RESOLVED:** That the information contained in the Cobar Water Board Status Report be received and noted and the following completed items be removed: 140, 141 and 142.

***Peter Abbott/ Tanya Gilbert***

**CARRIED**

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### **CLAUSE 3 – APPOINTMENT OF MR DOUG MCKAY TO THE POSITION OF PRESIDENT – COBAR WATER BOARD - STATUS REPORT**

**FILE: WB1-12**

**AUTHOR: *Secretary, Peter Vlatko***

**RESOLVED:** That the Appointment of Mr Doug Mackay to the Position of President – Cobar Water Board - Status Report be received and noted.

***Lilliane Brady OAM/ Peter Yench***

**CARRIED**

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### **CLAUSE 4 – APPOINTMENT OF COBAR SHIRE COUNCIL REPRESENTATIVE ON COBAR WATER BOARD – MR PETER ABBOTT – STATUS REPORT**

**FILE: WB1-12**

**AUTHOR: *Secretary, Peter Vlatko***

**RESOLVED:** That the appointment of Cobar Shire Council Representative on the Cobar Water Board - Mr Peter Abbott - Status Report be received and noted.

***Peter Yench/ Tanya Gilbert***

**CARRIED**

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### **CLAUSE 5 – APPOINTMENT OF NEW REPRESENTATIVE - PEAK GOLD MINES REPRESENTATIVE ON COBAR WATER BOARD – MR MICHAEL ZANNES**

**FILE: WB1-12**

**AUTHOR: *Secretary, Peter Vlatko***

**RESOLVED:** That the appointment of Peak Gold Mine Representative on the Cobar Water Board - Mr Michael Zannes - Status Report be received and noted.

***Peter Yench/ Peter Abbott***

**CARRIED**

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**CLAUSE 6 – COBAR WATER BOARD PUBLICATION GUIDE –  
GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT 2009**

**FILE: WB1-28**

**AUTHOR: *Secretary, Peter Vlatko***

**RESOLVED:** That the Board adopt the Publication Guide dated 1 June 2016 as the current Policy of the Board.

***Lilliane Brady OAM/ Tanya Gilbert***

**CARRIED**

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**CLAUSE 7 - INDEPENDENT AUDITOR'S REPORT ON EARLY CLOSE  
PROCEDURES - COBAR WATER BOARD**

**FILE:WB1-5**

**AUTHOR: *Contract Administrator/Financial Services Officer, Kym Miller***

**RESOLVED:** That the Independent Auditor's Report on the Cobar Water Board Financial Statements (Early Close) as at 31 March 2016 and the response to the Auditor General be received and noted.

***Peter Yench/ Tanya Gilbert***

**CARRIED**

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**CLAUSE 8 – BANK SIGNATORIES**

**FILE: WB1 - 6**

**AUTHOR: *Contract Administrator/Financial Services Officer, Kym Miller***

**RESOLVED:** That Gary Woodman be deleted and replaced with Peter Vlatko and Sandra Finnegan be changed to Sandra Davey and be included with existing signatories to operate the Boards banking facility, The Commonwealth Bank, for the purpose of operating the general account. BSB: 062-520 Account: 00000011.

***Peter Yench/ Peter Abbott***

**CARRIED**

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**CLAUSE 9 – 2016/2017 DRAFT FEES AND CHARGES**

**FILE:WB1-8**

**AUTHOR: *Contract Technical Services Officer, Wayne D. Mills***

**RESOLVED:**

1. That the draft Cobar Water Board Fees and Charges for 2016/2017 be adopted.
2. That the Board investigate a possible increase in water storage and review existing storages in Cobar.

***Peter Yench/ Peter Abbott***

**CARRIED**

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**CLAUSE 10 - NYNGAN/COBAR PIPELINE REPLACEMENT PROJECT**

**FILE: WB1-4**

**AUTHOR: *Project Manager, David Sechtig***

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**RESOLVED:** That the information in relation to the Nyngan to Cobar Water Supply Pipeline upgrade as of 9 June 2016 be received and noted.

*Peter Abbott/ Tanya Gilbert*

**CARRIED**

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Mr Chris Evans from NSW Public Works arrived at 10:25am and provided a verbal report on the process followed in relation to the Tender.

**CLAUSE 11 - SELECTION OF SUCCESSFUL TENDERER FOR THE NYNGAN/COBAR PIPELINE REPLACEMENT PROJECT**

**FILE:** WB1 - 4

**ATTACHMENT:** YES (PAGE 79-162)

**AUTHOR:** *Project Manager, David Sechtig*

**RESOLVED:**

1. That the Board accepts the recommendation to award the contract to National Australian Pipelines Pty Ltd for \$9,180,666.18 (including GST) to undertake the Cobar Water Board - Twin Pipelines Replacement - Nyngan - Cobar Pipeline Replacement and Pump Station Upgrade.
2. That the Board seek a further report on the potential to provide for additional pipeline replacement to maximise the funding already approved.
3. That the Board provide a letter of thanks and appreciation for the work and presentation by the Public Works Department.

*Peter Abbott/ Tanya Gilbert*

**CARRIED**

Mr Chris Evans left the Meeting at 10:55am.

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**CLAUSE 12 – FINANCIAL STATEMENTS AS AT 30 APRIL 2016**

**FILE:** WB1-6, WB1-1, WB1-24, WB1-3, WB 1-6-1

**AUTHOR:** *Contract Administrator/Financial Services Officer, Kym Miller*

**RESOLVED:** That the Financial Statements as at 30 April 2016 be received and noted.

*Lilliane Brady OAM/ Tanya Gilbert*

**CARRIED**

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**CLAUSE 13 – RAW WATER PUMPED**

**FILE:**WB1-3

**ATTACHMENT:** YES (PAGE 173)

**AUTHOR:** *Contract Technical Services Officer, Wayne Mills*

**RESOLVED:** That the Raw Water Pumped information to 30 April 2016 be received and noted.

*Peter Yench/ Peter Abbott*

**CARRIED**

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**CLAUSE 14 – WATER CONSUMPTION REPORT**

**FILE: WB1-31**

**AUTHOR: *Contract Technical Services Officer, Wayne Mills***

**RESOLVED:** That the Water Consumption Report to 30 April 2016 be received and noted.

***Peter Yench/ Peter Abbott***

**CARRIED**

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**CLAUSE 15 – RAW WATER ORDERED**

**FILE: WB1-42**

**AUTHOR: *Contract Technical Services Officer, Wayne Mills***

**RESOLVED:** That the Raw Water Ordered information be received and noted.

***Peter Abbott/ Tanya Gilbert***

**CARRIED**

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**GENERAL BUSINESS**

Nil.

<b>THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11:08AM</b>
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# **CLAUSE 2 – BOARD MATTERS STATUS REPORT**

**FILE: WB1-22**

**AUTHOR: Secretary, Peter Vlatko**

**ATTACHMENT: NO**

BOARD RESOLUTIONS 7 OCTOBER 2010				
NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
1	Clause 15 – Water Access Licence (WAL) Certificate of Title	SEC/ CAFSO/ CTSO	Investigation and report on whether the 1992 Water Use Agreement between the Board, Council and Mines needs to be amended to take into account that water allocations are now in the names of Council and Mines instead of the Cobar Water Board.	Ongoing with a relevant Report provided to the June 2015 Board Meeting. Agreement will be further facilitated following finalisation of the Strategic Business Plan and Asset Management Plan.
BOARD RESOLUTIONS 8 SEPTEMBER 2011				
NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
12	Clause 13 – Solar Item	SEC	Monitor for any future changes that improve returns.	Monitoring being undertaken.
BOARD RESOLUTIONS 13 SEPTEMBER 2012				
NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
39	Clause 13 – Determination of Unit Water Supply Costs, Future Asset Management of Existing Twin Pipelines Nyngan to Cobar and Their Replacement	SEC	That approaches be made to the NSW Government in an attempt to guarantee that any 'sinking fund' for replacement of the Cobar Water Board pipeline(s) would remain in the ownership of the Cobar Water Board for that purpose.	Meeting with NSW Water Commissioner on 29 May 2013. Board Secretary and Council Mayor met with the Minister for Primary Industries on the matter in early October 2013. Further report provided to September 2014 Board Meeting. Arrangements made to meet the Office of Minister for Primary Industries, Land and Water mid October 2015. Letter

					received from Minister February 2016.
BOARD RESOLUTIONS 14 MARCH 2013					
NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME	
55	Clause 5 – Albert Priest Channel Flow Monitoring Update	CTSO	Cobar Water Board wait until the current feasibility study and business plan is completed on the Albert Priest Channel (currently being completed by CPE Associates) then base their future direction in regards to Albert Priest Channel flow monitoring on the findings /recommendations contained within the study/business plan.	Noted – waiting on finalisation of the feasibility study and business plan.	
BOARD RESOLUTIONS 12 SEPTEMBER 2013					
NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME	
76	Clause 19 – Albert Priest Channel Usage Agreement - Draft	SEC	That the Cobar Water Board receive and note the information contained within this report and that the status of the land that contains the Albert Priest Channel be determined and if required Bogan Shire Council be asked what process is required and will be undertaken to ensure security of land tenure for the Channel.	Investigation on status of land commenced with request to Bogan Shire Council undertaken. Now being investigated by Bogan Shire Council's Solicitor, no advice to date.	
BOARD RESOLUTIONS 13 MARCH 2014					
NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME	
87	Clause 6 – Bogan Shire Council Water Delivery Contract/ Charging Agreement for Albert Priest Channel Cost/ Operations	SEC	That the Cobar Water Board continue to work with Bogan Shire Council to determine how the Bogan Shire Council Water Delivery Agreement will allow for changes of use levels of the Albert Priest	Appropriate letter and follow up provided to Bogan Shire Council, no action to date.	

			Channel by the Cobar Water Board and different estimated costs each year, payback if required, further clarification of the costs split and proof of expenditure of actual costs for a year.	
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#### BOARD RESOLUTIONS 11 JUNE 2015

NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
124	Clause 5 – Best Practice Pricing	SEC	That Cobar Water Board and Cobar Shire Council provide representation to the NSW Government to show the unfair increase in water costs to the Community of Cobar Shire to fully fund the required capital replacement costs contained within the Draft Strategic Business Plan and Asset Management Plan of the Cobar Water Board and the economic and social consequences and the inability to have redundancy of pipeline infrastructure to reduce those capital contribution costs and that the NSW Government provide a commitment to providing appropriate grant contributions to help fund those required capital contribution costs.	Arrangements made to meet the Office of the Minister for Primary Industries, Land and Water and Minister for Planning and Infrastructure in relation to the socioeconomic impact assessment of increased water price mid October 2015.

#### BOARD RESOLUTIONS 10 SEPTEMBER 2015

NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
127	Clause 7 – Nyngan/Cobar Pipeline Replacement Project	CTSO	That the Cobar Water Board undertake a meter exchange program on its customer's meters in line with industry standards every five (5) years, to ensure the accuracy of the customer's meters that are of a mechanical impeller type operating in a raw water environment.	Action plan instigated for implementation of resolution.

128	Clause 10 – Current Progress of Cobar Water Board Asset Management Strategic Business Plan and Economic and Social Consequences Plan	SEC	To increase the level of water security for Cobar Shire that the Cobar Water Board arrange for an appropriate application from such programs as Water Security for Regions to increase the Cobar Water Board storage at Cobar and other locations to be at least 2,000 ML.	Action plan instigated for implementation of resolution including arrangements made to meet the Office of the Minister for Primary Industries and Minister for Planning and Infrastructure in relation to the further de-risking of water supply to Cobar and its Industries in mid-October 2015.
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#### BOARD RESOLUTIONS 22 OCTOBER 2015

NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
134	Clause 11 – Cobar Water Board Asset Management Plan – Bulk Water Conveyance System	SEC	<p>That further reporting be provided to the Board on how the following future actions resulting from the Asset Management Plan can be implemented:</p> <ul style="list-style-type: none"> <li>▪ Improve the asset knowledge by recording and monitoring asset deficiencies and maintaining an updated asset register;</li> <li>▪ Prepare a revised Operations Manual based on current industry practice;</li> <li>▪ Implement the Capital Works Plan and review on an annual basis in accordance with availability of grants.</li> </ul>	Action plan instigated for implementation of resolution.

#### BOARD RESOLUTIONS 10 DECEMBER 2015

NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
139	General Business – Pre-Warning for Disruptions	SEC	Need to request the operators to provide early pre-warnings of disruptions (CSA	Action plan instigated for implementation of request.

			Mine, Endeavor and Peak Gold Mines).	
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BOARD RESOLUTIONS 10 DECEMBER 2015				
NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
143	Clause 9 – 2015/20106 Allocations	SEC	<p>That the Major Consumers in principle agree not to withdraw any end of year allocation adjustments for the years 2015/2016 and 2016/2017 until completion of the 30 June 2018 Audited Financial Statements.</p> <p>That Major Consumers, after consultation with their relevant governance models advise the Public Officer electronically of their decision.</p> <p>That the accounting treatment of the delayed payments be decided in conjunction with the Auditor General.</p>	<p>Allocation adjustments are not to be withdrawn for the years 2015/2016 and 2016/2017 until completion of the 30 June 2018 Audited Financial Statements.</p> <p>Public Officer awaiting electronic advised of the Major Consumers decision.</p> <p>Awaiting advice.</p>

BOARD RESOLUTIONS 9 JUNE 2016				
NUMBER	ITEM	ACTION BY	ACTION REQUIRED	OUTCOME
144	Clause 6 – Cobar Water Board Publication Guide – Government Information (Public Access) Act 2009	SEC	That the Board adopt the Publication Guide dated 1 June 2016 as the current Policy of the Board.	Policy adopted, distributed and on display – No further action required.
145	Clause 8 – Bank Signatories	CA/FSO	That Gary Woodman be deleted and replaced with Peter Vlatko and Sandra Finnegan be changed to Sandra Davey be included with existing signatories to operate the Boards banking facility, The Commonwealth Bank, for the purpose of operating the general account. BSB: 062-520 Account: 00000011.	Signatories changed – No further action required.

146	Clause 9 – 2017/2017 Draft Fees and Charges	<b>CTSO</b>	That the draft Cobar Water Board Fees and Charges for 2016/2017 be adopted.  That the Board investigate a possible increase in water storage and review existing storages in Cobar.  That the Board accepts the recommendation to award the contract to National Australian Pipelines Pty Ltd for \$9,180,666.18 (including GST) to undertake the Cobar Water Board - Twin Pipelines Replacement - Nyngan - Cobar Pipeline Replacement and Pump Station Upgrade.  That the Board seek a further report on the potential to provide for additional pipeline replacement to maximise the funding already approved.  That the Board provide a letter of thanks and appreciation for the work and presentation by the Public Works Department.	Draft Cobar Water Board Fees and Charges for 2016/2017 adopted – No further action required.  Investigation underway. Further Report to be provided to September Board Meeting.  Contract awarded to National Australian Pipelines Pty Ltd, successful and unsuccessful Tenderers advise. NSW Public Works to organise process.  Further Report to be provided to September Board Meeting.  Letter written – No further action required.
147	Clause 11 – Selection of Unsuccessful Tenderer for the Nyngan/ Cobar Pipeline Replacement Project	<b>PM</b>		

\* PRES = President

\* SEC = Secretary

\* CAFSO = Contract Administration/Financial Services Officer

\* CTSO = Contract Technical Services Officer

### **RECOMMENDATION**

**That the information contained in the Cobar Water Board Status Report be received and noted, and the Board determine which action items should be removed as complete.**