



COBAR SHIRE COUNCIL

ORDINARY MEETING AGENDA

THURSDAY, 23 FEBRUARY 2023

~ ACKNOWLEDGMENT OF COUNTRY~

I wish to acknowledge the Wangaaypuwan (Wangaibon) people of the Ngiyampaa Nation, the traditional custodians of the land of which we gather today.

I wish to acknowledge their continued connection to the land, water and culture and I pay my respects to elder's past, present and emerging.

~ ORDER OF BUSINESS ~

Business for the meeting will be as follows: Message from the Chair:

In the spirit of open, accessible and transparent government, Cobar Shire Council Ordinary and Committee Meetings are video recorded and webcast. By speaking at a Council or Committee Meeting, members of the public agree to being recorded and webcast. Cobar Shire Council accepts no liability for any defamatory, discriminatory or offensive remarks or gestures that are made during the course of the Council or Committee Meeting. Opinions expressed or statements made by individuals are the opinions or statements of those individuals and do not imply any form of endorsement by Cobar Shire Council.

1. Apologies
 - Nil
2. Declaration of Interests
3. Condolences
 - Linda Ellen Howlett
 - Patricia June Smith
 - Kenneth John Good
 - Andrew Michael McGee
 - Ellen Noell Martin
 - Lauchlan Glen McMillan
 - Colin Murray Lehmann
4. Public Access Forum
5. Confirmation of Minutes
 - Ordinary Meeting of Council – Thursday, 08 December 2022
6. Matters Arising from Minutes
7. Notice of Motions
 - Nil
8. Mayoral Report
9. General Manager's Report – Action/Recommendation
10. General Manager's Report – Confidential
 - Purchase of property 34 Marshall Street Cobar and 36 Marshall Street Cobar
 - Ward Oval Early Learning Centre and Multipurpose Hall Tender
 - Supply of Side Loader Garbage Collection Truck (T3-22-12)
11. Matters of Urgency
12. Correspondence

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~ COUNCIL'S VISION ~

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

~ COUNCIL'S MISSION ~

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

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

- Ivanhoe Road
 - Louth Road
 - Tilpa Road
-

~ COUNCIL'S VALUES ~

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

	Accountability	Communication	Effective Leadership	Integrity	Team Work
We Value	We are responsible for our actions, our behaviour and the satisfactory completion of allocated tasks	We communicate openly and respectfully, sharing timely and appropriate information with others	We lead by positive example, embodying all of Council's agreed Values	We are consistently honest, transparent, ethical and fair, regardless of the situation	We work collaboratively to achieve shared goals for Council and the community
My Behaviours	I actively participate in the organisation	I consider how I say it, why I say it, when I say it and where I say it	I act with courage, challenge the status quo and seek out ways to improve our organisation	I do and say the right thing, even when no one is watching	I share my knowledge, skills and experience with others
	I take full ownership of my role, including my mistakes, and learn from my actions	I listen actively and ask questions to gain a shared understanding	I support and encourage others to learn, develop and grow	I take personal responsibility for my own actions and behaviour	I support others to achieve goals and celebrate success
	I inspire excellence by performing my role with pride	I show empathy and consider things from others' point of view	I am approachable and treat others consistently and respectfully	I uphold strong moral principles and do what I say I am going to do	I consciously choose to work positively with others
	I acknowledge my actions and behaviour can impact and influence outcomes	I provide and receive timely, constructive feedback	I inspire and expect everyone to always do their best	I am professional, treating others just as I expect to be treated	I commit to working together to find solutions

~ COUNCIL'S CHARTER ~

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

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

CLAUSE 1 – CONDUCT OF THE 2024 LOCAL GOVERNMENT ELECTION FOR COBAR SHIRE COUNCIL

FILE: E2-3-8

AOP REFERENCE: 3.1.4

ATTACHMENT: NO

AUTHOR: *General Manager, Peter Vlatko*

Purpose

For Council to consider who will conduct the 2027 Local Government Election for Cobar Shire Council.

Background

Further to the Office of Local Government Council Circular dated 11 November 2022 – 22-35 Council decisions on the administration of the September 2024 ordinary elections needs to be considered (extract):

- Under section 296AA of the Local Government Act 1993 (the Act), councils are required to make a decision on how their ordinary elections in September 2024 are to be administered by **13 March 2023**.
- Each council must resolve **either:**

to enter into an election arrangement with the NSW Electoral Commissioner (NSWEC) to administer all the council's elections, polls and constitutional referenda **or**

that the council's elections are to be administered by another electoral services provider engaged by the council.

- If a council does not resolve to engage the NSWEC to administer its elections by **13 March 2023**, it must engage another electoral services provider to do so.

What this will mean for your Council

- Councils are required to make a decision under section 296AA by 13 March 2023 on the administration of their next ordinary election. Information to assist councils in making that decision is provided in the attached FAQ.

In 2020, the Cobar Shire ordinary election was undertaken by the NSWEC.

Issues

General

Unless Council determines to engage the NSW Electoral Commission to conduct the 2024 Local Government Election the legislation makes the Council General Manager totally responsible for the conduct of the Election. If the NSW Electoral Commission is engaged the only matter the General Manager becomes responsible for is the roll of non-resident owners of rateable land and the roll of occupiers and rate-paying lessees.

NSW Electoral Commission (NSWEC)

If Council decides not to engage the NSWEC for the 2024 Cobar Shire Local Government Elections the NSWEC will still undertake the following work:

- provision of rolls (scanned);
- will provide the template for ballot boxes and voting screens but nothing physical;
- check of nominees/nominates information;
- details of registered political parties;
- details of general postal voters;
- blanket election advertising (general) for the election.

If the NSWEC is not involved Council (the General Manager) will be responsible and need to ensure the following is undertaken:

- managing the returning officer's office;
- appointing and training staff including polling place managers on how to conduct a count and how to determine formality of ballot papers;
- developing procedures to be followed by electoral officials issuing pre-poll, declared institution, postal and election day votes;
- preparing all necessary printed election materials such as forms, declaration envelopes, signs etc;
- obtaining all necessary election material for use in pre-poll and election day venues such as voting screens, ballot boxes, pencils etc;
- determining the quantity of ballot papers required and arranging for their printing, delivery and secure storage;
- making Braille ballot papers available, if requested;
- dealing with political parties, candidates and the public;
- processing candidates' nominations including acceptance of the deposit and conducting the draw for position of candidates on the ballot paper;
- registering 'how to vote' material;
- putting in place all necessary arrangements to enable pre-poll, declared institution, postal and election day voting including booking the appropriate venues.

In 2020 Cobar Shire Local Government Election involved a Returning Officer based in Cobar and polling places in Cobar Shire of Cobar, Nymagee and Euabalong.

The NSWEC proposed to provide a very similar election service i.e. Returning Officer based in Cobar and the same polling places in the Cobar Shire. The NSWEC have advised that they are prepared to arrange a part time Returning Officer.

Legislation

Section 296AA of the *Local Government Act 1993* (the Act).

Financial Implications

Council will be required to provide a budget of \$56,423 in 2024/2025 for the 2024 Cobar Shire Local Government Election.

Options

1. That Cobar Shire Council's General Manager conducts the 2024 Cobar Shire Local Government Election;
2. That Council engage the New South Wales Electoral Commission conduct of the 2024 Cobar Shire Local Government Election without seeking other quotes as per our procurement guidelines.

RECOMMENDATION

That the Cobar Shire Council (*"the Council"*) resolves to engage the New South Wales Electoral Commission for the conduct of the 2024 Cobar Shire Local Government Election:

- 1. pursuant to s. 296(2) and (3) of the *Local Government Act 1993* (NSW) (*"the Act"*) that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.**
- 2. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.**
- 3. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.**

CLAUSE 2– MONTHLY STATUS REPORT**FILE: C13-10****ATTACHMENT: NO****AUTHOR: *General Manager, Peter Vlatko***

COUNCIL RESOLUTIONS 25 SEPTEMBER 2014					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
627	Council – Clause 10A – Adoption of Management Plan for Lot 18 DP213415	188.9.2014	GM	<p>That Council authorise the General Manager to negotiate a lease or licence for an appropriate term and conditions with the Cobar Bowling and Golf Club Ltd.</p> <p>That Council authorise the Mayor and General Manager to sign any lease or licence under the Common Seal of Council.</p>	<p>December 2017 target was not met. Timeframe to be reviewed.</p> <p>Staff working on this subject to resources available.</p> <p>Discussions commenced with Club Board to resolve the issue; however, the matter is on hold until resources are available.</p> <p>Staff has been allocated to prepare information to negotiate appropriate terms & complete lease or licence with Cobar Bowling & Golf Club.</p> <p>New Meeting to be arranged with the Club Board to discuss lease terms.</p> <p>Meeting held with the General Manager of Cobar Bowling & Golf Club and discussed licence, meeting to be held with Golf Club Board in the new year.</p> <p>Matter on hold at the moment due to resourcing</p> <p>Matter raised with the new Manager and appointment to be booked for further discussions.</p> <p>Meeting Scheduled 08/03/23</p>

COUNCIL RESOLUTIONS 22 MARCH 2018

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
1142	Council Meeting – Notice of Motion – Installation of an Independent Pedestrian Crossing	47.3.2018	GM	That Council write to John Holland Rail, being the entity that maintains the RailCorp assets for Rural NSW, to increase the width to accommodate two vehicles crossing at same time on the level crossing on Bourke Road between Railway Parade South and Railway Parade North and install an independent pedestrian crossing.	<p>With footpath complete Council is applying to Department of Transport for funding.</p> <p>Transport for NSW has applied for funding & Council will know more after the 30 September 2021.</p> <p>Still awaiting funding approval</p> <p>After meeting with the Minister, a letter requesting funding has been forwarded.</p> <p>Council received a letter from the Government confirming project is a high priority</p> <p>Transport for NSW have informed council that the pedestrian crossing at the railway line will be subject strategic design process this year</p> <p>Confirmed- development of the project with design is currently being undertaken to achieve funding allocation.</p> <p>Matter is still a priority for the work to be undertaken when funds are available.</p>

COUNCIL RESOLUTIONS 24 APRIL 2019

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
1277	Council Meeting – Notice of Motion – Fringe Benefits Tax (FBT) Including Living Away From Home Allowance Exempted for Remote Mining Community such as Cobar	63.4.2019	GM	<p>That Cobar Shire Council lobby both the Federal Government and the Association of Mining Related Councils to have Fringe Benefits Tax (FBT) including Living Away from Home Allowance exempted for remote mining communities such as Cobar.</p> <p>That Council have discussions about a percentage of miners and those who are working on specific projects who should legally be required to live in town, to be held with the State Government.</p>	<p>Submission being prepared and discussions held with local mines.</p> <p>Met with accountant – draft position paper to be completed for Councils consideration.</p> <p>Council has engaged an Accountant to provide details of the Tax matters.</p> <p>Draft expected in the new year (2023).</p>

COUNCIL RESOLUTIONS COUNCIL MEETING HELD ON 08 DECEMBER 2022

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
1454	Council Meeting Clause 4 – Room Prices at Lilliane Brady Village	207.12.2022	DFCS	That Council place on public exhibition as per the Local Government Act 1993 the proposed room price schedule to become effective for the financial year ended June 30, 2024, as follows 1. Single room with ensuite \$237,000 2. Single room with shared ensuite \$230,000 3. Two bed shared room with shared ensuite \$201,000	Report will be presented to March Ordinary Meeting of Council after exhibition
1455	Council Meeting Clause 1C- Supply front end loaders (T3-22-13)	10.COW.2022	DES	That Council award the contract for the Supply of three 1x (one) Front-End Loaders to Solution Plant Hire Pty Ltd (Pacific Machinery Group) for \$227,633.33 plus GST & 2x (Two) Westrac Pty Ltd at the price of \$324,905.00 plus GST and authorise the General Manager and Mayor to sign the contract.	No further action
1456	Council Meeting Clause 2C-Supply & Delivery of bulk fuel	11.COW.2022	DES	That Council participate in Regional Procurement's contract T481920OROC for the Supply and Delivery of Bulk Fuel, nominating Woodham Petroleum as the preferred supplier until the end date of 30 June 2023, and authorise the General Manager and Mayor to sign the contract.	No further action

1457	Council Meeting Clause 3C- Supply of Rollers (t3-22-14)	12.COW.2022	DES	That Council award the contract for the Supply of Two (2) Rollers to Westrac Pty Ltd for a total of \$428,282.76 plus GST (\$42,828.28) and authorise the General Manager and Mayor to sign the contract.	No further action
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RECOMMENDATION That the information contained in the monthly status report be received and noted, with the following items to be removed: 1455,1456,1457.

CLAUSE 3- SECTION 356 DONATIONS 2023/2024

FILE: D3-1

AOP REFERENCE: 1.4.5

ATTACHMENT: NO

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

Purpose

For Council to consider requests for donations pursuant to its Donations Policy for the financial year 2023/2024. This policy has been adopted to ensure compliance with Section 356 of the Local Government Act 1993 and transparency within the Cobar community.

Background

Council advertised in the local and social media for requests for donations from interested community organisations to submit their application by the end of January 2023.

Ten applications approximating \$32,000 were received. All have been checked against the policy requirements and comply. The allowance in the draft budget is like recent years at \$18,000. A further contribution is made to the 'Roosters' for grounds maintenance which appears in the parks and gardens cost centre

Councillors will need to consider the applications on a merit basis with an appreciation of the Donations Policy and associated guidelines. Each applicant has been able to review the policy and guidelines prior to lodging an application.

Applications are considered at this time of year to enable them to be incorporated into the budget plans for the coming financial year

In-line with prior years it is recommended that Council continue to contribute Cobar Quids to Cobar High School, Cobar Public School, and St Johns Primary School for their end of year awards ceremony and cash to Euabalong West Primary School for its end of year awards ceremony.

A summary of the applications appears in the table below:

Organisation	Request	Recommendation
Cobar Pony Club Inc	\$3,500 for annual charges assistance and general maintenance.	That \$1,500 be granted to be equitable with other recommendations. It is a valuable part of Cobar's social fabric.
Auto club of Cobar Inc	\$5,000.00 towards Council rates and water purchased.	That \$1,500 be granted to be equitable with other recommendations. It is a valuable part of Cobar's social fabric.
Cobar Amateur Pistol Club Inc	\$8,133.54 for all arrears in rates.	That \$1,500 be granted to be equitable with other recommendations. It is a valuable part of Cobar's social fabric.
Cobar Clay Target Club Inc	\$5,000.00 to assist with running the annual Golden Clay tournament.	That \$1,500 be granted to be equitable with other recommendations. It is a valuable part of Cobar's social fabric.
Cobar Arts Council Inc	\$2,000 for rates assistance.	That \$1,500 be granted to be equitable with other recommendations. It is a valuable part of Cobar's social fabric.
Cobar Netball Association Inc	\$1,200 for assistance with lighting and court hire,	That \$1,200 be granted as requested. It is a valuable part of Cobar's social fabric.
St Johns School	\$2,000 to assist with annual bazaar.	That \$1,500 be granted to be equitable with other recommendations. It is a valuable part of Cobar's social fabric.
Cobar Athletics Club Inc (Little Athletics)	\$1,000 for assistance with lighting.	That \$1,000 be granted to be equitable with other recommendations. It is a valuable part of Cobar's social fabric.
Cobar Rugby Union Club Inc	\$2,500 for general sponsorship.	That \$1,500 be granted as requested. It is a valuable part of Cobar's social fabric.
Cobar Girl Guides (Incorporated under state umbrella)	\$1,500 to offset rates.	That \$1,500 be granted to be equitable with other recommendations. It is a valuable part of Cobar's social fabric.
Schools	Not requested due to staff being on holidays.	Each school be awarded \$200.00 for a total of \$800.00
TOTAL	\$31,633.54	\$15,500

RECOMMENDATION

1. That Council grants donations for the financial year ended June 30, 2024, as follows.

Cobar Pony Club Inc \$1,500
Auto Club of Cobar Inc \$1,500
Cobar Amateur Pistol Club Inc \$1,500
Cobar Clay Target Club Inc \$1,500
Cobar Arts Council Inc \$1,500
Cobar Netball Association Inc \$1,200
St Johns School \$1,500
Cobar Athletics Club \$1,000
Cobar Rugby Union Club Inc \$1,500
Cobar Girl Guides \$1,500

2. That Council donates to each of the schools within Cobar \$200 of Cobar Quids to assist with their end of year awards ceremonies.
3. That Council donates to the Euabalong West Public School \$200 cash to assist with its end of year awards ceremony.
4. That Council notes the contribution towards water at the Tom Knight Oval to a ceiling of \$25,000 for the year ended 30 June 2024.

CLAUSE 4– QUARTER 2 – 2022/2023 BUDGET REVIEW

FILE: L5-22 AOP REFERENCE: 3.3 ATTACHMENT: (YES PAGE 63-64)

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

Purpose

To present to Council the budget review for the second quarter of the 2022/2023 financial year.

Background

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

Appearing as attachments to this report are:

1. Schedule of Contribution Plans balances (Attachment 1).
2. A report from the Director of Finance and Community Services indicating that he believes the financial position is satisfactory having regard to the adopted estimates for the 2022/2023 year (Attachment 2).

Summary

A robust review of operating and capital income and expenditure for the second quarter of this financial year has been conducted. The outlook for the remaining portion of this financial year has also been reviewed.

Councilors receive monthly reports of expenditure on major projects and transport infrastructure (operating and capital).

Only significant items are recommended to be adjusted in this review. As with any complex business most income and expense lines will have minor variations but on balance, they do not influence the budget position significantly and tend to offset one another.

Cash

The contributions under the various plans have reached in excess of \$2,600,000. Each plan allows for expenditure of a defined type. The balances are considered restricted cash. It is generally held that the money collected in each plan should benefit the generation in which it was collected. These balances will be applied towards currently approved projects. The effect of this is to use restricted cash instead of unrestricted cash which in turn improves our defined liquidity. No adjustment is required to the budgeted items.

Capital and major projects

To ensure that the Block Grant is expended within this financial year, approximately \$1,000,000 will be allocated to capital works on the 52 Mile Road from the original maintenance budget. In accounting terms this reduces operating expenses and increases capital expenditure.

Operating

Three budget lines are recommended for an additional budget allowance:

- an additional \$240,000 for insurance premiums with the majority of this attaching to the property portfolio. This has been caused by fire and flood damage claims throughout the country which has impacted the insurance market adversely. Further significant increases have been factored into the coming budget period.
- an additional \$60,000 for depot maintenance. As the depot is being prepared for upgrading expenditure which cannot be capitalized under accounting standards is being incurred.
- an additional \$300,000 for interest earned. Cash balances and interest rates are significantly higher than the original forecast.

Whilst grant money received is much higher than forecast it is mostly for projects that will either not commence this financial year or not be significantly progressed. The budget impact will mostly be in future years.

If the recommendations are adopted the whole of Council estimate becomes

	General Fund	Water Fund	Sewer Fund	All Funds
	\$	\$	\$	\$
Revenue	49,733,111	7,128,584	4,015,069	60,876,764
Expenditure	40,412,637	4,359,026	1,228,849	46,000,512
Operating surplus/deficit before extraordinary items	9,320,474	2,769,558	2,786,220	14,876,252
Less capital grants and contributions	7,540,000	2,500,000	2,750,000	12,790,000
Less non recurrent items				
Add transfer from reserves				
Underlying surplus / deficit	1,780,474	269,559	36,220	2,086,252

RECOMMENDATION

1. That the report Quarter 2 2022/2023 Budget Review be received and noted, and the following capital expenditure adjustment be made to the adopted budget

(1) Road's capital expenditure be increased by \$1,000,00

(2) and that the following adjustments be made to the operating budget

- a) Increase interest earned by \$300,000**
- b) Increase insurance costs by \$240,000**
- c) Increase depot maintenance by \$60,000**

CLAUSE 5- TRUCKWASH USER FEES

FILE: A10-30

ATTACHMENT: NO

AUTHOR: Charles Taveira, Director of Engineering Services

Purpose

To consider the proposed user fees for the newly installed truckwash located to the rear of council's Cobar Works Depot.

Background

Council installed a new truckwash to the rear of council's Cobar Works Depot to primarily service commercial and industrial vehicles. This truckwash is not designed to service stock trucks.

As part of the installation, a billing system known as AV Data has also been installed to capture the identity of the user and facilitate the user charges. The truckwash can only be operated via AV Data technologies. Costs for the purchase of the AV Data keys and the usage rates need to be determined.

AV Data keys

The purchase of the AV Data keys cost council \$22 each (ex GST). To cover council's administration costs, it is proposed to offer these keys to the public at a cost of \$25 each (ex GST). In addition, refunds will not be offered.

User Rate Charge

Following a benchmarking exercise against other truckwash facilities around the nation, user rates vary from \$0.20c per minute through to \$1.54 per minute. In the interest of selecting a rate that is not only reasonable and aims to offset some of the operational costs, it is proposed to commence the user rate charge at \$1 per minute (incl GST).

Purchasers of AV Data keys will be required to place credit on their keys before using the truckwash and draw down on this credit for their usage.

Probity

There were no probity issues identified in this tender process.

Budget Implications

Council has budgeted \$40,000 income from user fees generated by the use of this truck wash. It is unlikely that this will be achieved given that the truck wash is yet to be opened to the public.

Risk Implication

There are no significant risk issues that have been identified with this recommendation.

RECOMMENDATION

That Council agrees to:

1. Place on public exhibition for 28 days the:

- **Charge of \$25 (plus GST) for the purchase of an AV Data key with no refunds offered**
- **Charge of \$1 per minute (incl GST) for timed usage of the truck wash**
- **User fees being subject to price escalation through the normal annual budget process.**

2. Report back to council on feedback received from public exhibition process

CLAUSE 6 – DEVELOPMENT APPLICATION: CHANGE OF USE - PLACE OF WORSHIP TO CENTRE-BASED CHILD CARE FACILITY

**FILE: 2022/LD-00031 AOP REFERENCE: 1.6.3.1 ATTACHMENT: YES
(PAGE 65-175)**

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

Purpose

The purpose of this report is for the Council to consider the Assessment Report prepared in respect of Development Application (2022/LD-00031) for a Change of Use – Place of Worship to Centre Based Child Care Facility.

Background

The proposed development site is 57 Brough St, Cobar and is zoned R2 Low Density Residential under the *Cobar Local Environmental Plan 2012*. The assessment report has been prepared and submitted to the Council for determination because of unresolved submissions received objecting to the proposal.

RECOMMENDATION

- 1. That Development Application No. 2022/LD-000031 for a Change of Use – Former Place of Public Worship to a Centre-Based Child Care Facility at Lot 72 in DP520071 being 57 Brough St, Cobar be APPROVED pursuant to Section 4.16 (1) (a) of the *EP & A Act 1979* subject to the following draft Conditions of Consent.**
- 2. That voting on this matter be recorded on the basis of an automatic division as required by legislation.**

DRAFT CONDITIONS OF CONSENT

- 1) The development must be carried out in substantial accordance with the documents listed below, except were amended by other conditions of this consent.
 - Architectural Drawings prepared by RIZ Design Office, Project No: 2021175-Drawings:
 - Cover Page, dated July 2022
 - Site and Roof Plan, dated July 2022
 - Floor Plan – Existing, dated July 2022
 - Floor Plan – Demolition, dated July 2022
 - Floor Plan – Proposed, dated July 2022
 - Elevations, dated July 2022
 - Sections, dated July 2022
 - 3D Overall Views, dated July 2022
 - Stormwater Management, dated July 2022
 - Schedules Sedimentation, dated July 2022
 - 3D Exploded View, dated July 2022
 - Development Notes x 2, dated July 2022

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- Noise Impact assessment prepared by Reverb Acoustics Pty Ltd, dated November 2022, pages 1 - 15.
 - Parking and Traffic Impact Assessment Report prepared by Greys Australia Pty Ltd, dated 2 December 2022, pages 1 - 27.
 - Statement of Environmental Effects, dated November 2022, pages 1 - 30.
- 2) In the event of any inconsistency between condition of this consent and documents referred to above the conditions of this consent prevail.
 - 3) No nuisance or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any polluted discharge whatsoever.
 - 4) Before the issue of a relevant Construction Certificate, a landscaping plan must be prepared for the site and accepted by the certifier. The plan is to:
 - take advantage of existing established plants on the site;
 - ensure that the landscaping does not obscure available sight distances for vehicles entering and leaving the premises;
 - be of a design that is readily maintained and suited to site conditions.

A requirement to maintain landscaping of the site is a condition of the granting this grant and forms part of the ongoing operation of the premises.

- 5) That construction work on the site must only be carried out between the hours of 7.00am and 8.00pm, Monday to Saturday inclusive and 8.00am to 8.00pm on Sundays or Public Holidays.
- 6) All external lighting is to be positioned and directed so as to prevent the intrusion of light to the adjoining premises.
- 7) This development consent lapses unless building, engineering or construction work relating to the development is physically commenced on land to which the consent applies before the date that is five (5) years from when this consent operates.
- 8) The applicant must implement all practicable measures to prevent or minimise harm to the environment during the construction and operation of the development.
- 9) The construction of the building, the subject of this development consent must not commence until:
 - A Construction Certificate has been issued.
 - A Principal Certifier has been appointed.
 - A notice of intention to commence work has been issued to Council as the consent authority.

Note: *This application must be made on the NSW Planning Portal. Council encourages you to initiate your Construction Certificate (CC) application via the relevant Development Application (DA) service, accessible from your NSW Planning Portal account. In doing so, this will enable your DA information to flow through to the nominated certificate application.*

In addition, the CC case will be linked with the DA case allowing you to access required documents and other application information. In order to do this, you will need to click on 'Request Certificate' button from the DA application.

- 10) The building work subject to this consent must be carried out in accordance with the requirements of the Building Code of Australia.
- 11) All plumbing and drainage (water supply, sanitary plumbing and drainage, stormwater drainage and hot water supply) are to comply with the *Plumbing and Drainage Act 2011*.
- 12) Roof water is to be disposed of by piping to the street gutter.
- 13) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out, identifying the following:
 - the name, address and telephone number of the principal certifying authority (Cobar Shire Council) for the work,
 - showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - stating that unauthorised entry to the site is prohibited

Any such sign is to be maintained while the work is being carried out but must be removed when the work has been completed.

- 14) Appropriate site security fencing shall be erected to restrict unauthorised access to the construction work site.
- 15) It is a condition of this consent that the 7.12 levy must be paid to Council in accordance with the *Cobar Local Infrastructure Contributions Plan 2020* (The Plan). The levy payable is 1% of the estimated cost of carrying out the development.

The required levy payment for this development is \$2,297.51 and is subject to indexation in accordance with clause 2.18 of the Plan.

This levy must be paid prior to the release of a Construction Certificate.

- 16) Prior to the issue of a Construction Certificate, the following Section 64 Water and Sewer charges (pursuant to the *Local Government Act 1993* and Cobar Shire Councils *Development Servicing Plans for Water Supply and Sewerage 2013* must be paid. The charges are based on 0.6 Water Equivalent Tenements (ET's) and 0.10

Sewer Equivalent Tenements with a credit of 0.4 Water ET's and 0.63 Sewer ET's based on the original Church/Place of Public Worship land use.

For the 2022/2023 financial year, the charges are:

- $0.06 \times 33 \times \$1,385.00 = \$2,742.30 - \$1,108.00$ (credit) = **\$1,634.30** Water ET
- $0.10 \times 33 \times \$1,097.00 = \$3,620.10 - \$1,382.00$ (credit) = **\$2,238.10** Sewer ET

17) Demolition works must be carried out in accordance with AS 2601 - The demolition of structures.

18) All waste materials are to be removed from the site and deposited at the approved landfill site. Particular care and attention is to be paid to the disposal of any waste containing asbestos material.

19) Prior to the issue of an Occupation Certificate, the applicant must provide to Council written advice that the development has been finalised relative to the *Plumbing and Drainage Act 2011*, including:

- Plumbing and drainage work notifications
- Inspections of plumbing and drainage work, and
- Supply of certificates and plans.

20) It is a condition of this consent that the core operating hours of the Child Care Facility are between 7am and 6pm, Monday to Friday with it being noted that staff may arrive before and depart after these hours for setup and cleaning purposes.

21) It is a condition of this consent that an Emergency and Evacuation Plan must be prepared prior to an Occupation Certificate being issued. The required plan needs to consider the following:

- The mobility of children and how this is to be accommodated during an evacuation.
- The location of a safe congregation/assembly point, away from the evacuated building, busy roads and other hazards.
- How children will be supervised during the evacuation and at the congregation/assembly point relative to the capacity of the facility and governing child-to-staff ratios.

22) The development is to be provided with a child-safe fence to separate car parking areas from the building entrance and play areas.

23) Acoustic fences having a height of 1.8m above ground level are to be installed along the North, West and East boundaries of the Lot. Acceptable forms of construction include:

- colourbond metal (minimum 0.6mm BMT);
- lapped and capped timber;
- hebel power panel; or
- masonry.

No significant gaps are permitted in the fence. Other construction options are available providing the fence or wall is impervious and of equivalent or greater surface mass than the above options.

- 24) No acoustic treatment is required for air conditioning or exhaust plant that satisfies the following noise emission limits:

	LW, dB (A)	SPL at 1m dB(A)
Air Conditioning Plant	72	66
Exhaust Plant	68	62

- 25) If noise emissions from individual items of air conditioning plant exceed the limits shown in Condition 27 above, acoustic barriers must be constructed between the plant and surrounding dwellings. Barrier Construction should consist of either acoustisorb panels (available through Modular Walls) or an outer layer of one sheet of 12mm fibre cement sheeting (villaboard, hardiflex) or 19mm marine plywood. The inside (plant side) is to be lined with an absorbent foam to reduce reverberant sound (not fibrous infills) and must be a minimum of 300mm above the top of the plant item.
- 26) The contractor responsible for supplying and installing the plant is to submit evidence to Council that the installed plant meets the specified noise emission limits or that noise control included with the plant is effective in reducing the sound level to the specified limit.
- 27) The approval of the acoustic consultant is to be obtained once the selection and location of plant has been finalised and prior to installation.
- 28) The existing carpark area must be repaired and resealed as needed to facilitate the required line marking of the carpark in accordance with relevant industry standards.
- 29) It is a condition of this consent that the car park surface and line marking must be maintained as part of the ongoing operation of the premises.
- 30) Before the issue of a relevant Construction Certificate, a suitably qualified engineer must review the plans which relate to parking facilities and provide written evidence, to the certifier's satisfaction, that it complies with:
- AS/NZS 2890.1 - 2004 (off-street car parking)
 - AS/NZS 2890.6 - 2009 (off-street parking for people with disabilities)
- 31) The development must be carried out in general accordance with relevant requirements of Managing Urban Stormwater: Soils and Construction (4th Edition, Landcom 2004), commonly referred to as the "Blue Book".

32) Before commencing work on site, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters as relevant to the subject construction site:

- Location and materials for protective fencing and hoardings to the site perimeter on the site
- Provisions for public safety
- Pedestrian and vehicular site access points and construction activity zones
- Details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measure to preserve pedestrian safety in the vicinity of the site protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on developments sites and trees in adjoining public domain) (if applicable)
- Details of any bulk earthworks to be carried out
- Location of site storage areas and sheds
- Equipment used to carry out all works
- A garbage container with a tight-fitting lid
- Dust, noise and vibration control measures
- Location of temporary toilets or existing on-site toilets.

The applicant must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

33) The proposed free standing laundry and storage building must be located within the boundaries of Lot 72 and the certifier should require the applicant to engage the services of a registered surveyor to ensure compliance with this condition.

Reasons for the Imposition of the Conditions

- 1) To ensure the proposed development:
 - achieves the objects of the *EP & A Act 1979*:
 - complies with the provisions of all relevant environmental planning instruments.
- 2) To ensure the protection of the amenity of land adjoining and in the locality of the proposed development.
- 3) To minimise any potential adverse environmental, social or economic impacts of the proposed development.
- 4) To ensure the development does not conflict with the public interest.
- 5) To ensure the protection of public and environmental health.

To provide a safe and healthy environment for the occupiers of the premises.

CLAUSE 7 – MEETING MINUTES

FILE: R5-36 AOP REFERENCE: 3.1ATTACHMENT: YES (PAGE 176-183)

AUTHOR: *General Manager, Peter Vlatko*

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

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

- Local Traffic Committee – Tuesday, 22 November 2022
- Cobar Liquor Accord Committee- 06 December 2022 & 07 February 2023

No resolutions for Council adoption.

RECOMMENDATION

That the Minutes of the Local Traffic Committee and the Cobar Liquor Accord be received and noted.

CLAUSE 8– GENERAL MANAGERS OPERATIONAL REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

ATTACHMENT: NO

AUTHOR: *General Manager, Peter Vlatko*

Purpose

To provide Council with an update on strategic operational matters.

Discussion

Voluntary Planning Agreement

Negotiations have commenced for a Voluntary Planning Agreement (VPA) for the proposed Federation Mine and include the following;

- Signing on fee
- Community Enhancement Funds
- Road Maintenance Funds

Kaloogleguy Reserve

The NSW Government has allocated funds for them to fence the Kaloogleguy Reserve in addressing the asbestos issues.

Airport Hangar

Council has commenced the preparation of a development application (DA) for providing additional Hangars at our Airport in order to ensure a smooth opportunity for the investments to occur.

Trade Waste Service

Due to the condition of our vehicle and resourcing Council will be reviewing the service it provides and its future. A full report will be provided to Council for its consideration and options.

2023/2024 Budget

Council will be holding the following workshops to prepare for the consideration of the 2023 budget, including setting the fees and charges

- Feb 2023
- March 2023
- April 2023
- May/ June Public consultation

Grant Funding

Council has received significant Grant Funding to assist with all of the flood damage and on top of this has received \$769,560.72 for potholes and \$4,085,934 for road repairs all based on Council's length of roads in the Shire.

RECOMMENDATION

That the General Managers Operational Report be received and noted.

CLAUSE 9– SECOND QUARTERLY REVIEW OF THE ANNUAL OPERATIONAL PLAN 2021/2022 (Q2)

FILE: L5-22

AOP REFERENCE: 3.1

ATTACHMENT: YES

(TO BE TABLED)

AUTHOR: *General Manager, Peter Vlatko*

Purpose

To provide Council with a detailed review of all actions outlined in the Annual Operational Plan 2022/2023 for the Second quarter (ie October to December 2022).

Background

At the July 2022 Ordinary Council Meeting, Council adopted the 2022/2023 Annual Operational Plan (AOP) and Budget. Council is obligated to review the AOP and Budget each quarter, under the NSW Integrated Planning and Reporting legislation and guidelines. It should be remembered that this review is only for the period October to December 2022 and does not cover actions or activities that have occurred since then. However, the attachment to this report aims to highlight major issues that may arise in Q2 of 2022/2023.

Issues

Each responsible officer has provided the attached review of their operations. All actions outlined in the AOP have been addressed and statistics are provided where appropriate.

Legal Situation

Council must review the AOP six monthly and the budget quarterly as per the NSW Integrated Planning and Reporting guidelines. Council chooses to review the AOP in line with the budget.

Policy Implications

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

Financial Implications

Any financial implications are outlined in the budget review.

Risk Implication

Any risks to achieving outcomes are listed in the report attachment.

RECOMMENDATION

That Council receives and notes the first quarterly review of the 2022/2023 Annual Operational Plan, covering the period October to December 2022.

**CLAUSE 10 – COUNTRY MAYORS ASSOCIATION STATE ELECTION
PRIORITY**

**FILE: L5-20 AOP REFERENCE: 1.1.1.4 ATTACHMENT: YES (PAGE
184-205)**

AUTHOR: *General Manager, Peter Vlatko*

Purpose

To receive the Country Mayors Association State Election Priorities.

Background

Cobar Shire Council are members of the Country Mayors Association with the Mayor and General Manger attending the ‘Meet the Leaders’ political forum which is specifically dedicated to the Regional, Regional and Remote Councils to be held in Sydney on Tuesday 21 February 2023.

The Country Mayors Association have prepared the adopted 2023 State Election Priorities which has been provided to the leaders of all current political parties in the NSW Parliament, and the Chairman and Deputy Chairman have held online face to face virtual meetings with the majority of those leaders or their representatives.

RECOMMENDATION

That Council receive and note the Country Mayors Association State Election Priorities.

CLAUSE 11 – GRANT FUNDING**FILE: G4-17****AOP REFERENCE: 3.1.1.3****ATTACHMENT: NO****AUTHOR: *Grants Officer, Bethany Smith*****Grant Update****Council Grants**

Grants Applied For	Activity	Amount Applied For	Status	Council Funding Required	Outcome expected/ comments
The Wool Track	Seal extension from end of bitumen to intersection of Balerabon Road. Grant application submitted to Fixing Country Roads.	\$7,139,000	Pending	Including Council co-contribution \$600,000.00	March 2023
Aged care Registered Nurses Payment to reward clinical skills and leadership - Round 1	Two payments worth up to \$6,000 in total will be available for Registered Nurses to reward clinical skills, leadership and increase the number of Registered Nurses working in aged care	\$25,320	Pending	NIL	February/March 2023
Electronic National Residential Medication Chart Adoption Grant	Implementation of an eNRMC system at the Lilliane Brady Village	\$22,000	Pending	NIL	March 2023
Unsung Heroes, Innovation in Volunteering Grants	To deliver a volunteering program to support community members with knowledge on how to start, build, engage, support, and manage volunteers	\$55,788	Pending	NIL	February 2023
NSW Youth Week 2023	1. Hold youth activities and event during Youth week 2023	\$800 approx.	Pending	Council match NSW Government grant dollar for dollar	February 2023
NSW Children and Young People	Hold a community event in Euabalong including children	\$10,000	Pending	NIL	April 2023

Wellbeing Recovery Initiative	amusement, fairy floss, BBQ, ice cream etc.				
Arts & Cultural Funding Program 2022/23	Installation of the Iron Ring beside the Miners Memorial.	\$15,600	Pending	NIL	July 2023, Iron Ringer Committee to provide a contribution \$10,400
Infrastructure Betterment Fund	Betterment of floodways on Balewa Road and culverts on Wool Track	\$4,985,000	Pending	NIL	March 2023

Grant Outcomes

Grants Applied For	Activity	Amount applied for	Status	Council funding required	Outcomes expected/comments
Female Friendly Community Sport Facilities and Lighting Upgrades	Upgrades to the indoor existing lighting in the Cobar Youth and Community Centre stadium, and installation of 4 security lights outside	\$50,000	Successful	25% co-contribution \$12,500, total funding \$62,500	
Australia Day 2023 Community Grant	To host a family friendly Australia Day event at the Cobar Memorial Swimming Pool	\$20,000	Successful	\$5,500 (approximately how much Council co-contributes every year, through wages, advertising, catering etc). Total funding \$25,500.00	
Stronger Country Communities Fund round 5	<p>1. New LED lighting Ward Oval Cobar. This project is to install new energy efficient lighting at Cobar's recently realigned War Oval. \$972,000.00</p> <p>2. Euabalong Hall Revitalisation. This project will revitalize, make safe, and expand the functionality of the Euabalong Hall located at the Euabalong racecourse. \$100,000.00</p>	\$1,072,000	Successful	NIL	

<p>Resources for Regions – Round 9 Successful</p>	<p>1. Louth Road Reservoir Asset Renewal Project. This project upgrades one of Cobar township’s two potable water reservoirs, Louth Road Reservoir improving safety and resilience of this critical infrastructure asset. \$4,031,426.00</p> <p>2 Euabalong Pump Station Disaster Resilience and Safety Upgrades. This project replaces critical infrastructure, the Euabalong raw water pumping station and reticulation system which provides the only water utility source for two small, remote communities: Euabalong and Euabalong West. \$1,016,051.00</p> <p>3 Booberoi Road Bridge Replacement – This project replaces the bridge, 30m downstream from the current location increasing the flood resilience of the asset and improving road safety by re-aligning both the bridges road approaches by removing the current bends in the road. \$2,733,750.00.</p> <p>4 Round Hill Road Bridge Replacement. This project</p>	<p>\$12,277,764</p>	<p>Successful</p>	<p>NIL</p>	
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	<p>replaces the bridge 30 meters from the current site and includes construction of the bridge approaches. \$2,733,750.00.</p> <p>5 Cobar Footpath connector and DDA project. This project is stage 2 of the implantation of the Cobar Active Transport Plan and aims to improve linkages between key locations and community infrastructure. \$1,130,622.00</p> <p>6 Cobar Airport Masterplan. This project will fund the Cobar Airport Masterplan. The master planning will map out the areas of need and develop a strategic plan for the asset. \$101,250.00</p> <p>7 Cobar Early Intervention Program Phase 2. This is phase 2 of the early intervention program that will deliver psychology and allied health services to preschoolers in the Cobar LGA. \$117,000.00.</p> <p>8 Cobar Museum phase 2 & 3 exhibition and object display project. This project is to fund</p>				
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	the implementation of the Great Cobar Museums exhibition design plan. \$313,875.00.				
	9 Youth services program phase 2. This is to extend the current youth program. \$100,000.00.				
NSW Women's Week 2023	Hold a Week of Women event to celebrate International Women's Day including free yoga and fitness classes, networking night event and information session for youth girls at the school	\$5,000	Successful	\$5,000	
Fixing Local Roads Round 4	Seal extension on shire road 20 - Grain Road	\$3,000,009	Successful	Council co-contribution \$755,000.	
Fixing Local Roads Pothole Repair Round	Short-term repairs of priority potholes and road repairs on local and regional roads	\$769,560.72	Successful	NIL	
Flood Damage	Flood Damage from November 2021 Event (EPA)	\$2,799,643.47	Successful	NIL	
2022 Summer Holiday Break program	To host various creative art workshops during the summer school holidays.	\$15,000	Successful	NIL	
NSW Local Government Recovery Grants Program	1. Replacement of feeder pipe at Euabalong West water supply \$400,000 2. Euabalong and Euabalong West reservoirs epoxy coating \$600,000	\$1,000,000	Successful	NIL	Although recovery money has been approved, Council is still waiting for the approval of the individual projects submitted. April 2023
Regional Youth Investment Program	Upgrades to the outdoor basketball courts, located at the Cobar Youth and Community Centre	\$629,565.04	Unsuccessful	NIL	

2022-23 - Crown Reserves Improvement Fund Program	Build a compliant kitchen at the Dalton Park Racecourse, that community groups can use to cater for various events held at the racecourse.	\$279,592	Unsuccessful	NIL	
Regional and Local Roads Repair Program	Unallocated until emergency works have been completed	\$4,085,934	Successful	NIL	

Council has committed \$1.1 million in the 2022/2023 budget to put towards grant proposals as a co-contribution.

Current Grant Opportunities:

- **Growing Regional Economics Fund** - This fund aims to accelerate economic development and prosperity in regional NSW and support investment in major transformational projects that increase employment opportunities in regional areas and ensure that regional communities have the infrastructure and services required for sustainable growth. Application for funding can be for a minimum of \$2 million up to a maximum of \$30 million. Expression of interest closes of the 23rd of May 2023.
- **2023 NAIDOC Local Grants Opportunity** - This program aims to assist with the cost of activities being held during NAIDOC week 2023 that celebrate first nations histories, cultures, achievements and continuing contributions to our country and society. This is a national grant opportunity, up to \$1.6 million in total funding is available across Australia. Application closes 17th of February 2023.

Grant Funded Projects – Implementation

The following is a summary of works in progress for grant funded projects:

- **NSW Government - Stronger Country Communities Fund (SCCF) – Round 3 - Youth Development Officer – 18-month tenure** – With Youth Development officer shortages at the moment programs have been lower than normal, however still occurring. This will now be a priority of the Youth Development and Community Services Coordinator, assessing gaps and ensuring programs are well advertised and easy to access/ attend. Currently applying for a variation for a time extension.
- **NSW Government - Stronger Country Communities Fund (SCCF) – Round 3 Euabalong Scenic Walking Trail** – Survey and design completed. Approval process currently underway, Project impacted by Lachlan River flooding, waiting until water subsides.
- **NSW Government – Regional Growth Fund & Federal Government - Building Better Regions Fund (Round 4) - Ward Oval Multi-Purpose Building and Early Learning Centre** – Tender to be awarded in February Council meeting.
- **Safe and Secure Water Fund** – Please refer to the Water and Wastewater report for project update
- **Showgrounds Stimulus Funding phase 2B** – Sealing of the Ward Oval Car Park. Road crew have completed gravel surface on carpark, and a swale drain. Footpath along the carpark has been constructed. Received an extension until July 2023.
- **Resources for Regions round 7 (R4R7) - Stage 1 – existing industrial estate - including roads and storm water upgrades and Resources for regions round 8 (R4R8) Cobar Industrial Estate Road and Storm water Upgrades - Stage 2** – Council has engaged a local contractor to complete installation of stormwater pipes, pits and kurb and gutter. Council is currently recruiting a Project Manager.

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- **Resources for regions – round 8 (R4R8) Business Case Studies (BCS) Including: Activating Cobar's CBD (BCS)** Several meetings occurred with GHD architects, final draft document to be received in February. Masterplan and Business case taken to March Council meeting. **and Dalton Park's Wetlands project (BCS)** currently engaging a consultant needs to be complete in March 2023, have applied for a time extension.
 - **Resources for regions round 8 - (R4R8) - Great Cobar Museum - Coach House and Landscaping - (Stage 2 works) -** Cost estimate received is well over budget, currently reviewing design.
 - **Resources for regions – round 8 (R4R8) - Early Intervention Outreach Program –** Services have commenced.
 - **Resources for regions – round 8 (R4R8)- Ward Oval Multipurpose building – area kitchen, canteen, bar, stage, and office–** A variation has been approved for the transfer of funds to the Ward Oval Multi-Purpose Building. Tender to be awarded in February Council meeting.
 - **Crown Reserves Improvement Fund Program - Euabalong Sportsground and Racecourse –** Project is to purchase and erect a permanent showground arena and cattle yards that can safely facilitate horse and cattle sports competitions such as Team Penning, Barrel Races, Ranch Sorting, Camp Drafting, Steer and Bull Rides, Cutting, Horsemanship clinics and Gymkhana events and Pony Club. Project progressing, works are planned to start mid-February.
 - **School Zone Infrastructure Program Round 2 -** Maidens Ave, Cobar – Complete. Refreshing of line marking at Cobar School Zones – landmarking works have commenced and traffic islands have been painted. Barton and Marshall Street, Cobar walking route upgrade – currently waiting on final design approval from Transport NSW for fence around walking path.
 - **SR12 – Yathong Road - Gravel Resheeting (80kms)** Gravel is currently being carted and spread should be complete in the next couple of weeks.
 - **Regional Tourism Activation Fund – Stream One - Unique and High Impact Visitor Experiences -** Stage 3 of The Great Cobar Museum upgrades, including a Mine Walk and Underground Experience. Cost estimate received is well over budget, currently reviewing design
 - **Bulk water metering project -** Please refer to the Water and Wastewater report for project update
 - **NSW Planning Portal API Grant Program -** To assist with integrating Councils new finance system, with the planning portal. The funding has been received and will be incorporated into the ERP implementation project to go towards the Planning Portal API component of the project. Councils' new ERP system provider are currently developing the API and hope to be delivered by April 2023.

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- **Reconnecting Regional NSW – Community Event Program** – Three events to be hosted by Cobar Shire Council in September in conjunction with the ROEF, and one event ‘Bands in the Bush’ to be held by Cobar Shire Council in March 2023. ROEF events successfully delivered. Planning commenced for ‘Bands in the Bush’ to be held in September 2023.
 - **Local Roads and Community Infrastructure Phase 3 – Airport runway sealing upgrades – (Est) \$1,000,000.00** – planning has commenced with works scheduled to start once REF is completed. **Town Beautification – (Est) \$150,000.00** - currently sourcing quotes, works will commence within the next fortnight **99KW solar project at the Filtration plan - \$100,000.00**. Please refer to the Water and Wastewater report for project update **Industrial Estate – (Est) \$920,422.00**, Council has engaged a local contractor to complete installation of stormwater pipes, pits and kurb and gutter. Council is currently recruiting a Project Manager
 - **Aurelia Community Grant - Sound equipment for the Miners Memorial – equipment installed, complete.**
 - **Resources for Regions round 7 (R4R7) - Water reticulation upgrade – stage 2 – works are effectively complete.**
 - **School Zone Infrastructure Program RD 1 - Cobar Public School - Barton Street Pedestrian Access Refuge – The existing marked pedestrian crossing at the Cobar Public School will be changed to a school crossing only and will only be operational during school operating times. The new school crossing is being shifted away from the intersection to improve road safety. The pedestrian access refuge across Barton Street is complete. Blakey Street school crossing is complete.**

RECOMMENDATION

That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted

CLAUSE 12 – INVESTMENT REPORT AS AT DECEMBER 2022**FILE: B2-7****AOP REFERENCE: 3.1.1.7****ATTACHMENT: NO****AUTHOR: *Financial Accountant, Sandra Davey*****Purpose**

Section 625 of the Local Government Act 1993 and Clause 212 of the Local Government (General) Regulation 2005 and the Council's investment policy require Council's investments to be reported to the Council monthly.

Issues

The table below shows the balances of Council's Investments for December 2022. Term deposits have differing terms to spread the maturity dates throughout the year. 90 percent of the Resources for Regions Round 9 Funding has been provided to Council. This provided for a significant increase in cashflow.

Investments	Rate	Bank	Opening Balance	Transfers to Investment	Transfers from Investment	Interest Earned	Closing Balance
NAB Sweep Acct	Variable	NAB	\$ 6,864,892	\$ 13,804,894	\$ 13,287,659	\$ 18,355	\$ 7,400,483
Dec-22		NAB	\$ 2,020,145		\$ 2,020,145	\$ -	\$ -
Aug-23	4.45%	AMP	\$ 2,029,668			\$ 7,671	\$ 2,037,339
Apr-23	3.00%	NAB	\$ 2,029,106			\$ 5,170	\$ 2,034,276
May-23	4.25%	NAB	\$ -	\$ 5,000,000		\$ 6,404	\$ 5,006,404
May-23	4.55%	AMP	\$ 3,003,366			\$ 11,606	\$ 3,014,972
Sep-23	4.35%	AMP	\$ -	\$ 5,000,000		\$ 6,555	\$ 5,006,555
Mar-23	4.00%	NAB	\$ 5,036,237			\$ 17,109	\$ 5,053,347
Jan-23	2.74%	NAB	\$ 3,038,260			\$ 7,070	\$ 3,045,330
TOTALS	Average Int	3.91%	\$24,021,675	\$23,804,894	\$15,307,804	\$79,941	\$32,598,706

I hereby certify that the above investments have been made in accordance with Section 625 of the Local Government Act 1993 and Clause 212 of the Local Government (General) Regulation 2005 and the Council's Investment Policy.

S Davey

Financial Accountant**RECOMMENDATION**

That Council receive and note the Investment Report as of December 2022.

CLAUSE 13 – INVESTMENT REPORT AS AT JANUARY 2023**FILE: B2-7****AOP REFERENCE: 3.1.1.7****ATTACHMENT: NO****AUTHOR: *Financial Accountant, Sandra Davey*****Purpose**

Section 625 of the Local Government Act 1993 and Clause 212 of the Local Government (General) Regulation 2005 and the Council's investment policy require Council's investments to be reported to the Council monthly.

Issues

The table below shows the balances of Council's Investments for January 2023. Term deposits have differing terms to spread the maturity dates throughout the year. Further upfront grant funding from the Department of Regional NSW has been paid to Council. This provided for another significant increase in cashflow.

Investments	Rate	Bank	Opening Balance	Transfers to Investment	Transfers from Investment	Interest Earned	Closing Balance
NAB Sweep Acct	Variable	NAB	\$ 7,400,483	\$ 6,708,648	\$ 1,504,349	\$ 26,643	\$ 12,631,425
Aug-23	4.45%	AMP	\$ 2,037,339			\$ 7,700	\$ 2,045,039
Apr-23	3.00%	NAB	\$ 2,034,276			\$ 5,183	\$ 2,039,459
May-23	4.25%	NAB	\$ 5,006,404			\$ 18,071	\$ 5,024,475
May-23	4.55%	AMP	\$ 3,014,972			\$ 11,651	\$ 3,026,623
Sep-23	4.35%	AMP	\$ 5,006,555			\$ 18,497	\$ 5,025,052
Mar-23	4.00%	NAB	\$ 5,053,347			\$ 17,168	\$ 5,070,514
Aug-23	4.39%	NAB	\$ 3,045,330	\$ 3,000,000	\$ 3,045,330	\$ 7,938	\$ 3,007,938
TOTALS	Average Int	4.14%	\$32,598,706	\$9,708,648	\$4,549,679	\$112,850	\$37,870,525

I hereby certify that the above investments have been made in accordance with Section 625 of the Local Government Act 1993 and Clause 212 of the Local Government (General) Regulation 2005 and the Council's Investment Policy.

S Davey

Financial Accountant**RECOMMENDATION**

That Council receive and note the Investment Report as of January 2023.

**CLAUSE 14 - BANK RECONCILIATION, CASH FLOW & LOAN FACILITY
SUMMARIES AS AT DECEMBER 2022**

FILE: B2-7

AOP REFERENCE: 3.1.1.5

ATTACHMENT: NO

AUTHOR: *Financial Accountant, Sandra Davey*

Purpose

Council has requested that the following financial information be presented to each meeting of Council: reconciled bank balance, cash flow statement, and loan facility.

Issues

Bank Reconciliation

Balance as per Bank Statement	10,000
Add Outstanding Deposits & Receipting	-
Less Unpresented Cheques	-
Reconciled Balance	10,000

In accordance with the requirements of the Local Government Act, 1993, I hereby certify that the Cash Book has been reconciled with the appropriate Bank Statements daily during the month and that the reconciliations have been recorded.

S. Davey

Financial Accountant

Monthly Total Funds Available for the Last 12 Months

Month	Investment Balances	Operating Account	Total Available Funds
Jan 22	19,937,094	9,330	19,946,424
Feb 22	20,099,836	10,000	20,199,836
Mar 22	18,752,491	5,149	18,757,640
Apr 22	23,745,558	9,116	23,754,674
May 22	25,552,375	(13,646)	25,538,729
Jun 22	23,440,807	13,196	23,454,003
Jul 22	21,870,880	26,524	21,897,404
Aug 22	23,788,221	12,696	23,800,917
Sep 22	22,490,096	10,000	22,500,096
Oct 22	21,405,472	10,000	21,415,472
Nov 22	21,919,968	10,000	21,929,968
Dec 22	32,598,706	10,000	32,608,706

Cash Flow

Current Month		Description	Forecast
Forecast	Actual		Next Month
10,000	10,000	Bank Balance Forward	10,000
150,000	769,561	FAG / R2R / RMCC	900,000
15,043	15,043	Services NSW	15,043
650,000	412,292	Rates /Water/User Charges	650,000
200,000	175,663	Private Works/Debtors	200,000
250,000	454,869	LBV – Residents Fees & Subsidies	450,000
150,000	110,521	Children’s Services (net)	100,000
1,000,000	(8,497,090)	Net Movement of Investments	(5,000,000)
400,000	10,939,346	Sundry Income & Grants	5,000,000
		<i>Less</i>	
(3,500,000)	(3,555,235)	Creditors	(1,500,000)
(850,000)	(844,970)	Wages / Salaries	(1,000,000)
10,000	10,000	Bank Reconciliation Cr/(Dr)	10,000

- Grant income includes Resources for Region Round 9 upfront funding.

Loan Facility Report as of December 2022

Swimming Pool and Street Upgrade Loan (6.22%)	(237,441)
Grids and Culverts Loan (3.44%)	(2,500,000)

RECOMMENDATION

That Council receive and note the Bank Reconciliation, Monthly Total Funds Available, Cash Flow and Loan Facility Report as of December 2022.

**CLAUSE 15 - BANK RECONCILIATION, CASH FLOW & LOAN FACILITY
SUMMARIES AS AT JANUARY 2023**

FILE: B2-7

AOP REFERENCE: 3.1.1.5

ATTACHMENT: NO

AUTHOR: *Financial Accountant, Sandra Davey*

Purpose

Council has requested that the following financial information be presented to each meeting of Council: reconciled bank balance, cash flow statement, and loan facility.

Issues

Bank Reconciliation

Balance as per Bank Statement	10,000
Add Outstanding Deposits & Receipting	-
Less Unpresented Cheques	-
Reconciled Balance	10,000

In accordance with the requirements of the Local Government Act, 1993, I hereby certify that the Cash Book has been reconciled with the appropriate Bank Statements daily during the month and that the reconciliations have been recorded.

S. Davey

Financial Accountant

Monthly Total Funds Available for the Last 12 Months

Month	Investment Balances	Operating Account	Total Available Funds
Feb 22	20,099,836	10,000	20,199,836
Mar 22	18,752,491	5,149	18,757,640
Apr 22	23,745,558	9,116	23,754,674
May 22	25,552,375	(13,646)	25,538,729
Jun 22	23,440,807	13,196	23,454,003
Jul 22	21,870,880	26,524	21,897,404
Aug 22	23,788,221	12,696	23,800,917
Sep 22	22,490,096	10,000	22,500,096
Oct 22	21,405,472	10,000	21,415,472
Nov 22	21,919,968	10,000	21,929,968
Dec 22	32,598,706	10,000	32,608,706
Jan 22	37,870,525	10,000	37,880,525

Cash Flow

Current Month		Description	Forecast
Forecast	Actual		Next Month
10,000	10,000	Bank Balance Forward	10,000
900,000	898,670	FAG / R2R / RMCC	600,000
15,043	15,043	Services NSW	15,043
650,000	511,627	Rates /Water/User Charges	650,000
200,000	118,759	Private Works/Debtors	200,000
450,000	507,001	LBV – Residents Fees & Subsidies	450,000
100,000	62,544	Children’s Services (net)	100,000
(5,000,000)	(5,158,969)	Net Movement of Investments	1,000,000
5,000,000	5,488,619	Sundry Income & Grants	500,000
		<i>Less</i>	
(1,500,000)	(1,406,268)	Creditors	(3,000,000)
(850,000)	(1,057,026)	Wages / Salaries	(850,000)
10,000	10,000	Bank Reconciliation Cr/(Dr)	10,000

- Grant income includes Resources for Region Round 9 upfront funding.

Loan Facility Report as of January 2023

Swimming Pool and Street Upgrade Loan (6.22%)	(216,512)
Grids and Culverts Loan (3.44%)	(2,500,000)

RECOMMENDATION

That Council receive and note the Bank Reconciliation, Monthly Total Funds Available, Cash Flow and Loan Facility Report as of January 2023.

CLAUSE 16 – PURCHASING ANALYSIS OF CONTRACTORS**FILE: T3-15-6****AOP REFERENCE: 3.3.4****ATTACHMENT: NO****AUTHOR: *Financial Accountant, Sandra Davey*****Purpose**

The purpose of this report is to provide information on works let over \$80,000 inclusive of GST.

Background

Throughout the year Council uses various contractors for the supply of plant and equipment and trades and miscellaneous services for many of Council's activities.

These Contractors and Suppliers are engaged by quotations for small projects and tenders for larger projects following Councils Procurement Policy.

Council has requested that a report be provided for works let over \$80,000 inclusive of GST.

The table below indicates the contractors and suppliers that were engaged for services over \$80,000 inclusive of GST for the period July 1, 2022 – January 31, 2023, and the method of procurement used.

CONTRACTOR	DESCRIPTION OF WORKS AND METHOD OF PROCUREMENT	CURRENT MONTH	2022/2023
CRUSHRITE PTY LTD	GRAVEL CRUSHING (TENDER)	458,026	1,760,473
KILLARD INFRASTRUCTURE PTY LTD	RETICULATION UPGRADE (TENDER)	0	1,608,679
COUNTRY WIDE ASPHALT PTY LTD	ROAD WORKS (TENDER)	219,359	1,203,289
VINIDEX PTY LTD	STORMWATER PIPES (TENDER)	147,502	904,191
STANAWAY PTY LTD T/AS DAVID PAYNE	COBAR HERITAGE CENTRE (TENDER)	455,307	898,588
DEPELER EARTHMOVING	PLANT HIRE (TENDER)	215,509	755,821
DANPICK PTY LTD T/A ADELAIDE CUSTOM		703,600	703,600
THE MINING PTY LTD	RMS CONTRACT (RFQ)	73,162	639,434
AS PER PLAN CONSTRUCTION	CONSTRUCTION WORK (TENDER/RFQ)	174,724	372,931
CASTLYN PTY LTD T/A INLAND PETROLEUM	FUEL (TENDER)	79,230	332,787
WATERTITE WATERPROOFING PTY LTD	BORE TANKS (RFQ)	240,465	327,097
COUNTRY MILE CONSTRUCTIONS	CONSTRUCTION WORK (RFQ)	28,690	322,310
BRUNO ALTIN & CO PTY LTD	CULVERTS (TENDER)	0	272,250
NOME'S TIDY HOMES	CLEANING SERVICES (RFQ)	99,644	264,725
AQUA WEST	WARD OVAL IRRIGATION (RFQ)	6,764	252,810

TRONIC GROUP PTY LTD	IT SERVICES (RFQ)	87,303	252,250
TAWSON PTY LTD T/AS WATSON DRILLING	BORE DRILLING (RFQ)	0	246,328
DEPARTMENT OF REGIONAL NSW	GOVERNMENT CONSULTING SERVICES (GOV)	49,416	244,732
BROUGHTON CONTRACTING PTY LTD	PLANT HIRE (TENDER)	89,183	244,481
LEISURE & RECREATION GROUP	POOL MANAGEMENT (TENDER)	132,610	233,436
JR MAY & JR MAY EARTHMOVING PTY LTD	PLANT HIRE (TENDER)	124,859	207,689
DUNN & HILLAM ARCHITECTS	VARIOUS PROJECTS (YOUTH CENTRE, EARLY LEARNING CENTRE) (QUOTES)	78,454	202,970
BLUEDOG FENCES AUSTRALIA PTY LTD	FENCING (RFQ)	0	166,001
J.A MCCLURE & J.J MCCLURE & MCCLURE	PLANT HIRE (TENDER)	44,171	146,229
AG BARKLIMORE PTY LTD T/A PARKES TO	PLANT PURCHASE (RFQ)	345	142,644
DM PARNABY & SW PARNABY T/A BALLIMO	EUABALONG SALE YARDS (RFQ)	0	137,130
FIELDFORCE4 PTY LTD	CONSULTANT SERVICES (RFQ)	82,173	136,311
APRILLA GRIDS PTY LTD	GRIDS (RFQ)	0	134,915
ROYLANCES	PLANT (RFQ)	254	114,371
I J CHASE GRADER CONTRACTING	PLANT HIRE (TENDER)		112,310
BTX GROUP	CHEMICALS	110,441	110,441
MCINTOSH FENCING PTY LTD	RMS CONTRACT (RFQ)	0	107,703
COATES HIRE OPERATIONS	PLANT HIRE (TENDER)	0	105,320
ROLLERS AUSTRALIA PTY LTD	PLANT HIRE (TENDER)	20,098	104,445
KML INDUSTRIES	TRADES SERVICE/HARDWARE	102,092	102,092
BOB BRUCE EARTHWORKS PTY LTD	PLANT HIRE (TENDER)	92,934	92,934
MODUS AUSTRALIA	EUABALONG TOILET BLOCK (RFQ)	0	87,707
TRACSERV PTY LTD	PLANT PURCHASE (RFQ)	3,461	84,136
KILLEEN PLANT HIRE	ACRES BILLABONG (TENDER)	81,587	81,587
DUBBO CITY TOYOTA	PLANT PURCHASE (RFQ)	0	80,636

Local Suppliers	\$4,295,778
Non-Local Suppliers	\$10,002,005
Total purchases over \$80,000 2022/2023	<u>\$14,297,783</u>

RECOMMENDATION

That Council receive and note the information contained in this report.

CLAUSE 17– RATES RECONCILIATION – 31 DECEMBER 2022.

FILE: R2-1

AOP REFERENCE: 3.1.1.6

ATTACHMENT: YES (PAGE 206-207)

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

Purpose

To provide Council details of the Rate Reconciliation as at 31 December 2022.

RATE RECONCILIATION 31 DECEMBER 2022

FUND	LEVY 2022-2023	Pensioner Rebates	Abandoned Levy	Additional Levies	Sub Total 2022-2023	Arrears 30th Jun 2022	Payments	Total Outstanding	Total Outstanding Previous Year	% Outstanding of Sub Total Plus Arrears
Business	466,606.21		2,504.82	203.44	464,304.83	105,553.56	340,247.50	229,610.89	225,737.21	40.29%
Farmland	750,002.15		231.00	255.84	750,026.99	49,225.92	531,950.96	267,301.95	331,246.11	33.44%
Mining	1,854,955.67		-	-	1,854,955.67	227,479.51	1,106,391.08	976,044.10	909,534.69	46.87%
Residential	1,214,193.42	44,743.17	758.29	2,995.98	1,171,687.94	205,243.71	699,933.25	676,998.40	659,111.54	49.17%
Overpayments					-	-212,797.24	- 133,631.19	-79,166.05	-80,738.60	37.20%
Legal Costs			-	17,027.60	17,027.60	20,497.87	5,751.89	31,773.58	23,599.82	84.67%
Interest	-		-	11,616.86	11,616.86	87,993.25	21,988.76	77,621.35	65,117.39	77.93%
General Rates	4,285,757.45	44,743.17	3,494.11	32,099.72	4,269,619.89	483,196.58	2,572,632.25	2,180,184.22	2,133,608.16	45.87%
Domestic Waste	697,216.00	18,340.17	372.00	679.77	679,183.60	79,837.21	434,685.73	324,335.08	305,306.44	42.73%
Sewerage	1,072,619.00	18,316.66	4,117.28	114,665.46	1,164,850.52	147,310.16	743,929.22	568,231.46	367,727.12	43.31%
Cobar Water	1,225,636.00	19,541.65	1,935.26	-	1,204,159.09	89,522.79	764,255.67	529,426.21	385,709.85	40.92%
Nymagee Water	33,950.00	525.00	350.00	1,050.00	34,125.00	17,313.69	24,401.78	27,036.91	24,845.35	52.56%
Euabalong Water	51,100.00	1,137.50	2,555.00	-	47,407.50	8,632.00	27,051.78	28,987.72	25,865.45	51.73%
Euab West Water	32,200.00	525.00	-	-	31,675.00	9,113.23	20,558.30	20,229.93	19,223.00	49.60%
Mt Hope Water	7,650.00	-	-	-	7,650.00	556.01	4,171.01	4,035.00	2,373.66	49.17%
Water Access	1,350,536.00	21,729.15	4,840.26	1,050.00	1,325,016.59	125,137.72	840,438.54	609,715.77	458,017.31	42.04%
Water Usage			31,984.60	791,746.85	759,762.25	541,057.35	1,007,576.68	293,242.92	66,068.54	22.54%
TOTAL	7,406,128.45	103,129.15	44,808.25	940,241.80	8,198,432.85	1,376,539.02	5,599,262.42	3,975,709.45	3,330,727.57	41.52%

RECOMMENDATION

That the information contained in the rates reconciliation as at 31 December 2022 be received and noted.

CLAUSE 18 – RATES RECONCILIATION – 31 JANUARY 2023.

FILE: R2-1

AOP REFERENCE: 3.1.1.6

ATTACHMENT: YES (PAGE 208-209)

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

To provide Council details of the Rate Reconciliation as at 31 January 2023

RATE RECONCILIATION 31 JANUARY 2023

FUND	LEVY 2022-2023	Pensioner Rebates	Abandoned Levy	Additional Levies	Sub Total 2022-2023	Arrears 30th Jun 2022	Payments	Total Outstanding	Total Outstanding Previous Year	% Outstanding of Sub Total Plus Arrears
Business	466,606.21		2,504.82	203.44	464,304.83	105,553.56	358,657.67	211,200.72	218,308.43	37.06%
Farmland	750,002.15		527.22	255.84	749,730.77	49,225.92	553,059.87	245,896.82	305,167.83	30.78%
Mining	1,854,955.67		-	-	1,854,955.67	227,479.51	1,103,245.20	979,189.98	909,534.69	47.02%
Residential	1,214,193.42	44,917.84	758.29	2,995.98	1,171,513.27	205,243.71	769,838.30	606,918.68	618,067.04	44.08%
Overpayments					-	-212,797.24	- 125,055.44	-87,741.80	-93,407.52	41.23%
Legal Costs			-	18,659.76	18,659.76	20,497.87	5,890.84	33,266.79	23,475.00	84.96%
Interest	-		-	14,178.01	14,178.01	87,993.25	27,578.67	74,592.59	66,235.41	73.01%
General Rates	4,285,757.45	44,917.84	3,790.33	36,293.03	4,273,342.31	483,196.58	2,693,215.11	2,063,323.78	2,047,380.88	43.38%
Domestic Waste	697,216.00	18,415.50	372.00	679.77	679,108.27	79,837.21	468,599.26	290,346.22	286,700.83	38.26%
Sewerage	1,072,619.00	18,404.16	4,117.28	114,665.46	1,164,763.02	147,310.16	822,177.92	489,895.26	344,321.37	37.34%
Cobar Water	1,225,636.00	19,629.15	1,935.26	-	1,204,071.59	89,522.79	821,947.47	471,646.91	361,748.69	36.46%
Nymagee Water	33,950.00	525.00	350.00	1,050.00	34,125.00	17,313.69	26,513.77	24,924.92	24,614.52	48.46%
Euabalong Water	51,100.00	1,137.50	2,555.00	-	47,407.50	8,632.00	30,151.53	25,887.97	23,646.75	46.20%
Euab West Water	32,200.00	525.00	-	-	31,675.00	9,113.23	21,327.14	19,461.09	16,794.98	47.71%
Mt Hope Water	7,650.00	-	-	-	7,650.00	556.01	4,596.31	3,609.70	2,191.16	43.99%
Water Access	1,350,536.00	21,816.65	4,840.26	1,050.00	1,324,929.09	125,137.72	904,536.22	545,530.59	428,996.10	37.62%
Water Usage			32,545.85	791,746.85	759,201.00	541,057.35	1,222,360.75	77,897.60	29,046.99	5.99%
TOTAL	7,406,128.45	103,554.15	45,665.72	944,435.11	8,201,343.69	1,376,539.02	6,110,889.26	3,466,993.45	3,136,446.17	36.20%

RECOMMENDATION

That the information contained in the rates reconciliation as at 31 January 2023 be received and noted.

CLAUSE 19 – ENGINEERING WORKS REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

ATTACHMENT: YES

(TO BE TABLED)

AUTHOR: *Director Engineering Services - Charles Taveira*

Purpose

To inform Council of completed and ongoing Engineering Works for the period up to January 2023.

Background

State Highways

Major Maintenance Work

- Heavy Patching works within the Shire will commence on receipt of the official work orders from Transport for NSW. Council has approximately 120 patches to complete totaling around 58,000 square metres, with the majority being flood related damage.
- The upgrade of the Bulla Park rest area with a new shelter and accompanying table and chairs has been completed. The stabilising and sealing of the car park area will be undertaken during the Heavy Patching program.
- In preparation for resealing works, shoulder grading has been undertaken along the Kidman Way South and Barrier Hwy West. These works are progressing well.

Construction Work

- 78 Mile and Barrier Highway intersection – A tender for culvert installation has been awarded as an initial stage for the upgrade of this intersection. Culvert materials have been delivered to site with works scheduled to commence shortly. Gravel has been pushed up and crushing has commenced. The physical road construction work will commence immediately after the heavy patching works have been completed.
- The Australian Pipeline Authority (APA) is undertaking inspections of their gas pipeline under roads within the Shire. Council is in the process of constructing sidetrack detours on Belarabon Rd and the Wool Track so that they can safely undertake these inspections. Excavation, inspection and restoration works is expected to take two to four weeks for each site.

Urban Roads/Shire Roads/Regional Roads

- Yathong Road Gravel Resheeting – Gravel is currently being carted and spread with 60kms having been spread to date. Gravelling is scheduled to be completed in 3-4 weeks.
- Old Reservoir Rd Sealing – a trial application of an OTTA seal will be applied along this road to assist council in its application processes. These works are planned to occur in March 2023.
- 52 Mile Road Sealing – planning for the sealing of the 52 Mile Rd under the REPAIR Program has commenced and is scheduled to commence in March/April 2023. It is intended that an OTTA seal is applied as an alternative to a conventional seal, following the trial application along Old Reservoir Rd.
- Blakey Street Pedestrian Crossing – The existing marked pedestrian crossing at the Cobar Public School near the intersection of Barton St has been changed to a school crossing only and will only be operational during school operating times. These works are now complete.
- Woodiwiss Avenue pedestrian refuge – a pedestrian refuge has been constructed along Woodiwiss Ave adjacent to the Cobar Secondary College to increase pedestrian safety. As part of these works, the marked pedestrian crossing along Woodiwiss Ave at the corner of Wetherell Crescent will be removed. The refuge island has been constructed with linemarking yet to be completed.
- Cobar High Pedestrian Activity Area - Works are underway to remove the existing damaged blisters and refuge island on the corner of Marshall St and Lewis St. These will be replaced with redesigned blisters to permit heavy vehicles to manoeuvre this corner better. Provisions have made to maintain access to the water service currently located within the blister envelope.
- Refreshing of linemarking at Cobar School Zones – Works are now complete for the re-marking of the 40km/hr school zone patches, dragon's teeth and warning lines at Cobar Public School, Cobar High School and St John's Primary School.
- Cobar Industrial Estate Road and Stormwater Upgrades – A tender was advertised in October for these works but unfortunately no tenders were received. In response to the council resolution at its meeting dated 24 November 2022, council officers have conducted direct negotiations with a local reputable contractor to deliver these works. This contractor is not only available to conduct these works but has the capability and experience to do so. Council is currently awaiting their quote and program. More advice to council will follow once the engagement and program has been finalised. A consulting project manager will be engaged to administer the project for council.

-
- Euabalong Bore – Council has received a quote for the creation of a new bore at Hercules St, Euabalong. Council officers are awaiting confirmation from the contractor regarding their commencement date to initially conduct water quality and flow rate testing and, establish the bore should the quality and flow be acceptable.
 - Shire-wide culvert and grid replacement program – Tenders have been awarded for the removal and replacement of damaged culverts across the shire. These works have commenced. In addition to this, a tender for the installation of major culverts at Angels Pass and Sandy Creek has also been awarded under this program, with works having also commenced.
 - Fixing Local Roads Round 4 – Council has applied for funding under this grant opportunity for the construction of the Grain Rd. The outcome of this application is yet to be officially confirmed.
 - Fixing Country Roads – Council has applied for funding under this grant opportunity for the construction of the Wool Track. The outcome of this application is yet to be officially confirmed.
 - Depot Masterplan – a development approval process is to commence shortly that will underpin the upgrade works planned for the Cobar Works Depot, the first stage being the construction of a consolidated storage shed that services all work groups. The construction of this shed will then allow for the removal of other storage facilities that have reached the end of their serviceable life.

Cobar Airport Runway Sealing and Vegetation Clearance works

- Sealing works are scheduled to occur in March/April 2023. In conjunction with these works, vegetation clearance works within the airport will also be conducted as identified via a recent audit. Council is currently awaiting the submission of the REF before works commence.

Flood Damage

- Council has successfully received funding for emergency flood damage works to urgently restore assets in localised areas that were severely impacted by the recent October 2022 storms. These works have included stabilizing, sealing, widening, gravelling, culvert replacement, drainage maintenance and gravel crushing. These works must be completed by 30 June 2023 in accordance with grant conditions.
- EPA (Essential Public Assets) – Council is undertaking repair of flood damaged assets which were scoped by a consultant on behalf of council following the March 2022 flood event. Council has two years to repair the roads with a budget of \$2.8M in accordance with grant conditions. In the interest of efficiencies, Council is undertaking these works in conjunction with emergency works.

Water and Sewer

Report to be tabled

Parks & Gardens

- Ward Oval Master Plan – most of the physical upgrade works are now complete with the Oval now open for public access and competition sport. Some minor works are yet to occur that will see the project fully completed over the next month.

Depot Works

- Depot Truck Wash – the facility is operational and has been commissioned. Council is currently awaiting the receipt of the occupancy certificate from the building certifier. Council has also received notification that Essential Energy will be undertaking the connection of mains power to this facility shortly. Council is yet to receive advice on when these works will be undertaken.

RECOMMENDATION

That the information contained in the Engineering Works Report detailing construction and maintenance activities on Shire and Regional Roads, State Highways, Water and Sewer Mains, Parks and Gardens, and other Council assets be received and noted.

CLAUSE 20 – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31 AOP REFERENCE: 4.3.2 ATTACHMENT: YES (PAGE210-229)

AUTHOR: *Director of Engineering, Charles Taveira*

Purpose

To Provide Council with financial information on the expenditure on Council's Local and Regional Roads.

Background

A report detailing the Expenditure on Capital/R2R (orange), Council's Shire Local Roads (blue), Regional Roads Network (green) and Flood Damage Claim (Grey) is provided as an attachment for Council's information.

RECOMMENDATION

That the information detailing the Expenditure for Council's Roads Network be received and noted.

CLAUSE 21 – DEVELOPMENT APPROVALS: 30 NOVEMBER 2022 – 14 FEBRUARY 2023

FILE: T5-1 AOP REFERENCE: 1.6.3.1 ATTACHMENT: NO
AUTHOR: *Director of Planning & Environmental Services, Garry Ryman*

Complying Development Approvals

There were no Complying Development Applications approved under delegated authority for the period 30 November 2022 - 14 February 2023

CERTIFICATE NO.	ADDRESS	DESCRIPTION	VALUE (\$)
2022/LD-00041	Lot 5 Mopone St, Cobar	Demolition of Old Carport/Slab & Install New	\$21,000.00

The value of Complying Development approvals for 2022/2023 to date is \$21,000.00.

The value of Complying Development approvals for the similar period in 2021/2022 was **\$81,000.00**

Local Development Approvals

The following Local Development Applications were approved under delegated authority for the period 30 November 2022 – 14 February 2023

CERTIFICATE NO.	ADDRESS	DESCRIPTION	VALUE (\$)
2022/LD-00043	Blakey St, Cobar	Subdivision	-
2020/LD-00052	Lot 7303 CSA Access Rd, Cobar	Installation of Tailings & Copper Thickener	5,796,000.00
2022/LD-00019	Lot 7303 CSA Access Rd, Cobar	Shaft No. 1 M	19,641,121.00
2017/LD-00028	Lot 4277 CSA Access Rd, Cobar	Surface Materials Handling System	11,486,000.00
2017/LD-00019 REV01	Lot 23 Marshall St, Cobar	Refurbishment of Existing Food Business	-
2022/ LD-00051	Lot 9 Green St, Cobar	Plunge Spa Pool	12,792.00
2022/LD-00047	Lot 1 Kidman Way, Mt Hope	Verandah Addition	12,000.00
2022/LD-00052	Lot 13 Longworth St, Cobar	Demolition of Existing Garage and Construction of Shed	45,000.00

2023/LD-00001	Lot 84 Belah Cr, Cobar	Patio & Shed	35,000.00
2023/LD-00002	Lot 3 Goold St, Cobar	Alts & Adds to Existing Dwelling & construction of Detached Metal Shed	125,000.00
2023/LD-00003	Lot 8 Railway Prde, Cobar	Demolition of Amenities Building	8,000.00
2022/LD-00050	Lot 4 Sixth St, Cobar	Detached Metal Storage Shed	142,396.00
2023/LD-00005	Lot 6 Monaghan St, Cobar	Detached Metal Shed	35,000.00
2022/LD-00046	CSA Access Rd, Cobar	Perimeter Embankment Stabilisation Earthworks to Tailings Dam	4,607,900.00

The value of Local Development approvals for 2022/2023 to date is \$116,483,422.40
The value of Local Development approvals for the similar period in 2021/2022 was
\$45,354,854.00

Construction Certificates

The following Construction Certificates were issued for the period 30 November 2022 - 14 February 2023

CERTIFICATE NO.	ADDRESS	DESCRIPTION
2022/CB-00027	Lot 17 Booroomugga St, Cobar	Detached Metal Shed
2022/CB-00026	Lot 16 Cornish St, Cobar	Ancillary Ablution Block

RECOMMENDATION

That the information detailing the Local Development and Construction Certificate approvals for the period 30 November 2022 - 14 February 2023 be received and noted.

**CLAUSE 1C– PURCHASE OF PROPERTY 34 MARSHALL STREET COBAR AND
36 MARSHALL STREET COBAR**

FILE: A10-1-1 AOP REFERENCE: 2.1.1.1

ATTACHMENT: NO

AUTHOR: *General Manager, Peter Vlatko*

Purpose

To report on the negotiation for the purchase of the two (2) properties, 34 and 36 Marshall Street Cobar.

Background

The purpose of buying these properties was to allow the main street to link with the car park at the rear of the Grand Hotel and also encourage additional retail or commercial space to attract new businesses to Cobar.

The intent will be to categorise the properties as operational and seek grant funding to develop the site.

Council has approved the development of the Cobar CBD Masterplan and Grand Precinct Concepts which is currently being prepared for Councils consideration.

Budget Implication

Funds are available within this year's budget.

RECOMMENDATION

That a further report regarding the purchase of property- 34 Marshall Street Cobar and 36 Marshall Street Cobar be considered in the Committee of the Whole Closed Council with the press and public excluded for the reason as stated in Section 10A (2)(d)(i) of the *Local Government Act 1993*, as it contains commercial information of a confidential nature that would, if disclosed in open Council, prejudice the commercial position of the person who supplied it.

**CLAUSE 2C WARD OVAL EARLY LEARNING CENTRE AND
MULTIPURPOSE HALL TENDER**

FILE: T3-22-9 AOP REFERENCE: 4.4.2.2

ATTACHMENT: NO

AUTHOR: *General Manager, Peter Vlatko*

Purpose

The purpose of this report is to consider the tenders submitted for the Ward Oval Learning Centre and Multipurpose Hall.

Background

The Ward Oval Early Learning Centre and Multipurpose Hall project incorporates the following:

- Completion of Design for Early Learning Centre and Multipurpose Hall car parks.
- Design PA system for Ward Oval.
- Construction of an 88 place Early Learning Centre and the new Multipurpose Hall. Connect building services including power, water, sewer and stormwater to existing site services.
- The purpose of the Works is to provide childcare and sports facilities for Cobar and surrounding area.

Tenders were called on 1 July 2022 through Public Works Australia's tendering process. Tenders closed at 9.30 am on 28 July 2022 and three tenders were received.

Legal Situation

Council has complied with the requirements of the Local Government Act 1993 and Section 55 of the Local Government (General) Regulation 2005 Part 7.

Given the sensitive nature of the information provided it is recommended that Council considers a further report in the Committee of the Whole Closed Council with the press and public excluded.

RECOMMENDATION

That a further report regarding the Ward Oval Early Learning Centre and Multipurpose Hall tender (T3-22-9) be considered in the Committee of the Whole Closed Council with the press and public excluded for the reason as stated in Section 10A (2)(d)(i) of the *Local Government Act 1993*, as it contains commercial information of a confidential nature that would, if disclosed in open Council, prejudice the commercial position of the person who supplied it.

**CLAUSE 3C SUPPLY OF SIDE LOADER GARBAGE COLLECTION TRUCK
(T3-22-12)**

FILE: T3-22-12

AOP REFERENCE:5.1.2.1

ATTACHMENT: NO

AUTHOR: Charles Taveira, Director of Engineering Services

Purpose

To consider the tender submissions received for the Supply of a Side Loader Garbage Collection Truck.

Background

The Request for Tender (RFT) for the Supply of a Side Loader Garbage Collection Truck was prepared and issued on Thursday 8th September 2022 through advertising in the local paper and through Tenderlink. The deadline for the lodgement of tenders was 10:00am on Friday 30th September 2022.

In total four (4) tender submissions were received electronically via Tenderlink:

- Tracserv Pty Ltd
- Penske Power Systems
- Superiorpak Pty Ltd
- Bucher Municipal

Legal Situation

Council has complied with the requirements of the Local Government Act 1993 and Section 55 of the Local Government (General) Regulation 2005 Part 7.

Given the sensitive nature of the information provided it is recommended that Council considers a further report in the Committee of the Whole Closed Council with the press and public excluded.

RECOMMENDATION

That a further report regarding the Supply of a Side Loader Garbage Collection Truck (T3-22-12) be considered in the Committee of the Whole Closed Council with the press and public excluded for the reason as stated in Section 10A (2)(d)(i) of the *Local Government Act 1993*, as it contains commercial information of a confidential nature that would, if disclosed in open Council, prejudice the commercial position of the person who supplied it.



ATTACHMENTS

ORDINARY MEETING AGENDA

THURSDAY, 23 FEBRUARY 2023

~ REFERENCE TO ATTACHMENTS ~

<u>Action</u>	<u>Page Number</u>
Clause 4– Quarter 2-2022/2023 Budget Review	63-70
Clause 6– Development Application: Change of Use- Place of Worship to Centre -based Child Care Facility	65-175
<u>Recommendation</u>	
Clause 7 – Meeting Minutes	176-183
Clause 10 – Country Mayors Association State Election Priority.....	184-205
Clause 17 – Rates Reconciliation – 31 December 2022.....	206-207
Clause 18– Rates Reconciliation – 31 January 2023.....	208-209
Clause 20 – Expenditure for Roads Network	210-229