



COBAR SHIRE COUNCIL

ORDINARY MEETING AGENDA

THURSDAY, 22 FEBRUARY 2024

~ 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
 - Clr Tony Chaplain
 2. Declaration of Interests
 3. Condolences
 - Rosemary Mazoudier
 - Sandra Jeanette Lloyd
 - Elsie Joan Evans
 4. Public Access Forum
 5. Confirmation of Minutes
 - Ordinary Meeting of Council – Thursday, 14th December 2023
 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
 - Linsley Street Asphalt Overlay Project
 11. Matters of Urgency
 12. Correspondence
-

~ TABLE OF CONTENTS ~

<u>Action</u>	<u>Page Number</u>
Clause 1– Mayoral Minute – Cost Shifting Onto Local Government.....	6
Clause 2– Voluntary Planning Agreement – Federation Mine Project (Ssd-24319456)	8
Clause 3 – Classification Of Land As Operational –Lot 91 Dp 1145359, Lot 11 Dp 917410, Lot 1 & 2 Dp 575000 And Lot A Dp1145359.....	9
Clause 4– Monthly Status Report.....	10
Clause 5 – Quarter 2 – 2023/2024 Budget Review.....	15
Clause 6 – Section 356 Donations 2024/2025.....	18
Clause 7 – Data Breach Policy	20
Clause 8 – Draft Investment Policy.....	21
 <u>Information</u>	
Clause 9 – General Managers Operational Report.....	22
Clause 10– Second Quarterly Review Of The Annual Operational Plan 2023/2024 (Q1 & Q2)	23
Clause 11 – Grant Funding	24
Clause 12 – Investment Report As Of 31 January 2024.....	30
Clause 13 - Bank Reconciliation, Cash Flow & Loan Facility Summaries As Of 31 January 2024	31
Clause 14 – Rates Reconciliation Report as at 31 January 2024.....	33
Clause 15 – Purchasing Analysis Of Contractors.....	34
Clause 16 – Engineering Works Report.....	37
Clause 17 – Expenditure For Roads Network	41
Clause 18 – Development Approvals: 5 December 2023 – 13 February 2024.....	42
Clause 19- Linsley Street Asphalt Overlay Project	43
 <u>Confidential</u>	
Clause 1C – Linsley Street Asphalt Overlay Project	(Under Separate Cover)
Reference to Attachments	45

~ 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 – MAYORAL MINUTE – COST SHIFTING ONTO LOCAL GOVERNMENT

FILE: M2-1

ATTACHMENT: NO

AUTHOR: *Mayor, Jarrod Marsden*

Background

In accordance with the Country Mayors Association, I have been requested to put the following to Council.

Dear Councillors,

The pressure on councils to continue to provide services of appropriate standard to our communities is now extraordinary.

The unrelenting growth of cost shifting to councils, coupled with rate pegging, is increasingly eroding any possibility of financially sustainable local government and risking the capacity of councils to deliver tailored, grassroots services to their communities and properly deliver and maintain vital local infrastructure.

Alarmingly, the latest research commissioned by Local Government NSW (LGNSW) shows that the increase in cost shifting has been accelerated by various NSW Government policies.

As shown in the latest cost shifting report produced by independent consultants Morrison Low on behalf of LGNSW for the 2021/2022 financial year (www.lgnsw.org.au/costshifting), an amount of \$1.36 billion of expense has been passed on to councils to fund. This is an increase of \$540 million since the last report from the 2017/2018 financial year and represents lost services, lost opportunity and lost amenity for all our residents and businesses.

On average, this represents an additional cost of \$460.67 for every ratepayer across the state.

With councils having to fund this ongoing subsidy for the State Government each and every year it means our communities get less or go without. They go without better roads, they go without better parks, they go without important community services that only councils provide, and they and their ratepayers are effectively paying hidden taxes to other levels of government.

Councillors, our communities deserve better, and this must stop. Prior to the most recent state election the then Minns Opposition wrote to LGNSW acknowledging that cost shifting had undermined the financial sustainability of the local government sector.

Now in 2024, it is important to councils and communities that the NSW Government urgently seek to address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.

As a result, I move the following:

1. That Council receive and note the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year; and
2. That a copy be placed on Council's website so that our communities can access it; and
3. That Council write to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently seek to address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.

RECOMMENDATION

That:

- 1. Council receive and note the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year; and**
- 2. A copy of the cost shifting report be placed on Council's website so that our communities can access it; and**
- 3. Council writes to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently seek to address these costs through a combination of regulatory reform, budgetary provision and appropriate funding.**

**CLAUSE 2 – VOLUNTARY PLANNING AGREEMENT – FEDERATION MINE PROJECT
(SSD-24319456)**

FILE: M4-22 AOP REFERENCE: 3.1.1.7 ATTACHMENT: YES (PAGE 46-68)

AUTHOR: *General Manager, Peter Vlatko*

Purpose

The purpose of this report is to adopt the Voluntary Planning Agreement (VPA) of Federation Mine.

Background

The negotiated Voluntary Planning Agreement (VPA) between Cobar Shire Council and Hera Resources Ltd was exhibited for 28 days and the key items are:

1. An initial payment of \$250,000 to be made upon commencement of construction, expected approx. 1 July 2025 (CPI applied from date of signing the Planning Agreement); and
2. Payment of \$40,000 per year to the Nymagee Enhancement Fund, for allocation locally. Commencing one year after payment No 1 above; and
3. Payment of \$210,000 per year to a Cobar LGA Enhancement Fund, for projects that benefit the wider Cobar LGA. Commencing one year after payment No 1 above; and
4. Payment of Annual Road Maintenance Contributions for Burthong Road and Priory Tank Road. These Contributions will be determined in accordance with the Cobar Local Infrastructure Contributions Plan 2012. Payment will be based on actual ore truck movements in the previous 12 months.

The Planning Agreement will run for the life of the project, currently expected to be 12 to 14 years.

Council is required to provide an annual performance report to Hera Resources and the general public (as per the EP&A Act).

Under the Planning Agreement Hera Resources has also agreed to provide Council with a Licence to access Lots 31, 33 and 34 DP 1128958 and Lot 1 DP 34286 near the Cobar sewage treatment plant.

Discussion

Council received no community comments or feedback on the required public exhibition; therefore, Council is now required to adopt the Voluntary Planning Agreement (VPA).

RECOMMENDATION

That Council adopt the Voluntary Planning Agreement (VPA) with Hera Resources Pty Limited for the Federation Mine Project (SSD-24319456) as displayed and attach.

CLAUSE 3 – CLASSIFICATION OF LAND AS OPERATIONAL –LOT 91 DP 1145359, LOT 11 DP 917410, LOT 1 & 2 DP 575000 AND LOT A DP1145359

FILE: A10

AOP REFERENCE: 4.4.2

ATTACHMENT: NO

AUTHOR: *General Manager, Peter Vlatko*

Purpose

To classify Lot 91 DP 1145359, Lot 11 DP91741, Lot 1 & 2 DP 575000 and Lot A DP1145359 the land known as 34 and 36 Marshall Street Cobar as Operational Land under the *Local Government Act 1993*.

Background

The purchase of 34 and 36 Marshall Street Cobar as per the resolution at the Ordinary Council meeting held on the 23 February 2023.

“**Resolution 01.COW.2023** That the General Manager and Mayor be authorised to purchase the properties at 34 Marshall Street Cobar Lot 91 DP 1145359 and 36 Marshall Street Cobar Lot 11 DP 917410, Lot 1 & 2 DP 575000 and Lot A DP 1145359 for the price of \$550,000 (Plus GST) and that the properties be classified as operational.

In consideration of purchasing the property the decision was also made that the property will be for operational purposes rather than community land.

The Act requires Council to advertise the proposal to classify the land as operational and seek comment.

Issues

Under the *Local Government Act 1993* land held by Council is to be classified as ‘either operational or community land’. If land is not classified under Section 31 of the *Local Government Act 1993* within 3 months of being acquired the default position is a community land classification.

In accordance with Section 34 of the *Local Government Act 1993* the proposal to classify the land as operational land has be advertised and therefore public notices were published in the Cobar Weekly and on Councils website from the 25 January 2024.

At the time of this report, no submissions have been received.

RECOMMENDATION

That Council, in accordance with section 31 of the *Local Government Act 1993*, Council resolves to classify Lot 91 DP 1145359, Lot 11 DP 917410, Lot 1 & 2 DP 575000 and Lot A DP1145359 as Operational Land.

CLAUSE 4 – 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. Staff working on this subject to resources available. 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. New Meeting to be arranged with the Club Board to discuss lease terms. 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. Matter on hold at the moment due to resourcing. Matter raised with the new Manager and appointment to be booked for further discussions.</p> <p>Meeting Scheduled 08/03/23- not attended new meeting request sent. - no reply following up</p> <p>No response regarding new meeting time</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.	General Manager has raised with the new Minister the urgency of the work & confirmed that they are designing the work. Correspondence again forwarded to the Regional Director seeking confirmation of project timeframe. The recent meeting with Minister Aitchison confirmed that the project is still being designed and funding being considered.

COUNCIL RESOLUTIONS COUNCIL MEETING HELD ON 27 April 2023

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
1468	Council Meeting- Clause 1- Notice of motion housing and investment portfolio	49.04.2023	GM	<p>1. That Cobar Shire Council (CSC) established a dedicated housing and investment portfolio. The primary purpose of this portfolio is to grow and enhance CSC's current housing stock and grow CSC's housing infrastructure with a view to both bettering CSC's housing stock by selling / upgrading over time, and also having new housing stock available to meet the growing demands in both the CSC business, other areas whereby the shire and its ratepayers may benefit from CSC providing housing. E.g.: medical, childcare etc and also investment housing to provide the income required to fund growth of the portfolio.</p> <p>2. That Cobar Shire Councillors and staff workshop how the portfolio be funded (both initially and ongoing) as part of the normal budgeting process.</p> <p>3. That all current Cobar Shire Council owned housing stock and property assets which do not have existing zoning covenants or other overriding restrictions immediately become part of this portfolio.</p> <p>4. That the housing and investment portfolio be primarily managed / maintained by the commercial manager as part of that role, with monthly reports to council provided.</p>	<p>Housing portfolio provided to Councillors; a more inclusive portfolio currently being prepared by staff.</p> <p>Position of asset manager now filled full report to be prepared for Council.</p> <p>Currently being prepared and provided at the February workshop.</p> <p>Report to Council at the March Ordinary Meeting.</p>

<p>1469</p>	<p>Council Meeting – Notice of Motion – Fringe Benefits Tax (FBT) Including Living Away From Home Allowance Exempted for Remote Mining Community such as Cobar</p> <p>Council Meeting- Clause 2- Notice of motion FBT Change</p>	<p>63.4.2019</p> <p>50.04.2023</p>	<p>GM</p>	<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>That further to the already passed motion 63.4.2019 - That Cobar Shire Council lobby the federal government (primarily through the mining and energy related council - MERC) for a change in fringe benefits tax rules and concessions regarding credits for FIFO and DIDO workers.</p>	<p>Submission being prepared and discussions held with local mines.</p> <p>Council has engaged an Accountant to provide details of the Tax matters.</p> <p>Status 1277 has now been combined into 1469. (1277 removed)</p> <p>Meeting held with Mayor & discussion ongoing with Accountant.</p> <p>No further action to date.</p>
<p>1470</p>	<p>Council Meeting- Clause 3- Notice of motion Trades Roles</p>	<p>51.04.2023</p>	<p>GM</p>	<p>That Cobar Shire Council senior staff reviews its Organisational chart in relation to trades positions and reports its findings to council within 3 months, with a view to the possibility of combining roles in order to be more competitive in the open market to fill roles without impacting the bottom line of labour costs.</p>	<p>Report being prepared for the July meeting.</p> <p>Delayed due to cancelled workshop.</p> <p>Due to the current review of Councils workshop and stores functions this matter will be undertaken in June 2024.</p>

COUNCIL RESOLUTIONS 14 DECEMBER 2023

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
1473	Council Meeting – Clause 2 Local Traffic Committee	223.12.2023	GM	That Council consider the following recommendation from the Local Traffic Committee: - Council to explore funding options to complete a study and analysis on truck parking within Cobar town streets.	This matter is placed on hold due to the current pressure on resources .
1474	Clause 1C- Outstanding Contractor Payment	239.12.2023	GM	That Council provide delegated authority to the Mayor and General Manager to negotiate a final resolution to the matter once the insurance coverage is known.	Completed and payment made
1475	Clause 2c- Lighting Upgrade – Oval one, Tow & Netball Courts Cobar	240.12.2023	GM	That the preferred tender Rees Electrical Pty Ltd, for the tender amount of \$1,000,000.00 excluding GST, which includes the optional additional work items of \$110,000.00, and the price adjustment to withdraw qualifications and departures of \$35,000.00 be awarded and the General Manager be authorised to sign the contract.	Completed

RECOMMENDATION That the information contained in the monthly status report be received and noted, with the following items to be removed: 1474 & 1475.

CLAUSE 5 – QUARTER 2 – 2023/2024 BUDGET REVIEW

FILE: L5-22 AOP REFERENCE: 3.3 ATTACHMENT: YES (PAGE 69-74)

AUTHOR: *Finance Manager, Sandra Davey*

Purpose

Clause 203 (1) of the Local Government (General) Regulation 2005 (the Regulations) requires a council's responsible accounting officer to prepare and submit a Quarterly Budget Review Statement (QBRS) to the governing body of council within two months of the end of the quarter.

Background

The QBRS must show, by reference to the estimated income and expenditure that is set out in the operational plan adopted by Council for the relevant year, a revised estimate of income and expenditure for that year.

The guidelines also require the budget review statement to include a report by the responsible accounting officer as to whether they consider the statement indicates Council to be in a satisfactory financial position (regarding its original budget) and if not, to include recommendations for remedial action.

Assessment

Legal Implications Including Directives and Guidelines

Local Government (General) Regulation 2005 (the Regulations) clause 203 requires a Council's Responsible Accounting Officer to prepare and submit a quarterly budget review statement to the governing body of Council within two months of the end of the quarter.

Financial Implications/Considerations

Council's original budget was adopted as part of the 2023/2024 Operational Plan and reflected an overall deficit of \$57,475.

Strategic Implications – Implications for Long Term Plans/Targets

- Community Strategic Plan
- Delivery Program/Operational Plan

Discussion

The QBRS has been prepared for the December 2023 review period and is presented to Council for consideration. This review has been undertaken in consultation with the General Manager, Managers and other officers where applicable.

Overall Financial Position

The revised consolidated budget result following the September QBRS is estimated to be a deficit of \$1,302,229.

The break-up of the funds is detailed in the table below:

	General Fund	Water Fund	Sewer Fund	All Funds
	\$	\$	\$	\$
Revenue	96,427,948	9,345,235	1,340,973	107,114,156
Expenditure	47,280,290	4,700,578	1,325,815	53,306,683
Operating surplus/deficit before extraordinary items	49,147,658	4,644,657	15,158	53,807,473
Less capital grants and contributions	50,286,145	4,823,557	-	55,109,702
Operating result	(393,733)	(178,900)	15,158	(1,302,229)

Capital

This quarterly review recommends further amendments to the capital budget.

1. Additional funding of \$250k is required for the Early Learning Centre interior fit out. This includes \$109k of restricted funds provided by Kubby House Childcare Centre Management Committee on dissolution.
2. An internal transfer of already committed funds of \$140k for the Depot Upgrade, to upgrade the Lilliane Brady Village air conditioning system.
3. Allocate \$25k to the Euabalong Cricket Pitch project.
4. Allocate \$35k of restricted funds to the Drummond Park War Memorial project.
5. Allocate \$60k from the Domestic Waste Fund to the Oil Waste Disposal compliance upgrade.
6. Allocate \$40k for commercial waste bins.
7. Regional Local Roads Repair Program - \$5.7m.
8. Additional funding sourced from the Shire Road operating expenditure budget of \$100k for the Airport Sealing project.

Operating

On further review, following the quarter 1 adjustments made, Lilliane Brady Village requires additional adjustments due to the increased employment and agency staffing costs as we struggle to attract a permanent workforce. An increase to revenue has resulted in a net adjustment of \$844k.

Additional funding required for the Airport Sealing project has required an adjustment of \$100k to shire roads operational expenditure.

Council have also received an additional grant for Regional Local Roads Repair Program, resulting in an adjustment to grants and contributions of \$5.7m.

RECOMMENDATION

1. **That the report Quarter 2 2023/2024 Budget Review be received and noted, and the following capital expenditure adjustments be made to the adopted budget.**
 - a) **Introduce \$250k for the Early Learning Centre interior fit out and transfer the amount of \$109k out of externally restricted funds.**
 - b) **Reduce the depot upgrade budget by \$140k and introduce \$140k of expenditure for the Lilliane Brady Village air conditioning upgrade.**
 - c) **Introduce \$25k of expenditure for the Euabalong Cricket Pitch project.**
 - d) **Introduce \$35k for the Drummond Park War Memorial and transfer the amount of \$35k out of externally restricted funds.**
 - e) **Introduce \$60k of expenditure in the Domestic Waste Fund for the Oil Waste Disposal compliance upgrade.**
 - f) **Introduce \$40k of expenditure for the Commercial Waste Bins refurbishment.**
 - g) **Allocate an additional \$5.7m to the Regional Local Roads Repair Program.**

2. **and that the following adjustments be made to the operating budget.**
 - a) **Increase the Lilliane Brady Village Income and Expenditure by a net total of \$844k.**
 - b) **Reduce the shire road operational budget by \$100k.**
 - c) **Introduce \$5.7m of additional revenue for the Regional Local Roads Repair Program.**

CLAUSE 6 – SECTION 356 DONATIONS 2024/2025

FILE: D3-1

AOP REFERENCE:1.4.5

ATTACHMENT: NO

AUTHOR: *Kylie Smith, Director Corporate and Community Services*

Purpose

For Council to consider requests for donations pursuant to its Donations Policy for the financial year 2024/2025. 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 25 January 2024.

Six applications approximating \$23,500 were received by the due date and one was received on 29 January 2024, and included for deliberations. Each application received complied with the general policy provisions and are included for deliberations.

Applications are considered at this time of year to enable them to be incorporated into the budget plans for the coming financial year. The allowance in the draft budget is like recent years at \$18,000, however the following recommendation is made to allocate \$14,000 in support of all applications. The level of support has been recommended to acknowledge the contributions of each group with consideration of the current budget. A further contribution is made to the 'Roosters' for grounds water in accordance with previous years considerations.

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.

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	\$2,170	That \$2,000 be granted as the group is a valuable part of Cobar's social fabric. Complete information provided.
Cobar Amateur Pistol Club Inc	\$1,810.31	That \$2,000 be granted as the group is a valuable part of Cobar's social fabric.
Cobar Clay Target Club Inc	\$5,000	That \$2,000 be granted as the group is a valuable part of Cobar's social fabric. Complete information provided.
Cobar Arts Council Inc	\$2,000	That \$2,000 be granted as the group is a valuable part of Cobar's social fabric.
Cobar Rugby Union Club Inc	\$10,000	That \$2,000 be granted as the group is a valuable part of Cobar's social fabric.
Cobar Girl Guides	\$2,500	That \$2,000 be granted as the group is a valuable part of Cobar's social fabric.
Nymgee CWA	\$3,000	That \$2,000 be granted as the group is a valuable part of Cobar's social fabric. Late Application received.
Total	\$26,480	\$14,000

RECOMMENDATION

1. That Council grants donations for the financial year ended June 30, 2025, as follows.

Cobar Pony Club Inc \$2,000
Cobar Amateur Pistol Club Inc \$2,000
Cobar Clay Target Club Inc \$2,000
Cobar Arts Council Inc \$2,000
Cobar Rugby Union Club Inc \$2,000
Cobar Girl Guides \$2,000
Nymagee CWA \$2,000

2. That Council donates to each of the schools within Cobar \$200 of Cobar Quid's 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 2025.

CLAUSE 7 – DATA BREACH POLICY

FILE: 1793

AOP REFERENCE:3.3.3

ATTACHMENT: YES (75-83)

AUTHOR: *Kylie Smith, Director Corporate and Community Services*

This report is to consider and adopt the draft Data Breach Policy attached to this report.

The draft Data Breach Policy has been prepared in accordance with section 59ZD of the Privacy and Personal Information Protection Act 1998 (PIPP Act). Under section 59ZD of the PPIP Act, the head of the public sector agency must prepare and publish a data breach policy (the policy), with the policy being publicly available.

Amendments to the PPIP Act, from the Privacy and Personal Information Protection Amendments Bill 2022, came into force on 28 November 2023.

The policy has been developed with reference to the following and is part of the framework implemented by Council to address our requirements under the amendments:

- Privacy and Personal Information Protection Act 1998
- Health Records and Information Privacy Act 2002
- IPC Guide to Preparing a Data Breach Policy (May 2023)
- IPC Guide to Managing Data Breaches in Accordance with the PPIP Act (June 2023)
- IPC Data Breach Policy (October 2023)
- Cyber Security Leadership Initiative November 2023 (Total Cyber)

The document has been developed following training of Council's Management Executive Team (Manex) and relevant staff with the attached draft now recommended for Council's review and adoption. No exhibition or community consultation is recommended as the policy is formed in accordance with the legislation.

RECOMMENDATION

That Council adopts the draft Data Breach Policy.

CLAUSE 8 – DRAFT INVESTMENT POLICY

FILE: B2-7 AOP REFERENCE: 3.1.1.7 ATTACHMENT: YES (PAGE 84-98)

AUTHOR: *Finance Manager, Sandra Davey*

Purpose

The Local Government Act requires that Council regularly review and update the Investment Policy as necessary. Council last updated the policy in September 2019.

Issues

The only changes to note are on diversification, however the policy has been updated to a more streamlined format.

Diversification

The following table on diversification has been updated:

Long Term Credit Rating	Short Term Credit Rating	Portfolio Limit (under 12 months)	Portfolio Limit (Over 12 months)	Max Tenor
AAA	A-1+	100%	100%	N/A
AA+ to AA-	A-1+	100%	100%	5 years
A+ to A	A-1+	100%	100%	3 years
A-	A-1+	40%	40%	3 years
TcorpIM Funds		100%	100%	N/A

Where an institution is unrated (i.e. a Credit Union) but has a local presence (i.e. Cobarr Shire), after careful consideration of the financial capacity of the institution, investments will be placed within the limitation of the Rating of A + or -, and only for periods less than 12 months.

Investments in TCorpIM Funds are diversified in terms of both counterparties and assets.

RECOMMENDATION

That Council adopt the attached Investment Policy.

CLAUSE 9 – 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

- **Macquarie Home Stay**
At the February workshop Council were provided with a presentation of the performance and future development of the facility.
- **Town Hall Cinema Project**
Council together with the architect have undertaken community consultation with both the public and the high school.
- **By-election**
I can confirm that the Minister has approved for Council to not have a by-election due to the passing and resignation of previous councillors.
- **Grand Hotel**
Council is scoping potential architects to investigate concept designs for the potential development of the Grand project.
- **Water Issues**
Both the Mayor and staff are meeting with Bogan Shire Council and the Water Board to confirm the arrangements for the security of water supply to Cobar and the mines.

RECOMMENDATION

That the General Managers Operational Report be received and noted.

CLAUSE 10– SECOND QUARTERLY REVIEW OF THE ANNUAL OPERATIONAL PLAN 2023/2024 (Q1 & Q2)

FILE: L5-22 AOP REFERENCE: 3.1 ATTACHMENT: YES (Under Separate Cover)

AUTHOR: *General Manager, Peter Vlatko*

Purpose

To provide Council with a detailed review of all actions outlined in the Annual Operational Plan 2023/2024 for the First and Second quarter (ie July 2023 December 2023).

Background

At the June 2023 Ordinary Council Meeting, Council adopted the 2023/2024 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 July to December 2023 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.

It should be noted that the Q1 report July to September 2023 was not completed.

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 processes.

Risk Implication

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

RECOMMENDATION

That Council receives and notes quarterly review of the 2023/2024 Annual Operational Plan, covering the period July to September 2023 and October to December 2023.

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
Growing Regions Program – Round 1	Cobar Sewer Treatment Plant Upgrade – delivers a series of critical improvements to the STP facilities. Cobar Caravan Park Accommodation Expansion – delivering a series of dual occupancy accommodation blocks designed and scoped to enable typical school groups, sporting teams, or commercial operators to visit the region.	\$2,465,400 \$2,248,829	Pending	\$1,056,600 \$481,892 (Council) \$481,892 (Sustainable Park solutions)	Stage 1 Application successful. Stage 2 application submitted. Will be notified in April 2024 of an outcome.
2023/2024 Country Passenger Transport Infrastructure Grants Scheme	Installation of solar lights at the Linsley Street Bus Shelter	\$2,250	Pending	N/A	November 2023
Crown Reserves Improvement Fund 24/25	Tennis Court Upgrades	\$564,874	Pending	N/A	May 2024
Get NSW Active	Update of the Active Transport Plan	\$81,600	Pending	N/A	May 2024
Department of Health and Aged Care	Payment to reward clinical skills and leadership round 2	\$6,000	Pending	N/A	April 2024

Aged Care Capital Assistance Program Thin Markets, Multiple Streams	Development of aged care staff accommodation	\$10,500,250	Pending	N/A	April 2024
---	--	--------------	---------	-----	------------

Grant Outcomes

Grants Applied For	Activity	Amount applied for	Status	Council funding required	Outcomes expected/comments
Electronic National Residential Medication Chart (eNRMC) – Adoption Round 2	To implement an electronic national residential medication chart system at the LBV nursing home.	\$20,000	Successful	N/A	
NSW Women’s Week	Weekend of Women – WOW Event including activities for women to celebrate international women’s day including wellness sessions, creative art sessions and a networking night.	\$9,500	Unsuccessful	N/A	
Live Music Australia Program – Round 7	Bands in the Bush 2024 event	\$100,000	Unsuccessful	N/A	
NSW Disaster Ready Fund – Round 2	Expression of Interest application for Sandy Creek Culverts	\$780,750	Unsuccessful	\$780,750	

Council has committed \$319,469 in the 2023/2024 budget to put towards grant proposals as a co-contribution

Current Grant Opportunities:

- **Regional Precincts and Partnerships Program:** – The Federal Government has allocated \$400 million to this program over 3 years with \$100 million available for 2023-24 and \$150 million for each of 2024-25 and 2025-26. The program is delivered through two streams supporting both the development of precincts and delivery of construction-ready precinct projects.
Stream one: Precinct development and planning - Grants of between \$500,000 and \$5 million are available for master planning, consultation, design, business cases and partnerships establishment.
- **Community Energy Upgrades Fund** – The Australian Government is partnering with local governments to deliver the \$100 million Community Energy Upgrades Fund (CEUF). This is a targeted competitive grant program that provides co-funding for energy upgrades at existing local governments facilities. This fund aims to support local governments to make their facilities more energy efficient, lower their greenhouse emissions and energy bills. Grant guidelines will be released mid-December and round 1 will commence in January 2024.
- **Open Streets Program** – The NSW Government is providing \$4.5 million to energise our streets and create thriving local spaces that support businesses, creative sectors and the community through community events and activations. Up to \$150,000 is available to support the temporary closure of streets to vehicles for free placemaking activations and events. This program is noncompetitive “a first in first served” grant program. Applications will close 29th of April if funds are not absorbed by then.
- **Youth Week 2024** - The NSW Government provides one off, time limited grants to local councils to deliver community activities and events during Youth Week (April each year). Applications close the 29th of February.

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 Euabalong Scenic Walking Trail** – Variation approved for the new realigned walking track. REF completed. Currently preparing RFQ documents for construction.
- **NSW Government – Stronger Country Communities Fund (SCCF) – Round 5 - New LED lighting Ward Oval Cobar** – Council have engaged PWA to project manage this project along with all other projects at Ward Oval. Awarded contract. Infrastructure works to be completed before Cobar Show, lights to be installed after. **Euabalong Hall Revitalisation** – contractor engaged, works commenced.
- **NSW Government – Regional Growth Fund & Federal Government - Building Better Regions Fund (Round 4) - Ward Oval Multi-Purpose**

Building and Early Learning Centre – Project is progressing well. Construction is 68% complete.

- **Showgrounds Stimulus Funding phase 2B – Sealing of the Ward Oval Car Park.** Overflow carpark completed. Carpark for Multipurpose Hall has commenced, additional linkage works will commence towards the end of the Ward oval Project. Funding to be expended before 30 June 2024.
- **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** – Variation submitted to reduce scope to only stage 1 works, pending approval. Please refer to Engineering works report for project update.
- **Resources for regions – round 8 (R4R8) Business Case Studies (BCS) and Master Planning** – Consultants engaged to complete Royal Far West Train Carriage and Town Hall Cinema future use plan. Community consultation will occur mid-February.
- **Resources for regions round 8 - (R4R8) - Great Cobar Museum - Coach House and Landscaping - (Stage 2 works)** –Project progressing well, DA approved. Tender to be released in February.
- **Resources for regions – round 8 (R4R8) - Early Intervention Outreach Program** –Research and investigating allied health services within our LGA is completed. Currently working with a psychologist to gather information and create a needs analysis.
- **Resources for regions – round 8 (R4R8)- Ward Oval Multipurpose building – area kitchen, canteen, bar, stage, and office**– Project is progressing well. Construction is 68% complete.
- **Resources for regions – round 9 (RFR9) - Euabalong Pump Station Disaster Resilience and Safety Upgrades** – Project proposal is on hold pending site selection. Site selection is on hold, pending land acquisition, which is being negotiated with Local Aboriginal Lands Council.
- **Resources for regions – round 9 (RFR9) - Louth Road Reservoir Asset Renewal Project** - Please refer to the Engineering works report for project update.
- **Resources for regions – round 9 (RFR9) Booberoi Road Bridge Replacement, Round Hill Road Bridge Replacement,** Tender for design of both Bridges is underway.
- **Resources for regions – round 9 (RFR9) Cobar Footpath connector and DDA project** – Contract has been awarded and signed, awaiting construction program from contractor.
- **Resources for regions – round 9 (RFR9) Cobar Airport Masterplan** – Awaiting a revised proposal for masterplan with the hanger design included, will be expected by the end of February.

-
- **Resources for regions – round 9 (RFR9) - Cobar Early Intervention Program Phase 2** – Council have engaged a clinical psychologist to complete on site assessments and referrals for children. 6 onsite assessments completed in term 4. Assessments for term 1 will commence soon.
 - **Resources for regions – round 9 (RFR9) - Youth services program phase 2** – Delivery and development of programs have commenced.
 - **Resources for regions – round 9 (RFR9) - Cobar Museum Phase 2 & 3 redevelopment exhibition and object display project** – Project is progressing, design completed for exhibits. DA approved. Tender to be released February.
 - **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.** DA approved. Variation approved for time extension. Tender to be released February.
 - **Bulk water metering project** – Meters have been purchased and 25% are onsite. Construction has commenced with large concrete pits to house the flowmeters.
 - **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. The project has been delivered however a second stage of implementation is now in place due to the need to upgrade to version 2.
 - **Local Roads and Community Infrastructure Phase 3 – Airport runway sealing upgrades – (Est) \$1,000,000.00** – Vegetation removal completed, sealing and line marking to be completed end of February, beginning of March. **99KW solar project at the Filtration plan - \$100,000.00** Solar has been installed and commissioned. Final defect remediation is underway and electrical authority sign off is pending. **Industrial Estate – (Est) \$920,422.00**, Project is complete and included the purchase of road base, drainage, and specifications.
 - **Local Roads and Community Infrastructure Phase 3 - Town Beautification – (Est) \$150,000.00** – Mural completed on NAB wall. Electrical boxes completed. Tree planting continuing, garden upgrades for front of Youth Centre to be completed in the coming months. Funds to be expended before 30 June 2024.
 - **Female Friendly Community Sport Facilities and Lighting Upgrades – Indoor lighting upgrade and installation of security lights at Cobar Youth and Community Centre** –Time extension approved. Currently engaging contractor to complete works.
 - **Fixing Local Roads Round 4 – Seal extension on shire road 20 Grain Road** – Please refer to the Engineering works report for project update.

-
- **Fixing Local Roads Pothole Repair – short term repairs of priority potholes and road repair on local and regional roads** - Please refer to the Engineering works report for project update.
 - **Flood damage from November 2021 Event (EPA)** – please refer to the Engineering works report for project update.
 - **Regional and Local Roads Repair Program** - Please refer to the Engineering works report for project update.
 - **NSW Local Government Recovery Grants Program – Replacement of feeder pipe at Euabalong West water supply**–Program of works submitted. Project has not yet commenced until program is approved from the funding body.
 - **Local Roads and Community Infrastructure Phase 4 - Lilliane Brady Village Upgrades** - planning has commenced. **Town Enhancement Program** – planning has commenced. **Bore Placement Program** –Please refer to the engineering works report for project update. **Footpath reinstatement in Marshal Street** – please refer to the engineering works report for project update. Funds to be spent before 30 June 2025.
 - **Supportive Environment Grant Western NSW Local Health District-Community - Garden at the Cobar Youth and Community Centre** – planning has commenced, clean up of outdoor area to commence February.
 - **Fixing Country Roads Round 6 – Wool Track Extension** – please refer to Engineering works report.
 - **Summer & Autumn Holiday Break Fund 23-24 – School Holiday Activities** – Summer school holidays completed, creative art workshops delivered, science experiments/workshops and cooking experiences. Autumn school holidays planning has commenced.

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 OF 31 JANUARY 2024**FILE: B2-7****AOP REFERENCE: 3.1.1.7****ATTACHMENT: NO****AUTHOR: *Finance Manager, 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 as of 31 January 2024. Term deposits have differing terms to spread the maturity dates throughout the year.

Investments (maturity date)	Rate	Bank	Opening Balance	Transfers to Investment	Transfers from Investment	Interest Earned	Closing Balance
Feb-24	5.22%	NAB	\$ 3,053,061			\$ 26,575	\$ 3,079,636
Mar-24	5.10%	NAB	\$ 5,046,838			\$ 42,922	\$ 5,089,761
Mar-24	5.00%	NAB	\$ 5,190,740			\$ 43,282	\$ 5,234,022
Apr-24	5.10%	NAB	\$ 2,015,090			\$ 17,147	\$ 2,032,238
May-24	5.20%	AMP	\$ 3,013,146			\$ 26,128	\$ 3,039,274
Aug-24	5.25%	AMP	\$ 2,036,337			\$ 18,504	\$ 2,054,841
NAB Sweep Acct	Variable	NAB	\$ 15,107,345	\$ 6,369,725	\$ 15,669,859	\$ 64,552	\$ 5,871,764
TOTALS	Average Int	5.15%	\$35,462,557	\$6,369,725	\$15,669,859	\$239,111	\$26,401,535

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

Finance Manager**RECOMMENDATION**

That Council receive and note the Investment Report as of 31 January 2024.

**CLAUSE 13 - BANK RECONCILIATION, CASH FLOW & LOAN FACILITY
SUMMARIES AS OF 31 JANUARY 2024**

FILE: B2-7

AOP REFERENCE: 3.1.1.5

ATTACHMENT: NO

AUTHOR: *Finance Manager, 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

Finance Manager

Monthly Total Funds Available for the Last 12 Months

Month	Investment Balances \$'000	Operating Account \$'000	Total Available Funds \$'000	Total Monthly % Change
Jan 23	37,870	10	37,880	16%
Feb 23	41,837	10	41,847	10%
Mar 23	39,058	10	39,068	-7%
Apr 23	38,375	10	38,385	-2%
May 23	36,663	10	36,673	-4%
Jun 23	39,043	10	39,053	6%
Jul 23	36,085	10	36,095	-7%
Aug 23	35,685	10	35,695	-1%
Sep 23	33,992	10	34,002	-4%
Oct 23	32,824	10	32,834	-3%
Nov 23	35,463	10	35,473	-13%
Jan 24	26,402	10	26,412	-25%

Cash Flow

Dec/Jan		Description	Forecast
Forecast \$'000	Actual \$'000		Next Month \$'000
10	10	Bank Balance Forward	10
400	0	FAG / R2R / RMCC / TNSW	400
30	30	Services NSW	15
1,000	1,169	Rates /Water/User Charges	500
200	243	Private Works/Debtors	200
300	1,771	LBV – Residents Fees & Subsidies	450
150	100	Children’s Services (net)	150
1,000	9,300	Net Movement of Investments	3,000
1,000	1,895	Sundry Income & Grants	500
		<i>Less</i>	
(7,000)	(8,991)	Creditors	(3,000)
(1,800)	(1,747)	Wages / Salaries	(950)
10	10	Bank Reconciliation Cr/(Dr)	10

Loan Facility Report as of 31 January 2024

Fund	Purpose	Amount \$'000	Funding Institute	Period		Rate	Payable	\$'000
General Fund	Shire Road Culverts	2,500	NAB (business markets loan)	27/04/2022	31/03/2025	3.44%	Quarterly	2,259
Total Principal Balance as of 31 January 2024								2,259

RECOMMENDATION

That Council receive and note the Bank Reconciliation, Monthly Total Funds Available, Cash Flow and Loan Facility Report as of 31 January 2024.

CLAUSE 14 – RATES RECONCILIATION REPORT AS AT 31 JANUARY 2024**FILE: R2-1****AOP REFERENCE: 3.1.1.6****ATTACHMENT: NO****AUTHOR: *Customer Service Manager, Jo-Louise Brown*****Purpose**

To provide Council details of the Rate Reconciliation as at 31 January 2024.

Rate Type	Levy Plus Arrears	Adjustments	Nett Levy	Cash	Paid-Previous	Outstanding
Cobar Residential	1,173,878.76	58,550.98	1,232,429.74	-584,122.93	-49,269.24	599,037.57
Business	349,230.30	12,402.56	361,632.86	-211,039.90	-5,341.89	145,248.22
Business Cobar CBD	169,120.91	5,469.28	174,590.19	-111,045.20	-4,979.36	58,565.63
Farmland	858,972.81	489.31	859,462.12	-520,800.21	-6,997.35	331,664.56
Mining	2,030,880.01	0.00	2,030,880.01	-490,871.36	-39.91	1,539,968.74
Residential Village	183,926.59	0.00	183,926.59	-50,216.40	-7,123.54	126,586.65
Business Village	80,674.22	0.00	80,674.22	-20,465.82	-548.72	59,659.68
Rural Residential	102,974.16	5,019.36	107,993.52	-44,257.30	-12,681.59	51,054.63
Interest	34,153.34	67,571.29	101,724.63	-11,897.53	0.00	89,827.10
Legal Costs	0.00	3,587.00	3,587.00	-15.00	0.00	3,572.00
Overpayments	0.00	0.00	0.00	-48,235.36	-50,193.15	-98,428.51
General Rates	4,983,811.10	153,089.78	5,136,900.88	\$2,092,967.01	\$137,174.75	\$2,906,756.27
Domestic Waste	840,210.75	-765.59	839,445.16	-444,551.45	-30,935.55	363,957.83
Cobar Water	1,810,794.47	1,761.00	1,812,555.47	\$1,004,130.64	-\$69,476.57	\$738,945.68
Nymagee Water	\$69,001.97	-\$980.00	\$68,021.97	-\$29,122.28	-\$360.90	\$38,538.79
Euabalong Water	\$138,337.44	-\$980.00	\$137,357.44	-\$57,763.79	-\$12,856.86	\$66,736.79
Mount Hope Water	\$12,217.79	\$0.00	\$12,217.79	-\$4,568.19	-\$152.53	\$7,497.07
Water Access	\$2,030,351.67	-\$199.00	\$2,030,152.67	\$1,095,584.90	-\$82,846.86	\$851,718.33
Sewerage	\$1,223,143.67	\$0.00	\$1,223,143.67	-\$605,219.33	-\$52,545.97	\$565,378.37
Total Rates & Charges	\$9,077,517.19	\$152,125.19	\$9,229,642.38	\$4,238,322.69	\$303,503.13	\$4,687,810.80
Water Consumption	\$2,262,036.51	-\$70,734.50	\$2,191,302.01	\$1,446,682.36	\$0.00	\$744,619.65

RECOMMENDATION**That the Rates Reconciliation Report as at the 31 January 2024 be received and noted.**

CLAUSE 15 – PURCHASING ANALYSIS OF CONTRACTORS

FILE: T3-15-6

AOP REFERENCE: 3.3.4

ATTACHMENT: NO

AUTHOR: Finance Manager, 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, 2023 – January 31, 2024, and the method of procurement used.

CONTRACTOR	DESCRIPTION OF WORKS AND METHOD OF PROCUREMENT	TOTAL \$'000	LOCALITY
DAVID PAYNE CONSTRUCTION	WARD OVAL CONSTRUCTION (TENDER)	3,152	NON LOCAL
COUNTRY WIDE ASPHALT PTY LTD	ROAD WORKS (TENDER)	2,682	NON LOCAL
STANAWAY PTY LTD T/A DAVID PAYNE CONSTRUCTION	WARD OVAL CONSTRUCTION (TENDER)	2,491	NON LOCAL
CRUSHRITE PTY LTD	GRAVEL CRUSHING (TENDER)	2,206	NON LOCAL
THE STABILISING PTY LTD	RMS CONTRACT (RFQ)	1,234	NON LOCAL
JONESYS EARTHWORXS PTY LTD	ROAD WORKS (RFQ)	1,024	NON LOCAL
NICHOLSONS OF NYMAGEE	ROAD WORKS (RFQ)	975	LOCAL
ENABLEU HEALTH SOLUTIONS PTY LTD	CONSULTANT SERVICES (RFQ)	814	NON LOCAL
BROUGHTON CONTRACTING PTY LTD T/A BROUGHTON F	PLANT HIRE (TENDER)	670	LOCAL
DEPELER EARTHMOVING	PLANT HIRE (TENDER)	543	LOCAL
REDSTONE NURSING PTY LTD	LABOUR HIRE (RFQ)	524	NON LOCAL
MIDLAND PTY LTD	PLANT PURCHASE (RFQ)	494	NON LOCAL
SUPERIOR PAK PTY LTD	PLANT PURCHASE (TENDER)	475	NON LOCAL
VINIDEX PTY LTD	STORMWATER PIPES (TENDER)	411	NON LOCAL
CYNEND	CONSTRUCTION WORK (TENDER/RFQ)	405	NON LOCAL
NSW PUBLIC WORKS	GOVERNMENT CONSULTING SERVICES (GOV)	369	NON LOCAL
CASTLYN PTY LTD T/A INLAND PETROLEUM	FUEL (TENDER)	367	NON LOCAL
AS PER PLAN CONSTRUCTION	CONSTRUCTION WORK (TENDER/RFQ)	356	LOCAL

CRANFIELD MEDICAL & HEALTHCARE PTY LTD	LABOUR HIRE (RFQ)	327	NON LOCAL
JLE ELECTRICAL	TRADE SERVICES (RFQ)	326	NON LOCAL
WESTRAC PTY LTD	PLANT PURCHASE (TENDER)	285	LOCAL
TRONIC GROUP PTY LTD	IT SERVICES (RFQ)	281	LOCAL
PPT INVESTMENTS T/A KLOSTER FORD	PLANT PURCHASE (RFQ)	268	NON LOCAL
DUNN & HILLAM ARCHITECTS	VARIOUS PROJECTS (YOUTH CENTRE, EARLY LEARNING CENTRE) (QUOTES)	262	NON LOCAL
NOMES CUSTOM CLEANING	CLEANING SERVICES (RFQ)	254	LOCAL
HOLCIM (AUSTRALIA) PTY LTD	CULVERTS (TENDER)	254	NON LOCAL
PARKES AUTOMOTIVE GROUP PTY LTD	PLANT PURCHASE (RFQ)	240	NON LOCAL
JNJ CONTRACTING PTY LTD	PLANT HIRE (RFQ)	231	LOCAL
360 ENGINEERING PTY LTD	CONSULTANT SERVICES (RFQ)	221	NON LOCAL
LOCAL GOVERNMENT APPOINTMENTS	LABOUR HIRE (RFQ)	221	NON LOCAL
ORION CONSULTING ENGINEERS PTY LTD	PROJECT MANAGEMENT (RFQ)	207	NON LOCAL
COBAR STEEL PTY LTD	TRADE SERVICES (RFQ)	202	LOCAL
CADIA GROUP PTY LTD	WATER AND SEWER (TENDER)	200	NON LOCAL
LEISURE & RECREATION GROUP PTY LTD	POOL MANAGEMENT (TENDER)	199	NON LOCAL
ROLLERS AUSTRALIA PTY LTD	PLANT HIRE (TENDER)	185	NON LOCAL
ACCESS ENVIRONMENTAL PLANNING PTY LTD	BORE LICENCING	182	NON LOCAL
AUSROAD PLANT SERVICES PTY LTD	LABOUR HIRE (RFQ)	180	NON LOCAL
BOB BRUCE EARTHWORKS PTY LTD	PLANT HIRE (TENDER)	168	LOCAL
I J CHASE GRADER CONTRACTING	PLANT HIRE (TENDER)	151	LOCAL
JR MAY EARTHMOVING PTY LTD	PLANT HIRE (TENDER)	143	LOCAL
SMART COMMERCIAL SOLAR PTY LTD	WTP SOLAR	139	NON LOCAL
ROAD CARE AUSTRALIA PTY LTD	ROAD WORKS (RFQ)	130	NON LOCAL
DAMAGE CONTROL PROJECT MANAGEMENT PTY LTD	LABOUR HIRE (RFQ)	121	NON LOCAL
KALLARA PARTNERS	PLANT HIRE (TENDER)	115	LOCAL
MIKE BREARLEY & ASSOCIATES PTY LTD	CONSULTANT SERVICES (RFQ)	107	NON LOCAL
KILLARD INFRASTRUCTURE PTY LTD	RETICULATION UPGRADE (TENDER)	100	NON LOCAL
VALLEY OUTDOORS SCONE	PLANT PURCHASE (RFQ)	96	NON LOCAL
KPMG AUSTRALIA	CONSULTANT SERVICES (RFQ)	94	NON LOCAL
COPPER CITY TYRE SERVICE	TYRE SERVICES (RFQ)	93	LOCAL
ZONDA PEOPLE HEALTHCARE RECRUITMENT	LABOUR HIRE (RFQ)	93	NON LOCAL
BITUPAVE LTD T/A BORAL ASPHALT	ROAD WORKS (RFQ)	91	NON LOCAL
MCINTOSH FENCING PTY LTD	RMS CONTRACT (RFQ)	90	NON LOCAL
KML INDUSTRIES PTY LTD	TRADES SERVICE/HARDWARE	89	LOCAL
TRANSPORT FOR NSW	ROAD WORKS (RFQ)	85	NON LOCAL

COLLAR TALENT GROUP PTY LTD	LABOUR HIRE (RFQ)	81	NON LOCAL
PAGNELL ASSOCIATES PTY LTD T/A GEOSURE	PLANT PURCHASE (RFQ)	81	NON LOCAL
	TOTAL \$'000		
LOCAL SUPPLIERS	\$4,558		
NON-LOCAL SUPPLIERS	\$21,225		
TOTAL PURCHASES OVER \$80K 2023/2024	\$25,783		

RECOMMENDATION

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

CLAUSE 16 – ENGINEERING WORKS REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

ATTACHMENT: NO

AUTHOR: *Director Engineering Services, Heinz Kausche*

Purpose

To provide Council with an update of works underway up to 31 January 2024.

Background

State Highways

Completed Works

- Majority of heaving patching completed along the Barrier Hwy (HW8)
- Shoulder grading Barrier Hwy completed
- Shoulder grading Kidman Way nearing completion
- Highway reseal program nearing completion.

Major Maintenance Work - Ongoing

- Pothole patching and sign maintenance of highway network ongoing.
- Flood recovery works on the Barrier Hwy underway

Construction Work

- Next round of heavy patching scheduled to commence in March. This will also include Tipping Way (MR411) and Priority Tank Road (MR461).

Urban Roads/Shire Roads/Regional Roads

Completed Works

- Resealing Louth Road from Lewis Street to Frederick Street completed.
- Pothole Repair funded through the NSW Government Fixing Local Roads Pothole Repair Program completed.
- Fire break maintenance completed, includes Cobar, Canbelego, Euabalong and Nymagee.

Major Maintenance and Construction Work - Ongoing

- Tipping Way and Lachlan Valley Way – stabilisation works underway.
- Flood damage works on Wool Track underway.
- Flood damage works on causeway on Wilga Downs Road scheduled to commence in March.
- Spreading of gravel on 52 Mile Road underway
- Shaping gravel Grain Road underway.

-
- Footpath connector project – tender awarded, awaiting provision of construction program from contractor. Works are scheduled for completion in October 2025.
 - Shire Wide Culverts Program ongoing, approximately 65% complete. Culvert works currently underway Rosevale Road (SR46) and 52 Mile Road (RR 7518)
 - Cobar Industrial Estate Road and Stormwater Upgrades – contract negotiations being finalised.
 - Fixing Country Roads Round 4 – works underway on extracting and crushing gravel for the 40km seal extension of the Wool Track.
 - Regional Emergency Road Repairs Fund – works to be programmed, includes regional road maintenance and renewals, Wool Track and urban asphalt overlays.

Cobar Airport Runway Sealing and Vegetation Clearance Works

- Vegetation clearance works within the fenced area of the airport completed.
- Preparation works underway for sealing of the runway and apron scheduled to be undertaken end of February.

Flood Damage

- Works continuing on the Restoration of Essential Public Assets funded through the Natural Disaster Funding Arrangements in response to the November 2022 flood event.
- Preliminary assessment of the damage incurred from the January 2024 flood event is estimated to be in the order of \$3m. An application has been lodged with the State requesting for the event to be declared a natural disaster enabling Council to access disaster recovery funding through the State. Council officers are still awaiting the outcome of the application for the event to be declared a natural disaster.
- Emergency flood restoration works currently underway on the following Roads:
 - Bloomfield Road (SR11)
 - Moolah Road (SR31)
 - Developmental Road (SR32)
 - Gidgee Road (SR4)
 - Mount Gap Road (SR7)

Asset and Fleet Management

- Vehicle/Plant Equipment Trackers – installation completed.
- Property portfolio for Cobar presented to the Councillor Workshop in February.
- Fleet Management – development of whole of life costings and new 10 year plant replacement program underway.

Water and Sewer

- Nyngan, Hermidale, and Cobar Pump Station Upgrade Project – Community consultation and tender process currently underway.
- Cobar Sewerage Treatment Plant Upgrades – scope of works for funding application currently being finalised.
- Development of the Integrated Water Cycle Management (IWCM) Strategy continuing. The strategy is intended to provide Cobar with a 30-year resourcing strategy for the provision of appropriate, affordable, cost-effective and sustainable urban water services that meets community needs and protects public health and the environment.
- Multiple water and sewer improvement projects underway including upgrades to the Fort Burke Balance Tank and associated infrastructure.

Water Storage Level Updates

- Cobar Water Storages are currently at 55% full (combined).
- Burrendong Dam is currently at 60% full.
- Level 1 water restrictions were triggered in January in response to concerns with the quality of water being drawn from the Nyngan Weir and capacity of the Water Treatment Plant to treat the poor-quality water. The water restrictions have since been lifted as the water quality has improved.
- Level 1 water restrictions are normally triggered when the water level of the Burrendong Dam reaches 20%
- Level 5 water restrictions are triggered when the when the water level of the Burrendong Dam reaches 1% and the Cobar storages drop below 20%

Drought Triggers

Level		Cobar, Canbelego, Euabalong, Euabalong West, Mount Hope and Nymagee
Be Water Wise	1	To protect and secure our water supply
High	2	10
Very High	3	5
Severe	4	2.5.
Emergency	5	1%. Also applied when the effective storage percentage of the combined Cobar storages drops below 20% .

Demand Targets

Usage Type	1 Be Water Wise	2 High	3 Very High	4 Severe	EMERGENCY
Target Water Consumption	240L/ day/person 10% reduction	210L/ day/ person 20% reduction	180L/ day/ person 30% reduction	150L/ day/person 40% reduction	120L/day/person 55% percent

Depot Works

- Depot Masterplan – independent review of the store complete. Recommended actions and outcomes of the review being implemented.

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 17 – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31 AOP REFERENCE: 4.3.2 ATTACHMENT: YES (PAGE 99-107)

AUTHOR: *Director of Engineering, Heinz Kausche*

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 18 – DEVELOPMENT APPROVALS: 5 DECEMBER 2023 – 13 FEBRUARY 2024

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 Certificates approved under delegated authority for the period 5 December 2023 – 13 February 2024.

The value of Complying Development approvals for 2023/2024 to date is \$60,000.00.

The value of Complying Development approvals for the similar period in 2022/2023 was **21,000.00.**

Local Development Approvals

The following Local Development Applications were approved under delegated authority for the period 5 December 2023 – 13 February 2024.

CERTIFICATE NO.	ADDRESS	DESCRIPTION	VALUE (\$)
DA23/059 (MOD)	164 Kidman Way, Cobar	Storage Shed & Shade Structures	\$19,900
DA23/032	6 Booroomugga St, Cobar	Shade Structure	\$40,000
DA23/054	71 Morrison St, Cobar	Dual Occupancy (Attached)	\$1,091,332
DA23/055	13 Rankin St, Cobar	Manufactured Home	\$668,604

The value of Local Development approvals for 2023/2024 to date is \$47,774,822.92.

The value of Local Development approvals for the similar period in 2022/2023 was **\$116,483,422.40.**

Construction Certificates

The following Construction Certificates were issued for the period 5 December 2023 – 13 February 2024.

CERTIFICATE NO.	ADDRESS	DESCRIPTION
CC23/033	164 Kidman Way, Cobar	Storage Shed & Shade Structures
CC23/032	6 Booroomugga St, Cobar	Shade Structure
CC24/002	8 Belah Cres, Cobar	Detached Metal Garage/Shed

RECOMMENDATION

That the information detailing the Local Development and Construction Certificate approvals for the period 5 December 2023 – 13 February 2024 be received and noted.

CLAUSE 19- LINSLEY STREET ASPHALT OVERLAY PROJECT

FILE: VP396423

AOP REFERENCE: 4.3.1.1

ATTACHMENT: NO

AUTHOR: Meike Griffiths, Administration Coordinator

Purpose

To consider the submissions received for the Linsley Street Asphalt Overlay Project.

Background

Council has been allocated \$1,139,199 under the 2019 – 2024 Roads to Recovery Program. Works must be completed by 30 June 2024. Council had initially planned to allocate the funds to the Industrial Estate Stage Two B, extending the scope of work planned under Resources for Regions Round Seven and Eight. At the end of November 2023, Council received tender responses for Stage One Construction. Due to the tendered pricing for Stage One coming in higher than early estimates, the scope of work for Resources for Regions has been reduced to cover Stage One only. The construction program will also exceed 30 June 2024.

In December a decision was made to allocate the funds to mill out to 50mm depth and lay 50mm AC10 asphalt on Linsley Street, stretching from Blakey Street through to Louth Road.

Legal Situation

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

RECOMMENDATION

That a further report regarding the Linsley Street Asphalt Overlay Project be considered in 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, 22 FEBRUARY 2024

~ REFERENCE TO ATTACHMENTS ~

Action

Page Number

Clause 2- Voluntary Planning Agreement – Federation Mine	46-68
Clause 5 – Quarter 2- 2023/2024 Budget Review	69-74
Clause 7 – Data Breach Policy	75-83
Clause 8 – Draft Investment Policy	84-98

Recommendation

Clause 17 – Expenditure for Roads Network	99-107
---	--------