

COBAR SHIRE COUNCIL



ORDINARY MEETING AGENDA

THURSDAY 23 FEBRUARY 2017

~ ORDER OF BUSINESS ~

Business for the meeting will be as follows:

1. Apologies
 2. Declaration of Interests
 3. Condolences
 4. Confirmation of Minutes
 - Traffic Committee Meeting – Tuesday, 22 November 2016;
 - Ordinary Meeting of Council – Thursday, 8 December 2016.
 5. Matters Arising from Minutes
 6. Notice of Motions
 7. Mayoral Report
 8. General Manager's Report – Part A (Action)
 9. General Manager's Report – Part B (Information)
 10. Matters of Urgency
 11. 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:

- Continually strive for improvement in every aspect of Council's activities and recognise initiative.
- All activities are to be customer focused and provide equity for all.
- Involve the community in decision making through open government and consultative processes.
- Foster and promote sustainable ecological and economic development, rural pursuits and industries that contribute to the wealth of the region and in keeping with the environment and residents lifestyle.
- Conserve and protect the natural beauty of the area.
- Promote a spirit of regional cooperation particularly in regard to planning, infrastructure, economic development, tourism and employment.

~ COUNCIL'S CHARTER ~

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

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

NOTICE OF MOTION – PARK NAMING – EUABALONG WEST

FILE: P1-10

AOP REFERENCE: 1.5.3.3

ATTACHMENT: NO

AUTHOR: *Councillor, Peter Maxwell*

RECOMMENDATION

That Council name the park at Euabalong West the John J Burke Park and that a sign be erected in the park to signify the naming.

Explanation

The purpose of this report is to see the currently unnamed park at Euabalong West named in honor of Mr John J Burke.

The late Mr Burke was a longtime resident and businessman of the village and a Cobarr Shire Councillor for a considerable time. He also had the distinction of being the first student to enroll at the Euabalong West Primary School when it opened in 1933.

Several residents have approached Council with regards to establishing what would be a fitting memorial to an exemplary citizen.

The cost to Council would be limited to signage as Council already maintains and owns the park.

**NOTICE OF MOTION – AUGMENTATION OF WATER SUPPLY
EUABALONG/ EUABALONG WEST**

FILE: W2-6

AOP REFERENCE: 4.1.3.1

ATTACHMENT: NO

AUTHOR: *Councillor, Peter Maxwell*

RECOMMENDATION

That Council seek funding for the establishment of a bore and associated works in the Lachlan River aquifer adjacent to Euabalong for the purpose of augmenting the raw water supply for the two villages.

Explanation

This motion is for the purpose of seeking funds for the establishment of a bore and associated works in the Lachlan River aquifer adjacent to Euabalong for the purpose of augmenting the raw water supply for the two villages.

Council currently supplies raw river water under pressure to subscribers in both villages with a system that draws water directly from the Lachlan River. At times of primary drought, but also as at present flood the supply and quality can become poor. The establishment of a bore to augment and depending on flows temporarily replace the current supply would be of significant benefit to residents.

Obtaining flows at a suitable site should be achievable as most houses used to have wells in their yards with water out about 6 meters however the advent of septic tanks and rubble drains made these unusable.

Council has recently sought and received emergency funds for potable water cartage.

NOTICE OF MOTION – WESTERN DIVISION OF COUNCILS ANNUAL CONFERENCE AGENDA ITEM – “BURNING OFF” PERMITS

FILE: L5-4-4

AOP REFERENCE: 1.6.5

ATTACHMENT: NO

AUTHOR: *Councillor, Peter Yench*

RECOMMENDATION

- 1. That Council writes a Letter to the Fire Commissioner to cancel all fire permits.**
- 2. That Council requests the issuing of “Burning Off” permits be an agenda item for the upcoming Western Division of Councils Annual Conference with a view of more infringements conditions being enforced and a policy be created to suit all landowners.**

Explanation

Recent weather patterns and severe bushfires in NSW have demonstrated the need to reconsider the issuing of “Burning Off” permits for so called controlled burns.

Using a controlled burn point is dangerous in conditions and is currently able to be done under the present Fire Commissioner. Conditions need to be tightened and controlled burns need to be more closely monitored.

Whilst the controlled burn area may have a fire break around the area, in some cases neighbours and surrounding areas don't have these, fires create their own draft, there is a strong possibility of whirly winds and changing weather conditions means you don't light fires in excessive temperatures, especially when the temperatures are up in the 40's for weeks on end, it is not a bright idea to light fires, whether you have a permit or not.

Council needs a stricter policy for our shire, a bushfire through our shire would cost the ratepayers a lot of money, time and effort to try and control a deliberately lit fire when there should be no need for it.

A letter to the Fire Commissioner, I think would be a step in the right direction. Asking for immediate action, cancelling all fire control permits until they come up with a suitable solution. We have to stop the possibility of spot fires that are caused by controlled burns.

The upcoming Western Division of Councils Annual Conference would be the ideal forum to consider this important matter and to create a policy that suits all landowners.

NOTICE OF MOTION – INCREASED REVENUE FROM UNDERGROUND INVESTMENT BY MINES IN THE SHIRE

FILE: T5-15

AOP REFERENCE: 3.1.1

ATTACHMENT: NO

AUTHOR: *Councillor, Peter Yench*

RECOMMENDATION

That Council Officers present to a (Council) workshop an overview of options available for Council to generate increased revenue from investment projects undertaken by mines in the Shire and future mining prospects.

Explanation

The major mines in Cobar have indicated that there is significant underground investment to be made in the near future, particularly underground.

Council needs to benefit appropriately from this expansion so as to be able to provide adequate social programs and infrastructure for Shire residents and to attract and retain staff for all businesses.

Currently our Voluntary Planning Application (VPA) and Development Application (DA) income is minimal, with underground investment not generating revenue to the Shire.

Furthermore we have to ensure that Cobar is fully developed for the eventual time when mining ceases either permanently or even for a short term which happens frequently in the mining industry.

**NOTICE OF MOTION – SOCIAL IMPACTS ON MINING AND OTHER
LARGE DEVELOPMENTS**

FILE: M4-1

AOP REFERENCE: 1.4.3

ATTACHMENT: NO

AUTHOR: *Councillor, Peter Yench*

RECOMMENDATION

That Council Officers present to a (Council) workshop on an overview of options to properly consider social impacts on mining and other large developments.

Explanation

When Development Applications are submitted a social impact study should be included to ensure that the main factors being benefited are: local employment, support of other local businesses in the current economy and ensuring that employees are shopping locally to ensure the future of the town.

I believe that more should be done in the Western Region to ensure the viability and future of regional towns especially in Western NSW, the number of residents is currently 48,000 and falling.

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5

AOP REFERENCE: 3.1

ATTACHMENT: NO

AUTHOR: *Mayor, Councillor Lilliane Brady OAM*

Report to be tabled.

RECOMMENDATION

That Council accepts the information contained in the Mayoral Report for the month of February 2017.

CLAUSE 2A – UPGRADE TO COUNCIL WORKS DEPOT - COBAR

FILE: A10-20

AOP REFERENCE: 3.3.3.3

ATTACHMENT: YES

(PAGE 71-75)

AUTHOR: *General Manager, Peter Vlatko*

Purpose

To approve the concept design for upgrading the Councils Works Depot.

Background

In reviewing the Councils Organisation Structure it was evident that the current Works Depot needed to have a Master Plan for any upgrades or improvements required in order to meet current standards and the organisations development.

The Master Plan has been prepared on the basis of ensuring that any funds spent at the Depot will now be prioritized and reflects the long term needs of the Organisation.

It is recognised that the estimated cost of all improvements is \$576,000 and is a long term plan that will depend on the funds available from Councils Budget. However it provides the Council with a plan to take the Depot into its future and meet appropriate standards required for a Depot.

The Master Plan has been prepared in stages to allow for work to be undertaken subject to funding availability.

The 2016/2017 Budget has provided \$45,000 for the Depot security and it is now recommended that Council consider that's Stages 1 to 14 be approved with the additional funds to be allocated from the Plant Replacement Fund.

Consultation

The Staff and Supervisors have been consulted and the Council Building Inspector has undertaken the inspection of the site.

Budget Implications

The Estimated Cost of Stage 1 to 14	\$202,000
<u>Less</u> 2016/2017 Budget Allocation	<u>\$45,000</u>
Balance required from Plant Replacement Funds	\$157,000

As part of the 2016/2017 Q2 Budget Review the Plant Replacement Funds has a balance of \$1,571,182 which can be used to fund the balance.

RECOMMENDATION

- 1. That Council approve the Master Plan for the improvement to the Council Works Depot in Cobar.**
- 2. That subject to the 2016/2017 Budget Review result that Council approves Stages 1 to 14 of the Master Plan being undertaken.**

CLAUSE 3A – QUARTER 2 2016/2017 BUDGET REVIEW

FILE: L5-22 AOP REFERENCE: 3.3 ATTACHMENT: YES (PAGE 76-79)

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

Purpose

To present to Council the budget review for the second quarter of the 2016/2017 financial year and to recommend changes to the 2016/2017 Budget.

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. Section 94 Contribution Details;
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 2016/2017 year;
3. A schedule of movements in the capital budget from adoption up to and including the proposed amendments. This is identified as Table 1.

Executive Summary – Capital Expenditure

The key movements in the assets budget are contained within the roading area. Comments appear alongside of each road as to why the adjustment is required. It is to be noted that \$329k is a transfer from the operating budget and not a recommendation for increased spending.

An amount of \$200k has been allocated as worst case scenario against the shed being built for the RFS. The amount of this which will be recoverable is unable to be predicted at this time. Council should note that an increase to Legal Fees has also been applied for this matter.

The two major projects which are in progress under state funding have small matching increments of capital grant income and expenditure required in the forecast.

Excluding these items, new votes are required for works to enable the Lilliane Brady Village to be given a Certificate of Occupancy prior to the exercising of the options required for the Multi-Purpose Service to be created and to fence the water supply at Nymagee – which will be funded out of the Water Fund balances.

A separate report on this agenda considers options to upgrade the depot.

Executive Summary – Operating

General Fund:

Methodology notes: Significant items only are recommended for amendment. Minor unders and overs on other individual budget lines will not provide a significant combined quantum to warrant amending.

A separate item on this agenda contains details of \$500k received for flood damage from the N.S.W Government. No spending allocations have been made against this as Council is going to workshop priorities before a formal budget amendment is sought. Assuming that the money is to be applied to operational spending this financial year and not capital, up to \$500k of the forecast surplus will be eliminated.

Table 1 below is a snapshot of budget movements since the original budget was adopted in June 2016.

Operating Surplus/ Deficit

	General Fund	Water Fund	Sewer Fund	Total
Adopted Budget	1,703,136	38,571	-4,201	1,737,506
Carried Forward Items	-91,152			-91,152
Q1 Adjustments	387,000			387,000
Q2 Adjustments	769,946	9,000	224,000	1,002,946
Operating Surplus	2,768,930	47,571	219,799	3,036,300
Capital Grants and Contributions	2,250,000	50,000	300,000	2,600,000
Operating Surplus before Capital Grants and Contributions	518,930	-2,429	-80,201	436,300

Further items requiring amendment are:

- Inclusion of Procurement Rebates (\$14k) as revenue in line with the current activity with Local Government Procurement rebates received.
- Reduction of money required for introduction of an electronic records package (\$40k). This matter is being reconsidered following the unsuccessful application to the Innovation Fund to finance the package.
- Reduction of money required for Health Monitoring (\$10k) in line with planned activity.
- Increase in Legal Fees (\$50k) as a contingency for the dispute in regards to the RFS Shed. Some of this may be recoverable.
- Increase in amount required for Internal Audit (\$9.8k) so as to be compliant with Auditor General Requirements. This returns the budget to the same level as two years ago when Luka Group was the Internal Auditor.
- Creation of a budget for wet weather (\$30k) to record the cost of unproductive labor during the wet weather in Q1.
- Reduction of the allowance for FBT (\$20k) due to all vehicle contributions being made post tax.
- Increase in the cost of Drug and Alcohol testing (\$20k) to accommodate the one - off costs in establishing the program which has been on the task list for several years.
- Increases to the cost of maintaining the Cemetery and grave digging in line with current costs (\$20k). Councillors will have the opportunity to consider this in the workshop on Fees and Charges.

-
- Creation of cost line for Flood Mitigation at Euabalong (\$25K). Councillors may consider this as part of the expenditure against the \$500k grant received.
 - Allocate (\$56k) for Regional Road traffic signs as per revised works program.
 - Reduction of the operating expenditure on Regional Roads (\$279k). This income stream has been reapplied against capital works for no loss of investment in roads.
 - Increase airport landing revenue (\$30k). This restores the forecast to the original budget and is in line with current passenger traffic.
 - Create a budget line (\$9k) to accommodate the settlement with the Brindabella Liquidator.
 - Create a break even private works job to be done for the RMS at Murrin Bridge.
 - Increase interest earning capacity (\$50k) due to higher average cash holdings and effective treasury management.

Water Fund – Operating Adjustments:

- Additional funds (\$30k) are required in the Water Fund to accommodate the repair cost at Euabalong which were incurred during the Lachlan Flood.
- Additional funds (\$11k) have been allocated to cover the cost of the required revaluation of assets this accounting year. A similar amount has been also allocated to the Sewer Fund. Arrangements have been made by member Councils to use the services of the LMWUA.
- In line with the timeline forecast for the Water Treatment Plant additional funds have been allocated as capital grant revenue (\$50k). This does not impact the operating surplus before capital grants and contributions – which is one of the key Treasury indicators.

Sewer Fund:

- Additional funds (\$50k) are required in the Sewer Fund to accommodate the repair cost at the Treatment Plant.
- Additional funds (\$11k) have been allocated to cover the cost of the required revaluation of assets this accounting year. A similar amount has been also allocated to the Water Fund. Arrangements have been made by member Councils to use the services of the LMWUA.
- Electricity projections require a further \$15k to be included in the forecast.
- In line with the timeline forecast for the Sewerage Asset upgrade additional funds have been allocated as capital grant revenue (\$50k). This does not impact the operating surplus before capital grants and contributions – which is one of the key Treasury indicators.

Domestic Waste Fund:

Domestic Waste which was previously reported as a separate fund is now included in the General Fund under the heading *Environmental* which is consistent with end of year statutory reporting. Council's historic reporting has included domestic waste and commercial waste activities and it has therefore not been correctly reported. Accounting staff will endeavour to correct this in future accounting periods. The individual lines are unchanged.

RECOMMENDATION

- 1. That the capital budget for 2016/2017 is revised by the amount detailed in the attachment to this report which is shown as Table 2.**
- 2. That the operating budget for 2016/2017 is revised by the amount detailed in Table 1 of this report.**

CLAUSE 4A – SECTION 356 DONATIONS 2017/2018

FILE: D3-1 AOP REFERENCE: 1.4.5 ATTACHMENT: YES (PAGE 80)

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 ended 30 June 2018. The Donations Policy has been adopted to ensure compliance with Section 356 of the Local Government Act 1993.

Background

Details of donation availability were given extensive coverage in The Cobar Weekly prior to and following the Christmas break.

Five (5) applications for donations were received and these requests totalled (approximately) \$36,550. The allowance in the draft budget is similar to recent years at \$40,000.

To ensure that an equitable evaluation is made Councillors have workshopped the applications. Councillors need to consider the applications on a merit basis with recognition of the Donations Policy and associated guidelines. Each applicant has been able to review the policy and guidelines prior to lodging an application.

The attachment to this report details the applications in summary form.

Applications are called for at this time of year to enable them to be incorporated into the budget plans for the coming financial year. However, it is recognised that some circumstances are unknown and adhoc applications may arise throughout the financial year. For this reason it is suggested that approximately \$3,000 not be allocated.

Further to last year's resolution Council will continue to contribute \$100.00 of Quids to Cobar High School, Cobar Public School and St Johns Primary School for their end of year awards ceremony and \$100.00 cash to Euabalong West Primary School for its end of year awards ceremony.

RECOMMENDATION

That Council consider the applications for donations on a merit basis and award donations to the value of approximately \$36,550 for the budget year ending 30 June 2017.

CLAUSE 5A – SIGNIFICANT VARIATIONS TO BUDGET REPORTED UNDER REGULATION 202 OF THE GENERAL REGULATIONS 2005 OF THE LOCAL GOVERNMENT ACT 1993

**FILE: C8-4-5, L5-22-4 AOP REFERENCE: 3.1, 3.3.3 ATTACHMENT: NO
AUTHOR: *Director of Finance and Community Services, Kym Miller***

Purpose

To advise Council of significant variations to the 2016/2017 Budget as per Regulation 202 of the Local Government Regulations (General) 2005 which support the Local Government Act 1993.

Background

It is a Local Government Act requirement that significant variations to the budget are reported to Council at the next possible Ordinary Meeting after they become known. These variations will then be taken into account at the following Quarterly Budget Review. A budget review appears as a separate item in this agenda.

Council have received \$500,000 under the Natural Disaster Relief funded by the NSW Government following flooding in late 2016.

Council will workshop the appropriation of this funding which was not budgeted for and may formalise the allocation by resolution and incorporate that allocation in the next appropriate budget review.

Until resolved and expended the amount is retained as restricted cash. Even if not expended in 2016/2017 the amount received will be shown as income in the financial year 2016/2017.

RECOMMENDATION

- 1. That the significant variations to the 2015/2016 Budget are received and noted.**
- 2. That the expenditure is incorporated into the Quarter 2 2016/2017 Budget Review.**

**CLAUSE 6A – NSW RURAL FIRE SERVICE BUILDING – COBAR
BRIGADE STATION, LOT 10 RAILWAY PARADE SOUTH**

**FILE: T3-15-3 AOP REFERENCE: 1.6.5.1 ATTACHMENT: YES
(PAGE 81-95)**

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

Purpose

The purpose of this report is to advise Council that attempts to freeze payment of the Court Ordered amount to Castlereagh Construction Group Pty Ltd (CCG) have failed. On 15 February 2017 the Supreme Court found in favour of CCG with the funds paid to the Court by Council to be released to CCG.

Background

The following is a summary of the events leading up to 15 February 2017.

1. CCG lodged a formal payment claim on Council under the *Building Construction Industry Security of Payment Act 1999* (the Act) on 31 August 2016.
2. In response to the payment claim a Payment Schedule under the Act was issued on CCG by Council.
3. On 29 September 2016 an Adjudication Application Acknowledgment Notice from an authorised nomination authority under the Act was received by Council.
4. The Adjudication Application prepared by CCG was lodged on 4 October 2016 and the Adjudication Response from Council was lodged on 7 October 2016 as required by the timeframe under the Act.
5. The Adjudication Determination under the Act was released on 21 October 2016 and the outcome was essentially in favour of CCG:
 - a) The determination required Council to pay the claimant \$171,120.90 inclusive of GST; and
 - b) Interest at the rate of 18% per annum; and
 - c) The interest to be calculated from the day following the date on which the payment was due, that being 22 September 2016 with the amount payable no later than five days after service of the Determination.
6. Legal proceedings were investigated by Council to freeze the payment to CCG.
7. *Cobar Shire Council v Castlereagh Construction Group Pty Ltd* was heard in the NSW Supreme Court on 8 November 2016. Orders made by the Court were:

-
- a) Upon the plaintiff by its counsel giving the usual undertaking as to damages and undertaking to prosecute the proceedings with reasonable expedition and diligence. ORDER the first defendant not to take any steps to enforce the judgement it obtained in the District Court proceedings numbered 2016/327038 (District Court Judgement) prior to 16 December or until further order. This order is subject to order 2 of these orders:
 - b) Order 1 of these orders will cease to have effect on 11 November 2016 unless the Plaintiff does the following on or before 11 November 2016:
 - i. Pays the sum of \$28,292 to the first defendant's solicitor (or as the first defendant otherwise directs) by way of partial satisfaction of the District Court Judgement:
 - ii. Pays the sum of \$152,522.69 into Court Order that these proceedings are stood over to the Technology and Construction list Directions of 9 December 2016.
8. The above meant that \$28,292 by Order of the Court was paid to CCG and the balance of the adjudication amount of \$152,522 was paid to the Court pending the outcome of legal proceedings.
 9. On 9 December 2016 the matter of Cobar Shire Council v Castlereagh Construction Group Pty Ltd 2016/328403 was listed for hearing in the NSW Supreme Court on 15 February 2017.
 10. Part of the reason for Council's case against CCG being adjourned was because there was a legal principle in a Court of Appeal case relating to the Act which the Court said might influence the outcome of Council's case. The result in the Court of Appeal was detrimental to Council's case. Some relevant articles are included as attachments which provide legal commentary on the Court of Appeal case.

Issues

Despite the number of errors identified in the Adjudication Determination made against Council nothing more can be done to stop payment to CCG.

However, an opportunity exists to make a complaint to the authorised nominating authority and others. This will do nothing to stop the payment to CCG, but will provide an avenue to voice concern about the adjudication process and seek feedback in respect of the errors identified by Council in the determination. Minimum work will be required by staff to lodge a complaint.

A detailed defects report has been prepared in respect of the building. The building in its current form is not compliant with the National Construction Code (and adopted Australian Standards) and not fit for use. In this regard, in the recommendation to this report it is suggested that Council consider a supplementary report or reports to be provided on or before the date of the meeting. Preparation of such a report or reports

is dependent on receiving additional advice from Council's Solicitor following the decision of the Court on 15 February 2017.

The supplementary information will canvas matters regarding the defective building work and suggest options moving forward with this building.

RECOMMENDATION

- 1. That the information regarding the outcome of the adjudication under the *Building Construction Industry Security of Payment Act 1999* be received and noted on the basis of no further avenues being available to Council to oppose the Court Ordered payment to Castlereagh Construction Group Pty Ltd.**
- 2. That the Mayor and General Manager be authorised to lodge complaints on behalf of Council to relevant individuals, companies and state authorities as deemed appropriate regarding adjudications under the *Building Construction Industry Security of Payment Act 1999*.**
- 3. That Council considers a supplementary report or reports to be provided by the Director of Planning and Environmental Services, regarding the defective building work associated with the Cobar Brigade Station building.**

CLAUSE 7A – MINERS MEMORIAL**FILE: 2017/LDA-0002 AOP REFERENCE: 1.5.3.3 ATTACHMENT: NO****AUTHOR: *Manager Planning and Environmental Services, Stephen Poulter*****Purpose**

To provide an update on the development of a Miners Memorial in the Great Cobar Heritage Park and to seek a resolution from Council regarding the payment of application fees and developer contribution funds.

Background

The establishment of a Miners Memorial in the Great Cobar Heritage Park has been a long aspired community project. Its concept has been existent in Councils Community Enhancement Program since its original adoption.

Council was approached in late 2014 to assist in progressing this project. All three mines are in favour of the project including the Peak Donations Board.

For the design concept stage a small steering committee was established. To assist in the development of architectural plans, two architecture students from Central Queensland University (CQU) were flown to Cobar to meet with the committee and to attain an understanding of design aspirations and constraints. The flights were funded by CQU, accommodation by Peak Gold Mines and the students volunteered their time.

A number of design options were considered by the steering committee, with final design completed in mid-2016. Following completion of the design process, the steering committee was broadened to include other members of the community to assist in fundraising opportunities that would fund the construction stage of the project.

In addition to commencing fundraising activities, a Development Application was drafted for submission and consideration by Council. This application was lodged on 1 February 2017 with the proposal placed on exhibition seeking public comments.

A development consent needs to be in place for this project in order for Council to apply for grant funding.

Issues

The construction of the Miners Memorial can only occur subject to a Development Consent and a Construction Certificate.

These applications ordinarily are lodged subject to payment of relevant fee's, levies and developer contributions.

In this particular instance, it is sought for Council to waive the payment of the Development Application Fee (\$920), the advertising fee (\$25) and s. 94A Developer Contributions (\$2,500).

In addition to the aforementioned fees and contributions, this development proposal would require payment of State Government imposed levies. These are the Long Service Levy and the Planning Reform Fund Levy (previously known as Plan First Levy). Payment of these levies are mandatory and cannot be waived.

Legal Situation

The fees and contributions sought to be waived are detailed in Councils Fees and Charges Policy, Councils Local Infrastructure Contributions Plan 2012, as well as the Environmental Planning and Assessment Regulation 2000.

With regard to Development Application Fee's, the Environmental Planning and Assessment Regulation restricts the maximum fee that can be charged by a consent authority (*cl.246A and 246B*). This State Legislation does not require payment but merely restricts the amount that a consent authority can charge, therefore leaving the decision to Council as to whether to require payment or not.

Furthermore, the requirement to pay Developer Contribution payments are permitted to be waived. Section 94A of the Environmental Planning and Assessment Act permits a consent authority to consider whether or not to impose a condition of development consent to pay developer contributions pursuant to the relevant contributions plan.

Financial Implications

This report seeks Councils concurrence to the waiving a total of \$3,445 in Development Application Fee's, advertising charges and Developer Contributions.

This report does not seek to waive State imposed development levies, as these are mandatory. Construction Certificate, Occupation Certificate and inspection charges are not sought to be waived at this point in time, as final construction costs are yet to be completed.

RECOMMENDATION

Council resolve to waive Development Application Fee (\$920), Advertising Fee (\$25) and s.94A Developer Contribution Levies (\$2,500) for the Miners Memorial.

CLAUSE 8A – SECOND QUARTERLY REVIEW OF THE ANNUAL OPERATIONAL PLAN 2016/2017

FILE: L5-22

AOP REFERENCE: 3.1

ATTACHMENT: YES

(UNDER SEPARATE COVER)

AUTHOR: *Director Corporate and Economic Development, Angela Shepherd*

Purpose

To provide Council with a detailed review of all actions outlined in the Annual Operational Plan 2016/2017 for the second quarter (ie October to December 2016).

Background

At the June 2016 Council Meeting, Council adopted the 2016/2017 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 2016 and does not cover actions or activities that have occurred since then. However, this paper aims to highlight major issues that may arise in Q3 of 2016/2017.

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.

A summary of the major projects undertaken in Q2 and the emerging concerns for Q3 in 2016/2017 are as follows:

Governance

- The revised Organisational Structure was approved by Council in Q2 and the changes continue to be implemented with a number of temporary jobs now being filled permanently.
- Staff are currently implementing an electronic risk management system to improve our performance in this area. It will also allow for better data collection and issues management.
- Staff have been working on implementing an electronic staff performance appraisal system. This will be rolled out in Q3 and Q4. It is anticipated that it will greatly reduce the time taken to undertake the annual review process and will allow for better tracking and performance. It will allow for reportable feedback on employee and managers responses to behavioural and skills based measures.
- A draft Economic Development Action Plan was developed. The Economic Taskforce are now working on priority actions to be included in the 2017/2018 AOP. An updated Crime Prevention Plan is being developed and will be completed in Q3.
- A Disability Inclusion Action Plan is being developed, with all community consultation undertaken in Q2 and a draft will be presented to Council in Q3.

Work on other IP&R documentation continues, particularly in reviewing the Asset Management Plans (AMPs), with a focus on parks and gardens in Q2. All IP&R draft documents will be presented to Council in March for consideration prior to going on public exhibition.

- Council has received \$5,000 to run a Back to Business Workshop between 27 February and 6 March 2017. We are holding a business dinner on 1 March 2017 with all Mine Managers providing an outlook for their operations for the year ahead and a retail specialist talking about the opportunities for retail businesses to work together. Anyone with an interest in business is encouraged to attend.
- Council provided a submission in regards to the future of the Far West Initiative in December. We now await the outcome of those consultations to see what the future holds.
- Council met monthly during the quarter with the Children's Services providers and schools to share information. The aim is increase the capacity of organisations in Cobar and their parent committees, improve the early learning outcomes (such as higher literacy levels) and develop strategies to increase the number of children who are at the level the schools would like the students to be when they start school. This includes building the skills of parents and students who do not access these services.
- Council has been working with the community group seeking to construct a Miners Memorial to prepare grant documentation in a bid to get the project funded so construction can take place. The community group has also been undertaking fundraising activities.

Finance and Community Services

- Council has received the legal documentation regarding the hand-over of the Lilliane Brady Village (LBV) to NSW Health. The concept plans for the new MPS facility are well advanced and will be with the appropriate Minister in Q3 for approval of funding. It is expected that a new provider for the LBV could be in place as early as August 2017.
- Council's cash balances remain very strong. Despite low interest rates, the forecast interest earned will be adjusted upwards in the Q2 budget review.
- The Auditor General is now responsible for undertaking the audit for all local governments in NSW. He has appointed Luka Group to conduct our audit for one year, subject to review after this. This will provide continuity.
- Mr Paul Manns has accepted the role of Chair of our Internal Audit Committee. Mr Manns has extensive experience in local government and internal audits. During Q3 we will undertake a review of the charter for the Internal Audit Committee which will have a broader focus than 'transactional' issues. Rather it will have a focus on risk management for Council, as per the requirement under the new Local Government Act.
- There has been pleasing support from patrons at the pool for the new manager and the extended hours. The new shade sails will be installed shortly and a major review of the pool will be undertaken at the end of the season.
- In 2015 there were 25,000 visitors registered at the Great Cobar Heritage Centre, who spent \$115,000. In 2016 that number increased to 26,000 visitors who spent \$127,000. Caravan, motorhome and camping equipment sales have broken sales records for the 10th continuous year. This activity should result in some growth in Cobar's visitor economy in 2017 and 2018. However,

Queensland, Western Australia and the Northern Territory Governments are investing at record levels in tourism in their jurisdictions to capitalise on the booming caravan industry. In contrast, the NSW Government is not investing to promote inland NSW. This will continue to impact on the ability of our regions to compete.

- Council provided a good range of school holiday activities between the Library, the Youth and Fitness Centre and COOSH. Utilisation rates were strong.
- The roof repairs scheduled for the Youth and Fitness Centre need to be undertaken as a matter of urgency, which was demonstrated during the January storm when significant flooding of the building occurred. Staff worked very hard to remove the water quickly.
- Concept plans for the Library Arcade Project have been prepared. The new room will be a multipurpose room and the community is encouraged to offer suggestions for its use.

Engineering Services

- The Kidman Way Widening Project – Stage A – has been completed. This 9km section was undertaken at a cost of around \$2.1m. Stage B - involves a further 13km which has been costed and is awaiting RMS approval. Tenders are expected to be called shortly.
- Heavy patching along both the Kidman Way and Barrier Highway has been completed. This included some works undertaken as a result of storm damage.
- Tenders for the design and construction of the new Water Treatment Plant have closed and are currently being evaluated. They will be presented to Council in Q4. The assessment panel includes representatives from Council, DPI Water and NSW Public Works.
- Staff have spent a considerable amount of time addressing water quality issues in both Q2 and Q3. It is hoped that as the weather cools down water demand falls and water quality increases.
- The Whitbarrow Way realignment and the repair of the storm damaged section is now completed.
- The current years reseal program is currently underway.
- Council has commenced the road repairs in Murrin Bridge, funded through a grant from the RMS.
- A major overhaul of the primary aeration tank at the sewer treatment plant was undertaken in Q2. The aerators were serviced.
- Staff have had strong involvement in the maintenance repair work on the Cobar – Nyngan pipeline, as a contractor to the Cobar Water Board.
- The towns parks and gardens are in good condition, despite the heat wave and storm damage due to the hard work of the parks and gardens team.

Planning and Environmental Services

- Plans for the construction of an accessible toilet and wheelchair storage at the Cobar Youth and Fitness Centre have been finalised, with works expected to start in late Q3. Planning for upgrading the roof drainage system are well underway in a bid to stop water leaking into the building.

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- A lot of staff time has gone into producing the documentation required for the legal proceedings into the construction of the RFS Shed. This has continued into Q3.
 - All Council staff houses were inspected in Q2, during which time condition assessment reports were undertaken and an asbestos inspection undertaken to update the Asbestos Register. This information will be used to develop a schedule of works in Q3.
 - Council wrote to all urban vacant lot owners seeking their assistance in cleaning up blocks prior to the commencement of the fire season due to concerns about the large fuel build up. This is a cooperative effort with the RFS undertaking work to provide fire breaks around Cobar and the villages and Council staff reducing fire loads in Council controlled areas.
 - Staff have spent some time responding to the Department of Planning's requests for information and input into the development of the Far West Regional Plan. Community consultations will take place in Q3, including a presentation to Council prior to the February Council Meeting and a community meeting will be held that night.
 - Council has continued to review procedures for receiving waste in order to undertake planning activities at the Cobar Waste Depot.
 - Staff from the NBN have been in Cobar surveying the town for the purposes of planning for NBN installation. Council has been working with the company and has been providing feedback on the draft reports as they come through. The area to be serviced and the locations for above ground infrastructure is currently being finalised.

Legal Situation

Council must review the AOP quarterly as per the NSW Integrated Planning and Reporting guidelines.

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.

RECOMMENDATION

That Council receives and endorses the second quarterly review of the 2016/2017 Annual Operational Plan, covering the period October to December 2016.

CLAUSE 9A – WATER RESTRICTIONS

FILE: W2-5 AOP REFERENCE: 5.1.2.3 ATTACHMENT: YES (PAGE 96-97)

AUTHOR: *Director Corporate and Economic Development, Angela Shepherd*

Purpose

To gain Council endorsement for the new water restrictions implemented from 13 February 2017.

Background

Council has been receiving numerous complaints regarding water quality over the summer period. This has been due to a combination of issues, namely:

- The quality of raw water delivered to Cobarr;
- The capacity of the water treatment plant;
- The condition of some sections of the reticulation network.

In a bid to reduce the water flows through the pipe network and to reduce the pressure on the water treatment plant, the Mayor, under delegation from Council, set new water restrictions to come into effect from 13 February 2017. This paper is seeking Council endorsement of this decision, undertaken as a matter of urgency. A copy of the notice sent to all households (via Australia Post) outlining the new restrictions is attached.

Issues

As there were no Council meetings between 8 December 2016 and 23 February 2017, Council delegated to the Mayor and General Manager any major decision making required as a matter of urgency. During this period, Council experienced significant water quality issues in terms of taste, smell and colouration. Numerous options were explored and in early February it was determined that water restrictions would assist in improving water quality. As such, the Mayor made the decision on 10 February to toughen water restrictions as a matter of urgency.

The new water restrictions are based on an ‘odds and evens’ system. Those with a house number that is even can water on the even dates, ie 2nd, 4th, 6th etc of the month. Those with an odd house number can water on the odd dates, ie 1st, 3rd, 5th etc of the month.

Watering is to only take place between 6pm and 8am. There should be no outside watering at any other times.

It is hoped these restrictions will reduce the demand for treated water, easing the pressure on the water treatment plant and reducing the flow rates of water through the pipes. High flow rates tend to remove the iron manganese that has built up in the old sections of pipe, which then dissolves into the water causing the discolouration.

Council has noted that fines will apply. Under the Local Government Act, Council can issue a Penalty Infringement Notice of \$220 for the misuse of water. Residents will be warned in the first instance when an infringement is identified.

Council could consider easing these restrictions once the weather cools down.

RECOMMENDATION

That Council endorses the decision by the Mayor to toughen water restrictions, limiting watering in Cobar town to an ‘odds and evens’ system between 6pm and 8pm for all outside watering.

CLAUSE 10A – EXHIBITION OF ECONOMIC ACTION PLAN**FILE: D2-18 AOP REFERENCE: 2.1.3 ATTACHMENT: YES (PAGE 98-122)****AUTHOR: *Director Corporate and Economic Development, Angela Shepherd*****Purpose**

For Council to consider putting the draft Economic Action Plan on public exhibition for at least 28 days to gain community input prior to receiving a final draft for adoption.

Background

In May 2016 Council received funding under the Energise Enterprise Fund to undertake an Economic Action Plan. Council engaged Seed Business Solutions to prepare the report. In June a Steering Committee for the project was established and a methodology accepted.

Two surveys were conducted during the period July to September 2016. The surveys were distributed via email and through various community facilities, including the Council administration office and the library. There were 35 responses to the business survey and 218 responses to the community survey. In addition, around 18 one-on-one surveys of business people were undertaken.

The major issues identified in the business survey were difficulties in accessing skilled labour, poor internet access and a need for business development support.

Feedback provided by respondents in the community survey confirmed broader community opinion on issues around retail offering, youth facilities and services. Stand out items included the need for more retail development, particularly in the areas of clothing and footwear, hardware, sporting goods and supermarkets. Other themes were the need for a public relations campaign around the achievements, programs and status of the high school, communication to the community regarding the development of the Multipurpose Health Service, investigation into the development of year round swimming facilities and development of youth facilities and programs.

Other community consultation included a community workshop on 24 August and a Councillor Workshop on 25 August 2016. The input from all community consultations has been used to develop the Economic Action Plan. This draft has been considered by the Economic Taskforce who are considering priority actions.

Councillors will be provided with a presentation of the Economic Action Plan by the consultant during the workshop prior to this Council Meeting.

Issues

The Action Plan considers six policy areas, outlining recommendations and actions under each. Council needs to prioritise these actions and develop activities to address them. These will then be included in the Annual Operational Plan (and budget where necessary) and Delivery Program.

The six areas are:

- Leading Success – Council supporting local businesses and facilitating their growth. This can include facilitating information and education flows, encouraging import replacement, value adding where appropriate, developing key industry sectors and developing business partnerships and cooperation.
- Community Commitment – build on the strong sense of community to move Cobar forward.
- Investment Environment – accelerate investment, including the attraction of new key industries.
- Medical Industry Development – position Cobar as a leader in outback medicine. Build on what we already have here as the demand for services increases and opportunities exist to build on what we already have. Support the sector to develop and innovate.
- Outback Destination – develop a sustainable tourism industry based on increased visitor numbers, nights and spend. Build on the Great Cobar Heritage Centre and Visitor Information Centre to develop Cobar as a stop-over destination.
- Rural Choices – Support a sustainable rural sector that adds value to the regional economy through growth and employment generation.

Legal Situation

Council is required to place this strategy on public exhibition to encourage community input into decision making.

Policy Implications

Activities to implement this Action Plan need to be developed and included in the suite of IP&R documentation.

Financial Implications

There is a small cost involved in advertising the exhibition of the strategy that will be met from within the existing budget. Any cost implications of implementing the strategy will be considered during the development of the budget documents.

RECOMMENDATION

That Council resolves to put the draft Cobar Economic Action Plan on public exhibition for at least 28 days.

CLAUSE 11A – EXHIBITION OF CRIME PREVENTION PLAN**FILE: C8-16 AOP REFERENCE: 1.6.1.2****ATTACHMENT: YES****(PAGE 123-165)****AUTHOR: *Director Corporate and Economic Development, Angela Shepherd*****Purpose**

For Council to consider putting the draft Crime Prevention Plan on public exhibition for at least 28 days to gain community input prior to receiving a final draft for adoption.

Background

Council's current Crime Prevention Plan was adopted six years ago and is due for renewal. Renewing this plan now allows actions to be incorporated into Council's suite of IP&R documents that are due for adoption by 30 June 2017.

In developing this plan, meetings were held with both local police and police from the Local Area Command (LAC), based in Bourke. The LAC provided data and information and information from the NSW Bureau of Crime Statistics and Research (BOSCAR) informed the development of the Plan and the categories of crimes that are focused on.

In addition, a workshop was held with service providers and government agency staff where participants identified major crime issues that affect their clients. These issues are also covered in the Plan.

Issues

The Plan outlines the major crimes of malicious damage to property, steal from a motor vehicle, break and enter non dwelling, assault non domestic violence, trespass and assault domestic violence related. There is also a section on social crime reduction strategies. Strategies outlined in the plan are not just those that Council is responsible for, but other agencies and service providers can also take a lead to deliver.

Legal Situation

Council is required to place this strategy on public exhibition to encourage community input into decision making.

Policy Implications

Activities to implement this Action Plan need to be developed and included in the suite of IP&R documentation.

Financial Implications

There is a small cost involved in advertising the exhibition of the strategy that will be met from within the existing budget. Any cost implications of implementing the strategy will be considered during the development of the budget documents.

RECOMMENDATION

That Council resolves to put the draft Cobar Crime Prevention Plan on public exhibition for at least 28 days.

CLAUSE 12A – MINUTES OF THE ECONOMIC TASKFORCE FEBRUARY MEETING AND TERMS OF REFERENCE

FILE: D2-17 AOP REFERENCE: 2.1 ATTACHMENT: YES (PAGE 166-170)

AUTHOR: *Director Corporate and Economic Development, Angela Shepherd*

Purpose

To consider the recommendations from the Economic Taskforce Meeting held on Tuesday, 14 February 2017 and to adopt the Terms of Reference.

Background

An Economic Taskforce Meeting was held on Tuesday, 14 February 2017 with the group having a workshop discussion on priority actions to implement key sections of the draft Economic Action Plan and main street enhancements.

Issues

After discussion options for implementing the Economic Action Plan, the Taskforce makes the following recommendations to Council; the Taskforce makes the following recommendations to Council:

1. That Council actively pursue and encourage and support the development of alternative power generation industries, such as the bio hub and solar generation in Cobar Shire.
2. That Council step up lobbying efforts seeking government investment in promotion of Outback NSW in a similar manner to that undertaken in Queensland.
3. That Council diversify the activities and expand the Festival of the Miners Ghost Festival and form a 2020 Committee to develop an even larger and exciting festival program to celebrate the 150 year anniversary of Cobar.

The Taskforce also received a presentation from Lydon McIntyre who outlined some ideas to improve the use of Council's Website to market our region to potential tourists. The Taskforce makes the following recommendation to Council:

4. That Council allocate sufficient funding to update the Cobar Shire Council webpage to increase the tourism focus to 'sell' Cobar to the tourism industry.

A discussion was held on options to enhance the main street appearance to generate a sense of identity for Cobar. This will have the added benefit of encouraging passing traffic to stop. The Taskforce made the following recommendation to Council:

5. That Council undertake a masterplan of the CBD to create a mining theme and identity, additional town entrance works, more shade and plants.

The next meeting of the taskforce is proposed to be held on the week starting 7 March 2017.

At the Economic Taskforce Meeting held on Tuesday, 6 December 2016 the Taskforce reviewed their Terms of Reference as per Council Resolution. A copy is attached.

Legal Situation

Under the Terms of Reference, the Taskforce is an advisory group to Council. It makes recommendations to Council for consideration. It is up to Council to determine which recommendations to adopt.

RECOMMENDATION

- 1. That Council actively pursue and encourage and support the development of alternative power generation industries, such as the bio hub and solar generation in Cobar Shire.**
- 2. That Council increase lobbying efforts seeking government investment in promotion of outback NSW in a similar manner to that undertaken in Queensland.**
- 3. That Council diversify the activities and expand the Festival of the Miners Ghost Festival and form a 2020 Committee to develop an even larger and exciting festival program to celebrate the 150 year anniversary of Cobar.**
- 4. That Council allocate sufficient funding to update the Cobar Shire Council webpage to increase the tourism focus to 'sell' Cobar to the tourism industry.**
- 5. That Council provide resourcing to undertake a masterplan of the CBD to create a mining theme and identity, additional town entrance works, more shade and plants.**
- 6. That Council adopt the Economic Taskforce Terms of Reference.**

CLAUSE 1B – DEVELOPMENT APPROVALS: 30 NOVEMBER 2016 – 14 FEBRUARY 2017

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

Complying Development Approvals

There were no Complying Development Applications approved under delegated authority for the period 30 November 2016 – 14 February 2017.

The value of Complying Development approvals for 2016/2017 to date is Nil.

The value of Complying Development approvals for the similar period in 2015/2016 was Nil.

Local Development Approvals

The following Local Development Applications have been approved under delegated authority for the period 30 November 2016 – 14 February 2017.

CERTIFICATE NO.	ADDRESS	DESCRIPTION	VALUE (\$)
2016/LD-00040	28 Linsley St, Cobar	Change of Use & Internal Alterations	\$28,600
2016/LD-00036	Cable Downs Stn, Cobar	Subdivision	-
2016/LD-00038	277 Lerida Rd, Cobar	Patio	\$16,000
2017/LD-00001	46 Morrison St, Cobar	Garage	\$20,000
2017/LD-00004	15 Longworth St, Cobar	Patio Cover	\$9,510
2017/LD-00005	12 Echidna St, Cobar	Screen Enclosure	\$64,000
2017/LD-00006	31 Murray St, Cobar	Shade Sails	\$26,400
2017/LD-00007	22 Murray St, Cobar	External Signage	\$19,000

The value of Local Development approvals for 2016/2017 to date is \$685,520.00.

The value of Local Development approvals for the similar period in 2015/2016 was \$992,513.00.

Construction Certificates

The following Construction Certificates have been approved under delegated authority for the period 30 November 2016 – 14 February 2017.

CERTIFICATE NO.	ADDRESS	DESCRIPTION
2016/CB-00029	28 Linsley St, Cobar	Change of Use & Internal Alterations

2016/CB-00028	277 Lerida Rd, Cobar	Patio
2017/CB-00001	46 Morrison St, Cobar	Garage
2017/CB-00005	15 Longworth St, Cobar	Patio Cover
2017/CB-00004	12 Echidna St, Cobar	Screen Enclosure
2017/CB-00006	31 Murray St, Cobar	Shade Sails
2017/CB-00007	22 Marshall St, Cobar	External Signage

RECOMMENDATION

That the information detailing the Local Development and Construction Certificate approvals for the period 30 November 2016 – 14 February 2017 be received and noted.

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

ATTACHMENT: NO

AUTHOR: *General Manager, Peter Vlatko*

COUNCIL RESOLUTIONS 22 MARCH 2012					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
162	Council – Clause 16A - Liquid Trade Waste Policy – Costs and Implementation Method	14.3.2012	DES/SM/DPES	Adopts option one (1) for the upgrading of the existing trade waste outlets and purchase the required pre-treatment units and complete the installation works on all trade waste premises with all costs to be funded out of the Sewer Fund Reserves with a no-interest three (3) year loan to local proprietors of businesses, and further that repayment will be a condition of approval on their Liquid Trade Waste licence agreement as per the NSW Office of Water regulations.	Lack of staff resources has prevented implementation of resolution. Discussions were being undertaken with Dubbo City Council through the LMWUA for Dubbo Trade Waste Officer to implement a Trade Waste Program for several Councils within the LMWUA. Change in Local Government structure likely to affect progress of this proposal.
COUNCIL RESOLUTIONS 24 APRIL 2013					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
380	Committee of the Whole Closed Council – Clause 1C – Notice of Rescission Motion – Consideration of Tourism Cost Centre	95.4.2013	DCCS/MTPR	That in the year 2013/2014 that Council develops a tourism management plan that details appropriate commitments and plans that aid the tourist industry in Cobar.	Action plan instigated for implementation of resolution. Interim Report provided to March 2014 Ordinary Council Meeting. Expect Plan to be developed in 2016/2017 as part of overall IP&R.

COUNCIL RESOLUTIONS 22 AUGUST 2013

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

COUNCIL RESOLUTIONS 24 JULY 2014

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
583	Works Committee Meeting – Report 3A – Road Capital Works Program 2014/2015	128.7.2014	DES/ESM/RM	That Council trials the use of chemical and cementitious stabilisation of the unsealed road network in conjunction with gravelling.	Trial undertaken in-conjunction with 2016/2016 Capital Works Program Report to be prepared for Council in Q4 2016/2017.

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	DPES	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. That Council authorise the Mayor and General Manager to sign any lease or licence under the Common Seal of Council.	Negotiating – ongoing.

COUNCIL RESOLUTIONS 11 DECEMBER 2014

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
660	Council – Clause 7A – Office of Local Government Promoting Better Practice Review of Cobar Shire Council – Report Action plan Status	245.12.2014	GM	That Staff continue to work towards the completion of any work required by the recommendations contained within the Promoting Better Practice Review of Cobar Shire Council Report and detailed within the reviewed Action Plan.	General Manager to review and report on status to March 2017 Ordinary Council Meeting.
COUNCIL RESOLUTIONS 23 APRIL 2015					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
701	Council – Clause 7A – EOI – Lease, Management and Maintenance of Cobar Regional Airport	59.04.2015	ESM/DES	That on completion of all requirements for certification of Cobar Regional Airport master planning be commenced, in conjunction with preparation of a business plan exploring potential commercial development of the Airport.	Airport Committee Meeting scheduled to be held in Q2. Grant application submitted for Master Plan.
702	Council – Clause 8A – Maintenance of Stock Control Structures	60.04.2015	ESM/DES	That Council recompile a comprehensive Grid Register which is expected to take approximately 6 to 12 months to complete depending on resources available and location of grids with the Register including GPS coordinates, photos of the grid, an assessment on the condition of the grid and its associated infrastructure.	Staff being appointed to undertake project. Identification has commenced and register started.

COUNCIL RESOLUTIONS 24 SEPTEMBER 2015

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
793	Council – Clause 9A – O’Neill Road Water Supply	197.09.2015	SM/ DES	That Council undertakes flow and pressure testing on the existing main on Lerida Road during the summer peak demand to determine the availability of water. That a full report be provided to Council when available.	No action to date.

COUNCIL RESOLUTIONS 22 OCTOBER 2015

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
799	Finance and Policy Committee – Notice of Motion – Services to O’Neill Road and Sutherland Drive	210.10.2015	DES/SM	That an investigation be undertaken into a water subsidy for the residents of O’Neill Road for the summer months similar to what we do for the Villages.	No action to date.

COUNCIL RESOLUTIONS 26 NOVEMBER 2015

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
809	Works Committee – Notice of Motion – Report 2A - RMS Repair Program for 2016/2017	226.11.2015	DES	That if funding is not obtained that Council continues to nominate MR407 Mulya Road in subsequent years until funding is obtained.	No advice received from RMS to date.
817	Council – Clause 7A –	236.11.2015	DES	That Council apply for a 12 month	Action plan instigated for

	<p>Cobar Sewerage Treatment Land Being Lot 24 in DP837494, Application for Licence to Occupy Crown Land and Approval for Land Acquisition</p>			<p>short term licence over crown land parcel Lot 24 in DP837494.</p> <p>That the Mayor and General Manager be authorised to execute the licence documents under the Common Seal of Council.</p> <p>That the costs associated with the licence be paid from operating expenses for the Cobar Sewerage Treatment Works.</p> <p>That Council acquire by compulsory acquisition the whole of the land contained in Lot 24 DP837494 Sewerage Works Road, Cobar (hereafter called the acquisition land).</p> <p>That the acquisition of land be acquired pursuant to Section 187 of the Local Government Act 1993 and the Land Acquisition (Just Compensation) Act 1991 for commercial purposes for the continued operation and management of the Cobar Sewerage Treatment Works.</p> <p>That the acquisition land value be paid upon completion of the acquisition of the acquisition land, to the Department of Primary</p>	<p>implementation of resolutions.</p>
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			<p>Industries on behalf of the Crown in full and final payment of all those interests including the rights of the Crown pursuant to Section 104 of the <i>Native Title (NSW) Act 1994</i> and Section 54(2) of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p> <p>That the survey plans and other acquisition documents for the acquisition of the acquisition land be signed under the Common Seal of Council.</p> <p>That the Council authorise the Mayor and General Manager to sign all acquisition documents.</p> <p>That the acquisition land be acquired as operational land pursuant to the provisions of Section 31 of the <i>Local Government Act 1993</i>.</p> <p>That pursuant to the provisions of Section 190 of the <i>Local Government Act 1993</i> all minerals are excluded from the acquisition.</p> <p>That Council makes the necessary application to the Minister or Governor so that the acquisition can be completed.</p>	
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				That the costs associated with compulsory acquiring the land be paid from the Sewer Reserve Fund.	
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COUNCIL RESOLUTIONS 10 DECEMBER 2015

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
821	Council – Notice of Motion – Establishment of a Cobar Community Trust	251.12.2015	GM	That Council investigates the establishment of a Cobar Community Trust with the aim of sourcing grants for the improvement of facilities, infrastructure or anything of benefit to the Cobar Community and Shire.	No action to date.
822	Council – Notice of Motion – Bypass for Heavy Vehicles	252.12.2015	GM	That the alternate Heavy Vehicle Bypass through Cobar be added to the 10 Year Strategic Business Plan.	Matter to be raised with the review of IP&R Documents in Q2-Q3.
836	Council – Committee of the Whole Closed Council – Clause 2C – Incorporation of Lilliane Brady Village into the New Cobar Multi-Purpose Service	281.12.2015	GM	That subject to the proposed changes in the draft Memorandum of Understanding (MOU) and Term Sheet detailed in Councils resolution of 26 November 2015 that Council progress positively the incorporation of the Lilliane Brady Village into the proposed new Multi-Purpose Service with the 10 extra aged care beds to be attached directly to the Lilliane Brady Village. That the information and	Advice provided to relevant Health Authorities. MOU signed. Council working with Government Contractor in relation to design. Advice has been received from Local Health that MPS documents will be provided to us by year end. Meeting with Council and the Community was held on 1 & 2 December 2016.

				discussions held concerning the proposed new Cobar Multi-Purpose Service incorporating the Lilliane Brady Village remains confidential within the Committee of the Whole Closed Council.	
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COUNCIL RESOLUTIONS 25 FEBRUARY 2016

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
844	Works Committee – Report 3A – 2WEB Transmitter Investigation Report	14.2.2016	DCCS	<p>That Council approve the installation of the 2WEB FM re-broadcast transmitter at the existing Fort Bourke Water Treatment Plant.</p> <p>That the installation cost and application to the Australian Communication and Media Authority for the required apparatus licence be charged against Cobar - television budget.</p> <p>That Council applies for a five year licence.</p> <p>That this is a once off payment contribution and no additional or ongoing costs will be covered by Cobar Shire Council.</p>	<p>Contact has been instigated with 2WEB and actions commenced.</p> <p>Expected that the application process will take up to 8 months.</p>

COUNCIL RESOLUTIONS 28 APRIL 2016

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
865	Confirmation of the Minutes – Traffic Committee Meeting	53.4.2016	DES	That the works required on the Booroomugga Road and Barrier Highway intersection at Canbelego be prioritized as high and if funding is required that funding be sought.	RMS have advised they will undertake a full REF before any work is undertaken. Staff to provide design and incorporation of new Fire Tank project.
870	Committee of the Whole Closed Council – Report 1C – Analysis of Plant and Equipment Hire and Trades and Miscellaneous Services Register	58.4.2016	GM	That any future projects within Cobar Shire that we look at supporting the local businesses (where applicable) to ensure their viability and have a review of the Policy.	Policy to be reviewed and all purchases to have quotes provided and encourage the use of locals.
874	Council – Clause 1A – Mayoral Report	61.4.2016	GM	Following the Launch of the Orana Regional Bio-Hub Report that the General Manager investigate the next step to progressing this project and Report back to Council.	Council to be updated once information is confirmed on status of project.
879	Council – Clause 6A – Raw Water Supply to Dalton Park Horse Complex	68.4.2016	DCCS	That the Raw Water Supply to Dalton Park Horse Complex be listed on Councils 10 Year Long Term Financial Plan and that Council seek any available grant funding in the interim.	To be involved in the review of the IP&R documentation for 2017/2018.

COUNCIL RESOLUTIONS 26 MAY 2016

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
880	Finance & Policy Committee – Report	81.5.2016	DCCS	That Staff investigate and report back to Council the possibility of	Matter to be addressed by Taskforce.

	4B – Grant Funding			utilising the existing facilities at the Cobar Regional Airport for flight training.	
COUNCIL RESOLUTIONS 23 JUNE 2016					
905	Council – Clause 3A – Occupancy at the Community Centre for the Cobar Mobile Children’s Services Inc	113.6.2016	DPES	That Council commence planning for a permanent toilet so that consideration of a toilet can be undertaken by Council if grant applications fail.	Planning has started for a permanent toilet. Once grant funding has been identified an application will be made.
911	Council – Clause 10A – Economic Taskforce	120.6.2016	MPES	That Council prepare a Plan of Management for the Newey Reserve and review the free camping issue in Cobar.	Plan of Management being investigated. Draft Report being prepared for Councils consideration in March 2017.
912	Council – Clause 10A – Economic Taskforce	121.6.2016	SPO	That Council lobby the Minister for Tourism and Destination NSW to outline their vision for promoting Outback NSW.	No action to date.
914	Council – Clause 10A – Economic Taskforce	123.6.2016	SPO	That the Taskforce review their Terms of Reference at their next meeting and report their recommendations to the new Council.	Terms of Reference reviewed – No further action required.
916	Recommendations to Council from Committee of the Whole (Closed Council)	132.6.2016	GM	That the General Manager provide a report on the cost of providing a water network that eliminates contaminated water delivery.	Report to be provided to March Ordinary Council Meeting.

COUNCIL RESOLUTIONS 22 SEPTEMBER 2016					
951	Council – Clause 10A – Dalton Park Horse	180.9.2016	DPES	That Council approve the Director of Planning and Environmental Services	Action incomplete.

	Complex – Proposed Advisory Sign			to install an advisory sign at the Dalton Park Horse Complex confirming that use of the complex is available for use by licence holders only.	
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COUNCIL RESOLUTIONS 24 NOVEMBER 2016

971	Council – Clause 4A – Internal Audit Committee	228.11.2016	DCCS	That Council receive a further Report on the (re) formation of the Internal Audit Committee by 31 March 2017.	Further Report to be provided to the March Ordinary Council Meeting. Paul Manns and Michael Zannes have accepted positions on the Internal Audit Committee.
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COUNCIL RESOLUTIONS 8 DECEMBER 2016

978	Council – Public Access Session – Peak Gold Mine	251.12.2016	EA-GM	That Council resolves to thank Peak Gold Mine for their address and Council looks forward to continuing to work with Peak Gold Mine into the future.	Verbally thanked at meeting – No further action required.
979	Council – Clause 2A – Far West Initiative	254.12.2016	GM	That the submission to the Far West Initiative be endorsed.	Submission endorsed and submitted – No further action required.
980	Council – Clause 3A – Cobar Sound Chapel	255.12.2016	DPES	That Council provides in principle support to the proposed Sound Chapel project comprising an adaptive reuse of the “Silver Tank” located on Lot 287 DP914515. That Council authorises the transfer of Lot 287 DP914515 to Cobar Shire Council for nominal consideration. That the Mayor and General Manager	Letter sent to proponent of Sound Chapel – No further action required. Letter sent to NSW Public Works to activate transfer. Action pending response from Public

				be authorised to execute the transfer documents under the Common Seal of Council.	Works.
981	Council – Clause 4A – Allowance for Leaks Policy	256.12.2016	GM	That Council resolve to adopt Allowance for Leaks Policy.	Adopted and distributed – No further action required.

RECOMMENDATION

That the information contained in the monthly status report be received and noted, with the following items to be removed: 914, 978, 979, 980 Part 1 and 981.

CLAUSE 3B – INVESTMENT REPORT AS AT 31 JANUARY 2017**FILE: B2-7****AOP REFERENCE: 3.1.1.7****ATTACHMENT: NO****AUTHOR: Finance Manager, Neil Mitchell****Purpose**

The table below shows the balances of Council's Investments as at the report date. Term deposits have differing terms in order to spread the maturity dates throughout the year. The amount restricted in the Financial Accounts as at 30 June 2016 for Employee Leave Entitlements is \$321,156.

Investment	Opening Balance	Transfers to Investments	Transfers from Investment	Interest Earned	Closing Balance
NAB Sweep Acct	\$3,996,384	\$2,580,780	\$3,172,853	\$3,079	\$3,407,390
Beyond Bank					
2.67% (Jan) 4036	\$1,005,496		\$1,006,657	\$1,161	\$0
NAB Term Deposits					
2.60% (Nov) 4037		\$2,000,000		\$2,707	\$2,002,707
2.65%(Dec) 4038	\$1,001,350			\$2,298	\$1,003,648
2.65% (Mar) 4039	\$2,017,628			\$4,541	\$2,022,169
2.70% (Jan) 4040					\$0
2.65% (May) 4042	\$1,005,661	\$1,000,000	\$1,006,658	\$2,522	\$1,001,525
2.90% (May) 4043	\$501,979			\$1,236	\$503,215
2.90% (May) 4043	\$501,979			\$1,236	\$503,215
2.90% (May) 4045	\$501,979			\$1,236	\$503,215
AMP Bank					
2.80% (Jan) 4044		\$1,000,000		\$1,151	\$1,001,151
Bank West					
2.50% (Nov) 4046					\$0
2.50% (Nov) 4047	\$1,002,195		\$1,004,262	\$2,067	\$0
2.55% (Nov) 4048	\$501,077		\$502,131	\$1,054	\$0
2.25% (Nov) 4049	\$501,077		\$502,131	\$1,054	\$0
TOTALS	\$12,536,805	\$6,580,780	\$7,194,692	\$25,342	\$11,948,235

Annualised Average return on Investment for the Month: 2.48%

*Unrestricted Funds Estimate as at 31 January 2017 \$4.1m**

**This figure is conservative and includes working capital.*

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.



Finance Manager

RECOMMENDATION

That Council receive and note the Investment Report as at 31 January 2017.

**CLAUSE 4B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY
SUMMARIES AS AT 31 JANUARY 2017**

FILE: B2-7 AOP REFERENCE: 3.1.1.5

ATTACHMENT: NO

AUTHOR: *Finance Manager, Neil Mitchell*

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.

Bank Reconciliation

Balance as per Bank Statement	10,000
Add: Outstanding deposits	2,717
Deduct: Unpresented Cheques	(6,250)
BALANCE AS PER CASH BOOK	6,467

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 on a daily basis, during the month of January 2017 and that the reconciliations have been recorded.



Finance Manager

Summary of Total Funds Available at Month End for the Last 12 Months

Month	Investment Balances	Operating Account	Total Available Funds
Feb-16	9,928,673	-72,231	9,856,442
Mar-16	11,090,439	-75,849	11,014,590
Apr-16	9,858,306	67,277	9,925,583
May-16	11,576,435	2,558	11,578,993
Jun-16	10,532,325	1,346	10,533,671
Jul-16	10,572,739	-35,035	10,537,704
Aug-16	12,473,670	23,471	12,497,141
Sep-16	12,021,822	9,621	12,031,443
Oct-16	11,613,771	22,420	11,636,191
Nov-16	11,940,671	18,370	11,959,041
Dec-16	12,536,805	8,633	12,545,438
Jan-17	11,948,235	6,467	11,954,702

The amount restricted in the Financial Accounts for Employee Leave Entitlements is \$321,156.

Cash Flow

Forecast	Actual			Description	Forecast
November	November	December	January		February
22,420	22,420	18,370	8,633	Bank Balance Forward	6,467
1,314,830	1,314,828	-	-	Financial Assistance Grant	1,314,830
-	24,131	-	-	Roads to Recovery	844,000
-	-	-	418,500	RMS – Regional Roads Block Grant	-
192,000	1,018,158	118,764	1,565,784	RMS – Ordered & Routine Works	-
13,750	13,943	13,943	13,943	RMS Agency	13,940
710,000	480,400	583,840	377,430	Rates /Water/User Charges	570,000
150,000	186,240	310,920	76,510	Private Works/Debtors	150,000
240,000	215,880	215,370	177,390	LBV – Residents Fees & Grant	240,000
150,000	185,940	166,220	103,930	Child Care/In Home Care	150,000
322,000	(308,420)	1,685,258	(613,912)	Net Movement (Term Deposits/At Call Funds)	(528,858)
100,000	103,516	154,579	38,975	Sundry income	85,000
				<i>Less</i>	
(2,115,000)	(2,490,431)	(2,451,865)	(1,440,633)	Creditors	(2,100,000)
(1,090,000)	(748,235)	(806,766)	(720,083)	Wages / Salaries	(720,000)
10,000	18,370	8,633	6,467	Closing Reconciled Bank Balance Cr/(Dr)	10,000

Borrowing Instruments as at 31 January 2017

Swimming and Street Upgrade Loan (6.22%)	(1,484,636)
2 x Tyre Rollers Lease (Implicit rate of 6.87%)	(127,999)
Bomag Tyre Roller Lease (Implicit rate of 5.63%)	(67,633)

RECOMMENDATION

That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report as at 31 January 2017.

CLAUSE 5B – MEETING MINUTES

FILE: D2-17, C8-17

AOP REFERENCE: 3.1

**ATTACHMENT:
YES (PAGE 171-177)**

AUTHOR: *Executive Assistant General Manager/ Mayor, Janette Booth*

Background

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

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

- Economic Taskforce Meeting – Tuesday, 6 December 2016 (no Status Report);
- Cobar Liquor Accord – Thursday, 9 February 2017 (no Status Report).

RECOMMENDATION

That the Minutes of the Economic Taskforce and Cobar Liquor Accord Committee Meetings be received and noted.

CLAUSE 6B – UPDATE ON INFRASTRUCTURE PROJECT FINANCES**FILE: G4-29****AOP REFERENCE: 4.1.4.2****ATTACHMENT: NO****AUTHOR: Director of Engineering Services, Stephen Taylor****Purpose**

To provide Council with an update on the infrastructure projects budgets and expenditure as at 31 January 2017.

Background

Cobar Shire Council was successful in obtaining funding for three projects through the Resources for Regions Restart NSW provided by the NSW State Government. One project has been completed with two ongoing projects.

Financial Implications

	Restart NSW Funding	Cobar Shire Council Funding	Expended as at 31 January 2017	Project Status
Water Treatment Plant	\$15,550,000	\$200,000	\$840,362	- Tender for the construction of the Water Treatment Plant has closed and three tenders have been received. Analysis of the tender submissions is currently underway and will be reported to Council in Q4 2016/2017.
Sewerage Scheme Refurbishments Expansion and upgrade	\$2,100,000	\$100,000	\$442,177	- The Ward Oval Pump station refurbishment has been completed. - Lagoon upgrade on ground works have been delayed due to weather conditions. - A separate report on the sewerage effluent treatment will be workshopped with Council.

RECOMMENDATION

That Council receive and note the updated financial information for the two Restart NSW Resources for Regions infrastructure projects.

CLAUSE 7B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31

AOP REFERENCE: 4.3.2

ATTACHMENT: YES

(PAGE 178-188)

AUTHOR: *Director of Engineering Services, Stephen Taylor*

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) and Regional Roads Network (green) is provided as an attachment to this agenda for Council's information.

RECOMMENDATION

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

CLAUSE 8B – ENGINEERING WORKS REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

ATTACHMENT: NO

AUTHOR: *Director of Engineering Services, Stephen Taylor*

Purpose

To inform Council of completed and ongoing Engineering Works for the period of December 2016/January 2017.

Background

Significant progress was made during December and January on Stage A of the Nymagee widening project on Kidman Way. Repairs to the flood damaged causeway on the Whitbarrow Way project were also completed.

Water quality issues in Cobar, Euabalong and Euabalong West resulted in Council staff spending a large amount of time flushing water mains. The Cobar Water Treatment Plant and the town's reticulation network has been under a considerable amount of stress over the last month with long periods of hot weather creating increased demands on the network as a whole.

The high flow rates through the network and with the addition of poor quality Raw water being received at the Water Treatment Plant the issue of coloured water and odour complaints has raised its head again. This has led to a tightening of the water restrictions for the town to lower the demand and decrease the current flow rates in the network this in conjunction with limited mains flushing should decrease the water issues the town is currently experiencing.

State Highways

Maintenance Work

- Sign Replacement Works as required – **ongoing**;
- Pothole repairs – **ongoing**;
- Grader crew has completed heavy patching on HW8 and MR410. Additional funding for heavy patching for flood damage has been notified and Council will undertake this work in February – **ongoing**.

Urban Roads/Shire Roads/Regional Roads

Maintenance Work

- Inspections on various Shire and Regional Roads - **ongoing**;
- Vegetation control on various roads completed. Additional slashing may be required later in the year - **ongoing**;
- SR12 – Maintenance grading – **completed**;
- SR19 – Gravelling and grading – **completed**;
- SR 32 – Winning gravel – **ongoing**;
- MR416 – Maintenance grading using a mixer is being undertaken on the Wool Track on a substandard section near Bloomfield Road – **ongoing**;

-
- MR419 - Gravel resheeting and grading - **ongoing**;
 - MR461 – Gravel resheeting and grading (Balowra Road) – **completed**.

Construction Work

- Nymagee Project Section A: the expected completion date of 22nd December 2016 was not achieved due to ongoing wet weather. Work has recommenced in the new year and the completion date is now the end of February 2017.

Water and Sewer

Maintenance Work

- Pest control within sewer reticulation network being carried out where necessary - **ongoing**;
- Sluice valve and hydrant repairs on town water supply reticulation – **ongoing**;
- Clearing and control of vegetation along the Nyngan to Cobar raw water pipeline easement (CWB) – **ongoing**;
- Investigation, inspection and locating of the town water reticulation mains within the town of Cobar for the purpose of assessing the serviceability, condition and sizes - **ongoing**;
- The identification of the disused mains and interconnections that are still connected into the town reticulation along with valve and hydrant location for future main replacement and works program – **ongoing**;
- The Cobar Shire Council Sewerage Treatment Plant has had the Primary Aeration Tank desilted and the Treatment Plants aerators have been serviced.
- A discussion paper on the Grit and Rag removal as a pre-treatment process at the Cobar STP is to be presented to Council for consideration as a part of the sewer upgrade project.

Construction Work

- Stage Two of the relocation and connections on the existing raw water supply mains at Fort Bourke was delayed due to a isolation problem with the old raw tank this has been rectified and the contractor will be completing the works to achieve the complete isolation of the old mine de-watering storage tank from the CWB of raw water supply – **ongoing**.

Urban Works

Parks

- General maintenance carried out within parks and reserves within the Shire as required – **ongoing**;
- Ongoing review of intersection visibility and vegetation obstruction will be continued on a regular period through the year – **ongoing**.

Street Cleaning and Tree Removal:

- Cleaning up of storm damaged trees following recent high wind events;
- Removal of overhanging tree branches and shrubs that obstruct motorist view at intersections – **ongoing.**

Resources for Regions

Construction of New Water Treatment Plant

- Tenders for new Water Treatment Plant have closed. Analysis of tender submissions is underway and will be reported to Council in May 2017.

Construction of New Water Pipeline – Nyngan to Cobar

- The Cobar Water Board's Twin Pipeline Replacement Project contractor, National Australian Pipelines, is onsite in Nyngan. Site access issues (weather) and access approvals have been addressed and as the weather is improving works on the ground is expected to start next month with the first pipe delivery around the middle of the month.
- Works on the two pump stations is underway with the installation of new flow meters allowing the calculations for the jacking pump size and flow rates to be undertaken, this will allow for the final design to be completed.

Upgrade of Sewerage Facilities

- A report for Effluent Management Options has been received from NSW Public Works. This report and other issues with regards to the effluent treatment upgrade will be workshopped with Council.

RECOMMENDATION

That the information contained in the Engineering Works Report detailing maintenance on Shire and Regional Roads, State Highways and Water Sewer Mains, Resources for Regions Projects and other Major Grant Works be received and noted.

**CLAUSE 9B – ROAD CAPITAL/MAINTENANCE WORKS PROGRAM
JANUARY 2017 TO JUNE 2017**

FILE: R5-1 AOP REFERENCE: 4.3.1.1.5

**ATTACHMENT: YES
(UNDER SEPARATE COVER)**

AUTHOR: *Director of Engineering Services, Stephen Taylor*

Purpose

To provide Council with the current road capital and maintenance program for January 2017 to June 2017.

Background

Council has a large road work program consisting of Shire and Regional Road maintenance and construction and RMS State Highway Ordered Works. To plan for the completion of this works before the end of June 2017 a program of work has been prepared. The program attached to this report does not include RMS State Highway Routine Work all Shire and Regional Road patching/slashing or sign work or any flood damage work which has not yet been approved.

It should be noted that the program will be a living program and could be altered factors such as weather, emergency response and other work not yet approved by Council or other agencies.

RECOMMENDATION

That the Roads Capital/Maintenance Program January 2017 to June 2017 be received and noted.

**CLAUSE 10B – JULY – DECEMBER 2016 REPORT ON THE
IMPLEMENTATION OF THE COBAR SHIRE COUNCIL DELIVERY
PROGRAM**

FILE: L5-22

AOP REFERENCE: 3.3.3

ATTACHMENT: NO

AUTHOR: *Director Corporate and Economic Development, Angela Shepherd*

Purpose

To provide Council with the required six monthly report on the implementation of the Council's Delivery Program 2013/2014 – 2016/2017.

Background

The Delivery Program directly addresses the objectives and strategies of the Community Strategic Plan and identifies the principal activities Council will undertake across all operations. The Delivery Program which aims to give a focus to Council's activities for their four year term in office. Council is provided with a six monthly update on the implementation of the Delivery Program.

Issues

This report outlines the main achievements of Council for the period July – December 2016, by Department:

Governance

- Following the Council elections in September, three new Councillors were inducted and a training program for Councillors has commenced. A review of the meeting schedule was undertaken and a greater focus on workshops rather than Committee Meetings introduced.
- Work has commenced on updating the documents as part of the review of Council's IP&R strategies. The Community Strategic Plan, Delivery Program, Annual Operational Plan and Resource Strategy documents must be updated by 30 June 2017. The focus in this six months was on the development of a new Economic Development Action Plan, updating the Crime Prevention Plan and starting work on the Asset Management Plans. Council has also been consulting with community groups to identify key needs and gaps to include in the new IP&R documents.
- Much effort has gone into the organisational restructure that Council requested of the new General Manager when he commenced in May 2016. During the six months a number of changes were made, with a new structure approved in November 2016.
- Much effort went into the planning under the Far West Initiative. However, there is still no clear picture of what this will mean for the region or what the Government intends to do.
- Planning and development of the new MPS combining the LBV and a new hospital went from strength to strength during the six months, with Council signing an MOU with the state government on handing over control and the assets of the LBV to the government who will access a new provider and community consultation being undertaken on the plans for the new service.

Engineering Services

- Wet weather significantly impacted the roads program of works and storm damage resulted in further damage to the road network. Council is currently pulling together a claim for flood damage. We have already received \$500,000 as an initial payment to start repair works.
- Road works undertaken during the six months included 2 km of seal extension on Wilga Downs Road and the stabilising and sealing of causeways on Gidgee Road, completion of the first 9km of the Kidman Way widening project, heavy patching along the highways, storm damage repair works on the highways, the reseal program was commenced and the Whitbarrow Way realignment and the repair of the storm damaged section was completed.
- The projects funded under Restart NSW progressed with the pump station refurbishment at Ward Oval completed, awarding of the tender for the pipeline replacement (Cobar to Nyngan) and construction commencing, and letting of the tender for a new Water Treatment Plant following confirmation of full funding.
- Drummond Park Playground Stage 1 works were completed with a new playground for the 0-5 year olds opened. There has been very strong use and support by the community for this playground. Consultation and design on Stage 2 is well advanced.
- There has been considerable angst in the community regarding water quality as a result of the extreme heat in the community. As a result, planning for a project to replace key sections of the reticulation network has commenced.

Finance and Community Services

- There have been a number of vacancies at the LBV during the six months.
- Council's cash balances have remained strong during this time. The Auditor General has taken over the audit role for all Councils in NSW and has appointed Luka Group to do Cobar Shire's audit. Two of the three external members of the new Internal Audit Committee have been appointed, including the Chair.
- There has been strong usage rates at the Cobar Youth and Fitness Centre and good patronage by community groups. Water leakage continues to be a problem and will be the focus for maintenance works over the next six months.
- There were some issues with management at the Cobar Memorial Swimming Pool, however following the appointment of a new manager, there has been strong support for the facility again by the community. However, given a lack of investment in the facility over the last 8 years, a works program for the off-season will need funding to keep the facility operating to an appropriate standard.
- Council has had good usage rates for school holiday activities held across a range of services including the library, Children's Services and the Youth and Fitness Centre. Participation rates continue to grow each holidays. Services were boosted by a donation from Peak employees in December for the school holidays.
- Tourism numbers have been growing, however there is continued concern about the lack of investment by the NSW Government into promoting the Outback region. This is in stark contrast to other states that have extensive

government funded ad campaigns encouraging Australians to head to their outback.

- Designs for the new arcade area room are well advanced and were made possible through a NSW Government Libraries Infrastructure Grant.

Planning and Environmental Services

- Council has had a focus on undertaking inspections of food shops and working with businesses to improve performance. Inspections of swimming pools for compliance have also increased, in line with requirements to have pools inspected prior to sale or leasing.
- Council works with residents and the RFS to reduce fire loads around the Shire prior to the commencement of what was expected to be a high risk bushfire season.
- Council worked with the Department of Planning to develop the draft Far West Regional Plan.
- All Council housing stock was inspected with reports written outlining maintenance issues and the asbestos register was updated. This information will be used to inform the Building Asset Management Plan, along with further inspections of Council owned buildings.
- Council has been working with lawyers in an attempt to have rectification works undertaken on the new RFS Shed that was built below standard and specification.
- Plans have been developed for capital works at the Cobar Youth and Fitness Centre and the Library.
- Options for the management of the Cobar Waste Facility are being explored, in line with the development of a Waste Strategy.
- Staff from the NBN have been in Cobar surveying the town for the purposes of planning for NBN installation. Council has been working with the company and has been providing feedback on the draft reports as they come through.

Legal Situation

Council has a legislative requirement to report to Council at least every six months on the implementation of the Delivery Program.

Policy Implications

Implementation is on track where resourcing is adequate. A new draft Delivery program is being developed in time for adoption by 30 June 2017.

Financial Implications

The Delivery Program is being implemented in accordance with the four year budget.

Risk Implication

Some projects will not progress until adequate funding and staff resources are found.

RECOMMENDATION

That the information contained in the six monthly report on the implementation of the Delivery Program – July to December 2016, be received and noted.

CLAUSE 11B – GRANT FUNDING**FILE: G4-17****AOP REFERENCE: G4-17****ATTACHMENT: NO****AUTHOR: *Director Corporate and Economic Development, Angela Shepherd*****Grant Update**

Grant and Department	Activity	Amount Applied For	Successful?	Council Funding Required	Deadline for Project
Grants Applied for					
RMS Walking and Cycling Programs	Funding for a consultancy to develop an Active Transport Plan for the Shire.	\$45,000	Pending	\$15,000. It's a grant that allows us to apply for 75% of funding. Our contribution could come from the footpaths budget or the grants matching budget.	The RMS has suggested we should apply for this grant to allow us to source more construction funding in the future.
RMS Walking and Cycling Programs	Funding to construct a series of 15 pram ramps (2.5m wide) linking the Brennan Centre to the supermarkets, pharmacy, taxi rank, Council, and medical centres. They would replace the current non-compliant ramps making it easier for older people and people with prams to walk the route.	\$37,125	Pending	\$37,125 – it is a 50:50 grant with Council's contribution to come from either the footpaths budget or matching grants contribution.	
EPA - Combating Illegal Dumping: Clean-up and Prevention Program Grants	Illegal dumping and prevention program.	\$150,000	EOI Pending	Nil.	

Grant and Department	Activity	Amount Applied For	Successful?	Council Funding Required	Comment
Grants Announced					
Building Resilience to Climate Change	Undertake a masterplan of the Cobar Regional Airport.	\$60,000	Successful	\$15,000 from the matching grants budget.	Project brief being developed.
Youth Week	Undertake a series of Youth Week activities, in conjunction with the Cobar Youth Council.	\$1,537.50	Successful	Nil.	Project will take place in March 2017.
Seniors Week Grants	Undertake activities during Seniors Week.	\$1,000	Successful	Budget allocation already made.	Seniors Week program will be available shortly. It is on the first week of March.
Back to Business Week	To bring businesses together to share information and network.	\$5,000	Successful	Nil.	Organising an evening on 1 March 2017 at the Golfie - outlook for mining in Cobar for 2017 and collaboration ideas for retailers.
Heritage Near Me Activation Grant	Undertake repairs to the roof, gutter, windows etc to waterproof an unused area at the Great Cobar Heritage Centre, paint, floor covers and electrical upgrade.	\$90,200	Unsuccessful	\$6,820 from 'matching grants' allocation.	This room will continue to be unusable until funding for repair works is found.
Club Sport and Recreation Infrastructure Grants	Upgrade and Extension of the Cobar Youth and Fitness Centre.	\$780,000	EOI pending	\$200,000 including some Peak funds and a sport and recreation grant already	Despite continued efforts, grant funds have not been found

				received.	for this project. Works are required on the building.
Indent – Music NSW	Cobar Kids Can – 2017 Little Big Day Out for the Cobar Youth Council.	\$5,000	Unsuccessful	Nil.	
Community Building Partnerships	Construct a new shed to house the Pontiac and old fire engine at the Great Cobar Heritage Centre.	\$12,280	Unsuccessful	Council would match with \$12,280 out of the matching grants budget. Total value of project \$24,560.	Further funding opportunities will be explored.

Current Grant Opportunities

- Building Better Regions Fund – 2 streams. Investment stream closes 28 February 2017. Putting together an application for the Miners Memorial. Events stream closes 30 March 2017. Investigating options for an expanded Miners Ghost Festival.
- Community Safety Fund – investigating draft Crime Prevention Plan to determine suitable projects.
- EOIs for the Club Grants Cultural Infrastructure Grants – closes 10 March 2017. Investigating option of a new building and an upgrade to the Coach House to allow better use of space to expand display and storage area at the Great Cobar Heritage Centre.
- Recreational Fishing Grants – fishing infrastructure, stocking and habitat improvement projects. Due 13 March 2017. Considering a small restocking project at the Newey.

Grant Funded Projects – Implementation

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

- Nymagee Tennis Courts – The synthetic surface has been installed. Last part of project is to erect a new fence. A local contractor is undertaking this part of the project which should be completed shortly.
- Youth Opportunities – This project has been completed and a project acquittal will be done this month.
- Environmental Education Grant – Due to the heat an extension was sought and granted to allow further rehabilitation to be undertaken in the drain between the Depot and Cobar Primary School. Project will be completed in Q4.
- Public Library Infrastructure Grant – Initial discussions have been held regarding the design and grant requirements.

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- Small Business Training – a series of workshops have been held, including visual merchandising and social media training. This project will be completed in early March when AusVM return to do some further work on retail collaboration and project opportunities.
 - Energise Enterprise Funding for development of an Economic Action Plan – Draft to go on public display following Council agreement. Economic Taskforce considering priorities for consideration in development of the 2017/2018 Budget.

RECOMMENDATION

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

CLAUSE 12B – RATES RECONCILIATION REPORT AS AT 31 DECEMBER 2016**FILE: R2-1****AOP REFERENCE: 3.1.1.6****ATTACHMENT: YES (PAGE 189-191)****AUTHOR: Office Coordinator, Jo-Louise Brown****Purpose**

To provide Council details of the Rate Reconciliation as at 31 December 2016.

FUND	LEVY 2016-2017	Pensioner Rebates	Abandoned Levy	Additional Levies	Sub Total 2016-2017	Arrears 30th Jun 16	Payments	Total Outstanding	Total Outstanding Previous Year	% Outstanding of Sub Total Plus Arrears
Business	387,669.46		-	-	387,669.46	44,815.83	263,527.70	168,957.59	144,642.79	39.07%
Farmland	646,880.51		-	-	646,880.51	28,580.76	433,335.60	242,125.67	248,506.57	35.85%
Mining	1,593,798.63		-	-	1,593,798.63	80,895.62	1,055,691.13	619,003.12	515,358.61	36.96%
Residential	1,142,650.80	50,969.99	-	-	1,091,680.81	198,967.82	648,402.51	642,246.12	593,447.68	49.76%
Overpayments					-	-134,701.52	- 78,541.66	-56,159.86	-58,611.71	41.69%
Legal Costs			-	16,388.00	16,388.00	29,730.56	10,733.03	35,385.53	29,597.24	76.73%
Interest			-	6,775.46	6,775.46	91,093.80	7,401.76	90,467.50	69,152.74	92.44%
General Rates	3,770,999.40	50,969.99	-	23,163.46	3,743,192.87	339,382.87	2,340,550.07	1,742,025.67	1,542,093.92	42.67%
Domestic Waste	584,040.00	18,592.51	220.00	440.00	565,667.49	37,738.61	360,901.76	242,504.34	225,361.59	40.19%
Sewerage	587,440.00	19,621.87	140.00	115,620.75	683,298.88	101,765.42	467,315.09	317,749.21	258,296.17	40.47%
Cobar Water	641,210.00	21,284.39	360.00	-	619,565.61	33,490.53	417,137.53	235,918.61	218,650.37	36.13%
Nymagee Water	27,000.00	437.50	900.00	-	25,662.50	6,839.05	13,941.77	18,559.78	15,682.96	57.10%
Euabalong Water	43,200.00	1,137.50	600.00	-	41,462.50	9,674.44	26,313.66	24,823.28	21,773.30	48.54%
Euab West Water	26,400.00	437.50	-	-	25,962.50	3,928.18	16,910.93	12,979.75	12,915.49	43.42%
Mt Hope Water	6,300.00	-	-	-	6,300.00	154.58	4,503.60	1,950.98	907.74	30.23%
Water Access	744,110.00	23,296.89	1,860.00	-	718,953.11	54,086.78	478,807.49	294,232.40	269,929.86	38.06%
Water Usage			21,366.40	825,907.00	804,540.60	446,807.89	859,578.33	391,770.16	438,981.16	31.31%
TOTAL	5,686,589.40	112,481.26	23,586.40	965,131.21	6,515,652.95	979,781.57	4,507,152.74	2,988,281.78	2,734,662.70	39.87%

RECOMMENDATION**That the Rates Reconciliation Report as at the 31 December 2016 be received and noted.**

CLAUSE 13B – RATES RECONCILIATION REPORT AS AT 31 JANUARY 2017**FILE: R2-1****AOP REFERENCE: 3.1.1.6****ATTACHMENT: YES (PAGE 192-193)****AUTHOR: Office Coordinator, Jo-Louise Brown****Purpose**

To provide Council details of the Rate Reconciliation as at 31 January 2017.

FUND	LEVY 2016-2017	Pensioner Rebates	Abandoned Levy	Additional Levies	Sub Total 2016-2017	Arrears 30th Jun 16	Payments	Total Outstanding	Total Outstanding Previous Year	% Outstanding of Sub Total Plus Arrears
Business	387,669.46		-	-	387,669.46	44,815.83	271,212.17	161,273.12	141,835.63	37.29%
Farmland	646,880.51		-	-	646,880.51	28,580.76	440,519.16	234,942.11	235,646.35	34.78%
Mining	1,593,798.63		-	-	1,593,798.63	80,895.62	1,055,862.61	618,831.64	515,358.61	36.95%
Residential	1,142,650.80	50,969.99	-	-	1,091,680.81	198,967.82	674,997.17	615,651.46	561,914.43	47.70%
Overpayments					-	-134,701.52	- 70,484.63	-64,216.89	-69,626.97	47.67%
Legal Costs			-	19,539.36	19,539.36	29,730.56	11,203.55	38,066.37	29,483.82	77.26%
Interest			-	8,035.75	8,035.75	91,093.80	8,182.04	90,947.51	69,975.69	91.75%
General Rates	3,770,999.40	50,969.99	-	27,575.11	3,747,604.52	339,382.87	2,391,492.07	1,695,495.32	1,484,587.56	41.49%
Domestic Waste	584,040.00	18,592.51	220.00	440.00	565,667.49	37,738.61	372,987.76	230,418.34	212,839.49	38.19%
Sewerage	587,440.00	19,621.87	689.82	115,060.83	682,189.14	101,765.42	514,264.25	269,690.31	299,568.18	34.40%
Cobar Water	641,210.00	21,284.39	360.00	-	619,565.61	33,490.53	428,125.91	224,930.23	208,566.91	34.44%
Nymagee Water	27,000.00	437.50	900.00	-	25,662.50	6,839.05	14,299.74	18,201.81	15,005.13	56.00%
Euabalong Water	43,200.00	1,137.50	600.00	-	41,462.50	9,674.44	27,206.69	23,930.25	19,173.17	46.80%
Euab West Water	26,400.00	437.50	-	-	25,962.50	3,928.18	17,589.34	12,301.34	12,289.96	41.15%
Mt Hope Water	6,300.00	-	-	-	6,300.00	154.58	4,503.60	1,950.98	825.34	30.23%
Water Access	744,110.00	23,296.89	1,860.00	-	718,953.11	54,086.78	491,725.28	281,314.61	255,860.51	36.39%
Water Usage			22,288.60	825,907.00	803,618.40	446,807.89	1,074,334.87	176,091.42	75,512.65	14.08%
TOTAL	5,686,589.40	112,481.26	25,058.42	968,982.94	6,518,032.66	979,781.57	4,844,804.23	2,653,010.00	2,328,368.39	35.38%

RECOMMENDATION**That the Rates Reconciliation Report as at the 31 January 2017 be received and noted.**

ATTACHMENTS



ORDINARY MEETING AGENDA

THURSDAY 23 FEBRUARY 2017

~ REFERENCE TO ATTACHMENTS ~

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