

COBAR SHIRE COUNCIL



ORDINARY MEETING AGENDA

THURSDAY 23 OCTOBER 2014

~ 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, 26 August 2014
 - Ordinary Meeting of Council – Thursday 25 September 2014
 - Finance and Policy Committee Meeting – Thursday 9 October 2014
 - Works Committee Meeting – Thursday 9 October 2014
 5. Matters Arising from Minutes
 6. Mayoral Report
 7. General Manager's Report – Part A (Action)
 8. General Manager's Report – Part B (Information)
 9. General Manager's Report – Part C (Confidential)
 10. Matters of Urgency
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~ TABLE OF CONTENTS ~

<u>PART A – ACTION</u>	<i>Page Number</i>
Clause 1A – Mayoral Report	7
Clause 2A – Mayoral Report – General Manager’s Contract of Employment.....	8
Clause 3A – Meeting Arrangements – Christmas and New Year	11
Clause 4A – Expression of Interest – Pilot Joint Organisation – Orana Regional Organisation of Councils (OROC) under the Fit For The Future Program	13
Clause 5A – Dalton Park Horse Complex Licence Agreements	16
Clause 6A – Bathurst Street Reserve Licence Agreement.....	18
Clause 7A – Revision of Community Enhancement Program.....	19
Clause 8A – Building Stronger Regions Fund	20
Clause 9A – Visit by City of Canterbury to Cobar Shire.....	23
Clause 10A – First Quarterly Review of the Annual Operational Plan 2014-2015.....	24
Clause 11A – Code of Conduct Annual Report	27
Clause 12A – Tender for the Supply of Road Patching Machine	28
<u>PART B – INFORMATION</u>	<i>Page Number</i>
Clause 1B – Development Approvals 17 September 2014 – 15 October 2014.....	29
Clause 2B – Monthly Status Report	31
Clause 3B – Meeting Minutes	53
Clause 4B – Internal Audit Update.....	54
Clause 5B – Investment Report as at 30 September 2014.....	55
Reference to Attachments	57

Clause 1C – Code of Conduct Annual Report.....(Refer to Confidential Agenda)

Clause 2C – Tender for the Supply of Road Patching Machine
.....(Refer to Confidential Agenda)

(This report is confidential in accordance with Section 10A (2) (d) (i) of the Local Government Act 1993, as discussions of this information in Open Council would prejudice the commercial position of the person who supplied it and also Section 10A (2)(a) as it would involve matters and information that are personnel matters concerning particular individuals (other than Councillors)).

~ 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.
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~ COUNCIL'S CHARTER ~

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

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

~ COUNCIL DIARY ~

DATE	ACTIVITY	INVOLVES
Tuesday 21 October 2014 (1:00pm)	Cobar Liquor Accord	Councillors/ Senior Staff/ Licencees
Thursday 23 October 2014 (3:30pm)	Councillor Workshop – Uranium Exploration Presentation	Councillors/ Senior Staff
Thursday 23 October 2014 (5:00pm)	Council Meeting	Councillors/Senior Staff/ Community
Wednesday 5 November 2014 (2:00pm)	Rural Roads Advisory Committee Meeting – Council Chambers	Councillors/ Senior Staff/ Community
Thursday 13 November 2014 (5:00pm)	Committee Meetings	Councillors/ Senior Staff/ Community
Thursday 27 November 2014 (8:00am)	Councillor Workshop – IGA Development Presentation	Councillors/ Senior Staff
Thursday 27 November 2014 (8:00am)	Council Meeting	Councillors/ Senior Staff/ Community

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5

AOP REFERENCE: 3.1

ATTACHMENT: NO

AUTHOR: *Mayor, Councillor Lilliane Brady OAM*

Report to be tabled.

RECOMMENDATION

That Council accepts the information contained in the Mayoral Report for the month of October 2014.

**CLAUSE 2A – MAYORAL REPORT – GENERAL MANAGER’S
CONTRACT OF EMPLOYMENT**

**FILE: S5-10-7, Personnel AOP REFERENCE: 3.3.2.1 ATTACHMENT: NO
AUTHOR: *Mayor, Lilliane Brady OAM***

Purpose

The purpose of this Report is to seek direction from Council in regard to the re-appointment or not of Mr Gary John Woodman as the Cobar Shire Council General Manager.

Background

Council received a letter from General Manager Mr Gary John Woodman on 10 August 2014 seeking reappointment to his position with Council under paragraph 5.1 of his Employment Contract for a period of five (5) years commencing 12 July 2015.

Mr Woodman’s current Contract is due to expire on the 11 July 2015 and the Contract has the following Clauses for renewal of employment:

2. TERM

2.1. Subject to the terms and conditions in this contract, Council will employ the employee for a term of five years commencing on 12 July 2010 and terminating on 11 July 2015.

5. RENEWAL OF EMPLOYMENT

5.1 At least 9 months before the termination date (or 6 months if the term of employment is less than 3 years) the employee will apply to Council in writing if seeking re-appointment to the position.

5.2 At least 6 months before the termination date (3 months if the term of employment is for less than 3 years) Council will respond to the employee’s application referred to in subclause 5.1 by notifying the employee in writing of its decision to either offer the employee a new contract of employment (and on what terms) or decline the employee’s application for re-appointment.

5.3 At least 3 months before the termination date (or 1 month if the term of employment is for less than 3 years) the employee will notify Council in writing of the employee’s decision to either accept or decline any offer made by Council under subclause 5.2.

5.4 In the event the employee accepts an offer by Council to enter into a new contract of employment, a new contract of employment will be signed.

Issues

Council needs to determine if it wishes to renew Mr Woodman's Contract of Employment as General Manager and if so provide appropriate authority to a negotiation team to negotiate the new contract.

It is suggested that authority should be given to the Deputy Mayor and myself to be the negotiation team. Please note that any new Contract will be in the approved format and the only variation is expected perhaps to be the value of remuneration. Subsequently yearly increases in remuneration are determined by the Statutory and Other Officers Remuneration Tribunal (SOORT) determinations in accordance with the Contract.

The negotiation team would also obtain appropriate advice on the matter from Local Government NSW.

Legal Situation

The General Manager's Contract of Employment format and details are in accordance with the Standard Contract as set out through the requirements of the Local Government Act 1993.

If Council wishes to further discuss this personnel issue it should be undertaken in Committee of the Whole Closed Council with the press and public excluded (including staff) in accordance with Section 10A (2)(a) as it would involve matters and information that are personnel matters concerning particular individuals (other than Councillors).

Policy Implications

Nil.

Financial Implications

If Council decides to renew Mr Woodman's Contract of Employment any negotiated remunerations would be within the financial constraints of Council's budget.

There would be extra costs of readvertising the position of General Manager.

Risk Implications

Nil.

Options

Council does not necessarily need to renew Mr Woodman's appointment as General Manager nor for the period of five (5) years.

However all Councillors are aware of Mr Woodman's Performance Review results over the past four (4) years, the progress that has to be made and the positive direction that is being taken particularly in relation to asset management, financial sustainability and project funding and commencement.

RECOMMENDATION

- 1. That Council advise Mr Gary John Woodman that it proposes to renew his Contract of Employment for a period of five (5) years commencing 12 July 2015.**
- 2. That authority be given to the Mayor and Deputy Mayor to negotiate the new Contract of Employment with Mr Gary John Woodman as General Manager in the approved format and report back to Council for formal adoption.**

CLAUSE 3A – MEETING ARRANGEMENTS – CHRISTMAS AND NEW YEAR

FILE: C6-16

AOP REFERENCE: 3.1.5

ATTACHMENT: NO

AUTHOR: *General Manager, Gary Woodman*

Purpose

To determine the meeting times and procedures for the Christmas and New Year period 2014/2015.

Background

This report deals with the closure of Council over the Christmas and New Year period and with the setting of meeting dates over that same period.

Issues

The Council Offices (including Children's Services, Youth and Fitness Centre and Library) will be closed from 1pm on Wednesday, 24 December 2014 and will re-open in the morning of Monday, 5 January 2015. The Depots will be closed from the afternoon of Friday 19 December and re-open Monday, 5 January 2015. There will be a skeleton depot staff after the Cobar Christmas Function on Thursday, 18 December 2014. Normal rosters will apply to emergency call-outs and alterations to garbage collection days will be advertised in the Cobar Weekly.

Council will need to determine appropriate meeting dates during the holiday season and the following arrangements are recommended:

- Ordinary Council Meeting – Thursday 11 December 2014 (including Committee Meetings);
- No Meetings to be held during January 2015;
- The normal Meeting cycle to resume in February 2015.

By adopting the above meeting arrangements for December and January, allowance can be made for the adequate preparation of reports and meeting agendas.

It is common practice in many Councils to delegate joint authority to the Mayor and General Manager to deal with matters of an urgent nature during the period that there are no Council meetings. In this case, that authority would be for the period commencing 12 December 2014 and terminating on 12 February 2015 which is the date for the first Committee Meeting for 2015.

This delegated authority is conferred jointly which means that the Mayor or General Manager cannot act in isolation on any urgent matters. If there is any such urgent matters to be dealt with, they are automatically reported to the first Meeting of 2015.

RECOMMENDATION

- 1. That the following Meeting arrangements be adopted for the Christmas and New Year period:**

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- **Ordinary Council Meeting – Thursday 11 December 2014 (including Committee Meetings);**
 - **No Meetings to be held during January 2015;**
 - **The normal Meeting cycle to resume in February 2015.**
- 2. That the Mayor and General Manager be delegated authority, jointly, to deal with matters of an urgent nature for the period commencing 12 December 2014 to 12 February 2015, and further that if any urgent matters are dealt with under this authority that they be reported to the February 2015 Ordinary Meeting of Council.**

CLAUSE 4A – EXPRESSION OF INTEREST – PILOT JOINT ORGANISATION – ORANA REGIONAL ORGANISATION OF COUNCILS (OROC) UNDER THE FIT FOR THE FUTURE PROGRAM

FILE: L5-4-3, L5-24

AOP REFERENCE: 3.1

ATTACHMENT: YES

(PAGE 58-64)

AUTHOR: *General Manager, Gary Woodman*

Purpose

The purpose of this Report is to obtain endorsement from Council of the direction taken in relation to Cobar Shire Council being involved and supportive of the Expression of Interest by the Orana Regional Organisation of Councils (OROC) for the Pilot Joint Organisation in accordance with the recently announced NSW State Government Program for the local government ‘Fit for the Future’.

Background

During the Rural Council Meeting Bus Trip the Councillors and Manex Members present workshopped the current information made available by the NSW Government and Others in regard to the Government response to the Independent Review Panel Report on Local Government. This response is now known as the ‘Fit for the Future’ Program.

The ‘Fit for the Future’ Program has been summarised reasonably well by the attached five articles of the Sydney Morning Herald.

The Program at the present sees Cobar Shire Council most probably reduced in stature to a ‘Rural Council’ and being part of the ‘Far West Organisation’. Unfortunately there are no details of the governance structure of the Far West Organisation, what it will be responsible for and how, where it will be based, etc. nor how the community of Cobar Shire and Cobar Shire Council will be better off.

The Councillor Workshop discussed various options and formulated a plan for future action on this very serious matter. Further reporting will be undertaken following meetings with Office of Local Government (OLG) and Department of Premier and Cabinet (DPC), OROC Councils and Far West Councils and a Forum which is set for 2 December 2014.

During the Rural Council Meeting Bus Trip the attached letter from OROC was received following their meeting with OLG/DPC and an OROC Board Meeting (Cobar Shire Council was absent due to the clash with the Rural Council Meeting). The letter requested Cobar Shire Council support in regard to the lodgement of an Expression of Interest (EOI) application to the Office of Local Government as a pilot group for a Joint Organisation under the ‘Fit for the Future’ Program noting that the role of such ‘Orana Joint Organisation’ would include:

- Inter-governmental relationships;
- Regional advocacy;
- Regional Planning;

-
- Regional Purchasing;
 - Lower Macquarie Water Utilities Alliance;
 - Regional interest groups;
 - Shared Services.

A majority of Cobar Shire Council Councillors considered the matter and all agreed that Cobar Shire Council should participate with the other existing OROC Councils in the proposed EOI.

Accordingly Mayor Brady OAM replied on 29 September 2014 positively and this is also detailed in the attachments.

It is appropriate that the direction taken be endorsed formally by Council via an appropriate resolution.

Issues

The direction taken is in accordance with the Councillor Workshop discussions, the considered better option for the community of Cobar Shire and Cobar Shire Council particularly in relation to community of interest and the current complete lack of detail relevant to the proposed 'Far West Organisation' that would include the Councils of Balranald Shire, Bourke Shire, Brewarrina Shire, Broken Hill Shire, Central Darling Shire, Cobar Shire, Walgett Shire and Wentworth, over 323,601 km² if it includes the Unincorporated Area.

Legal Situation

Not applicable at present as there have been no legislative changes to the Local Government Act 1993.

Policy Implications

Nil as the Cobar Shire Council is already a proactive member of the OROC and the Lower Macquarie Water Utilities Alliance together with the Western Division Councils of NSW.

Financial Implications

Nil. It should be noted that a \$10,000 allocation has been provided in the 2014/2015 Budget for Cobar Shire Council's contribution to a Shared Services Investigation and Report Consultancy that most probably will be a major part of the purpose of the Pilot Joint Organisation.

The EOI would lead to further funding opportunities.

Risk Implications

Nil.

Options

The alternate is not to be involved.

RECOMMENDATION

That Council endorse the position taken that Cobar Shire Council agrees to be involved and supportive with the other existing Orana Regional Organisation of Councils (OROC) Councils in the proposed Expression of Interest (EOI) to participate as a pilot group for a Joint Organisation under the 'Fit for the Future' Program of the NSW Government.

CLAUSE 5A – DALTON PARK HORSE COMPLEX LICENCE AGREEMENTS

FILE: P1-4-3

AOP REFERENCE: 3.3.4.2

ATTACHMENT: NO

AUTHOR: *Land Management Officer, Heather Holder*

Purpose

The purpose of this Report is to arrange the affixing of the trust seal to new temporary licence agreements for users of Dalton Park Horse Complex from 1 July 2014 to 30 June 2015.

Background

On the 24th April 2014, Council resolved to issue temporary licences for the Dalton Park Racecourse Reserve Trust Users for the period 1 July 2013 to 30 June 2014.

82.4.2014 RESOLVED:

1. *That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to affix the Trusts seal to the 12 month temporary licence agreements for the following organisations and individuals to cover the period 1 July 2013 to 30 June 2014:*

- *Mr S Griffiths & Mrs C Griffiths;*
- *Ms Sharon Whitehurst;*
- *Cobar Pony Club;*
- *Cobar Miners Race Club;*
- *Cobar Rodeo Committee.*

2. *That Council no longer pursues obtaining licences of up to seven (7) years for use of the Dalton Park Racecourse Reserve (r630019) except licences on a 12 month temporary basis.*

Clr Sinclair/ Clr Isbester

CARRIED

These licences have now expired.

Issues

Council acting as Trust Manager for the Reserve needs to renew the above licences for the period 1 July 2014 to 30 June 2015.

In accordance with Ministerial instructions, licences of 12 months or less do not require Ministerial consent on renewal.

As per Council's 2014/2015 fees and charges, fees for each licence are set at \$505 including GST.

RECOMMENDATION

That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to affix the Trusts seal to the 12 month temporary licence agreements for the following organisations and individuals to cover the period 1 July 2014 to 30 June 2015:

- **Mr S & C Griffiths;**
- **Ms Sharon Whitehurst;**
- **Cobar Pony Club;**
- **Cobar Miners Race Club;**
- **Cobar Rodeo Committee.**

CLAUSE 6A – BATHURST STREET RESERVE LICENCE AGREEMENT

FILE: P1-2-2

AOP REFERENCE: 3.3.4.2

ATTACHMENT: NO

AUTHOR: *Land Management Officer, Heather Holder*

Purpose

The purpose of this Report is to arrange the affixing of the trust seal to the new temporary licence agreement for the user of Bathurst Street Reserve from 1 July 2014 to 30 June 2015.

Background

On the 27th February 2014, Council resolved to issue temporary a licence for the Bathurst Street Reserve Trust User for the period 1 July 2013 to 30 June 2014.

25.2.2014 RESOLVED:

1. *That Council acting as Trust Manager for the Bathurst Street (R64199) Reserve Trust, resolve to affix the Trusts seal to a 12 month temporary licence agreement for the Cobar Tennis Club to cover the period 1 July 2013 to 30 June 2014.*
2. *That Council no longer pursue obtaining a licence of up to seven (7) years for use of the Bathurst Street Reserve (R64199) except a licence on a 12 month temporary basis.*

Clr Martin/Clr Toomey

CARRIED

This licence has now expired.

Issues

Council acting as Trust Manager for the Reserve needs to renew the above licences for the period 1 July 2014 to 30 June 2015.

In accordance with Ministerial instructions, licences of 12 months or less do not require Ministerial consent on renewal.

As per Council's 2014/2015 fees and charges, fees for the licence is set at \$505 including GST.

RECOMMENDATION

That Council acting as Trust Manager for the Bathurst Street (R64199) Reserve Trust, resolve to affix the Trusts seal to a 12 month temporary licence agreement for the Cobar Tennis Club to cover the period 1 July 2014 to 30 June 2015.

CLAUSE 7A – REVISION OF COMMUNITY ENHANCEMENT PROGRAM
FILE: P5-78 AOP REFERENCE: 3.1.2 ATTACHMENT: YES (PAGE 65-81)
AUTHOR: *Special Projects Officer, Angela Shepherd*

Purpose

The purpose of this Report is for Council to review the revised Community Enhancement Program.

Background

Council values the contribution that mining makes to the community across the Shire. In an attempt to ensure that Cobar Shire continues to prosper post mining, and to offset any negative impacts of current mining operations, Cobar Shire Council developed a Community Enhancement Program in April 2011 and this is updated annually to reflect the community's priorities. The Program outlines priority projects that provide and augment community infrastructure.

Through its Community Enhancement Program, Council aims to:

- Address issues directed at improving the quality of life for the people of the Shire, and
- Be prepared to advocate for reasonable contributions towards the provision of community facilities and services from new developments impacting on the community.

This Program can be used during VPA negotiations and was used in the development of Council's new Section 94A Plan.

Issues

The Program is now due for revision. Council sought submissions for the review during August and September 2014. This year, consultations were focused on Council supervisors, Peak Gold Mines contributions committee and Nymagee Progress Association. A number of changes were also made in line with community discussions held in the last 12 months. Projects that were completed over the last 12 months, or that have been funded to commence, have been removed.

Financial Implications

Council will be the custodian of the funds and will be responsible for the allocation of these funds in accordance with Local Government accounting regulations to particular projects in consultation with the contributing developers. Council will also work with village progress associations, in particular the Nymagee Progress Association and by using the VPA funds collected from Hera Mine, to undertake these projects. In some cases it may be the progress associations that apply for grant funds to undertake projects.

RECOMMENDATION

That Council adopts the draft Community Enhancement Program.

CLAUSE 8A – BUILDING STRONGER REGIONS FUND

FILE: G4-17, G4-31

AOP REFERENCE: 3.1.1.3

ATTACHMENT: YES

(PAGE 82)

AUTHOR: *Special Projects Officer, Angela Shepherd*

Purpose

To provide background on the recently announced National Stronger Regions Fund and to determine if Council will submit a grant proposal under the first round and if so, for what project.

Background

The National Stronger Regions Fund (NSRF) is a new initiative of the Australian government. It will invest \$1 billion over five years commencing 2015-2016 for priority economic and infrastructure projects across the nation. This can include freight and transport projects, community centres and major multipurpose sports facilities. A list of projects from the guidelines is attached.

The desired outcomes of the program are:

- Improved level of economic activity in regions;
- Increased productivity in the regions;
- Increased employment and a more skilled workforce in the regions;
- Increased capacity and improved capacity of regions to deliver major projects, and to secure and manage investment funding;
- Improved partnerships between local, state and territory governments, the private sector and community groups; and
- More stable and viable communities, where people chose to live.

Round 1 applications opened on 1 October 2014 and will close on 28 November 2014. The announcement of successful projects is expected in May 2015. At the same time, the second round of the program will then open.

NSRF funding will be provided for capital projects which involve the construction of new infrastructure, or the upgrade, extension or enhancement of existing infrastructure. Grants of between \$20,000 and \$10m are available. The request for grant funds **MUST BE MATCHED** on at least a dollar for dollar basis. The project must be completed by 31 December 2019. The project must deliver an economic benefit to the region.

Issues

Council needs to determine if they wish to put in an application under Round 1. It is timely for Council to again consider a priority list of major projects. It also needs to be remembered that for this particular grant, the NSRF, should Council decide to apply, it may not be for the highest priority project, but for the one that best meets the assessment criteria and that can be funded with appropriate matching funds.

The assessment criteria is listed below:

- The extent to which the project contributes to economic growth in the region;
- The extent to which the project supports or addresses disadvantage in the region;
- The extent to which the project increases investment and builds partnerships in the region;
- The extent to which the project and proponent are viable and sustainable.

Assessment 1 has a 50% weighting. A cost benefit analysis is recommended, particularly for larger projects.

Prior to the Council meeting, Councillors will be provided with a wish list compiled by staff to start discussions. Councillors can contact staff prior to the meeting to have projects added to the list.

Legal Situation

The selected project should meet the program guidelines or it will be deemed ineligible at the first assessment process. Councils are eligible to apply for the grant.

Policy Implications

The selected project will be a priority of Council.

Financial Implications

The requested grant funds must be matched dollar for dollar or better. Council has some capacity to provide matching funds. There are \$60,000 set aside in this years budget to match grant funds – there is also the capacity to set aside further funds next year, there are some S94 contributions that can be used for certain projects and Council can allocate their Repair Program funds as they wish for the 2015-2016 year. The last major infrastructure project was successful as Council was able to work in partnership with Peak Gold Mines to ensure an appropriate co-contribution of cash and in-kind funds.

Depending on the project, there may be some consultancy costs in pulling the project together. These will need to be funded from the current budget.

Risk Implication

A proper risk analysis will be undertaken as part of the development of a business case and project application.

Options

Council may choose not to apply for funding under the current round.

RECOMMENDATION

- 1. That Council determine which project to apply for funding under the National Stronger Regions Fund, Round 1.**
- 2. That Council allocate 50% of the required funding for the project.**
- 3. That Council write to the local Federal Member expressing our concern at the need to provide matching funding under the National Stronger Regions Fund as it severely limits the ability of smaller Councils such as Cobar to meet eligibility criteria for funding.**

CLAUSE 9A – VISIT BY CITY OF CANTERBURY TO COBAR SHIRE

FILE: S10-2

AOP REFERENCE: 3.3.2.8

ATTACHMENT: NO

AUTHOR: *Special Projects Officer, Angela Shepherd*

Purpose

To provide Council with an outline of the upcoming visit by City of Canterbury Mayor and Staff to Cobar Shire Council this month and to encourage Councillors to participate in the visit.

Background

Cobar Shire Council has a good partnership in place with the City of Canterbury Council. It has been some time since the last visit to Cobar by the Mayor and General Manager of the City of Canterbury. This visit will allow the elected representatives and staff to further develop the partnership and to identify future opportunities it may afford.

Issues

During the visit, the Mayors (Clr Brady and Clr Brian Robson) and General Managers (Gary Woodman and Jim Montague) will meet to discuss strategic priority areas between the two Councils. A ceremonial tree planting ceremony will take place to signify the partnership between the two Councils. In addition, five staff will be attending including their Strategic Advisor, Environmental Health Officer, Road Safety Officer, Landscape Horticulturalist and Engineering Assistant. These staff will undertake some leadership and team building skills and training with Cobar staff and will provide general assistance in their relevant areas.

The delegation will arrive in Cobar around lunchtime on Thursday 30 October and will depart around midday on Saturday 1 November. A range of social functions to welcome the delegation will be arranged around the work and this will be provided to Council. It is hoped that Councillors can attend these events.

Policy Implications

This relationship has been identified as very worthwhile and helpful to both Councils and a Memorandum of Understanding has been signed between the two Councils. This visit will further cement the benefits of the relationship.

Financial Implications

There will be a cost to hosting the visit, however it will be met by the budget item for this activity. All travel and accommodation costs are borne by the City of Canterbury.

RECOMMENDATION

That Councillors note the visit by the City of Canterbury delegation to further strengthen the relationship between the two Councils and that Councillors attend where possible the events organised as part of the visit.

CLAUSE 10A – FIRST QUARTERLY REVIEW OF THE ANNUAL OPERATIONAL PLAN 2014-2015

FILE: L5-22

AOP REFERENCE: 3.1

ATTACHMENT: YES

(UNDER SEPARATE COVER)

AUTHOR: *Special Projects Officer, Angela Shepherd*

Purpose

To provide Council with a detailed review of all actions outlined in the Annual Operational Plan 2014-2015 for the first quarter (ie July to September 2014).

Background

At the June 2014 Council meeting, Council adopted the 2014-2015 Annual Operational Plan and budget. Council is obligated to review the AOP and budget each quarter, under the NSW Integrated Planning and Reporting legislation and guidelines. The budget review is presented as a separate paper. It should be remembered that this review is only for the period July to September 2014 and does not cover actions or activities that have occurred since then. However, this paper aims to highlight major issues that may arise in Q2.

Issues

Each responsible officer has provided the attached review of their operations. All actions outlined in the AOP have been addressed. This quarterly review contains many of the statistics previously presented in the community services reports.

A summary of the major projects undertaken in Q1 and the emerging concerns for Q2 are as follows:

Governance:

- Council has been busy preparing Expressions of Interest for the Resources for Regions program. Four projects were submitted – Whitbarrow Way, Cobar Youth and Fitness Centre, Mulya Roads and the second stage of the Nyngan/Cobar pipeline upgrade. Council is now preparing full grant applications for the successful EOIs – the Whitbarrow Way and the pipeline project. These are due by the end of October. Again, the preparation of these applications is a resource hungry exercise but the projects are very important to Council.
- Council also submitted a number of other large grant applications under a variety of programs, including the Fixing Country Roads, Environmental Trust, Club Grants and Country Arts Support Program. These are all aimed at generating funds to undertake projects not funded in the current budget.
- The Cobar Skate Park project will commence 20 October 2014. It is hoped to have it finished by Christmas. Plans are coming together to have an official opening around March 2015. Discussions will be held with the Youth Council regarding holding an event to celebrate.
- Council has been working on understanding what is required as part of the NSW Government's Fit for the Future initiative with a number of discussions

and workshops held. It is likely that significant work will be undertaken in Q2 in preparation for putting Council's submission together. To date, the conversations within Council have been positive in remaining in the OROC region.

Community Services:

- Council has successfully managed funds to have around \$8m in cash held in bank deposits over the quarter. It is expected that this can be maintained during Q2.
- There is currently a vacancy at both the hostel and the nursing home at the LBV, with no waiting applications. This will affect the income of the facility. A draft tender has been developed for the extensions at the Lilliane Brady Village, with final drawings expected shortly to allow the tender to be let. The project team is in place.
- There has been strong utilisation of sports competitions held at the Cobar Youth and Fitness Centre. The gym use has been analysed and it remains open, however use and costings will continue to be reviewed.
- It is expected that the RMS service provision contract will be reviewed in Q2 to determine the level of service provision the RMS is prepared to pay for and what services Council will provide.
- Council's Curator has recently released her book *We Are Here – Stories of Cobar's Inspiring Women*. She is now completing a book on Cobar's WWI history, designed to coincide with the ANZAC centenary next year. Council is also working with community groups to coordinate celebratory activities to mark the anniversary.
- There was a fall in visitor numbers at the Great Cobar Heritage Centre for the quarter, compared to the first quarter for the last two years. This is in part due to the closure of the Centre due to the fire at the Occidental Hotel, which is thought to have contributed to around 400-500 fewer visitors to the Centre.
 - 2012 – 2013 9,600 people, revenue - \$40,000;
 - 2013 – 2014 9,300 people, revenue - \$42,000;
 - 2014 – 2015 8,200 people, revenue - \$37,500.

Engineering:

- The pool opened on schedule on the October Long Weekend.
- The main issue likely to face the Engineering Department in Q2 is the workload. The RMS capital works and the Airport Resources for Regions projects are both scheduled for Q2 to meet the deadlines set by CASA and RMS requests. This will include undertaking major patching and project works on the state highways. The Killara project (\$1.1m) will be completed in Q2, along with reseals and shoulder widening. The heavy patching will be completed in January 2015. As a result of prioritising these projects in Q2, there is likely to be minimal (perhaps one grader) maintenance works on local roads. Work on local roads will be scheduled for Q3 when more resources can be used to undertake the work.

Planning and Environmental Services:

- Council is continuing to investigate possible improvements to the Cobar Waste Depot in regards to the EPA directions received following recent fires to improve safety and environmental management at the site. To undertake these improvements, Council has been seeking, and will continue to do so, grant funds to implement initiatives.
- Council has been working with Southern Cross Goldfields at the Manuka Mine site (previously Wonawinta) to allow them to commence operations and comply with the conditions set out in the development consent. This will continue in Q2.
- Council has commenced working on a Waste Management Strategy. A draft Terms of Reference has been prepared and it is hoped that the Strategy will be commenced in Q2.

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 first quarterly review of the 2014-2015 Annual Operational Plan, covering the period July to September 2014.

CLAUSE 11A – CODE OF CONDUCT ANNUAL REPORT

FILE: P5-8

AOP REFERENCE: 3.1.5

ATTACHMENT: NO

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

Purpose

To report to Council the Part 12 requirements of Cobar Shire Council's Procedures for the Administration of the Cobar Shire Council Code of Conduct Policy.

Part 13 of the Procedures requires that information about code of conduct complaints and the management and investigation of code of conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under the procedures. Therefore, it is recommended that the matter be considered in the Committee of the Whole with the press and public excluded.

RECOMMENDATION

That the Code of Conduct Annual Report be considered in the Committee of the Whole Closed Council in accordance with Part 13 of the Procedures noting that the discussion of any of the matters is covered under Section 10A (2) (a) of the Local Government Act 1993 and accordingly is required to be considered in Closed Council.

CLAUSE 12A – TENDER FOR THE SUPPLY OF ROAD PATCHING MACHINE

FILE: P3-13-3

AOP REFERENCE: 3.3.4

ATTACHMENT: NO

AUTHOR: *Engineering Support Manager, Kingsley Page*

Purpose

To consider tenders for the supply, delivery and licensing of one new Road Patching Truck utilising the auction sale of the Council's existing 2005 Paveline Truck and outright purchase offers received in relation to a Local Government Procurement tender.

Background

The tender is for the supply and delivery of one road maintenance patching truck. There are two parts to this plant item, first is the bogie drive cab/chassis and second the road pavement repair body attachment.

The existing truck, an Isuzu FVZ 1400 auto with a Paveline pavement repair body attachment, is used to maintain Council's sealed road network and is being replaced in accordance with the Plant Replacement Schedule. It should be noted that due to the expected long delivery time, the trade in vehicle will be sold at public auction on the receipt of the new vehicle.

The specification called for a diesel engine truck fitted with a pavement repair attachment body incorporating a hopper capacity of minimum 6 cubic metres.

The tar patching truck is an integral part of maintaining the sealed roads of Cobar Shire and arguably the most important piece of road maintenance equipment Council owns.

Legal Situation

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

RECOMMENDATION

That the report regarding the supply of a Tar Patching body fitted to a cab chassis truck be considered in the Committee of the Whole Closed Council with the press and public excluded for the reason as stated in Section 10A (2) (d) (i) of the Local Government Act 1993, as discussions of this information in Open Council would prejudice the commercial position of the person who supplied it.

CLAUSE 1B – DEVELOPMENT APPROVALS 17 SEPTEMBER 2014 – 15 OCTOBER 2014

FILE: T5-1

AOP REFERENCE: 1.6.3.1

ATTACHMENT: NO

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

Complying Development Approvals

There were no Complying Development Applications approved under delegated authority for the period 17 September 2014 – 15 October 2014.

The value of Complying Development approvals for 2014/2015 to date is Nil.

There were no Complying Development Applications approved under delegated authority for the similar period in 2013/2014.

Local Development Approvals

The following Local Development Applications have been approved under delegated authority for the period 17 September 2014 – 15 October 2014.

CERTIFICATE NO.	ADDRESS	DESCRIPTION	VALUE (\$)
2014/LD-00041	27 Old Bourke Rd, Cobar	Temporary Office Facility & Ablution Block	\$6,000
2014/LD-00043	44 Morrison St, Cobar	Screen Enclosure	\$35,000
2014/LD-00042	4 Lamrock St, Cobar	Garage/Carport	\$20,000

The value of Local Development approvals for 2014/2015 to date is \$340,010.00.

The value of Local Development approvals for the similar period in 2013/2014 was \$712,114.00.

Construction Certificates

The following Construction Certificates have been approved under delegated authority for the period 17 September 2014 – 15 October 2014.

CERTIFICATE NO.	ADDRESS	DESCRIPTION
2014/CB-00032	27 Old Bourke Rd, Cobar	Temporary Office Facility & Ablution Block
2014/CB-00036	44 Morrison St, Cobar	Screen Enclosure
2014/CB-00034	3 Beesheba Crt, Cobar	6 Bay Carport

2014/CB-00035	4 Lamrock St, Cobar	Garage/Carport
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RECOMMENDATION

That the information detailing the Local Development and Construction Certificate approvals for the period 17 September 2014 - 15 October 2014 be received and noted.

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

ATTACHMENT: NO

AUTHOR: *General Manager, Gary Woodman*

COUNCIL RESOLUTIONS 24 SEPTEMBER 2009					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
1	Council – Clause 2B – The Wool Track Project	153.9.2009	GM/SPO/DES/ESM	Council be kept informed of progress.	Letter and copy of report sent to K Humphries, J Cobb, S Ley, J Williams, M Coulton and F Nash. Letters sent to trucking companies seeking support for sealing. Information provided to all OROC councils. Initial contact undertaken with Central Darling Shire Council and Balranald Shire Council in regard to arrangements for a delegation to the Minister for Regional Services. Wool Track will be the only priority for the 2015/2016 Repair Program. Wool Track Development Advisory Committee to meet again to formulate an Action Plan for 2014/2015.
COUNCIL RESOLUTIONS 28 APRIL 2011					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
14	Committee of the Whole Closed Council – Clause 1C – Cobar Caravan Park Business Development Strategy	81.4.2011	GM/LMO	Arrange acquisition of Lot 317 DP 755649 from the Crown subject to the availability of funds from the 2011/2012 budget.	Acquisition arrangements commenced with Land and Property Management Authority. Application provided to the Division of Local Government in regard to acquisition. Funds now provided for in 2014/2015 Budget.

				Following successful acquisition of the above land, classify this land as Operational under the Local Government Act 1993.	Will be undertaken at time of acquisition.
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COUNCIL RESOLUTIONS 23 JUNE 2011

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
28	Committee of the Whole Closed Council – Clause 3C – Plant and Equipment Utilisation Improvement Report	122.6.2011	GM/DES	Undertake actions in accordance with the relevant recommendations of the report.	Appropriate communication strategy and action plan instigated. Many matters contained within Staff Attitude Survey Results Action Plan.

COUNCIL RESOLUTIONS 25 AUGUST 2011

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
61	Council – 3A – Lower Macquarie Water Utilities Alliance (LMWUA) Agreement	149.8.2011	DES	Mayor & GM execute the Deed of Agreement once consent is obtained.	Deed will be executed when consent obtained or if required – No further action required.

COUNCIL RESOLUTIONS 27 OCTOBER 2011

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
87	Council – Clause 4A – Land Acquisition –	193.10.2011	DPES/LMO	Undertake all processes required for the acquisition	Action Plan instigated for implementation of resolution.

	Cobar Caravan Park Lot 317 in DP755649			of the Cobar Caravan Park Lot 317 in DP755649.	
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COUNCIL RESOLUTIONS 22 MARCH 2012

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
162	Council – Clause 16A - Liquid Trade Waste Policy – Costs and Implementation Method	14.3.2012	DES/SM	Adopts option one (1) for the upgrading of the existing trade waste outlets and purchase the required pre-treatment units and complete the installation works on all trade waste premises with all costs to be funded out of the Sewer Fund Reserves with a no-interest three (3) year loan to local proprietors of businesses, and further that repayment will be a condition of approval on their Liquid Trade Waste licence agreement as per the NSW Office of Water regulations.	Action Plan instigated for implementation of resolution.

COUNCIL RESOLUTIONS 26 APRIL ADJOURNED TO 3 MAY 2012

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
177	Council - Clause 7A – Nymagee Old School Community Centre	71.4.2012	DPES/LMO	Authorise the Mayor and General Manager to sign a license agreement with the Nymagee Progress Association once incorporated under the Common Seal of Council.	Due to time a new Final Licence Agreement has been sent to Nymagee Progress Association for signing.
194	Committee of the Whole Closed Council - Clause 4C – Sale of Land	94.4.2012	GM/LMO	That Council provides authority for the General Manager to negotiate the sale of land at either 100 or 105 Marshall Street, Cobar for at least the minimum amount per square metre detailed in the report.	Further Councillor workshop strategies planning for land in concern held on 9 August, 2012.

			<p>That Council provides authority for the General Manager to undertake investigations into any party in regards to the standard financial and company checks, the company's previous experience with similar projects and their previous experience in completing projects with timeframes.</p> <p>The Council may in its absolute discretion elect to terminate negotiations with any party prior to exchange of a contract for the sale of land.</p> <p>That Council approve the sale of land conditional on:- Surveying undertaken and new plans submitted and approved; Subdivision plans submitted and approved; Rezoning of the land to allow for motel accommodation; All legal cost for both parties paid; Submission of a detailed development application that includes but is not limited to: Detailed architectural and design plans including elevations, footpaths, ramps, disabled access etc; Detailed site plan; Detailed car parking and access plans, including disabled parking; A detailed risk assessment for Council water and sewerage systems;</p>	<p>Action Plan instigated for implementation of resolution.</p> <p>Currently no interested party.</p> <p>Action Plan instigated for implementation of resolutions.</p>
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				<p>Detailed landscaping plan including footpaths;</p> <p>That Council authorise the Mayor and the General Manager to sign all relevant documentation under the Common Seal of Council.</p> <p>That investigations and reporting be undertaken for appropriate master planning of Council land at 100 and 105 Marshall Street, Cobar;</p> <p>That any sale of the land be subject to the negotiated development proceeding within a reasonable time;</p>	
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COUNCIL RESOLUTIONS 26 JULY 2012

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
219	Council – Clause 8A – Road Closure – Corner of Murray and Blakey Street, Cobar	168.7.2012	DPES/LMO	<p>That Council resolves to close part of the road reserve on the corner of Murray and Blakey Street, Cobar identified as being Lot 2 in Deposited Plan 46869.</p> <p>That Council provides authority for the General Manager to make application to the Department of Primary Industries, Crown Land Division to close the road.</p> <p>That Council authorise the Mayor and the General Manager to sign all relevant</p>	<p>Action plan instigated for implementation of resolution.</p> <p>Advertising of proposed road closure undertaken by Crown Land Division of Department of Primary Industries. Submissions being managed in conjunction with DPI.</p> <p>Follow up has been occurring with providers of</p>

				documentation under the Common Seal of Council. That the land be acquired as operational land pursuant to the provisions of Section 31 of the <i>Local Government Act 1993</i> .	submissions and now waiting on response from Crown Lands with a huge backlog of road closing matters delaying the progress. Classification to be arranged at acquisition.
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COUNCIL RESOLUTIONS 23 AUGUST 2012

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
234	Council – Clause 7A – Festival of the Miners Ghost	197.8.2012	DCCS/MTPR	Seek grant funding for the event to assist it to grow into an event with broader appeal beyond residents of Cobar.	Action plan instigated for implementation of resolution, next round of suitable grants not due until December 2014.
240	Committee of the Whole Closed Council – Clause 1C – Goat Handling Facility – Lot 40 DP755649 Kidman Way, Cobar	213.8.2012	DPES	Decline to accept that the current operation of the goat handling facility at Lot 40 DP 755649 Kidman Way, Cobar is a continuing use under S109 of the Environmental Planning and Assessment Act 1979. That the continued operation of the goat handling facility at Lot 40 DP 755649 Kidman Way, Cobar be dealt with as a compliance matter to be followed up by the Director of Planning and Environmental Services.	Action plan instigated for implementation of resolutions.

COUNCIL RESOLUTIONS 13 DECEMBER 2012

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
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307	Council – Clause 12A – Plant Replacement Program, Proposed Purchase of 34,000 Litre Water Tank Trailer in lieu of Side Tipper Trailer	320.12.2012	GM/ESM	<p>That the Plant Replacement Program be altered to provide for the purchase of one only 34,000 litre trailer road tanker in lieu of the side tipper trailer.</p> <p>That quotations be called for the supply and purchase of one only 34,000 litre trailer water tanker suitable for use as the lead trailer in a road train configuration at an estimated cost of \$100,000.</p>	<p>Rescission Motion reported again to the April 2013 Ordinary Council Meeting which was lost. Action plan instigated and implemented of original resolutions.</p> <p>Due to no guarantee at present of appropriate level of works for related activity quotation process has been delayed pending consideration of other matters.</p>
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COUNCIL RESOLUTIONS 28 FEBRUARY 2013

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
343	Council – Clause 22A – Proposed Hangar Construction and Lease of Plant of Land at Cobar Regional Airport by Sullivan’s Mining and Hardware	28.2.2013	DES/ESM	<p>That Council approve the construction of a hangar (subject to the building regulations) to be known as Hanger No. 2, on the current site of the “Aero Club”.</p> <p>That the applicant, Sullivan’s Mining and Hardware be responsible for the cost of</p>	<p>Once pavement reconstruction completed Council will apply to CASA to upgrade the airport classification to a Certified Aerodrome so that heavier RPT planes (more than 30 passengers) can use the airstrip.</p> <p>Optimistically, RPT flights could fly Broken Hill, Cobar, Sydney and return.</p> <p>Action Plan instigated for implementation of</p>

				<p>relocation of the Aero Club to a site determined by the Engineering Support Manager.</p> <p>That Council enter into a lease with the applicant for a 5 x 5 x 5 year lease with the annual fees being in line with the Fees and Charges as determined by Council.</p> <p>That Council investigate the possibility of arranging a lease for the management and maintenance to the appropriate standard of the Cobar Aerodrome, including the house and all amenities.</p>	<p>resolution.</p> <p>Action Plan instigated for implementation of resolution.</p> <p>Expressions of interest advertising will be delayed until final result of Resources for Regions Project is known.</p>
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COUNCIL RESOLUTIONS 28 MARCH 2013

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
350	Finance and Policy Committee – Notice of Motion – Management of the Youth and Community centre	41.3.2013	DCCS/MYFC	That expressions of interest be called for seeking an independent operation of the Youth and Community Centre.	Expressions of interest advertising will be delayed until final result of future Resources for Regions EOI's known.

COUNCIL RESOLUTIONS 24 APRIL 2013

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
380	Committee of the Whole Closed Council – Clause 1C – Notice of Rescission Motion – 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 2014/2015.

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 12 DECEMBER 2013

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
506	Council – Clause 12A – Division of Local Government Promoting Better Practice Review of Cobar Shire Council	294.12.2013	GM	That Staff continue to work towards the completion of any work required by the recommendations contained within in the Report and detailed within the Action Plan.	Action plan instigated for implementation of resolution.

COUNCIL RESOLUTIONS 20 JANUARY 2014

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

COUNCIL RESOLUTIONS 27 FEBRUARY 2014

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
530	Council – Clause 17A – Cobar Truck Wash	28.2.2014	ESM	That approval be given for the signing under seal if required of any documents for the lease or purchase of the land required for the truck	Action Plan instigated for implementation of resolution.

	Options			wash facility and if required the land be classified as operational.	
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COUNCIL RESOLUTIONS 27 MARCH 2014

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
537	Council – 3A Cobar Rural Fire Service Brigade Building Proposal	45.3.2014	DES	That Council approves the provision of a parcel of land to the Rural Fire Service for the location of the Cobar Rural Fire Service Brigade building either directly or via a long term lease. That Council approval be given for the signing under seal of any document for the lease of the land for the construction of Cobar Rural Fire Service Brigade Building.	Action plan instigated for implementation of resolutions.
542	Clause 10A – Cobar Truck Wash	53.3.2014	DES/ESM	That Council continues to seek external funding from Western Local Land Service and/or other Government Departments and/or others.	Grant and other funding being sought, Western Local Land Services have declined to provide any funds at present. Another Grant Application being arranged to the Commonwealth Government for Heavy Vehicle Safety Program Funding.

COUNCIL RESOLUTIONS 24 APRIL 2014

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
551	Council - Clause 8A – Grading of Shire Road 20 (Grain Road) by Local Contractors	75.4.2014	ESM	That Council trial the Grain Road contractor in the 2014/2015 financial year and allocate \$46,000 for the section of road from Tallebung Road to	Action plan instigated for implementation of resolutions. Initial grade has been completed on Shire Road 20.

				<p>the bitumen section at the southern end (approx.40 km long), and compare it with Council's standard. All work to be approved by the Works Manager prior to commencement on each occasion.</p> <p>That Council to investigate a long term strategy of using contractors and Council graders to accomplish its maintenance grading routine.</p> <p>That Council lobby State and Federal Governments for increases in funding to maintain Council's Regional and Shire Roads at a better level.</p>	<p>Mayor and GM have met with the Minister for Roads and Freight and his Deputy Chief of Staff on 7 August 2014 to further detail Council's case in relation to a low level of Regional Road funding in comparison with neighbouring Councils, level of funds required to improve Kidman Way South and funding of Wool Track improvements.</p>
556	Council - Clause 15A – Dalton Park Horse Complex Licence Agreements (Carried over from 27 February 2014)	82.4.2014	LMO	<p>That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to affix the Trusts seal to the 12 month temporary licence agreements for the following organisations and individuals to cover the period 1 July 2013 to 30 June 2014:</p> <ul style="list-style-type: none"> • Mr S Griffiths & Mrs C Griffiths (complete); • Ms Sharon Whitehurst 	All action complete – No further action required.

				(complete); <ul style="list-style-type: none"> • Cobar Pony Club (complete); • Cobar Miners Race Club (complete); • Cobar Rodeo Committee (complete). 	
COUNCIL RESOLUTIONS 22 MAY 2014					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
560	Council – Clause 4A – Cobar Shire Council Policy Direction Concerning Coal Seam Gas Exploration and Production	92.5.2014	GM/SPO	<p>That Cobar Shire Council supports in principle the Association of Mining Related Council’s Draft Policy on Coal Seam Gas including the relevant Position Statement and additional information and that Council’s direction is as follows in relation to Coal Seam Gas Exploration and Production:</p> <ul style="list-style-type: none"> ▪ That impacts on Local Government Council Infrastructure are adequately compensated for in the immediate and future life of those assets; ▪ In regard to the communities environmental assets, that the appropriate oversight body, whether government or private, is engaging effectively and is communicating with Council and the processes are put in place to independently obtain baseline 	Finalised Policy Document being formulated.

				<p>data on air and water quality;</p> <ul style="list-style-type: none"> ▪ Council’s position as far as practicable is a “nil” effect position in regard to the quality of surface water, domestic, stock and irrigation aquifers used by our community and a “nil” net effect on above ground environmental assets in relation to coal seam gas activities; ▪ That health and environmental impact assessments are conducted for all significant mining and extractive industries during the approval process; ▪ That individual property rights in regard to unwelcome drilling, exploration and/or extraction activities are supported; ▪ That the ten (10) International Council of Mining and Metals (ICMM) principles are supported by Council; ▪ That Cobar Shire Council recommends to the State Government that the pre-gateway determination process be modified to enable a refusal where appropriate, and; ▪ That Council promotes the dissemination of information to landholders that is independent and informs them of their rights and obligations prior to entering 	
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				into any agreements relating to coal seam gas exploration or production.	
563	Council – Clause 7A – Comparison of Water Restrictions between 2013 and 2014	95.5.2014	SM	That Council collect additional data to allow further analysis to be carried out on the effected changes in water restrictions are having on consumption within the towns and within the whole of the Shire.	Action plan instigated for implementation of resolution.
COUNCIL RESOLUTIONS 26 JUNE 2014					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
568	Council – Clause 4A – Internal Audit Options	108.6.2014	DCCS	That a further report be brought to Council when the model is finalised or if it is not finalised by 31 October 2014 the Luka Group be invited to extend their participation for a further year, pending further evaluation of Council’s internal audit function.	Report provided to the October 2014 Ordinary Council Meeting – No further action required.
578	Council – Clause 15A – 2014/2015 Annual Operational Plan and Budget Including Revenue Policy and Fees and Charges	120.6.2014	DCCS/SPO	Council develops a two tier water charging system to be considered for 2015/2016 including proper consultation with the community based on detailed analysis. Council approves in principal to the raising of an asset purchase loan of up to \$265,000, with a detailed report being provided prior to the transaction being finalised.	Action plan instigated for implementation of resolution. Action plan instigated for implementation of resolution.
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	ESM	That Council trials the use of chemical and cementitious stabilisation of the unsealed road network in conjunction with gravelling.	Action plan instigated for implementation of resolution.
584	Works Committee – Report 4A – Security Options at the Cobar Waste Depot	128.7.2014	MPES	That Council restricts access to the site between sunset and sunrise by locking the entrance gate and installing a suitable trade waste bin to negate illegal dumping.	Action plan instigated for implementation of resolution.
COUNCIL RESOLUTIONS 28 AUGUST 2014					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
599	Council - Clause 4A – To Approve the Tenure of Occupancy for the Cobar Mobile Children’s Services Inc	155.8.2014	DCCS	<p>a) That Cobar Mobile Children’s Services Inc. is offered tenure by way of Memorandum of Understanding for a period of one (1) year with a mutually agreeable option of a further year, commencing on 1 July 2014 and subject to Council’s Grant Applications and continuing to operate the building with its current use.</p> <p>b) That the annual payment be \$2,600 indexed at CPI.</p> <p>That other occupants of Council premises that have no occupancy agreement be recognised and an appropriate agreement entered into.</p>	Action plan instigated for implementation of resolutions.
604	Council – Clause 10A – New Tractor and Delta Wing Slasher Review Report	161.8.2014	ESM	That Council in the current financial year reviews and reprioritises this year’s financial budget prior to summer and purchases a Delta Wing Slasher for \$45,000 - \$55,000	Slasher purchased and working – No further action required.

				<p>and connect to Cobar's current 81 H.P. John Deere Tractor whilst retaining the existing 6 foot slasher for small areas.</p> <p>Evaluate the effectiveness of current 81 H.P. Tractor prior to 2015/2016 budget and include the purchase of a 125 H.P. Tractor if required.</p>	Effectiveness evaluation commenced.
605	Council – Clause 11A – Unregulated Free Camping in the Cobar Shire	162.8.2014	GM/ ADPES	That Council Officers work with the Cobar Caravan Park Operators to help ascertain alternative measures to the regulation of free camping in Cobar Shire that will increase the financial standing of the caravan park.	Initial meeting undertaken on 29 September 2014.
606	Council – Clause 12A – New Cobar Water Treatment Plant – Selection of Site and Financial Aspect	163.8.2014	PM	<p>The new Cobar Water Treatment Plant be constructed at the site of Location 4B; currently located on land under the ownership of Peak Gold Mines Pty Ltd.</p> <p>That the subject land be acquired as operational land pursuant to the provisions of Section 31 of the Local Government Act 1993.</p> <p>That Council authorise the Mayor and the General Manager to sign all relevant land purchase documentation under the Common Seal of Council; including a Memorandum of Understanding between Peak Gold Mines Pty Ltd and Council for future interest by Peak Gold Mines Pty Ltd in regard to the Cobar Wrightville Common.</p> <p>That all financial information on any proposed land purchase and negotiation</p>	Action plan instigated for implementation of resolutions.

				<p>remain in Committee of Whole Closed Council until the land acquisition has been finalised.</p> <p>That Council note that final costs may be higher for the new Cobar Water Treatment Plant than initially estimated; but all final cost projections will be reported to Council as the project is delivered.</p>	
608	Council – Clause 4B – Meeting Minutes	169.8.2014	DES/RM	<p>That in regard to the Motion that was passed by the Rural Roads Advisory Committee: “Copies of Grid Policies of other Councils in the area, including CDSC, Lachlan, Bourke Shires requested for discussion at the next meeting. Consideration is to be given to incorporate aspects into CSC’s Policy on Grids” that a report be brought to the Works Committee Meeting on the matter.</p>	Action plan instigated for implementation of resolution.
609	Council - Clause 5B – Cobar Truck Wash Independent Review	170.8.2014	ESM/SM	<p>That Council be provided a further report if required once the Commonwealth Grant Application outcome is known.</p> <p>That Council approach the Cobar Rugby Union Club and investigate if they have any use for the effluent water and if there are any costs in setting this up.</p>	<p>Action plan instigated for implementation of resolutions.</p> <p>Report provided to the October 2014 Ordinary Council Meeting – No further action required.</p>
610	Council – Committee of the Whole Closed Council – Clause 1C – Quotations for Purchase of Covert Surveillance Cameras	171.8.2014	MPES	<p>That approval be given to purchase the system of covert surveillance cameras from Professional Trapping Services for \$3,239 and to be installed by Council staff at the Cobar Waste Depot.</p>	Purchase complete – No further action required.

COUNCIL RESOLUTIONS 25 SEPTEMBER 2014

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
615	Finance and Policy Committee Meeting – Report 2A – Christmas Functions	177.9.2014	SPO	<p>That Council provides a lump sum payment of \$3,400 based on the number of staff and Councillors towards the Staff/Councillors Christmas Celebrations in 2014.</p> <p>The lump sum payment be divided as follows: \$2,440 for a combined Cobar-based Staff/Councillor Party, \$800 for Lilliane Brady Village Staff and \$160 for Euabalong Staff.</p> <p>That a combined Cobar based Staff/ Councillor Christmas Party be held from 3pm on Thursday 18 December 2014 with Council Offices closing from 3pm on the day.</p>	Noted and arrangements in hand – No further action required.
616	Finance and Policy Committee Meeting – Report 3A – Senior Citizens Christmas Party 2014	177.9.2014	SPO	That the Council Senior Citizens Christmas Party be held in the Cobar Shire Council Chambers on Friday 12 December 2014.	Noted and arrangements in hand – No further action required.
617	Works Committee Meeting – Report 1A – Quotation for the Supply of Trade and Miscellaneous Services 2012/2015 Update	178.9.2014	ESM	That Ausshredding Pty Ltd and Looknofurther.com.au Pty Ltd be included in Council’s Register of Approved Contractors for the Provision of Trades and Miscellaneous Services 2012/2015.	Register amended – No further action required.
618	Works Committee Meeting – Report 2A –	178.9.2014	RM	That Council take no further action in regards to a 40km/hr speed restriction zone	Information noted and appropriate advice provided to

	Investigation into 40KM/HR Speed Zone in Marshall Street from Bourke Street to the Great Cobar Heritage Centre			in Marshall Street due to the lack of warrant and the need for construction of controls through Marshall Street and the side streets.	Local Member – No further action required.																		
619	Council – Clause 1A – Public Access Address by Keith Norris – Mount Hope Progress Association	179.9.2014	SPO	That Council resolves to thank Mr Norris for his address and the Progress Association for hosting this Council Meeting and looks forward to continuing to work with the Mount Hope Progress Association into the future.	Mr Norris verbally thanked at the meeting for his presentation – No further action required.																		
620	Council – Clause 3A – Naming of the New Cobar Skate Park	181.9.2014	SPO	That Council resolves to name the new Cobar skate park the “Peak Skate Park” with signage as set out in the concept design.	Noted and arrangements in train – No further action required.																		
621	Council – Clause 4A – Pensioners Rate Rebate 2014/2015 – Claim 131	182.9.2014	RO	<p>That Council writes off rates in respect of eligible pensioners in the sum of \$114,500.00 as detailed in the summary listed below, subject to Council’s Auditor’s approval:</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td></td> <td style="text-align: right;">\$</td> </tr> <tr> <td>General Rates</td> <td style="text-align: right;">70,750.00</td> </tr> <tr> <td>Cobar Water Supply Access Rate</td> <td style="text-align: right;">21,350.00</td> </tr> <tr> <td>Euabalong Water Supply Access Rate</td> <td style="text-align: right;">1,137.50</td> </tr> <tr> <td>Euabalong West Water Supply Access Rate</td> <td style="text-align: right;">612.50</td> </tr> <tr> <td>Nymagee Water Supply Access Rate</td> <td style="text-align: right;">612.50</td> </tr> <tr> <td>Mount Hope Water Supply Access Rate</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>Cobar Sewerage Access Rate</td> <td style="text-align: right;"><u>20,037.50</u></td> </tr> <tr> <td>TOTAL</td> <td style="text-align: right;"><u>\$114,500.00</u></td> </tr> </table> <p>That Council apply for a subsidy of</p>		\$	General Rates	70,750.00	Cobar Water Supply Access Rate	21,350.00	Euabalong Water Supply Access Rate	1,137.50	Euabalong West Water Supply Access Rate	612.50	Nymagee Water Supply Access Rate	612.50	Mount Hope Water Supply Access Rate	0.00	Cobar Sewerage Access Rate	<u>20,037.50</u>	TOTAL	<u>\$114,500.00</u>	Noted and arrangements in train – No further action required.
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				<p>\$64,866.23 summarised below and further that Council undertake that in the event of a subsidy not being paid to Council in respect of the rates written off, then Council will not subsequently take proceedings for recovery thereof:</p> <p style="text-align: center;">\$</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">General Rates</td> <td style="text-align: right;">39,841.23</td> </tr> <tr> <td>Cobar Water Supply Local Rate</td> <td style="text-align: right;">12,199.69</td> </tr> <tr> <td>Euabalong Water Supply Local Rate</td> <td style="text-align: right;">625.63</td> </tr> <tr> <td>Euabalong West Water Supply Local Rate</td> <td style="text-align: right;">385.00</td> </tr> <tr> <td>Nymagee Water Supply</td> <td style="text-align: right;">433.13</td> </tr> <tr> <td>Mount Hope Water Supply</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>Cobar Sewerage Local Rate</td> <td style="text-align: right;"><u>11,381.55</u></td> </tr> <tr> <td>TOTAL</td> <td style="text-align: right;"><u>\$64,866.23</u></td> </tr> </table> <p>That Council undertakes in the event of a subsidy not being paid or differing from the claim not to proceed for recovery thereof.</p>	General Rates	39,841.23	Cobar Water Supply Local Rate	12,199.69	Euabalong Water Supply Local Rate	625.63	Euabalong West Water Supply Local Rate	385.00	Nymagee Water Supply	433.13	Mount Hope Water Supply	0.00	Cobar Sewerage Local Rate	<u>11,381.55</u>	TOTAL	<u>\$64,866.23</u>	
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TOTAL	<u>\$64,866.23</u>																				
622	Council – Clause 5A – Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy	183.9.2014	HRO	<p>That the draft Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy be placed on public exhibition for a minimum of 28 days.</p> <p>That Council consider, at the November 2014 Council Meeting, the draft Provision of Facilities to Mayor and Councillors Policy along with any submissions received following the public exhibition period.</p>	<p>Draft Policy placed on public exhibition – No further action required.</p> <p>Action plan instigated for resolution.</p>																
623	Council – Clause 6A – SR23 Booberoi Road Euabalong Traffic Options	184.9.2014	ESM	<p>That Cobar Shire Council erect large advisory route signs, one on Lachlan Street on the intersection with Robison Street and the Booberoi Road indicating the bitumen</p>	<p>Action plan instigated for resolution.</p>																

				road alternative.	
624	Council – Clause 7A – RMS Regional Roads Repair Program for 2015/2016 Funding Allocation	185.9.2014	ESM	That Council only nominate the Wool Track in the 2015/2016 Regional Road Repair Program.	Action plan instigated for implementation of resolution.
625	Council – Clause 8A – Analysis of Affects of the New Gym Report	186.9.2014	DCCS	That no immediate change be made to the operation of the Harry Marshall Gymnasium. That further consideration of the viability of the gym is made at each quarterly budget review in 2014/2015. That a major consideration of the viability of the gym be made as part of the 2015/2016 Budget deliberations.	Noted – No further action required. Action plan instigated for resolutions.
626	Council – Unaudited Financial Statements 2013/2014	187.9.2014	DCCS	In accordance with Section 413(1) of the Local Government Act 1993 Council refer the draft Financial Statements for audit. In accordance with Section 413(2C) Mayor Brady, Councillor Kings, General Manager Mr Woodman and the Responsible Accounting Officer sign the required statement as to Council’s opinion of the accounts. The General Manager be delegated authority to finalise the date at which the Auditor’s Report and Financial Statement are to be presented to the public in accordance with Section 418(1) of the Local Government Act 1993.	Action plan instigated for implementation of resolutions.

627	Council – Clause 10A – Adoption of Management Plan for Lot 18 DP213415	188.9.2014	LMO	<p>Council resolve, following consideration of the amendments to the Plan of Management, that these amendments are not substantial as per the <i>Local Government Act 1993</i> Section (40)(2).</p> <p>That Council after consideration of all submissions and the Public Hearing Report resolve to adopt the Draft Plan of Management Lot 18 DP213415 with amendments as detailed in this report.</p> <p>Council resolve, to give public notice of the adoption of the Plan of Management, including the term of any amendments as per the <i>Local Government Act 1993</i> Section (40)(2A).</p> <p>That Council authorise the General Manager to negotiate a lease or licence for an appropriate term and conditions with the Cobar Bowling and Golf Club Ltd.</p> <p>That Council authorise the Mayor and General Manager to sign any lease or licence under the Common Seal of Council.</p>	<p>Noted – No further action required.</p> <p>Noted, Plan of Management on Council’s Website – No further action required.</p> <p>Public notice given – No further action required.</p> <p>Action plan instigated for implementation of resolution.</p> <p>Action plan instigated for implementation of resolution.</p>
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RECOMMENDATION

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

CLAUSE 3B – MEETING MINUTES

FILE: C6-31 AOP REFERENCE: 3.1 ATTACHMENT: YES (PAGE 83-84)

AUTHOR: *General Manager, Gary Woodman*

Background

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

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

- Airport Advisory Committee Meeting – Thursday, 9 October 2014.

RECOMMENDATION

That the minutes of the meeting of Airport Advisory Committee be received and noted.

CLAUSE 4B – INTERNAL AUDIT UPDATE

FILE: A12-4

AOP REFERENCE: 3.1.4

ATTACHMENT: NO

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

Purpose

To update Council on the ‘Internal Audit’ function for the financial year ended 30 June 2015.

Background

Council was advised at the Ordinary meeting of Council of Thursday 26th June 2014 of ‘OROC’s desire to centralise the internal audit function for member Councils. It was identified at the time that the project was ambitious and may take longer to come to fruition than 2014/15 or may not come to fruition at all.

As a contingency Council resolved to re-appoint Luka Group if the ‘OROC’ plan was not achieved. It has now become necessary to make this appointment as the centralised solution will not be in place for 2014/15.

Luka Group has agreed to remain as internal auditor on an interim basis. It is anticipated that there will be only one visit in 2014/15 due to the timing of the appointment. (Normally there are two). The approximate cost will be \$11,000.

Our current ‘partner’ in internal audit is Brewarrina Shire through the process of providing community members for the Internal Audit Committee. Brewarrina have indicated that they have elected to cease having an outside appointment as internal auditor on the grounds that it is not cost effective. Their General Manager and an elected member will continue as community members on Cobar Shire Council’s Internal Audit Committee for this interim period.

RECOMMENDATION


That the Internal Audit Update Report be received and noted

CLAUSE 5B – INVESTMENT REPORT AS AT 30 SEPTEMBER 2014**FILE: B2-7****AOP REFERENCE: 3.1.1.7****ATTACHMENT: NO****AUTHOR: *Manager Finance & Administration, Neil Mitchell*****Purpose**

Regulation 212 of the Local Government (General) Regulation 2005 requires that a written report of investments be tabled at the monthly meeting. The table below shows the balances of Council's Investments as at the report date. Funds available throughout the month for short-term investment were transferred to a NAB Sweep Account because the interest rate remains competitive. The first term deposit, attracting 3.65% interest, will mature on 6 November 2014. Another term deposit of \$3m was opened on 16 December 2013. When this term deposit matured in June, \$2m was reinvested and attracts an interest rate of 3.65% and will mature on 16 December 2014. Two term deposits of \$2m each were opened after 30 September, with differing terms, in order to spread the maturity dates throughout the year. Included in the table below is the accrued interest attributable to 30 September 2014. The amount restricted in the Unaudited Financial Accounts for Employee Leave Entitlements is \$313,647.

Date	Opening Balance	Transfers to Investments	Transfers from Investment	Interest earned – Investments- Month	Closing Balance
	01.08.2014				31.08.2014
NAB Sweep Acct	\$ 5,313,965	\$ 402,771	(\$4,560,000)	\$ 4,552	\$ 1,161,288
NAB Term Deposits					
3.65% Interest	\$ 1,008,936			\$ 3,128	\$ 1,012,064
3.65% Interest	\$ 2,009,008			\$ 6,228	\$ 2,015,236
3.55% Interest		\$2,000,000		\$ 5,252	\$ 2,005,252
2.95% Interest		\$2,000,000		\$ 4,364	\$ 2,004,364
Totals	\$ 6,093,147	\$ 2,497,758	(\$ 267,000)	\$ 17,360	\$ 8,198,204

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.



Manager Finance & Administration

RECOMMENDATION**That Council receive and note the Investment Report as at 30 September 2014.**

ATTACHMENTS



ORDINARY MEETING AGENDA

THURSDAY 23 OCTOBER 2014

~ REFERENCE TO ATTACHMENTS ~

PART A – ACTION

Page Number

Clause 4A – Expression of Interest – Pilot Joint Organisation – Orana Regional Organisation of Councils (OROC) Under the Fit For the Future Program.....	58-64
Clause 7A – Revision of Community Enhancement Program.....	65-81
Clause 8A – Building Stronger Regions Fund.....	82
Clause 10A – First Quarterly Review of the Annual Operational Plan 2014/2015.....	
.....	Under Separate Cover

PART B – INFORMATION

Page Number

Clause 3B – Meeting Minutes.....	83-84
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