

COBAR SHIRE COUNCIL



ORDINARY MEETING AGENDA

THURSDAY 28 AUGUST 2014

~ ORDER OF BUSINESS ~

Business for the meeting will be as follows:

1. Apologies
 2. Declaration of Interests
 3. Condolences
 4. Confirmation of Minutes
 - Ordinary Meeting of Council – Thursday 24 July 2014
 - Finance and Policy Committee Meeting – Thursday 14 August 2014
 - Works Committee Meeting – Thursday 14 August 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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PART C – CONFIDENTIAL

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(This report is confidential in accordance with Section 10A(2) (f) of the Local Government Act 1993, as the information relates to matters affecting the security of Council property).

~ 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.

~ COUNCIL DIARY ~

DATE	ACTIVITY	INVOLVES
Thursday 28 August 2014 (4:00pm)	Councillor Workshop – Cobar Water Treatment Plant Site Location, Type and Land Discussion	Councillors/Senior Staff
Thursday 28 August 2014 (5:00pm)	Council Meeting	Councillors/Senior Staff
Thursday 28 August 2014 (After Council Meeting)	Councillor Workshop – Staffing Matters Presentation	Councillors/Senior Staff
Thursday 11 September 2014 (4:00pm)	Extraordinary Council Meeting	Councillors/ Senior Staff/ Community
Thursday 11 September 2014 (5:00pm)	Committee Meeting	Councillors/ Senior Staff/ Community
Thursday 25 September 2014 (8:00am)	Councillor Rural Roads and Village Inspection	Councillors/ Senior Staff
Thursday 25 September 2014 (2:00pm)	Rural Council Meeting – Mount Hope	Councillors/ Senior Staff/ Community
Wednesday 5 November 2014 (2:00pm)	Rural Roads Advisory Committee Meeting – Council Chambers	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 August 2014.

CLAUSE 2A – EMPLOYEE LEAVE ENTITLEMENTS CASH BACKED RESERVES

FILE: S5-1

AOP REFERENCE: 3.1

ATTACHMENT: NO

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

Purpose

To review the requirements of Council having a cash backed reserve in place for employee leave entitlements.

Background

At the close of the 2010/2011 Financial Year Council had insufficient cash or cash equivalents on hand to cover its external restrictions.

This lack of liquidity meant that there was no allocated cash to cover employee leave entitlements for departing employees.

This was the period in which Council incurred a large deficit and consequently slashed many projects. There was concern in the community that Council Employee Leave Entitlements at the time may not be able to be paid.

Consequently Council resolved at its May 2012 Ordinary Council Meeting that:

1. *That the proceeds of the sale of non financial assets, excluding plant change over trade in receipts is set aside as cash backed reserve specifically for the payment of accrued employee leave entitlements paid to departing employees to on balance of 10% of the entitlements liability.*
2. *That the requirements for this reserve be reviewed in June of each year as part of the budget process, commencing in 2013.*
3. *That this reserve be reported as a line item in the monthly cash flow statement.*

Since that time Council's cash reserve has increased significantly and has a recent average cash balance of approximately \$6 million. It has been able to restrict a sufficient amount to cover any (accountable) anticipated employee leave entitlements. Consequently, the separate cash backed reserve is no longer needed nor is there a need to continue to allocate the sale of non-financial assets to the employee leave entitlements reserve.

Employee Leave Entitlements are currently approximately \$2 million over the Audited Accounts will reflect a restriction of at least \$300,000.

RECOMMENDATION

- 1. That Council no longer maintain a separate cash backed reserve for employee leave entitlements.**
- 2. That Council no longer specifically apply non-financial asset sale proceeds to employee leave entitlement reserves.**

CLAUSE 3A – COMMUNITY NOTICE BOARD

FILE: A10-13

AOP REFERENCE: 1.3.3

ATTACHMENT: NO

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

Purpose

To set guidelines for placing information on the community notice board.

Background

Council approved a capital allocation of \$5,000 in the current budget for a community noticeboard to be placed in Marshall Street next to the library.

Designs are currently being priced to enable the project to proceed.

It is important to have guidelines in place as to be able to properly manage the content and manage Council staff efficiency.

It is recommended that the Community notice board be for:

- Council announcements;
- Community Groups or Clubs (community benefits must be approved).

All notices must be approved by Council before displayed. This task will be able to be done by the General Manager, Special Projects Officer and the Director of Corporate and Community Services.

Notices to be posted must be delivered to Council front office by hand, post or email and received at least five days before posting.

Notices to be not larger than A3 size, without approval from the relevant Council Officer.

Notices will be removed at the conclusion of the event or after three months. Notices may be resubmitted for future posting.

Council information will be given priority when there is insufficient space to display all required postings.

The General Manager will have authority to resolve any disputes and notices.

RECOMMENDATION

That the guidelines contained within the Report for the Community Notice Board be adopted.

CLAUSE 4A – TO APPROVE THE TENURE OF OCCUPANCY FOR THE COBAR MOBILE CHILDREN’S SERVICES INC

FILE: C8-5-1

AOP REFERENCE: 1.3

ATTACHMENT: NO

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

Purpose

To approve the tenure of occupancy for Cobar Mobile Children’s Services at the community centre.

Background

The Cobar Mobile Children’s Services Inc. (Mobile) has occupied the eastern side of the Community Centre for four years. Prior to this occurring, the space was used by an earlier version of a mobile service.

During this period ‘Mobile’ has done major works to construct stairs, achieve safety standards etc. and have invested significant money.

In the 2011-12 budget Council notionally valued the rent at \$100 per week and reduced it by way of a donation in its annual allocation of donations. No share of rates or water charges was passed on.

In the 2014-15 budget, a donation of \$2,600 was granted for “rent relief”. This means that 50% of the notional rent will need to be paid.

During this period of occupancy no formal agreement has been in place. ‘Mobile’ have now requested some acknowledgement of their tenure. This is normal business practice.

It is recommended that a memorandum of understanding between the Shire and ‘Mobile’ be used.

The initial term of five years with an option to extend for a further five (5) years mutually agreeable has been suggested. If ‘Mobile’ stays to completion the entire occupancy will be ten years. The agreement can then be considered again. Such an agreement would be subject to Cobar Shire Council continuing to operate the building with its current use.

In the spirit of the Donations Policy, the donation of approximately 50% rent relief would continue for the period.

There are other occupiers in the same state as ‘Mobile’, i.e. no agreement and these need to be negotiated with and an agreement entered into.

The situation with ‘Mobile’ at the community centre will be further complicated if Council is successful with its Resources for Regions Grant Application.

Normally it has been tenure on a yearly basis. It is understandable that the Cobar Mobile Children’s Service would like security of tenure however it may be premature

at this stage to enter into a longer term agreement greater than one (1) year plus a one year (1) extension.

RECOMMENDATION

1. 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.

b) That the annual payment be \$2,600 indexed at CPI.
2. That other occupants of Council premises that have no occupancy agreement be recognised and an appropriate agreement entered into.

CLAUSE 5A –NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS
FILE: L5-5.3 AOP REFERENCE: 3.1.5.1, 3.2.2.1 ATTACHMENT:
YES (PAGE 69-80)

AUTHOR: *Director of Engineering Services, Peter Graf*

Purpose

To report on the proposed attendance of the National Local Road and Transport Congress that will be held at the Tamworth Memorial Hall from 12 – 14 November 2014.

Background

The National Local Road and Transport Congress will be held at the Tamworth Memorial Hall from 12 – 14 November 2014.

This Congress examines details of major national transport reforms with discussions on issues such as the importance of federal funding in overcoming road and infrastructure challenges and reinforcing the need for increased and permanent funding under the Roads to Recovery Program beyond June 2019. The Congress will also focus on broader policy issues, such as transport challenge discussions ‘Paddock to Plate’, the Inland Rail Project, and improving transport access (from aviation perspective and that of land transport roads and bridges).

The Congress program includes such items as:

- Transport Planning Fit for the Future;
- Paddock to Plate;
- Inland Rail;
- The Importance of Roads to Recovery Program;
- Airports;
- Bridges Program;
- National Heavy Vehicle Regulator;
- Forward Looking Road Expenditure Plans;
- Panel sessions.

Issues

The 2014 National Local Road and Transport Congress is a significant event for Local Government in Australia.

In 2013 Cobar Shire Council was not represented.

The Congress is important as it provides the opportunity to keep up to date with current issues affecting Council’s local roads.

Financial Implications

The cost per delegate is expected to be as follows:

-
- Conference registration \$860.00
 - Accommodation \$500.00
 - Travel \$400.00
 - Miscellaneous Costs \$240.00

Estimated total per delegate is \$2,000.00.

Sufficient funds have been provided in the 2014/2015 Budget for up to two delegates to attend this Congress.

Options

I believe that this Congress is important to Cobar Shire Council and Local Government in Australia and that the only appropriate option is for the attendance of up to two delegates.

RECOMMENDATION

That the Director of Engineering Services or nominee and one Councillor to be determined by Council be authorised to attend the National Local Road and Transport Congress that will be held at the Tamworth Memorial Hall from 12 – 14 November 2014 with attendance met from within the relevant budget allocation.

CLAUSE 6A – NSW FAMILY DAY CARE (FDC) ASSOCIATION ANNUAL PROFESSIONAL DEVELOPMENT AND NETWORKING FORUM AND NATIONAL IN HOME CHILDCARE ASSOCIATION (NICA) CONFERENCE

FILE: C8-5 AOP REFERENCE: 1.3.2.1, 3.3.2 ATTACHMENT: YES (PAGE 81-83)

AUTHOR: *Manager of Children’s Services, Karen Lennon*

Purpose

The purpose of this Report is to provide information to Council about:

The 2014 NSW FDC Association Annual Professional Development and Networking Forum on Wednesday, 10 September 2014 to Friday, 12 September 2014 at the Menzies in Sydney. The theme of this year’s Forum is “**Enhance your vision: Gain the Edge**” and the National In Home Child Care Association AGM and Conference to be held at the Vibe Hotel, Gold Coast on the 5th September 2014 and to seek approval for appropriate employee/s to attend.

Background

This Report details the relevance of the attendance at the FDC Forum and NICA Conference and the costs and recommendations for appropriate attendance.

The Forum Program is designed to offer current information about the child care sector, in particular Family Day Care and the latest information about the changes the Federal Government is imposing upon the sector on the whole.

The Forum Program includes such topics as:

- The role of the Educational leader;
- Immunisation update session;
- Financial viability for FDC;
- Documenting with purpose;
- Unpacking the government requirements of FDC.

The NICA Conference includes:

- Professional development- Accidental Councillor;
- Meeting with Hon. Sussan Ley MP- Assistant Minister for Education;
- Networking opportunities and open discussions.

Issues

These events are important as it provides the opportunity to keep up to date with introduced changes and the proposed changes to the child care sector.

There has been a lot of discussion in the media about what could and will be happening in the child care sector soon and in the future. It is vital to have the facts to inform and plan appropriately for the Child Care Services of Cobar. The topic is extremely important in Cobar, with strong interest from the mines.

Staff have been receiving lots of questions from families wanting information as well as our Educators wanting to feel secure into the future.

Under the conditions of the Cobar Shire Council being the Approved Provider for Family Day Care and In Home Care, the terms of that agreement state that “*Provision of information, assistance and to Family Day Care Educators*, must be provided - *Regulation 169(2)(g) and National Quality Standards 4.2, 7.1, 7.2, 7.3*”.

The annual staff reviews completed in February 2014 included in the identified training for the Manager and Educational Leader “*State Conference attendance*”.

The key areas that will be addressed at the Forum and Conference which will be beneficial to the attending delegate/s and then for Cobar Shire Council Children’s Services would be:

- The latest information about what is going to be occurring with funding both operational and Child Care Benefit;
- Understanding the changes to Government regulations as well as changes to the National Quality Framework and how to implement them;
- The possibility of the Federal Government adding In Home Care to the Quality Framework (which is a new idea that will not benefit our service so we must understand this);
- Current information about the National In Home Care Standards and the details of the recent review of this document;
- Knowledge gained from listening to the speakers and participating in the workshops, ideas, insights and training ideas that can be passed on to or used with our large number of Educators (50), keeping us and them up to date;
- The networking opportunities that arise at these occasions are invaluable and with us being a remote service it is extremely helpful to know who to talk to when questions/ problems arise;
- Allowing staff to view the latest toys and equipment available rather than choosing them from a catalogue.

It has been 3 years since any staff attended the NSW FDC Forum and 5 years since we have been to the NICA Conference.

Financial Implications

Registration costs for the NSW FDC Forum are \$520.00 (incl. GST) per delegate, inclusive of Conference dinner. Both the Manager of Children’s Services and Educational Leader should attend.

Accommodation costs would be approximately \$540.00 for the entire Conference. Travel costs will be approximately \$300.00, i.e. the total expenses will be approximately \$1,880.00.

Costs are provided for in Children’s Services 2014/2015 Training Budget.

Registration costs for the National In Home Care Association Conference are \$150.00 (incl. GST) per delegate. The Manager of Children's Services to attend.

Accommodation costs would be approximately \$320.00 for the entire Conference.

Travel costs will be approximately \$530.00 i.e. the total expenses will be approximately \$1,000.00.

Costs are provided for in Children's Services 2014/2015 Training Budget.

Far West Family Day Care and In Home Care Services are Federal Government funded and if the allocated money is not spent on Children's Service it is returned back to the Government.

RECOMMENDATION

- 1. That approval be given to Council's Children's Services Manager and FDC Educational Leader attend the 2014 NSW Family Day Care Association Annual Professional Development & Networking Forum in Sydney.**
- 2. That approval be given to Council's Children's Services Manager to attend the 2014 National In Home Child Care Association AGM & Conference at the Gold Coast.**

CLAUSE 7A – 2013/2014 BUDGET ITEMS REQUIRED TO BE CARRIED OVER

FILE: F-2-3-21 AOP REFERENCE: 2.1 ATTACHMENT: YES (PAGE 84)

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

Purpose

For Council to approve items that were in the 2013/2014 Budget which were unable to be achieved in that financial year to be carried over to the 2014/2015 Budget.

Background

Fifteen capital items and three operating items which were originally expected to be completed/ purchased in 2013/2014 were outstanding as at 30 June 2014.

The Fort Bourke Hill Truck Wash which was budgeted for the 2013/2014 financial year and was not completed will not require a carry over as it has been included in the 2014/ 2015 Budget as a ‘fresh item’.

The extension to the Lilliane Brady Village which was budgeted (\$90,000) to be completed in 2013/2014 but was not commenced will not require to be carried over as it is anticipated that the ‘Pink Ladies’ assisted by Peak Gold Mine will fund the project.

A further item of plant which was not shown in the budget, but was in the 15 Year Rolling Plant Replacement Plan was a 14 foot trailer due for change over at \$45,000. It is recommended to properly include this in the budget.

There is sufficient cash available as at 30 June 2014 to fund all items and this will be shown as Restricted Cash in the Audited Annual Statements.

RECOMMENDATION

That the Capital Budget in 2014/2015:

- 1. Be increased by \$620,640 to fund capital items carried forward from 2013/2014;**
- 2. Be increased by \$45,000 to fund a 14’ trailer at ‘change over price’;**
- 3. That the Operating Budget be increased by \$32,905 to fund operating items carried forward from 2013/2014.**

**CLAUSE 8A – QUOTATIONS FOR PURCHASE OF COVERT
SURVEILLANCE CAMERAS**

FILE: W1-7-1 AOP REFERENCE: 5.1.2.2 ATTACHMENT: NO
AUTHOR: *Manager Planning and Environmental Services, Stephen Poulter*

Purpose

The purpose of this Report is to provide Council with information in relation to quotations that have been obtained in relation to the purchase of covert surveillance cameras.

Given that the matter concerns matters affecting the security of Council property, it is recommended that Council considers a further Report in the Committee of the Whole Closed Council.

RECOMMENDATION

That the report on quotations for covert surveillance cameras be considered in the Committee of the Whole Closed Council with the press and public excluded for the reasons stated in accordance with Section 10A(2) (f) of the Local Government Act 1993, as the information relates to matters affecting the security of Council property.

CLAUSE 9A – 2014 NSW PUBLIC LIBRARIES CONFERENCE

FILE: L1-5 AOP REFERENCE: 1.3.1, 3.3.2 ATTACHMENT: YES (PAGE 85-86)

AUTHOR: *Manager of Library Services, Jane Siermans*

Purpose

To advise Council of the 2014 NSW Public Libraries conference and endorse attendance and participation by Cobar Shire Council personnel.

Background

Annual Public Library Conferences are held to enable Councillors and Council Library Professional personnel to develop networks with key stakeholders, as well as develop skills and knowledge in key areas of public library management and customer service.

Every second year, NSW Public Libraries Association (NSWPLA) hosts the Conference with a focus on new trends and innovations relevant to the public library industry. The 2014 Conference will be hosted by the Central West Zone of the Association and is to take place in Mudgee from 11 to 14 November.

Cobar Shire Council is a member of the Central West Zone of the NSW Public Libraries Association, which represents the interests of local government authorities throughout NSW. To minimise travelling time and costs, the AGM of NSW Public Libraries Association is also held at this event.

Issues

As a library professional, the Manager Library Services strives for continual improvement of the Cobar Shire Library service. Knowledge and understanding of developments in public library practices and technology is vital to achieve this goal. The 2014 NSW Public Libraries Conference is an industry-standard professional Conference that enables achievement of this goal.

Attendance of this Conference will also provide excellent opportunities for networking with Councillors and Library Managers regarding the critical issue of the NSWPLA funding campaign to increase State Government funding for public libraries.

Legal Situation

Cobar Shire Council's job description for the position Manager Library Services lists Conference attendance as a specific accountability. Attendance of the 2014 NSW Public Libraries Conference would fulfil the Manager Library Services accountability requirement to:

- "promote cooperation with other libraries and organisations by attending meetings of appropriate bodies and participate in relevant activities";
- "keep abreast with developments in library management and information systems, technology, organisation and retrieval"; and

- “attend relevant User Group meetings and Conferences”.

Financial Implications

\$3,278 of the library budget is allocated to the direct costs of attending professional training, meetings and Conferences.

\$845 of this budget would be utilised to attend the 2014 NSW Public Libraries Conference.

RECOMMENDATION

That a Cobar Shire Council Staff Representative be authorised to attend the 2014 NSW Public Libraries Conference.

CLAUSE 10A - NEW TRACTOR AND DELTA WING SLASHER REVIEW REPORT

FILE: A10-30

AOP REFERENCE: 3.1.1.2

ATTACHMENT: NO

AUTHOR: *Engineering Support Manager, Kingsley Page*

Purpose

The purpose of this Report is to review options for Council to provide roadside and open space slashing. One option may be to consider a new 125 H.P. Tractor and 4.5 metre (15 foot) wide Delta Wing Slasher.

Background

The objective of this feasibility study is to identify all aspects associated with the current slashing arrangement including the purchase of a new 125 H.P. Tractor and 4.5 m wide Delta Wing Slasher.

Cobar Shire Council hired the Bourke Shire Council's D15 Delta Wing Slasher and Tractor to undertake roadside slashing trials in 2011 for evaluation. This was completed to determine whether the same method of road side slashing was feasible for Cobar Shire roads.

Delta Wing Slasher working on Barrier Highway in 2011



There is a need to control vegetation on the road verge and provide better visibility for motorists to see wandering wildlife/ stock and hopefully minimise accidents. The slasher is capable of cutting off small trees, shrubs and woody weed way before they grow too big and have their root system affect the road pavement and embankment. Grass mowed short may also be useful in creating fire breaks in time of wild fire.

This slasher will be utilised cutting along the State Highway, Regional Roads and Shire Roads such as the roads leading into the mines. A wide area slasher would also reduce the slashing time for maintenance of grassed areas at the Cobar Airport Property, Council Reserves and some town streets within the 50 km zone.

Issues

Bourke Shire Council has a 6430 John Deere tractor (120 engine HP, approximately 105 PTO HP) driving the 15 foot Delta Wing Slasher. This tractor proved an ideal match for the long distance slashing tasks they were undertaking.

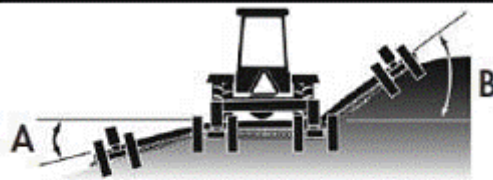
Bourke Shire Council bought the 15 foot AF Gason D15 Delta Wing Slasher; but the majority of NSW Councils and Victorian Roads Contractors prefer the Schulte SH Industrial 15 foot Delta Wing Slasher. Both machines have the ability to fold the wings and travel along the road at 2.5m wide between jobs.

The AF Gason D15 Delta Wing Slasher works well in the Bourke Shire Council as their roadside batters are relatively flat.

Cobar Shires terrain however is more undulating and hilly so the road batters can be much steeper therefore limiting the kilometres that this wide slasher could be used on. The road side gradients in some areas would not suit a wide profile slasher as such; but the Delta Wing's ability to have its wings fall 20° below level and cut at up to 45° up will increase the amount of road that can be slashed.

Reference: Operating angle chart from operator manual.

Cutting Angles



The below table specifies the suggested maximum working angles for the various winged machines.

Machine	A °	B °
Orchard Mower	0	10
Delta Wing	20	45

A contractor working with these slashers claims he is cutting anywhere between 30 to 60 road kilometres per 10 hour shift depending on traffic, terrain and vegetation density. It would be anticipated the slasher working on the Cobar Shire roads would be slashing more than 40 road kilometres per day.

Combined with a maintenance program of using a grader to improve the batters the slasher could work more effectively in the future.

The real issue of slashing for long periods on steep batters is the operators comfort as tractors are meant to work on relatively flat ground.

The vegetation in this western area, by its nature will respond very quickly just after rain and more so in the hotter months. This is when the slashing of the road sides should take place.

The current slashing practice by Cobar Shire Council is inefficient as only a 1.8m wide slasher is being used and to get an effective strip of mowed grass along the roadway the tractor needs to do two passes on each side of the road.

Council's two existing tractors are John Deere 5425 Models which are rated at 81 H.P. with a PTO 65 H.P. The Cobar Depot Tractor has done 4,188 hours whilst the Euabalong Depot Tractor has done 1,324 hours. Both tractors are scheduled for replacement in the 2018/2019 Budget.

The recommended tractor is a 100-120 H.P. type. However, there is a Contractor in Wellington NSW operating a tractor the same as Cobar's (81 H.P.) and it is pulling a 15 foot Schulte Delta Wing Slasher. Therefore, it is possible to slash with this smaller tractor but the ground speed is a bit slower. On sparse vegetation there would be no discernible loss in performance, but there would be on thick vegetation. Once the vegetation was cut, future slashing would be much easier if the vegetation wasn't allowed to get excessive.

Financial Implications

There are two types of Delta Wing Slashers that are recommended for roadside slashing.

Prices range from \$45,000 to \$55,000.

There are number of tractors around 125 H.P. that are suitable to operate the 15 foot slasher.

Their prices range from \$122,000 to \$130,000 depending on options taken.

Alternatively Bourke Shire Council will dry hire their Delta Wing Slasher and Tractor for \$132.00/hour. Cobar Shire Council would need to supply an operator, diesel and maintenance, adding another \$90.00/hour, total operating cost is \$222/hour.

Bourke Shire Council will hire the tractor and slasher at non-peak times such as during the winter months; but would prefer four weeks' notice to hire it at any other time. The ideal time to slash is just prior to when grass is forming seed heads therefore lessening the long term seed bank. Hence, it may not be available at the time Cobar Shire Council has a need to use it.

There is also a requirement for a smaller slasher to mow the more confined and tighter areas; unfortunately the existing slasher is not compatible with the bigger tractor due to spline and gearbox limitations; therefore an additional seven foot slasher would need to be purchased as well; with an approximate cost of \$15,000.

The Operational Budget available to run the tractor and slasher is drawn from a few different sources which are as follows:

- RMS Works	\$50,000
- Regional & Shire Roads	\$40,000
- Town Reserves and Streets	\$30,000
- Cobar Airport	\$4,000
- RFS Fire Hazard Reduction	\$20,000
This gives a total budget of	\$144,000

Effectively, this combined budget would keep the tractor and slasher operational for approximately 500 hours per year.

Owning the tractor and slasher will cost approximately \$50/hour in depreciation and maintenance. Hourly depreciation cost will be less if usage is even higher around say 800 hours per year, dropping roughly to \$33/hr. Clearly it is more viable economically and operationally for Council to own the tractor and slasher than to hire it from Bourke Shire Council.

The 2014/2015 Plant and Equipment Budget has been allocated and there is no provision to fund the tractor and slasher with a total price of around \$182,000. There is a possible trade-in offset with the existing tractor of approximately \$35,000 leaving a total of \$147,000 to be funded.

Risk Implications

As the State Government cuts back on cutting rural highway grass, some highway safety advocates fear the growing trend violates a basic principle of risk management as one of the key factors for the safe and efficient operation of vehicles on the road is sight distance.

There is concern that there will be an impact on tourism; with a consideration that uncut grass along the highways will make Cobar Shire less attractive to travelling tourists.

Wildlife strikes may be higher, with a financial effect on motorists. The concern is that the kangaroo and wildlife population will find the high roadside grass and uncut bush more inviting during the summer months, increasing the possibility of animal/vehicle collisions and strikes. During the spring and summer goats and other wildlife species feed on the vegetation and standing herbage, weeds, grasses, leaves and herbs near the roadway.

There is also a higher fire risk; with a long period of hot and dry weather over summer, weeds allowed to grow above 300mm in some cases, are considered to be a fire hazard by Rural Fire Service. Heat and smoke effects may in turn lead to temporary closures of the highways.

Options for Council Consideration

Option 1

Review and reprioritise this years financial budget prior to summer and purchase a delta wing slasher for \$45,000-\$55,000 and connect to Council's current 81 H.P. John Deere tractor whilst retaining the existing 6 foot slasher for smaller areas. Evaluate effectiveness of current 81 H.P. tractor prior to 2015/2016 Budget and include purchase of a 125 H.P. Tractor if required.

Option 2

Review and reprioritise the 2014/2015 Plant and Equipment Budget to determine whether there is sufficient funding that can be reallocated to the purchase of the 125 H.P. Tractor and Delta Wing Slasher at a net cost of approximately \$147,000.

Option 3

Do nothing and continue with existing tractor and slasher for another twelve months, review Council's Budget and evaluate the purchase of a 125 H.P. Tractor and Slasher in 2015/2016 financial year.

Option 4

Increase Council's debt and purchase the 125 H.P. Tractor and Delta Wing Slasher on a lease agreement. This could be facilitated by Council's Finance Department; either through a bank loan; or through the equipment supplier who are currently advertising a 1% interest rate.

Option 5

In the 2014/2015 financial year, hire Bourke Shire Council's Tractor and Delta Wing Slasher for approximately six weeks in summer to slash the maximum amount of area that is affordable. Alternatively slash the areas the Delta Wing cannot cut using Council's current tractor and slasher.

RECOMMENDATION

- 1. 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 and connect to Cobar's current 81 H.P. John Deere Tractor whilst retaining the existing 6 foot slasher for small areas.**
- 2. 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.**

Council Officers have undertaken an assessment of the matter, identifying relevant benefits and constraints concerning the issue on the community including advice from Council's Solicitors. The findings of this assessment are provided in the commentary below for Council's consideration.

Community Feedback

At Council's Finance and Policy Committee Meeting on 10 July 2014 Mr Ian Setttee took public access on the issue and spoke in favour of 'freedom camping'.

Mr Setttee has also taken a number of Councillors on tours of the Newey Reservoir and Cornish Rest Area and facilitated discussions between those Councillors and RV/Caravaners who were camping at the Newey Reservoir and the Cornish Rest Area at those times.

There has also been inspections at the Cobar Caravan Park during the school holiday time, a peak time for use of the caravan park. At this time it would be expected that the Cobar Caravan Park would be experiencing high utilisation/ occupancy.

Since the initial reporting on the unregulated free camping issue Council, the Mayor and various Councillors have been in receipt of various forms of correspondence from a number of persons in relation to unregulated free camping, most being supportive of Council continuing to allow unregulated free camping if possible. Those items of correspondence, Facebook posts, etc will be available for interested Councillors perusal at the Council Meeting and beforehand if required. Copies of relevant magazine articles and Cobar Weekly articles and letters to the Editor will also be available.

Cobar Caravan Park Operators Feedback

Attached is a copy of a letter from the Management and Development Leasees of the Cobar Caravan Park (John and Karen Dineen) – Anera Pty Ltd which is self-explanatory.

The general concern is that the Cobar Caravan Park could be down as much as 30% turn over in the past twelve (12) months mostly due to the unregulated free camping in and around Cobar and Rest Areas further away from Cobar. This is a real concern with the viability of the business and perhaps eventually the contractual relationship between the parties at risk.

John and Karen Dineen are trying their best with the Cobar Caravan Park. They have undertaken extensive refurbishment of the facilities, have developed programs such as the Cobar Bowling and Golf Club drink voucher promotion, Maddies Café Coffee Shop promotion, Cobar "Mates Rates" brochure and program (discounts) – see attachment, a Park Newsletter – see attachment, a Cobar Survival Kit (Promotion) – see attachment. Also in conjunction and separate to the Cobar Shire Council Tourism Section the Dineen's are attending with stands all of the Camping and Caravan Shows (Sydney, Perth, Adelaide and Penrith) and also in conjunction with the Kidman Way Committee promotions (see promotion brochure). They have also spent a great deal of money on advertising in a number of caravanning magazines.

Attached is a copy of the typical costs of caravan parks in the Outback. \$35 per site per night for two people is typical. There are reduced rates at the Cobar Caravan Park for the second and subsequent nights.

Relevant Supporting Documentation

The following attached documentation provides additional clarification information on this matter:

- List of Crown Reserves within Cobar Shire that unregulated free camping may be relevant;
- List of other locations within Cobar Shire that unregulated free camping may be relevant;
- Planning Circular PS10-019 - Illegal Camping;
- LPMA (Crown Lands) Paper - The Use of Crown Reserves for Operating Caravan Parks and Camping Grounds, April 2010;
- Correspondence with Council Officers and RMS concerning use of Rest Areas and Statement about use of Rest Areas – June 2014;
- DLG Circular 13-05 Council Management of Camping Public Places.

Summary of Legal Advice

Council's Solicitor has advised that Council can regulate, when deemed necessary, free camping by signage however location and wording of signage would need to be subject of further legal advice. There is no legislative obligation for Council to regulate free camping.

Essentially the areas subject of previous Council Reports fall into two types of publicly accessible land being 'public places' or 'road/road related areas'. Each would need to be handled differently with respect to signage due to legislative restrictions.

Catalyst for Regulation of Free Camping

Council needs to ask itself the following questions in regards to determining the warrant or not of commencing regulatory action on free camping:

- What unacceptable circumstances would a local council normally consider it acceptable to regulate this issue:
 - Environmental and Public Health issues such a noise, waste, odour, land and water pollution;
 - Inequitable use of public space or road related area;
 - It creates a dangerous situation or unreasonable safety concern.
- Other Councils in NSW (Byron Shire and Sydney City) have introduced regulatory mechanisms to control free camping in situations where those Councils believe that the problems correlated to free camping is unacceptable.

In comparison is Cobar Shire experiencing the same problems or similar scale of problem to warrant commencement of regulatory controls? (Byron Shire Council has issued over 3,000 PIN's - major issue);

- Is this particular issue a completely unacceptable situation that Council should regulate it or is it something that could be managed in other alternative ways such as clean up notices, passive systems to prevent parking of vehicles/vans on environmentally sensitive areas or signage indicating locations of dump points and areas where dumping of liquid waste is unacceptable;
- Is regulating free camping, by way of signposting areas prohibiting this activity, the most ideal method of managing Cobar Shire's specific matter?
- Is the concern raised by the Caravan Park Operators outweighed by the benefit of free camping to the community?
- What does the community want? Does the community believe that the problem requires addressing?
- Would commencing regulatory actions to control free camping set an undesirable precedent for regulatory processes undertaken and not undertaken by this Council?
- Would regulatory action move free campers to isolated areas of the Shire that are rarely patrolled meaning that environmental/public health and other issues may occur without detection for considerable time?

Council's Ability to Regulate this Matter

Council needs to determine whether regulation of free camping is a priority and whether it is practical particularly at locations far from the main Council Administration Centre in Cobar and in particular Rest Areas anywhere between 50km and 105km away from Cobar. If locations are appropriately signed to stop free camping would the community expect Council to regulate those notices.

If Council determines that most locations including those far from Cobar should be regulated by signage it is considered that the resources currently available would not be able to be satisfactorily managed and resourced without reducing other regulatory services in higher priority areas such as food safety, companion animals, public health, environmental health and development assessment, etc.

Council does not have the ability to fund additional resources.

Council does however have a duty of care to manage other specific issues related to free camping that has been experienced in the Cobar Shire such as littering, land and water pollution incidents and liquid waste management. Council does have the ability to manage these instances individually using existing regulatory tools provided in relevant legislation which is already taking place.

Legal Situation

The legal situation has been explained throughout this Report and the Report provided to Council's June 2014 Ordinary Meeting.

Policy Implications

The NSW Governments' position is that they do not support camping on unserviced public land at the expense of the private operators of caravan and camping facilities. However, the position probably needs to be better protected by legislation.

Financial Implications

If Council determines to enforce legal requirements at an unregulated camping location there will be costs associated with required signage. Council can not afford to sign every location nor undertake proper enforcement at every location.

If the RMS is not prepared to install signage at Rest Areas and it falls to Council it would be expected that the larger signage most probably required at Rest Areas would cost in the order of \$500 for each required sign. Some rest areas would require two signs:

Gilgunnia	\$500;
Lilyvale	\$1,000;
Florida	\$500;
Cornish, Cobar	\$500;
RMS Inspection Bay Rest Area, Cobar	\$1,000.

Other locations would require smaller signs for enforcement and by average would cost \$300 each.

It would be expected that reinstatement of the signage at the Newey Reservoir and Old Reservoir would cost less than \$300 each.

Signage to advise of Cobar's continued RV friendliness if required would cost 4 x \$300, say \$1,200.

There has been concerns raised by the Cobar Caravan Park Operators that the financial viability of the Cobar Caravan Park is being threatened by the levels of unregulated free camping and in particular the Rest Areas near Cobar and on the Barrier Highway and use of other locations such as the Newey Reservoir, Old Reservoir and Drummond Park Carpark.

Options

Due to the cost and lack of resources the option of signage and regulation of all relevant locations to stop free camping within the Cobar Shire Area is not possible.

Another option would be determination of certain locations to address the issue of free camping and where enforcement is reasonably practical and possible by the installation of appropriate signage and cost effective enforcement if close to Cobar such as Newey Reservoir, Old Reservoir, Bloomfield Street Carpark, Drummond Park Carpark, Greater Heritage Centre and Museum Carpark, Occidental Hotel Corner Carpark, Cornish Rest Area and RMS Inspection Bay Cobar (West of Town). This option may then force free campers to other locations which are rarely policed

which would have an undesirable impact in that locality in relation to waste management and liquid waste discharge such as Rest Areas at Gilgunnia, Lilyvale, Florida and other locations remote from Cobar.

The next option is to consider appropriate alternative measures such as passive traffic devices, such as rocks to stop parking and vehicle manoeuvring outside the designated road related areas. This is particularly relevant to all Rest Areas and appropriate liaison with the RMS would be required.

The final option is for Council to undertake no regulation of free camping. In any event Council would continue to specifically regulate certain offences such as littering, liquid waste disposal and traffic related offences which at times relate to free camping. This option may affect the financial viability of the Cobar Caravan Park and hinder or delay its redevelopment on behalf of the Cobar Community in accordance with current contractual arrangements. Council may then need to work with the Cobar Caravan Park Operators to ascertain alternative measures to increase the financial standing of the Caravan Park.

RECOMMENDATION

For Council's consideration and decision.

CLAUSE 12A - NEW COBAR WATER TREATMENT PLANT – SELECTION OF SITE AND FINANCIAL ASPECTS

FILE: A10-41, A10-1-16 AOP REFERENCE: 4.1.4.3 ATTACHMENT: YES (UNDER SEPARATE COVER)

AUTHOR: *Project Manager, Errol George*

Purpose

To provide Council with detailed information on the location for the new Water Treatment Plant together with relevant financial aspects.

Background

Cobar Shire Council is in receipt of a grant of \$7,800,000 from the Restart NSW Fund (Resources for Regions) towards replacement of the existing Cobar Water Treatment Plant with a new Water Treatment Plant on a new site. Replacement of the Water Treatment Plant is required as the existing plant has reached the end of its economic life and it is in poor operational condition.

Due to the experience of the Water and Wastewater Technologies Branch of NSW Public Works; Cobar Shire Council has engaged this organisation to provide consultancy services and to assist in delivering the new Water Treatment Plant. NSW Public Works have assisted in the successful completion of over 300 water supply projects for many of the Councils in NSW.

The primary areas of initial investigation are, achieving the best value for money for water treatment process together with siting of the new Water Treatment Plant. This Report deals with the proposed location of the new Water Treatment Plant and the financial status of the project.

Issues

Included as attachments to this Report are the following:

- Copy of Discussion Paper 1 – Cobar Water Treatment Plant - NSW Public Works (Discussion Paper 1);
- Copy of PowerPoint Presentation - NSW Public Works.

Contained within this documentation are details of potential new sites investigated jointly by NSW Public Works and Cobar Shire Council Officers.

Briefly, siting options included:

- Location 1: Silver Tank Location – Detailed in Page 4 of Discussion Paper 1 (Not a favoured site – refer Summary of Evaluation, Discussion Paper 1);
- Location 2A: Common adjacent to Barrier Highway – Detailed on Page 8 of Discussion Paper 1 (Not a favoured site – refer Summary of Evaluation, Discussion Paper 1);

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- Location 2B: North Eastern end of Common – Detailed on Page 12 of Discussion Paper 1 (Not a favoured site – refer Summary of Evaluation, Discussion Paper 1);
 - Location 2C: South Western end of Common – Detailed on Page 14 of Discussion Paper 1 (Not a favoured site – refer Summary of Evaluation, Discussion Paper 1);
 - Location 3A: Water Board Storages – White Tank Location – Detailed on Page 15 of Discussion Paper 1 (Not a favoured site – refer Summary of Evaluation, Discussion Paper 1);
 - Location 3B Water Board Storages – East of Silt Tank – Detailed on Page 19 of Discussion Paper 1 (Not a favoured site – refer Summary of Evaluation, Discussion Paper 1);
 - Location 3C – Water Board Storages – South East of Silt Tank – Detailed on Page 22 of Discussion Paper 1 (Not a favoured site – refer Summary of Evaluation, Discussion Paper 1);
 - Location 4A – Just East of existing Water Treatment Plant – Detailed on Page 24 of Discussion Paper 1 (This is a good option in regard to access, construction aspects and future pumping costs to water storage; but there are risks associated with this site; discussed below);
 - Location 4B – Just North East of existing water treatment plant. (On Lot 73 DP755649 - Detailed on Page 24 of Discussion Paper 1 (Favoured site; a good option in regard to access, construction aspects and future pumping costs to water storage; discussed below).

Peak Gold Mines Pty Ltd are prepared to give Lot 73 DP 755649 to Cobar Shire Council at a minimal cost as community good will, to the community of Cobar Shire; with Council only responsible for transfer, survey and re-fencing costs. Further, Peak Gold Mines Pty Ltd is prepared to allow, if required by Council, a transfer by easement for access to the Lot 73 DP755649 across Lot 2 DP1019612. This is subject to final corporate approval within Peak Gold Mines Pty Ltd; which is anticipated to be provided by Thursday 28 August 2014.

The above offer is based upon the development of a Memorandum of Understanding in regard to part of the Cobar Wrightville Common, to which Council is a Trustee, the subject land being Crown Land. This Memorandum of Understanding will detail the following:

- Ability by Peak Gold Mines Pty Ltd to undertake exploration works on the southern section of the Cobar Wrightville Common; and
- Support from Council for the eventual purchase by Peak Gold Mines Pty Ltd of the relevant part of the southern section of the Cobar Wrightville Common if required by Peak Gold Mines Pty Ltd.

The Memorandum of Understanding can be signed by Council's Mayor and General Manager, if authorised by Council.

Legal Situation

As detailed within point 6.2.5 of the NSW Public Works Discussion Paper 1; Section 60 of the *Local Government Act 1993* states that approval from the NSW Office of Water will be required for construction of a new Water Treatment Plant. Council Officers have commenced consultation with this Office to obtain the necessary approval.

However, site 4A, located on Crown Land is included within a current Native Title Claim over the Cobar area; under State and Federal Legislation. A claim to seek recognition of Native Title; under the *Commonwealth Native Act 1993* on the Common; the site of Location 4A may potentially delay access to this site to commence construction of the new Water Treatment Plant. It is understood that Native Title has been extinguished on the land currently in ownership of Peak Gold Mines Pty Ltd; the site of Location 4B. On this basis, site 4B remains the preferred option for the site of the new Water Treatment Plant.

Financial Implications

- Projected Costs for Individual Sites.

As detailed with the cost estimates contained within Discussion Paper 1; sites 4A and 4B both have a value of \$9.9 million based upon Present Worth Analysis (NPV) over a 20 year period from time of construction.

- Project Cost Breakdown.

The submission to Resources for Regions (Restart NSW) funding was made on the following projected project cost breakdown:

Land Acquisition	\$25,000
Site Clearing; Geotechnical and Survey Cost	\$150,000
Treatment Plant Design	\$490,000
Building Construction	\$1,590,000
Filtration Equipment	\$1,110,000
Aeration Equipment and Blowers	\$285,000
Chemical Storage Equipment	\$1,030,000
Clear Water Balance Tank	\$660,000
Electrical Switchgear/Transformer	\$685,000
Connection to Bulk Main	\$120,000
Miscellaneous Pipework	\$245,000
Pumps	\$85,000
Legal Costs	\$60,000
Project Management Costs	\$700,000
Contingencies	\$765,000
Total Cost	\$8,000,000

Since initial estimation, it has been identified that the total project cost may be in the order of \$8.2 million; this is dependent on a number of elements unknown at this time. At the time of initial estimating, costs for construction, installation of componentry and commissioning were competitive due to a lower volume of work within the industry. A resurgence of works within water supply treatment has raised

concerns that prices obtained at the time of calling tenders may be higher than previously expected. Estimated tender costs are anticipated to be in the order of \$7.1 million; with a new projected total cost of \$8.2 million including investigation, design and project management costs.

Total costs for investigation, design and project management are as detailed above; in the order of \$1.1 million. This is considered realistic by Mr. Kamal Fernando, Principal Engineer, Water and Wastewater Technologies, NSW Public Works, who has quoted in written communication:

“In my view the cost of pre-construction, project management and construction management of this project (\$1.1 M) is one of the lowest I have come across in recently years. It is only 13.4%. Generally it varies from 15-25%. The pre-construction cost of this project is less than \$500k which is only 6% of the project cost. The rest of \$1.1M is project management and construction management including technical advice.”

As above, final costs will be uncertain until the time tenders for construction and commissioning of the new Water Treatment Plant are received. Particular attention will be paid to project scoping and specifications to minimise risk of variation claims during construction and commissioning of the facility. Any potential over-run in anticipated final cost will be reported to Council in order that a decision can be made on options for extra funding; including government grants. Extraordinary borrowing by Council is not a favoured option. Funding may also be available from Water Fund Reserves that currently stand at over \$800,000.

Risk Implication

As detailed above, the greatest project risk identified at this time is the potential for tenders received for construction and commissioning of the new Water Treatment Plant to be higher than expected; if there is significant activity in this area of work at the material time.

RECOMMENDATION

- 1. 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;**
- 2. That the subject land be acquired as operational land pursuant to the provisions of Section 31 of the Local Government Act 1993;**
- 3. 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;**

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4. That all financial information on any proposed land purchase and negotiation remain in Committee of Whole Closed Council until the land acquisition has been finalised;
 5. 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.

CLAUSE 13A – APPROVAL OF DESIGN FOR COBAR SKATE PARK UPGRADE

**FILE: T3-13-5 AOP REFERENCE: 1.2.2.1 ATTACHMENT: YES
(UNDER SEPARATE COVER)**

AUTHOR: *Special Projects Officer, Angela Shepherd*

Purpose

To provide Council with an update on the progress of the Skate Park project and to obtain Council's final approval for the design and location of the upgraded Skate Park.

Background

In early 2011, following community requests, a community Skate Park Committee was formed with Council's administrative support, to investigate the options for replacing or upgrading the Cobar Skate Park. In mid-2011, the Committee circulated a petition to gauge community support for a new skate park facility and this petition yielded over 700 signatures. During community consultations for the Community Strategic Plan and during the formation of the Youth Development Plan, the skate park was identified as a priority for the Shire. The following is the relevant Action out of the Youth Development Plan:

Support the Skate Park Committee to master plan the site and facility and to raise funds to bring the project to fruition.

The project is also listed in the Community Enhancement Plan for Cobar Shire, which Council adopts each year.

Following support for the project from Newgold (Peak Gold Mine), Council sought funding through Round 3 of the Australian Government's Regional Development Australia Fund (RDAF) and was successfully awarded a \$200,000 grant. This was made possible through a \$95,000 commitment from Newgold (Peak Gold Mine) and \$20,000 of Council funds, as well as in-kind contributions from both parties.

In August 2013, Council resolved to award the skate park contract to Precision Skateparks, once RDAF funding was confirmed. The funding agreement with the Australian Government was finally signed on 13 March 2014 with discussions commencing with Precision after that.

In April 2014, Enlocus, the design company engaged by Precision Skateparks, came to Cobar and undertook community engagement where they spoke with around 220 people to gather their ideas. From here, they developed a concept design and site plan which has again gone back out for community consultation. This time about 100 responses were received.

Enlocus has also been working closely with the Project Management Team to finalise the design. This has resulted in a number of variations/modifications being made to ensure the project stays within budget and provides maximum skate park for the budget.

During August, a Review of Environmental Factors (REF) was undertaken. Under the Infrastructure SEPP, the proposed skate park can be undertaken as Development without Consent, which is development that may occur so long as a review of its level of environmental impact is undertaken (The REF). This REF has been undertaken and accepted by Council.

Issues

Given the extent of community consultation and input from the Project Management Team, the design is now ready to be presented to Council. Council is being asked to approve the design and the location. The design will be emailed under separate cover prior to the Council Meeting.

The location fits solely onto operational land and sits on Lot 4 DP 214174. This is the current location, plus some of the grassed area of Drummond Park down the northern side of the basketball stadium and towards the car park. The REF has found the developments environmental impact to be acceptable, which will allow construction to commence

It is expected that construction will commence in September 2014. It will take about 9 weeks to construct.

Legal Situation

The REF meets relevant legislative planning benchmarks and has been signed off.

The proposed works are permissible on this land as per its relevant zoning as detailed in Cobar Shire Councils Local Environment Plan.

Policy Implications

This project is a high priority in the 2014/2015 Annual Operational Plan and other Council planning documents.

Financial Implications

Council has a budget of \$315,000 to undertake this project. The attached design is based on that budget. Council has entered into a fixed price contract with Precision Skate parks. All parties have taken extra time to finalise the design to keep it within budget.

Risk Implication

A risk assessment of the project was undertaken as part of the grant process. In order to limit risks associated with design and budget, a great deal of work has gone into the design and location of the skate park. Community consultation has also been key, to ensure the community is happy with the new asset.

RECOMMENDATION

That Council approves the skate park design and the location (Lot 4 DP 214174) and agrees to construction commencing.

CLAUSE 1B – DEVELOPMENT APPROVALS**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 16 July 2014 – 19 August 2014.

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

The value of Complying Development approvals for the similar period in 2013/2014 was Nil.

Local Development Approvals

The following Local Development Applications have been approved under delegated authority for the period 16 July 2014 – 19 August 2014.

CERTIFICATE NO.	ADDRESS	DESCRIPTION	VALUE (\$)
2014/LD-00033	264 Lerida Rd, Cobar	Shed	17,000
2014/LD-00035	Terramia	Subdivision	-

The value of Local Development approvals for 2014/2015 to date is \$182,000.00

The value of Local Development approvals for the similar period in 2013/2014 was \$87,200.00

Construction Certificates

The following Construction Certificates have been approved under delegated authority for the period 16 July 2014 – 19 August 2014.

CERTIFICATE NO.	ADDRESS	DESCRIPTION
2014/CB-00027	264 Lerida Rd, Cobar	Shed

RECOMMENDATION

That the information detailing the Local Development and Construction Certificate approvals for the period 16 July 2014 – 19 August 2014 be received and noted.

CLAUSE 2B – DISCLOSURE OF INTEREST – COUNCILLORS AND DESIGNATED PERSONS

FILE: C12-3

AOP REFERENCE: 3.1

ATTACHMENT: NO

AUTHOR: *General Manager, Gary Woodman*

Background

The Annual Disclosure of Interest Returns in accordance with Section 449 of the Local Government Act 1993 for Councillors and Designated Persons have been completed for the period 1 July 2013 to 30 June 2014.

These documents are tabled and will be held in Council's records.

RECOMMENDATION

That Council note the Annual Disclosure of Interest Returns for Councillors and Designated Persons for the period 1 July 2013 to 30 June 2014.

CLAUSE 3B – 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 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. Following successful	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 however proposed acquisition now subject to proposed changes in Crown Lands Legislation. Will be undertaken at time of acquisition.

				acquisition of the above land, classify this land as Operational under the Local Government Act 1993.	
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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.

COUNCIL RESOLUTIONS 27 OCTOBER 2011

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
87	Council – Clause 4A – Land Acquisition – Cobar Caravan Park Lot 317 in DP755649	193.10.2011	DPES/LMO	Undertake all processes required for the acquisition of the Cobar Caravan Park Lot 317 in DP755649.	Proposed acquisition funded but now subject to proposed changes in Crown Lands Legislation.

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.	Final Licence Agreement has been sent to Nymagee Progress Association for signing, awaiting its return. Waiting on action by the Association.
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. That Council provides authority for the General Manager to undertake	Further Councillor workshop strategies planning for land in concern held on 9 August, 2012. Action Plan instigated for implementation of resolution.

			<p>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; Detailed landscaping plan including footpaths;</p>	<p>Currently no interested party.</p> <p>Action Plan instigated for implementation of resolutions.</p>
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				<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>	
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 documentation under the Common Seal of Council.</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 submissions and now waiting on response from Crown</p>

				That the land be acquired as operational land pursuant to the provisions of Section 31 of the <i>Local Government Act 1993</i> .	Lands. 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.
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
307	Council – Clause 12A – Plant Replacement Program, Proposed Purchase of 34,000 Litre Water Tank Trailer in lieu of Side Tipper	320.12.2012	GM/ESM	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.	Rescission Motion reported again to the April 2013 Ordinary Council Meeting which was lost. Action plan instigated and implemented of original resolutions.

	Trailer			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.	Due to reduction in works for related activity quotation process has been delayed pending consideration of other matters.
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 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>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 resolution.</p> <p>Action Plan instigated for implementation of resolution.</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.	Expressions of interest advertising will be delayed until final result of Resources for Regions Project is known.
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	Waiting on gazettal by Western Lands.

Shire Road.

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 Cobarr 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.

COUNCIL RESOLUTIONS 27 FEBRUARY 2014

NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME
523	Council – Clause 9A – 15 Year Rolling Plant Replacement Program	21.2.2014	GM	That Council sell the Caterpillar 12M grader (P3051) at a suitable time to achieve the best possible price. That Council downsize the caravan fleet and	Action plan instigated for implementation of resolution. Plant item currently at Auction House. Grader has gone to Auction. There was a poor attendance and it has been passed in at \$110,000. The Grader will now be re-auctioned at the next auction date. Action plan instigated for

				sell off the oldest two vans. That Council sells off on tender utility belonging to the redundant grader.	implementation of resolution. Utility may not be sold as it may be required for patrolman duties.
530	Council – Clause 17A – Cobar Truck Wash Options	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 wash facility and if required the land be classified as operational.	Action Plan instigated for implementation of resolution.
531	Council – Clause 18A – Community Notice Board	29.2.2014	DCCS	That should the project proceed the General Manager be delegated to establish the content management guidelines.	Draft has been completed – final report provided to the August 2014 Ordinary Council Meeting – No further action required.

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 staff be authorised to arrange appropriate cost effective design of the stock/cattle truck wash in 2013/2014 using available funds.	Arrangements in train for cost effective design. Report provided to the August 2014 Council Meeting – No further action required.

				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.
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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	<p>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 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>	Action plan instigated for implementation of resolutions.
556	Council - Clause 15A – Dalton Park Horse Complex Licence	82.4.2014	LMO	That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to	Action plan instigated for implementation of resolution, Cobar Miners Race Club and

	Agreements (Carried over from 27 February 2014)			<p>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; • Ms Sharon Whitehurst; • Cobar Pony Club; • Cobar Miners Race Club; • Cobar Rodeo Committee. 	Cobar Pony Club complete, waiting on return of signed documentation from others.
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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 	Finalised Policy Document being formulated.

				<p>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 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 	
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				<p>where appropriate, and;</p> <ul style="list-style-type: none"> ▪ That Council promotes the dissemination of information to landholders that is independent and informs them of their rights and obligations prior to entering 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 expected to be provided to the October 2014 Ordinary Council Meeting, provided that the model has been finalised.
574	Council – Clause 11A – Unregulated Free Camping in the Cobar Shire and the Affects on the Cobar Caravan Park	116.6.2014	GM	That a further report be provided on the legality of unregulated free camping that will include information on the use of other crown reserves and locations within Cobar Shire for camping when associated with and without events.	Initial Report provided to the July 2014 Ordinary Council Meeting – Final Report provided to August 2014 Ordinary Council Meeting – No further action required.
576	Council – Clause 13A – Public Exhibition of	118.6.2014	LMO	That Council resolve to allow submissions to be received for a period	Report expected to be provided to the September 2014 Ordinary

	the Draft Management Plan Lot 18 DP213415			of 42 days. That Council resolve to hold a public hearing about the Draft Management Plan for Lot 18 DP213415 at a suitable time.	Council Meeting (Rural). Public hearing held on 13 August 2014 – 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	<p>Council develops a two tier water charging system to be considered for 2015/2016 including proper consultation with the community based on detailed analysis.</p> <p>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.</p> <p>That the Director of Engineering Services convene a meeting with the Pilot and Aircraft Owners, and if considered appropriate provide a further report to a Council workshop.</p> <p>That an analysis and report be provided to the September Council Meeting on the impact and possible implications of the new gym on the Cobar Youth and Fitness Centre.</p>	<p>Action plan instigated for implementation of resolution.</p> <p>Action plan instigated for implementation of resolution.</p> <p>Advice provided to Pilot and Aircraft Owners Spokesperson. Action Plan instigated for implementation of resolution.</p> <p>Report expected to be provided to the September 2014 Ordinary Council Meeting.</p>
COUNCIL RESOLUTIONS 24 JULY 2014					
NUMBER	ITEM	RESOLUTION NUMBER	ACTION BY	ACTION REQUIRED	OUTCOME

580	Council – Traffic Committee – Confirmation of Minutes	126.7.2014	GM	That the proposed 40km speed zone through the relevant sections of Marshall Street of Cobar be taken to the Local Member for his support.	Letter written and sent – No further action required.
581	Works Committee Meeting – Report 1A – Quotation for the Supply of Plant and Equipment Hire Rates 2014/2015 Update	128.7.2014	ESM	That Grace Civil, Bruce William Jordan, Sharpe Bros (Aust) Pty Ltd, Mays Earthmoving Pty Ltd, Clarke Concreting & Excavation, Haines Bros Earthmoving, Batterline Earthmoving Pty Ltd and Murtee Pastoral Pty Ltd be included in Council’s Register of Approved Contractors for the Supply of Plant and Equipment Hire Rates 2012/2015.	Approved Contractors included in Council’s Register of Approved Contractors for the Supply of Plant and Equipment Hire Rates 2012/2015 – No further action required.
582	Works Committee Meeting – Report 2A – Quotation for the Supply of Trade and Miscellaneous Services 2014/2015 Update	128.7.2014	ESM	That Bruce’s Contracting Services Pty Ltd and Chris Langfield (trading as Sateje Pty Ltd) be included in Council’s Register of Approved Contractors for the Provision of Trades and Miscellaneous Services 2012/2015.	Approved Contractors included in Council’s Register of Approved Contractors for the Provision of Trades and Miscellaneous Services 2012/2015 – No further action required.
583	Works Committee Meeting – Report 3A – Road Capital Works Program 2014/2015	128.7.2014	ESM	That the following roads capital works program be adopted: Regional Roads – Operational \$1,232,500 <ul style="list-style-type: none"> • MR7518 – Barnato - Tilpa Road (Acres Billabong Stage 1) \$100,000 Regional Roads Reseals <ul style="list-style-type: none"> • MR7518 – Barnato - Tilpa Road \$100,000 • MR423 - Lachlan Valley Way \$100,000 Regional Roads Gravel Resheeting	Road Capital Works budgets set up (subject to provision of Roads to Recovery Funding) – No further action required.

				<ul style="list-style-type: none"> • MR410 - Mulya Road \$100,000 Shire Roads – Operational \$1,231,031 Shire Roads Reseals resealing and shoulder works \$100,000 • SR26 - Wilga Downs Road • SR13A – Lerida Road Shire Roads Gravel Resheeting \$100,000 • SR26 - Wilga Downs Road • SR10 – Belarabon Road • SR32 – Development Road • SR31 – Moolah Road SRV Reseals • Cobar Streets Reseals \$125,000 • Shire Roads Reseals \$75,000 SRV Shire Roads Gravel Resheeting • SR36 – Palistan Road \$80,000 • SR46 – Canebelego-Nymagee Road \$80,000 • SR44 - Old Reservoir Road \$16,000 Roads to Recovery • SR24 - Mt. Grace Road \$160,000 • SR20 – The Grain Road \$180,000 • SR26 - Wilga Downs Road \$180,000 • SR12 – Yathong Road \$50,000 • SR23 – Booberoi Road \$110,000 • SR6 – Pullpulla Road (dependent on level of funding) \$100,000 	
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				<p>That Council supports a road maintenance program where the worst ten percent of the road network is identified and receives the bulk of the expenditure.</p> <p>That Council trials the use of chemical and cementitious stabilisation of the unsealed road network in conjunction with gravelling.</p>	<p>Noted – No further action required.</p> <p>Action plan instigated for implementation of resolution.</p>										
584	Works Committee – Report 4A – Security Options at the Cobar Waste Depot	128.7.2014	MPES	<p>That approval is given for Council to seek quotations for purchasing and installing a system of covert cameras on the Cobar Waste Depot with an appropriate report provided back to Council for final decision.</p> <p>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.</p>	<p>Further Report provided to the August 2014 Ordinary Council Meeting – No further action required.</p> <p>Action plan instigated for implementation of resolution.</p>										
585	Finance and Policy – Report 1A – Unregulated Free Camping in the Cobar Shire – Public Access Session – Ian Setttee	129.7.2014	GM	<p>That Council thanks Mr Ian Setttee for his time and presentation.</p>	<p>Council verbally thanked Mr Ian Setttee for his presentation at the Meeting – No further action required.</p>										
586	Finance and Policy – Report 2A – Rate Abandonments 2013/2014	129.7.2014	RO	<p>That Council write-off rates totalling \$126,263.48 for 2013/2014 as follows subject to Auditors approval:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Pension Rebates</td> <td style="text-align: right;">\$117,082.50</td> </tr> <tr> <td>Category/Service Changes</td> <td style="text-align: right;">\$3,341.22</td> </tr> <tr> <td>Combined Assessments</td> <td style="text-align: right;">\$3,413.47</td> </tr> <tr> <td>Sale of land for non-payment of rates</td> <td style="text-align: right;"><u>\$2,426.29</u></td> </tr> <tr> <td></td> <td style="text-align: right;">\$126,263.48</td> </tr> </table>	Pension Rebates	\$117,082.50	Category/Service Changes	\$3,341.22	Combined Assessments	\$3,413.47	Sale of land for non-payment of rates	<u>\$2,426.29</u>		\$126,263.48	<p>Debts written off subject to the Auditors approval – No further action required.</p>
Pension Rebates	\$117,082.50														
Category/Service Changes	\$3,341.22														
Combined Assessments	\$3,413.47														
Sale of land for non-payment of rates	<u>\$2,426.29</u>														
	\$126,263.48														

587	Council – Clause 3A – Institute of Public Works Engineering Australasia (IPWEA), NSW Division Annual Conference Attendance by the General Manager	132.7.2014	GM	That Council approve the attendance of the General Manager to the 2014 Institute of Public Works Engineering Australasia NSW Division Annual Conference at Coffs Harbour on the 15 to 17 October 2014.	Attendance arranged – No further action required.
589	Council – Clause 4A – 2014 Statewide Mutual Risk Management Conference – The Local Government Risk Management Conference	133.7.2014	DCCS	That Council approve the attendance of one delegated Council employee at the 2014 Local Government Risk Management Conference.	Expect no Officer to attend – No further action required.
590	Council – Clause 5A – Council’s Seal on By-Election Contract	134.7.2014	GM	That Council resolve to affix Council’s seal on the Contract for Administration of a Particular Election between Council and the Electoral Commissioner in relation to holding a By-Election for the replacement of Councillor Pamela Smith.	Seal Affixed – No further action required.
591	Council 6A – Visit by Western Division Councils of NSW to T-Corp in relation to the Methodology Utilised in the Determination of the Financial Sustainability Ratings (FSR) for New South Wales Councils	135.7.2014	GM	That Council write to T-Corp thanking them for their Presentation. That Council note the importance of the ongoing development of the Integrated Planning and Reporting Framework Documents as an essential tool in shaping and determining Council’s ongoing sustainability. That Council assist in the development of additional benchmarks that may be considered relevant in assessment of Rural	Letter written and sent – No further action required. Noted – No further action required. Action plan instigated for implementation of resolution.

				Councils, particularly those with large road lengths such as Cobar Shire Council.	
592	Council 7A – Rural Addressing: Road Name for SR46	136.7.2014	TCET	That Council adopt the road name “Rosevale Road” for SR46 within the Cobar Shire and prepare a Gazette notice for publication within the Government Gazette, publish a notice in the local newspaper, and inform the prescribed authorities listed in the Regulation of the new name for SR46.	Appropriate gazette notice, advertising in local media and letters provided to prescribed authorities arranged – No further action required.
593	Council 8A – Fourth Quarterly Review of the Annual Operational Plan 2013/2014	137.7.2014	SPO	That Council receives and endorses the fourth quarterly review of the 2013/2014 Annual Operational Plan, covering the period April to June 2014.	Noted and document distributed – No further action required.

RECOMMENDATION

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

CLAUSE 4B – MEETING MINUTES

FILE: A9-2-1, L5-4-4

AOP REFERENCE: 3.1

ATTACHMENT: YES

(PAGE 118-123)

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:

- Outback Arts Summary of Activities – March-July 2014;
- Rural Roads Advisory Committee Meeting – Wednesday, 6 August 2014.

RECOMMENDATION

That the minutes of the meetings of Outback Arts (Summary of Activities) and Rural Roads Advisory Committees be received and noted.

CLAUSE 5B - COBAR TRUCK WASH INDEPENDENT REVIEW**FILE: A10-30****AOP REFERENCE: 3.1.1.2****ATTACHMENT: YES****(PAGE 124-148)****AUTHOR: *Engineering Support Manager, Kingsley Page*****Purpose**

The purpose of this Report is to provide Council an independent review and examine Council's options in augmenting the existing truck wash facility at Fort Bourke.

Background

At the time of developing this Report Officers became aware of the existence of a second truck wash at the AusGoat Site located at the Cobar Depot on GATTACA and Officers will be in a position to present additional information to Councillors at the Meeting.

The Fort Bourke Truck Wash Facility has been operating for many years. Council resolved at its Ordinary Council Meeting on 27 June 2013 to close this facility in October 2013 due to poor financial results and environmental performance requirements.

The truck wash bay is not roofed and this area itself collects runoff from rainfall events. It is also likely that overland flows from the site access road flow into the truck wash bay. The surface runoff from the truck wash bay and tributary catchments is collected in a spoon drain at the western side of the truck wash bay where it then gravity feeds into an effluent pit. When the effluent pit reaches full capacity it overflows and meanders westward towards the drainage watercourse.

An upgrade to the Cobar Truck Wash is proposed to enable reopening and use by local livestock transport, earthmoving and construction businesses as well as for Council plant.

A truck wash generates effluent which must be disposed of in accordance with relevant legislation as well as guidelines set out by the Environmental Protection Authority (EPA). Cobar Shire Council is now seeking to re-open the existing truck wash facility and as such must develop a methodology for effluent disposal.

The upgrade will include a new treatment system, wet weather pond and disposal of effluent by irrigation.

Peak Gold Mines have come forward with an offer to give Council a lease on the land that the truck wash occupies at a very generous rate of \$1 per year for 30 years and are also prepared to increase the area to accommodate the extra evaporation pond.

Initial design information by an Independent Engineering Consultant details that the \$180k budget is essentially correct.

Council Officers have approached Western Local Land Services (LLS) and they have said no to any additional funds to Council's contribution of approximately \$90k which is budgeted for in the 2014/2015 Council budget.

There has been no response from the nineteen previous key holders that were using the facility in regard to contributing funds towards the re-establishment of the Truck Wash.

Issues

Cobar Shire Council expected to put a Commonwealth Grant Application in for approximately \$90k before 28 August 2014 and that if Council is unsuccessful then Council will need to reconsider its resolution that the Truck Wash be funded by 50% grant or by contributions by others.

Several local livestock transporting businesses do have an ongoing need for a truck wash in the Cobar area. There are a number of key reasons as to why this facility is so important to the local meat and livestock sector, and other small businesses:

- The truck wash's main purpose is to ensure animal welfare and bio-security needs are met in assisting livestock transport trucks to be cleaned between stock shifts; both these outcomes are important to the task and broader community;
- It assists in reducing effluent loss on local roads (a health and road safety benefit) as well as reducing the likelihood of other problems arising including the possible spread of disease (footrot) and also to assist as a weed control measure;
- It assists the whole supply chain in meeting its obligations under recently introduced tougher transport chain of responsibility laws including particularly fatigue management;
- The current closure requires local transport businesses to travel to truck-washes in other Shires which are often already over capacity as they are now required to service those heavy vehicles that would have previously used the Cobar Shire Truck Wash;
- Additional travel time including increased fuel causes a domino effect through the supply chain, with the producer and processor required to pay for increased travel costs.

Closure of this local facility has had a negative impact on the viability of local businesses in the longer term with producers and other agricultural industries suffering from the lack of heavy vehicle transport to their properties.

Cobar Shire Council has requested Collaborative Planning and Engineering (CPE) Associates Pty Ltd to examine Council's existing truck wash facility and provide Council with a guide as to what would be required to bring the truck wash up to guideline standards for such a facility if it commenced any augmentation works understanding that this would probably trigger this requirement on the part of the regulator.

The methodology of the investigation has been:

- Undertake a site inspection and define the existing catchment and drainage system;
- Identify possible effluent disposal options that would conceptually meet the needs of the EPA and Cobar Shire Council;
- Develop a daily water cycle model;
- Critically assess the daily water cycle model and verify if the previously identified effluent disposal options would be feasible;
- Develop a concept design and opinion of costs for the effluent disposal option.

The current area occupies Lot 33, Filtration Plant Road, an area of 5,310 sq. metres containing existing two settlement ponds, one 16m x 6.5m and the other 13.5m x 7.5m, producing a total 205 sq. m of pond surface area.

The CPE report requires an area of 1056 sq. m (44m x 24m) for the evaporation pond. The two new settlement ponds require 300 sq. m (15m x 10m each). The total required area of all the ponds in the CPE report is 1,356 sq. m.

There is a clear requirement that the lot needs to be increased by approximately 2,000 sq. metres to accommodate the new evaporation pond, considering side batters and embankments. Preliminary discussions with Peak Gold Mine were positive in that they would be willing to increase the size of Lot 33 to fit in the new pond arrangement.

A Development Application (DA) will be required for the truck wash at which time a full Statement of Environmental Effects (SEE) will need to be undertaken to assess the impact of the truck wash on soils, surface water, groundwater, odour, noise, air quality, heritage, landscaping, access and public health.

It must be noted that the opinion of cost to construct the works presented herein is an estimate and is subject to the finalisation of the design, extent of works and the calling of quotes for the works.

Options

- 1). Secure Commonwealth Grant fund and construct truck wash on a 50/50 basis with Cobar Shire Council funds.
- 2). Not getting Commonwealth Grant funding Council will need to reconsider its resolution that the Truck Wash be funded by 50% grant or by contributions by others.

RECOMMENDATION


- 1. That the information contained in the report on augmentation of Cobar's Truck Wash produced by CPE Associates, "Review Requirements and Preliminary Estimate of Costs" be received and noted.**
- 2. That Council be provided a further report if required once the Commonwealth Grant Application outcome is known.**

CLAUSE 6B – INVESTMENT REPORT AS AT 31 JULY 2014**FILE: B2-7****AOP: 3.1.1.7****ATTACHMENT: NO****AUTHOR: *Manager Finance & Administration, Neil Mitchell*****Purpose**

Council has requested that appropriate financial information be presented to each meeting of Council. 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. Net funds received from Sale of Council property continue to be preserved to assist in covering "Employee Leave Entitlements". Loan proceeds from the National Australia Bank on 29 June 2012 were transferred to a NAB term deposit. This term deposit, attracts 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. This deposit was opened to increase Council's interest income due to interest from the Sweep Account being lower than the forward estimates. Included in the table below is the accrued interest attributable to 31 July 2014. Another term deposit will be opened soon in order to spread the maturity dates.

Date	Opening Balance	Transfers to Investments	Transfers from Investment	Interest earned – Investments- Month	Closing Balance
	30.06.2014				31.07.2014
NAB Sweep Acct	\$ 3,140,517	\$ 1,424,733	(\$ 1,680,000)	\$ 5,850	\$ 2,891,100
NAB Sweep Acct ELE	\$ 184,103				\$ 184,103
NAB Term Deposits					
3.65% Interest	\$ 1,005,818			\$ 3,118	\$ 1,008,936
3.65% Interest	\$ 2,002,800			\$ 6,208	\$ 2,009,008
Totals	\$ 6,333,238	\$ 1,424,733	(\$ 1,680,000)	\$ 15,176	\$ 6,093,147

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 and Administration

RECOMMENDATION

That Council receive and note the Investment Report as at 31 July 2014.

ATTACHMENTS



ORDINARY MEETING AGENDA

THURSDAY 28 AUGUST 2014

~ REFERENCE TO ATTACHMENTS ~

PART A – ACTION

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