

COBAR SHIRE COUNCIL



WORKS COMMITTEE MEETING AGENDA

THURSDAY 14 APRIL 2016

~ ORDER OF BUSINESS ~

Business for the meeting will be as follows:

1. Apologies
 2. Declaration of Interests
 3. General Manager's Report – Part A (Action)
 4. General Manager's Report – Part B (Information)
 5. General Manager's Report – Part C (Confidential)
 6. Matters of Urgency
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~ TABLE OF CONTENTS ~

<u>PART A – ACTION</u>	<i>Page Number</i>
Report 1A – Analysis of Plant and Equipment Hire and Trades and Miscellaneous Services Registers	3
Report 2A – Review of Current Water Restrictions	4
Report 3A – Quotation for the Supply of Trade and Miscellaneous Services 2015/2018	6
Report 4A – Deed of Variation of Planning Agreement.....	8

<u>PART B – INFORMATION</u>	<i>Page Number</i>
Report 1B – Engineering Works Report.....	11
Report 2B – Expenditure for Roads Network	15
Reference to Attachments	16

<u>PART C – CONFIDENTIAL</u>	<i>Page Number</i>
Report 1C – Analysis of Plant and Equipment Hire and Trades and Miscellaneous Services Registers	Under Separate Cover

(This report is confidential in accordance with Section 10A (2)(d)(i) of the Local Government Act 1993 as they contain commercial information of a confidential nature that would if disclosed in open Council would prejudice the commercial position of the person who supplied it).

REPORT 1A – ANALYSIS OF PLANT AND EQUIPMENT HIRE AND TRADES AND MISCELLANEOUS SERVICES REGISTERS

FILE: T3-15-6, P3-19-4 AOP REFERENCE: 3.3.4 ATTACHMENT: NO

AUTHOR: *Acting General Manager, Stephen Taylor*

Purpose

The purpose of this report is to provide information on the analysis and result of the engagement of Contractors under the Plant and Equipment Hire Rates 2015/2018 and Trade and Miscellaneous Services 2015/2018 Quotation Contracts for works let over \$80,000 inclusive of GST.

Background

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

These Contractors are usually engaged on a daily basis for small projects or by quotations for larger projects.

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

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

RECOMMENDATION

That a further report on the Analysis of Plant and Equipment Hire and Trades and Miscellaneous Services be considered in the Committee of the Whole Closed Council with the press and public excluded for the reason as stated in Section 10 A (2) (d) (i) of the Local Government Act 1993, as discussions of this matter in open Council may prejudice the commercial position of the person who supplied it.

REPORT 2A – REVIEW OF CURRENT WATER RESTRICTIONS

FILE: W2-11

AOP REFERENCE: 5.1.3

ATTACHMENT: NO

AUTHOR: *Services Manager, Wayne D. Mills*

Purpose

The purpose of this Report is to demonstrate the need for the current Water Restrictions to be reviewed and altered.

Background

As Cobar and surrounding areas are now starting to enter into the cooler period of the year and daylight savings is coming to an end it would be an appropriate time for Council to give consideration to adjusting the current level of water restrictions.

The reduction in temperatures during the cooler period of the year will result in a decrease in water consumption of between 2ML and 3ML; requiring the Filtration Plant to work less hours per day.

Due to the current water shortage in Nymagee council has found it necessary to cart water to supplement the dwindling supply currently held within the ground tanks and have notified the residents within the township of Nymagee to refrain from using sprinklers and garden hoses until further notice.

The water restrictions that are currently in effect are as follows:

Cobar, Euabalong and Euabalong West:

- Hand held hoses are permitted at any time;
- Fixed sprinklers, irrigation systems etc. are permitted between 6pm and 9am daily;
- No car washing be permitted on hard surfaces.

Nymagee and Mount Hope:

- Hand held hoses be permitted between 6pm and 9am daily in Mount Hope;
- Total ban on hosing in Nymagee;
- Fixed sprinklers, irrigation systems etc. are banned;
- No car washing be permitted on hard surfaces.

It is suggested that the time period be adjusted to:

Cobar, Euabalong and Euabalong West:

- Hand held hoses are permitted at any time;
- Fixed sprinklers, irrigation systems etc. are permitted between 4pm and 10am daily;
- No car washing be permitted on hard surfaces.

Nymagee:

- Total ban on hand held hosing until further notice;
- Fixed sprinklers, irrigation systems etc. are banned;
- No car washing be permitted on hard surfaces.

Mount Hope:

- Hand held hoses be permitted between 5pm and 9am;
- Fixed sprinklers, irrigation systems etc. are banned;
- No car washing be permitted on hard surfaces.

RECOMMENDATION

That Council amends the current Water Restrictions to as follows commencing on 29 April 2016:

Cobar, Euabalong and Euabalong West:

- Hand held hoses are permitted at any time;
- Fixed sprinklers, irrigation systems etc. are permitted between 4pm and 10am daily;
- No car washing be permitted on hard surfaces.

Nymagee:

- Total ban on hand held hosing until further notice;
- Fixed sprinklers, irrigation systems etc. are banned;
- No car washing be permitted on hard surfaces.

Mount Hope:

- Hand held hoses be permitted between 5pm and 9am;
- Fixed sprinklers, irrigation systems etc. are banned;
- No car washing be permitted on hard surfaces.

REPORT 3A – QUOTATION FOR THE SUPPLY OF TRADE AND MISCELLANEOUS SERVICES 2015/2018

FILE: T3-15-5 AOP REFERENCE: 3.3.4 ATTACHMENT: NO
AUTHOR: *Executive Assistant Engineering Services, Sandra Davey*

Purpose

To consider quotations from Contractors for Councils Trades and Miscellaneous Services Register for 2015/2018.

Background

Throughout the year Council uses various contractors to provide Trade and Miscellaneous Services for many of Council's activities.

These Contractors are usually engaged on a daily basis for small projects or by quotations for larger projects.

The administration of this approach can be haphazard as the appropriate paperwork to cover the individual business WH&S compliance and or insurances has not necessarily been provided prior to works commencing.

To ensure that Council comply with all regulatory requirements of WH&S, Workcover, Local Government Act 1993, etc, Council needs to adopt a formal approach to regulatory requirements through the quotation process.

Issues

The Companies listed below all provided sufficient documentation to be included on Council's Register of approved Contractors.

Company	Service Provided
Kye O'Neil	Fabrication Services
Country Mile Constructions	Construction Services

This does not mean other Contractors cannot be engaged, once all regulatory requirements are received from the Contractors yet to submit then they will also be added to the current Register.

Therefore the financial information needs to remain completely Confidential. The quotations received will be available for perusal at the Council Meeting.

Financial Implications

There are no additional financial implications for Council as acceptance of these quotations does not commit Council to comply with Contractors rather just provides a pool of registered Contractors.

RECOMMENDATION

That the following Contractors be included in the Council's Register of Approved Contractors for the Provision of Trades and Miscellaneous Services 2015/2018:

Company
Kye O'Neil
Country Mile Constructions

REPORT 4A – DEED OF VARIATION OF PLANNING AGREEMENT

FILE: M4-13 AOP REFERENCE: 1.6.3.1 ATTACHMENT: YES (PAGE 18-23)

AUTHOR: *Manager Planning and Environmental Services, Stephen Poulter*

Purpose

To inform Council of the proposed Deed of Variation to the Planning Agreement between Hera Resources Pty Limited and Council and to seek a resolution to give public notice of the Deed of Variation.

Background

On the 11th of August last year, Aurelia Metals Pty Limited lodged an application with the NSW Department of Planning and Environment seeking the modification of the development consent which approved the Hera Mine in Nymagee. This modification was the third modification of the original development consent.

This application sought the following changes:

- An increase in the annual production from 355,000 tpa to 455,000 tpa;
- An increase in the amount of ore to be processed from 1.9Mt to 3.0Mt;
- An increase in the Project Life to 31 Dec 2022;
- An extension of the approved ROM (run-of-mine) pad;
- An additional hardstand area for a laydown yard;
- A minor extension to the existing car park.

Following lodgement of the modification application, the NSW Department of Planning and Environment sought comments from Council on the proposed changes sought by Aurelia Metals.

Due to the proposed increase of project life, Council sought to re-negotiate the planning agreement between Aurelia Metals and Council. This was because the planning agreement that was signed by both parties in 2013 was restricted by the project life proposed in the original Development Application.

The re-negotiation process commenced in October 2015, with Aurelia Metals emailing a suggested new payment schedule for inclusion in an amended Planning Agreement. The new monetary figures were lower than the originally agreed Planning Agreement payments.

To assist Council in the renegotiation process, a Planning Agreement consultant was engaged in November. Following this engagement, Council sent a letter to Aurelia Metals proposing an alternative payment schedule as well as other changes to the Planning Agreement.

In response to Council's letter, Aurelia Metals sought the re-submission of a counter offer from Council along with the suggestion of a meeting to discuss the terms of a possible re-negotiated Planning Agreement. Due to unavailability of staff (due to the Christmas holiday period), a meeting was scheduled for the 22 January 2016.

The Meeting was attended by Council's Senior Staff, Councils Planning Agreement Consultant and Aurelia Metals, Rimas Kairatis. The meeting discussed an alternative payment schedule as well as amendments to the current Planning Agreement. Verbal agreement was reached by both parties on most matters, with a draft Deed of Variation to be circulated to both parties to reach unanimous agreement. The Deed of Variation would formally identify all agreed changes to the original Planning Agreement.

In mid-February 2016 the NSW Department of Planning and Environment (as consent authority for the modification application) was informed that Aurelia Metals and Cobar Shire Council had reached agreement on the contributions payments. Following this information, the Department approved the modification application and included the following condition:

PLANNING AGREEMENT

14. By 31 July 2016 unless otherwise agreed by the Secretary, the Proponent shall amend the planning agreement with CSC, in accordance with Division 6 of Part 4 of the EP&A Act, which provides for contributions to CSC. The terms of the planning agreement shall be consistent with the general terms of agreement between CSC and Hera Resources Pty Limited outlined in Appendix 2.

Appendix 2 stated the payment schedule, which is as follows:

Funding Area	Annual Proponent Contribution
Road repair and maintenance contribution	\$60,000
Community Fund Contribution	\$32,000

The inclusion of the above condition requires Aurelia Metals to modify the original Planning Agreement. Although the onus of consent compliance generally lies with Aurelia Metals, the inclusion of the 'terms of agreement' ties Council into adhering with the above condition and associated payment schedule. The condition and payment schedule can only be varied by lodgement of a further modification application.

Following the release of the modified consent, Council and Aurelia Metals drafted a Deed of Variation. After making some minor changes to the document, agreement was reached by both parties on the proposed Deed of Variation. This Deed of Variation is attached to this agenda.

Legal Situation

Section 93G of the Environmental Planning and Assessment Act 1979 does not allow a planning agreement to be entered into, amended or revoked unless public notice is given and it is made available for inspection. Public notice cannot be given for a period of less than 28 days.

Following the period of public notice, a report will be provided to Council to seek a resolution from Council to sign the Deed of Variation. This signed document will then be sent to Aurelia Metals to sign and then to the NSW Department of Planning and Environment.

RECOMMENDATION

That Council resolve to give public notice of the Deed of Variation in accordance with s.93G of the Environmental Planning and Assessment Act 1979.

REPORT 1B – ENGINEERING WORKS REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

ATTACHMENT: NO

AUTHOR: *Acting Director of Engineering Services, Ken Wilson*

Purpose

To inform Council of completed and ongoing Engineering Works for the period of March 2016.

Background

The major achievements in March 2016 for Engineering Works are:

- Completion of the construction of the Fixing Country Roads Whitbarrow Way project;
- Completion of intersection upgrade and construction of vehicle entrances for Hera Mine;
- Commencement of maintenance and gravel resheeting on SR2 and SR3.

State Highways

Maintenance Work

- Sign Replacement Works as required – **ongoing**;
- Pothole repairs - **ongoing**.

Urban Roads/Shire Roads/Regional Roads

Maintenance Work

- Inspections on various shire/regional roads;

Construction Work

- Wilga Downs Road R2R reconstruction project commencing April 2016;
- SR12 R2R gravelling project in Yathong National Park commencing April 2016.

Resealing

The town street resealing program has been completed. The streets resealed to date are:

- Belah Cres
- Clifton Place
- Duffy Drive
- Jandra Cres
- Jones Drive
- Bradley St
- Elizabeth Cr

-
- Acacia Ave
 - Echidna Ave
 - Bilby Cl
 - Baldry Pl
 - Bottlebrush St
 - Green St
 - Wattle Dr
 - Becker St

Private Works

Nil.

Water and Sewer

Maintenance Work

- Pest control within sewer reticulation network being carried out where necessary - **ongoing**;
- Sluice valve and hydrant repairs on town water supply reticulation – **ongoing**;
- Replacement of failing 75mm AC water main with 100mm PVC main in Government Road east of Old Bourke Road;
- Clearing and control of vegetation along the Nyngan to Cobar raw water pipeline easement (CWB) –**ongoing**;
- Reading of the water meters for the major users (CWB) – **ongoing**;
- Due to the increase in discoloured water complaints there has been an increase in the number of mains that require flushing to recertify the situation – **ongoing**.

Construction Work

- The valve replacement program for 2015/2016 is underway with the installation of new and replacement of faulty valves. Valve replacement program in the area east of Louth Road and north of Nyngan Road within the industrial area is nearing completion with the new area of valve replacement being south of Marshall Street and west of Morrison Street – **ongoing**;
- Investigation is being carried out into pipe location, size and depth of the existing raw water supply mains to the Fort Bourke Water Treatment Plant from the Hermidale pumps and return water from the Cobar water storages – **ongoing**.

Urban Works

Parks

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

Street Cleaning and Tree Removal:

- Cleaning of Marshall Street within the CBD carried out with particular attention given to the removal of oils, stains and chewing gum - **ongoing**;
- Removal of overhanging tree branches and shrubs that obstruct motorists view at intersections – **ongoing**.

Resources for Regions

Construction of New Water Treatment Plant

- All parties have signed the required documentation regarding the purchase of the property for the proposed Cobar Water Treatment Plant and are awaiting settlement – **ongoing**;
- Only the essential works to be undertaken for the new Cobar Water Treatment Plant for the project to move forward to a shovel ready status – **ongoing**;
- NSW Public Works have been continuing to undertake the power design for the new Water Treatment Plant and the electrical power consultants have visited the site;
- NSW Public Works have completed the DAF process tests and a positive result has been obtained and a design level NTU water quality level has been determined and work is currently underway to convert the WTP documents to the new DAF treatment process.

Construction of New Water Pipeline – Nyngan to Cobar

- The Cobar Water Board's Twin Pipeline Replacement Project tender documents are currently in evaluation stage.

Upgrade of Sewerage Facilities

- The rehabilitation of the Ward Oval Sewer Pump Station Tender has been awarded to Queensland Plumbing and Civil;
- Investigation is still underway for the reticulation layout at the Industrial Estate. Following this, community consultation will be undertaken to decide on project delivery – **Ongoing**;
- With the clearing of vegetation and regrowth around the embankments of the Sewerage Oxidisation Ponds nearing completion, works are continuing on the establishment of erosion control grass and irrigation system on the banks of lagoons with this work is being carried out by Council staff – **Ongoing**.

Construction of RFS Shed

- The construction of the RFS Shed is continuing with the building at lock up stage and the installation of the PC (plumbing) items, flooring and the completion of the internal fit out expected by the end of the month - **Ongoing**.

RECOMMENDATION

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

REPORT 2B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31 AOP REFERENCE: 4.3.2 ATTACHMENT: YES (PAGE 18-23)

AUTHOR: *Acting General Manager, Stephen Taylor*

Purpose

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

Background

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

RECOMMENDATION

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

ATTACHMENTS



WORKS COMMITTEE MEETING AGENDA

THURSDAY 14 APRIL 2016

~ REFERENCE TO ATTACHMENTS ~

PART A - ACTION

Page Number

Report 3A – Deed of Variation of Planning Agreement18-22

PART B - INFORMATION

Page Number

Report 2B – Expenditure for Roads Network23-28