



# COUNCIL POLICIES

*"Comfortable Country Living"*

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## Firebreaks Policy

25 October 2001

That by 1st October each year all landholders are requested to plough, grade, slash or poison fire breaks to a minimum width of 3 metres (3 metres either side of the boundary)

- Around the boundary line of all properties;
- Around all paddocks of growing crops;
- Around that portion of a paddock in which a crop is growing.

## Donations Policy

29th October 2007

### 1. Policy Statement/Objective(s)

To maintain a consistent, open and equitable approach to the distribution of Council's donation budget, whilst endeavouring to ensure that local community needs can be addressed on a priority basis.

### 2. Scope

This policy applies to requests for Donations of money or services received by Council.

### 3. References

Section 356 of the Local Government Act, 1993 (as amended).

### 4. Definitions

A donation can be in cash, goods or services, including rates and charges reductions.

### 5. Variation and Review

To the extent necessary, this policy amends or supersedes any provisions of any prior Donations Policy adopted by Council.

### 6. Policy

- 6.1 Council will consider provision of assistance by way of donation to local cultural, educational, health, sport, welfare, and other bodies and individuals where in Council's opinion the applications have demonstrated a community need.
- 6.2 Applications for donations shall be considered on their merits, taking into account the circumstances of each case, the availability of funds in the Council's budget, the guidelines of this policy and the relevant provisions of the Local Government Act, 1993 (as amended). Council's decision is to be final.
- 6.3 Council's donations policy will be advertised annually prior to the Extraordinary Meeting of Council to consider the Estimates (by way of newspaper advertisement or any other means that Council considers appropriate). Ordinarily, advertisements will be placed in April of each year, with the intention that applicants will be determined by Council in June at the Annual Estimates.
- 6.4 All applications for donations by Council must be submitted on the Council's standard form. Requests for donations by way of fee reductions or other "in kind" should be made on "Attachment 2".

- 6.5 A working group, consisting of the Mayor, three Councillors and two Council staff will convene to consider applications received in response to the advertisements. The working group shall make recommendations to Council as to the applicants who are to receive funding in any given period. The working group, in formulating its recommendations, will assess applications on the basis of the guidelines and criteria for funding, as contained in this policy.
- 6.6 Council endorse a special needs situation where an individual seeks support from Council.
- 6.7 If an application for funding comes through from schools and other groups that Council contact other organisations to see if there are similar requests.

## **7. Donations Policy Funding Guidelines**

In assessing applications, and in making recommendations to Council in relation to donations, the working group will consider the following criteria:-

- 7.1 Federal or State Government Funded initiatives will generally not receive assistance under this policy.
- 7.2 Donations will not be made to groups which are raising funds on behalf of another community group which has itself made application for funding in the funding round under consideration.
- 7.3 Applicants must be based in or affiliated with, and/or service clients within the Bogan Shire Council Local Government Area.
- 7.4 Applicant organisations must be “not for profit”.
- 7.5 To the extent practicable, allocation of donations will consider the issue of equity, both in terms of geographic distribution of funds and allocation across the categories of funding contained in this policy.
- 7.6 An assessment of the extent to which previous donations to the applicant fulfilled the stated purposes of funding. An evaluation must be supplied by the Group within 6 months of being received.
- 7.7 Whether or not the applicant organisation has agreed to undergo an evaluation of the use made of donated funds.
- 7.8 An assessment of any previous evaluation of an applicant organisation that may have been carried out by Council under this policy.
- 7.9 The extent to which the activity meets the identified needs in Council’s Social Plan, Management Plan or Strategic Plan.





## Attachments:

**Attachment 1: Application for Donation Request**

**Attachment 2: Application for Fee Reduction**

**Attachment 3: Donation Report and Evaluation**



Bogan Shire Council

Application for Donation

**Request for the Financial Year \_\_\_\_\_**

**1. Applicant/Organisation:**

Name of Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

President/Chair: \_\_\_\_\_

Secretary: \_\_\_\_\_ Treasurer: \_\_\_\_\_

Is your organisation an Incorporated body? Yes/No If yes, please attach your financial statements.

**2. Financial Assistance**

Amount requested (minimum \$50.00) \$ \_\_\_\_\_

\*If over \$1000.00 Financial Statement must be provided or the request will not be considered.

State what funds will be used for:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Donations given to your Organisation by Council over the last three years:

Amount: \$ \_\_\_\_\_ Date: \_\_\_\_\_

State what funds were spent on: \_\_\_\_\_

Do you consent to Council evaluating how the funds were spent, if Council elects to do so? Yes/No

**3. Information Regarding the Organisation**

What services or activities does your organisation provide to Bogan Shire Residents?

\_\_\_\_\_  
\_\_\_\_\_

How will the donation you have requested benefit Bogan residents?

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Principle Objectives – describe in broad terms the principle objectives of your organisation, as stated in your Constitution.

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How many members does your organisation have?

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#### 4. Additional Information

Provide any additional information which you consider necessary.

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#### 5. How will your organisation acknowledge the Council's donations?

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#### 6. Declaration of Non-Profit/Registered Charity or Organisation

I \_\_\_\_\_ declare the \_\_\_\_\_  
(Office bearer) (Organisation)

is a non-profit organisation/registered charity for the purposes of the Australian Taxation Office.

\_\_\_\_\_  
(Signed) (Witness)

\_\_\_\_\_  
(Registration number)

President/Chairperson Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Bogan Shire Council

Application for Fee Reduction

**1. Applicant/Organisation:**

Name of Applicant/Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

President/Chair: \_\_\_\_\_

Secretary: \_\_\_\_\_ Treasurer: \_\_\_\_\_

**2. Type of Donation**

Ongoing exemption or reduction in tipping fees:

Amount requested \$ \_\_\_\_\_

Type of waste to be disposed: \_\_\_\_\_

Total estimated quantity of waste to be disposed: \_\_\_\_\_

Source of waste to be disposed: \_\_\_\_\_

Donations given to your Organisation by Council over the last three years:

Amount: \$ \_\_\_\_\_ Date: \_\_\_\_\_

State what funds were spent on: \_\_\_\_\_

**3. Information Regarding the Organisation**

What services or activities does your organisation provide to Bogan Shire Residents?

\_\_\_\_\_  
\_\_\_\_\_

Principle Objectives – describe in broad terms the principle objectives of your organisation, as stated in your Constitution.

\_\_\_\_\_  
\_\_\_\_\_

What contributions do volunteers make to your Organisation?

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**4. Additional Information**

Provide any additional information which you consider necessary.

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Is there any way that your organisation will acknowledge the Council's donations?

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**5. Declaration of Non-Profit/Registered Charity or Organisation**

I \_\_\_\_\_ declare the \_\_\_\_\_  
(Office bearer) (Organisation)

is a non- profit organisation/registered charity for the purposes of the Australian Taxation Office.

\_\_\_\_\_  
(Signed) (Witness)

\_\_\_\_\_  
(Registration number)

President/Chairperson Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**This report must be completed and submitted to Council within 6 months of funds being received.**

**1. Applicant/Organisation:**

Name: \_\_\_\_\_

Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

President: \_\_\_\_\_

Secretary: \_\_\_\_\_ Treasurer: \_\_\_\_\_

**2. Financial Assistance**

Amount received from Council: \$ \_\_\_\_\_

Details of how the funds were spent:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What services or activities were provided to Bogan Shire Residents?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

How was Council's donation acknowledged by your organisation?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### 3. Certification

I certify that the above information is correct and that all the funds were allocated and expended for the purposes described above.

President's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Treasurer's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Sewerage Service Pricing Policy

28th June 2007

That Council having advertised the draft Sewerage Service Pricing Policy and placed it on display for a period of 28 days, after considering submissions received, adopt the following Sewerage Service Pricing Policy.

### Objectives

The NSW Government has adopted Best Practice Pricing Principles, full cost recovery and transparency as policy objectives for sewerage supply services. Council is therefore required to introduce Best Practice Pricing Principles for supply of sewerage services. The intent of the policy is to comply with Best Practice Pricing Principles and to keep the fund in a sound financial position.

### Statement

Best Practice pricing principles detailed in the guidelines are a prerequisite for eligibility for financial assistance for infrastructure under the Country Towns Water Supply and Sewerage Services programs.

The new pricing policy must not involve land based tariffs or annual sewerage charges based on charges for the number of WC's or pedestals. Properties that are non-rateable under provisions of Section 555 and Section 558 of the Local Government Act will be changed on the same basis as non-residential services.

The guidelines require a uniform sewerage bill for each residential property. The Independent Pricing and Regulatory Tribunal pricing principles indicate that pay for use sewerage pricing for residential customers is not warranted due to lack of net benefits from such charging.

For residential services the uniform bill is based on the estimated volume of sewerage discharge from all residential customers, ensuring that residential customers meet an equitable share of the cost of the sewerage system.

For non-residential services sewerage bills shall not be less than that of residential bills, and should be based on a two part tariff consisting of an annual access charge and a uniform sewerage usage charge per kilolitre.

The sewerage access charge is proportional to the square of the size of the water connection to reflect the load that can be placed on the sewerage system. The usage cost is based on the estimated cost applied to the estimated volume discharged into the sewerage system.

The following formula is used to determine non-residential charges for sewerage services.

$$B = SDF (AC + C \chi UC)$$

Where: B = Non Residential bill (\$)

AC = Sewerage access charge for water service meter pipe size

SDF = Sewer discharge factor

C = Actual water consumption per assessment (kL/a)

UC = Usage charge (\$/kL).



A critical element in the calculation of non-residential charges is the Sewerage Discharge Factor (SDF). A list of proposed SDF's is set out below.

<b>Discharger</b>	<b>Discharge Factor</b>
Aged Care Facility	.90
Bakery	.90
Caravan Park	.50
Church	.90
Club	.90
Cottage Industry	.50
Butcher	.90
Dental Surgery	.90
Doctor	.90
Engineering Services	.90
Hardware	.90
Hospital	.90
Florist	.50
Guest House	.90
Halls	.90
Hairdresser	.90
Hotel/Tavern	.90
Laundromat	.90
Library	.90
Mixed Business	.90
Mixed Development (home based small business)	.50
Motel	.90
Motor Repairer	.90
Office Based Business	.90
Other (default category)	.90
Panel Beater	.90
Public Amenities	1.0
Restaurant	.90
Schools	.30
Service Station	.90
Supermarkets	.90
Swimming Pool Complex	.50
Takeaway Shop	.90
Utility Services	.90
Veterinary Clinic	.90

(Council Meeting 28th June 2007)

# Tree Preservation Policy

25th March 2004

## 1. Preliminary

### 1.1 Objectives

The main objective of the Tree Preservation Policy (TPP) is the protection of valuable trees against unwarranted destruction by removal or damage. The policy binds the general community and Council Staff. It is hoped that such an objective can be realised by promoting an awareness of the values of trees in our urban landscapes. In essence, the TPP aims to:

- Promote awareness of the values of trees;
- Indicate the need for correct procedures for approval in removing, lopping or topping protected trees;
- Prevent unwarranted and wilful destruction of protected trees due to noncompliance with the Policy;
- Maintain the environmental protection and amenity of trees throughout the urban and rural residential localities; and
- Provide guidelines for planting of trees.

### 1.2 Trees - an Important Resource

In the urban environment, trees provide valuable shade and soften the general appearance of a sometimes harsh and hard urban landscape or streetscape. They make our urban environment a pleasant place to live and visit through the array of heights, shapes, colours and general form they offer. Trees help define and give an identity to residential area, streets and other urban precincts.

### 1.3 Information and Advice

For guidance on choice of plants or most suitable locations, you are advised to contact Council's Parks and Gardens staff or State Forests of NSW. Guidance on selection of tree species and planting is provided in publications released by this Department.

Advice in the requirements of the Tree Preservation Policy can be obtained from Council's Engineering Department.

## 2. Requirements of the TPP – Protected Trees

### 2.1 When is Approval Needed

Under the provision of the TPP, approval is required for the removal, ring barking, lopping, topping or injuring of any trees in public places including road reserves, parks and other community land.

Trees must not be planted in or on public land without the approval of Council.

## 2.2 Land to which the Policy Applies

The TPP applies to all public land under the control of Council including road reserves, parks and gardens and other community land allocated within the Township of Nyngan and the villages of Hermidale, Girilambone and Coolabah as identified in zones provided in the LEP:

NYNGAN and VILLAGES: Zones/areas:

- 2(a) (Residential Zone)
- 1(c) (Rural Small Holdings)
- 2(v) (Village or Urban)
- (Business Zone)
- (Industrial Zone)
- (Special uses-community purpose zone)
- 6(a) (Public open space)
- (Environmental Protection – Habitat)
- Public land within 200 metres of zones 2(a), 1(c), 2(v), 3, 4, and 5.

## 2.3 Legal Status

This Policy is prepared pursuant to Section 158 of the Local Government Act, 1993. This policy binds the general community and Council staff.

## 2.4 Situations in which pruning or removal is permitted

All work must be carried out by Council or a Council approved contractor under the direct supervisions of Council staff. Minor pruning of trees or removal for the following purposes is permitted subject to Council approval:

- Removal of dead tree(s) or branches. Trees which are apparently dying and suffering some form of stress should not be removed without assessment of the possibility of plant rehabilitation. Appropriate treatment may return the plant to a state of health.
- Pruning for ornamental purposes where such pruning is a normal and accepted practice.
- Removal of noxious or undesirable trees or shrubs identified in the Noxious Weeds Act, 1993.
- Any tree which has a trunk less than 3 metres from the outmost projection of a building.
- Removal of trees to give effect to a Council approved development. Tree removal or pruning is restricted to those specific areas where it is necessary to carry out earthworks, building works, service installation and pavement construction. Tree removal or pruning is to be restricted to an area which is no greater than 3 metres from construction works. Unnecessary clearing or damage to trees is to be avoided.

- In accordance with Section 88 of the Roads Act, 1993, a roads authority may remove or lop any tree or other vegetation that is on or overhanging a public road where this is necessary for the purpose of road works and hazard reduction.
- Where Council is the roads authority, consultation with the Parks and Gardens Supervisor or Horticulturalist is required prior to tree removal or pruning within any road reserve. Unnecessary clearing, pruning or disturbance of vegetation is to be avoided and clearing confined to those activities necessary for road works and hazard reduction.
- Trees which pose a real risk to public safety or which significantly increase the risk of damage to property. All reasonable measures must be taken to address the risk prior to removal.
- The provisions of this Policy do not apply to trees required to be trimmed in accordance with Section 48 of the Electricity Supply Act, 1995.

In deciding to remove or prune a tree factors such as aesthetics, shade, risk and cost must be considered.

## **2.5 Dangerous Trees**

It is the responsibility of Council's Parks and Gardens Supervisor or Horticulturalist to determine if the health of a tree, or the danger that such a plant poses, is such that it warrants removal or pruning. A report from Tree Surgeon or Arborculturalist may be required where significant uncertainty exists as to the integrity or safety of a tree and the tree is considered by the council officer and the community to warrant preservation.

Where a tree is considered dangerous, all reasonable measures are to be made to seek the approval and/or advice of Council's Parks and Gardens Supervisor or Horticulturalist prior to removal or pruning.

## **2.6 Selection and Location of Trees**

Remember, when selecting trees and determining where they will be planted:-

- Make yourself aware of the estimated mature height and width of the plant. The correct choice of plant species and its location will minimise unwanted difficulties in the future.
- Estimate the extent of shadow cast from the fully grown tree and the possible impacts on neighbours. Avoid overshadowing of neighbours, particularly in the winter months.
- Determine if the mature tree will interfere with overhead power lines. Where planting under power lines is the only option, choose trees with the appropriate heights.
- Avoid leaves falling into gutters. Avoid overhanging branches which will directly affect your neighbours.
- Determine if the tree will affect the underground services, foundations of buildings, fences or pavements. The location of underground services should be determined prior to planting. Council, Country Energy and Telecom should be able to advise you on service locations including water, sewer, electricity, and telecommunications lines.

- Setback of trees from buildings, other structures and services should be in accordance with the expected height, spread and root system of the plant. The Forestry Commission recommends that small trees/shrubs be at least 2 metres from buildings with larger species set back at least 10 metres. Trees such as poplars, willows, camphor laurels and figs should not be planted close to buildings since they have particularly penetrating or invasive and damaging root systems.
- Trees should be located following consideration of site damage, access to sunlight and soil type.

## **2.7 Reasons for Removal or Pruning Trees**

Circumstances where there is reason for removal or pruning of trees include:

1. Risk of personal injury;
2. Risk or damage to buildings, structures or service lines;
3. Creation of a traffic hazard by obstruction of vision; and
4. Other circumstances where it is evident that the adverse impact of the tree clearly outweighs its value and contribution to the amenity of the locality.

In many circumstances the unwanted effects of the tree can be eliminated or significantly reduced by appropriate pruning. Correct pruning requires knowledge of tree growth, risk of damage including infection and requires expert guidance. In all cases attempts must be made to maintain the natural shape of the tree.

## **2.8 Reasons for Protecting Against Removal or Pruning**

Particular importance will be placed on the preservation of a tree where it is considered that it:

- a) Has historical or commemorative significance;
- b) Makes a significant contribution to the landscape/streetscape and amenity of the area;
- c) Is exceptionally old, large or rare;
- d) Has notable aesthetic qualities; and/or
- e) Has horticultural or scientific value.

## **2.9 Approval Process**

Prior to removal or pruning Council's Parks and Gardens Supervisor or Horticulturalist must be contacted to allow inspection of the tree/s. those requesting the removal of trees must:

1. Identify by drawing or a description, the location, type and size of the tree or trees to be removed or pruned; and
2. Specify the nature and extent of the work proposed and reason(s) for the work.

Approval will be granted or refused on the circumstances of the case. Should approval be granted, advice as to the removal or pruning procedure will be given.

All work will be carried out by Council staff or a Council approved contractor who must follow OH&S principles. Potentially affected neighbours will be advised of the nature of the work and times at which the work will be carried out.

## **2.10 Tree Replacement**

Where tree removal is proposed, a general condition of any removal will be the replacement with an equivalent number of trees to be located at appropriate sites.

Where appropriate, the use of indigenous Australian native trees is encouraged for the purpose of tree replacement.

## **2.11 Qualification and Insurance**

Council's Officers may insist that tree removal or pruning be carried out by a qualified Tree Surgeon or Arborculturalist. This requirement will depend upon the nature and extent of work to be carried out and the significance of the tree(s).

Council will insist that the contractor has appropriate qualifications and appropriate personal injury, public liability and property insurance prior to commencing works.

The need for an experienced and approved workman in tree removal or pruning assists in:

1. Survival of the tree;
2. Minimising risk of personal injury or damage to property; and
3. Minimising exposure of Council to claims for damage.

## **2.12 Clearing for Bushfire Risk Reduction**

Clearing in those zones to which this order applies may be carried out where removal of vegetation is necessary to reduce the risk of injury or damage from bushfires. Where there is an immediate risk of bushfire damage, and circumstances do not permit Council notification and approval, a reasonable degree of risk will be considered a defence against the provision of this Policy.

## **3. Development and Building Approval**

Council may specify in a Development Consent that certain trees may be removed or must be retained. Landscaping requirements may be provided as a condition of approval.

# Payment of Expenses and the Provision of Facilities to the Mayor and Councillors Policy

25th February 2010

## Definition:

**A “Delegate” is a Councillor elected by Council to represent the Shire on a regular basis at Committee or Organisation meetings/functions and includes Councillor on a Section 355 Committee.**

## PART 1 – PRELIMINARY

### 1. Introduction

Council is required under Section 252 of the Local Government Act,1993 to adopt a policy concerning the payment of expenses incurred by and the provision of facilities to the Mayor, Deputy Mayor and Councillors in relation to their roles in discharging the functions of Civic Office.

### 2. Purpose Of The Policy

The purpose of the policy is to ensure that Councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties. It ensures that these are provided in an accountable and transparent manner

### 3. Objectives and Coverage Of The Policy

**3.1** When applying the provisions of the legislation to Bogan Shire Council it is considered that Council's policy should provide for the payment of appropriate expenses and the provision of the necessary facilities on the basis that:

**3.1.1** It is reasonable and equitable that the Mayor, Deputy Mayor and Councillors should be reimbursed for their expenses incurred in properly carrying out the duties of office as elected representatives of the community. Furthermore it is essential a policy is in place to ensure that such office is open to all eligible citizens;

**3.1.2** Elected representatives should have the use of adequate facilities to enable them to appropriately and adequately fulfil their role as responsive and responsible community representatives;

**3.1.3** Claims for expenses and facilities not included in this policy will not be approved;

**3.1.4** If a Councillor does not claim a particular expense or use a particular facility, this cannot be offset against a claim for an additional amount of some other expense or facility.

- 3.1.5** This Policy will be implemented in accordance with the Division of Local Government's Guidelines emphasising accountability and responsibility and will be reviewed regularly by the Council and are open to public scrutiny;
- 3.1.6** Councillors are encouraged to limit the use of the expenses and facilities provided for in this Policy to the minimum required to enable them to effectively and efficiently discharge their functions of civic office.
- 3.1.7** A public record, open for scrutiny, is to be kept concerning all facilities provided to Councillors and of the total expenses reimbursed to Councillors.

#### **4. Reporting Requirements**

Section 428 of the Local Government Act 1993 requires Councils to include in their annual report:-

- a)** the Council's policy on the provision of facilities for, and the payment of expenses to, mayors and councillors;
- b)** details of the total amount of money expended during the year on providing those facilities and paying those expenses; and
- c)** additional information as required by the Local Government (General) Regulation 2005.

#### **5. Legislative Provisions**

- 5.1** Section 252(1) of the Local Government Act, 1993 provides that within 5 months after the end of each year, a Council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, the Deputy Mayor (if there is one) and the other Councillors in relation to discharging the functions of civic office.
- 5.2** Section 252 (2) provides that the policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the Mayor or a Councillor of a facility provided by the Council to the Mayor or Councillor.
- 5.3** Section 252 (3) and (4) – provides that Council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the Mayor, The Deputy Mayor (if there is one) or a Councillor otherwise than in accordance with a policy under this section. A Council may from time to time amend a policy under this section.
- 5.4** Section 252 (5) – provides that a policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.
- 5.5** Section 253 (1) of the Local Government Act, 1993 also provides that before adopting or amending a policy for the payment of expenses and facilities, the Council must allow at least 28 days for the making of public submissions.
- 5.6** Section 253 (2) provides that before adopting or amending the policy the Council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.



- 5.7** Section 253 (3) - despite the above subsections (1) and (2), a Council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.
- 5.8** Section 253 (4) - within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a Council is to forward to the Director- General:-
- a) a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1) and
  - b) a statement setting out, for each submission, the council's response to the submission and the reasons for the Council's response, and
  - c) a copy of the notice given under subsection (1).
- 5.9** Section 253 (5) states a Council must comply with this section when proposing to adopt a policy each year in accordance with Section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.

## **6. Other Government Policy Provisions**

- DLG Guidelines for payment of expenses and provision of facilities
- Model Code of Conduct
- DLG Circulars to councils
- ICAC publications

## **PART 2 – PAYMENT OF EXPENSES**

### **7. GENERAL PROVISIONS**

#### **7.1 Payment of Expenses Generally**

To assist Councillors, including the Mayor and Deputy Mayor, in carrying out the duties of their office, they are, if they request, entitled to receive the benefit of the following facilities subject to conditions, without reduction (unless otherwise stated) of the fees payable under Section 248 of the Act:-

#### **Acquisition and return of equipment and facilities by Councillors**

Councillors may purchase council equipment previously allocated to them at the cessation of their duties if the item is for sale. The sale price to be at an agreed fair market price or written down value.

## **General Expense Allowance (GEA)**

No GEA is allowed. A GEA is defined as a sum of money paid by a council to a councillor to expend on an item or a service that is not required to be receipted and/or otherwise reconciled according to a set procedure and within a specific timeframe.

## **Use of Council Resources**

(From the Model Code of Conduct)

- 10.12 “You must use Council resources ethically, effectively, efficiently and carefully in the course of your official duties, and must not use them for private purposes (except when supplied as part of a contract of employment) unless this use is lawfully authorised and proper payment is made where appropriate.”
- 10.14 “You must be scrupulous in your use of council property including intellectual property, official services and facilities and must not permit their misuse by any other person or body.”
- 10.15 “You must avoid any action or situation that could create the appearance that Council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.”
- 10.16 “The interests of a Councillor in their re-election are considered to be a private interest and as such the reimbursement of travel expenses incurred on election matters is not appropriate. You must not use Council letterhead, council crests and other information that could give the appearance it is official council material for these purposes.”
- 10.17 “You must not convert any property of the council to your own use unless properly authorised.”
- 10.18 “You must not use council’s computer resources to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature.”

## **Private Benefit – Use of Council Resources**

Council will allocate resources to Councillors on the basis of majority Council use with a private use declaration provided and cost recovery for private use on a proportional basis of the cost to Council.

## **Approval**

Approval for all expenses and facilities provided should were practical occur at a full meeting of council. Where that is not possible or appropriate then approval should be given jointly by the mayor and the general manager. If the Mayor requires approval it should be given jointly by another Councillor and the General Manager.

### 7.1.1 Incidental Expenses

**a) Out of pocket expenses** – Council will meet the reasonable out of pocket or incidental expenses associated with attending conferences, seminars or training courses that Councillors incur, excluding expenses of a personal nature) which may be reimbursed upon the presentation of official receipts and completion of the necessary claim forms. Only reasonable amounts are claimed or accepted towards necessary out-of pocket expenses. Incidental expenses are taken to include items such as:

- i) hotel/motel charges other than accommodation;
- ii) telephone or facsimile calls;
- iii) meals not included in the Registration fee;
- iv) any optional activity in a Conference program.
- v) taxi fares and parking fees

The cost of meals not included in the registration fees for conferences or similar functions may be reimbursed after reconciliation. All advanced payments are required to be reconciled.

**b) Provision of suitable meals and refreshments** associated with Council and Council Committee meetings, Working Parties, Councillor Briefing Sessions, other functions and meetings arranged by Council, and meetings of Councillors with Parliamentary representatives, guests, visiting dignitaries and other delegations.

**c) Stationery** – use of business cards, name badges, Christmas cards, envelopes, postage, etc. for Council related business.

**d) Council promotional apparel** – Tie/Scarf, Blazers, Corporate clothing and protective clothing and equipment.

### 7.1.2 Reimbursement and Reconciliation of Expenses

- a) The travel is undertaken with all due expedition, and by the shortest practicable route;
- b) Only reasonable amounts are claimed or accepted towards necessary out-of-pocket expenses;
- c) Out-of-pocket expenses for which amounts are claimed relate only to the verified costs and upon submission of copies of all relevant dockets, receipts and the like being attached to the appropriate form, for payment or reimbursement;
- d) The claim is made not later than three (3) months after the expenses were incurred;

### 7.1.3 Payment In Advance

- a) It is recognised that the nature of expenses necessarily incurred by the Mayor and Councillors are such that the expenses may need to be prepaid on occasions.

## 7.2 Spouse and Partner Expenses

Where the Councillor is accompanied by his/her spouse/partner the Councillor concerned or his/her spouse/partner will pay for any additional travel, accommodation, sustenance and other costs.

## 8. SPECIFIC EXPENSES FOR MAYORS AND COUNCILLORS

### 8.1 Attendance at Seminars and Conferences

**8.1.1 Conferences** - for this purpose is defined as conferences, seminars, congresses, Sister City relationships, forums, workshops, courses, meetings, deputations, information and training sessions, events etc. related to the local government industry and where the Mayor and Councillor has been appropriately authorised to attend as a participant, delegate or observer.

Requests for attending conferences should generally be in writing outlining the benefits for council. After returning from the conference, councillors or a member of council staff accompanying the councillor/s, should provide a written report to council on the aspects of the conference relevant to Council business and/or the local community. (NOTE: No written report is required for the Annual Conferences of the Local Government and Shires Association).

**8.1.2 Registration** – the Council will pay all normal registration costs for the Councillor which are charged by the organisers, including those relating to official luncheons, dinners and tours/inspections which are relevant to the interests of the Council or to assist the Councillor to discharge the functions of his/her civic office.

**8.1.3 Travel** – All travel by councillors should be undertaken by utilising the most direct route and the most practicable and economical mode of transport subject to any personal medical considerations.

All reasonable travel costs for Councillors/delegates to and from the conference location and venue will be met by the Council.

Council will meet the reasonable travel expenses for local travel relating to defined council business. **NOTE:** The driver is personally responsible for all traffic or parking fines incurred while travelling in private or council vehicles on council business.

Where appropriate, travel will be provided by air (economy class). Depending on the location or circumstances, it may be more appropriate for travel to be undertaken by car or train.

Where travel by motor vehicle is used it should be undertaken by Council vehicle where available, or by private vehicle subject to approval by the General Manager. Councillors using private vehicles in accordance with this Policy may claim the “kilometre” allowance in accordance with ATO rates.

Costs of vehicle hire, taxi fares and parking which are reasonably required and incurred in attending conferences, will be reimbursed by the Council upon presentation of official receipts and completion of the necessary claim forms.

## Overseas Travel

Council should avoid international visits unless direct and tangible benefits can be established for the Council and the local community.

If Council is proposing any overseas travel, detailed proposals should be developed, including nomination of the Councillors undertaking the trip, purpose of the trip and expected benefits. The duration, itinerary and approximate total costs of each proposed visit should also be provided.

Overseas travel must be approved by a meeting of the full council prior to a Councillor undertaking the trip.

Travel must be approved on an individual trip basis. Council will not allow the retrospective reimbursement of overseas travel expenses unless prior authorisation of the travel has been obtained.

Travel proposals should be included in the business papers. The use of a mayoral minute to obtain council approval for travel is not appropriate as it is not consistent with principles of openness and transparency.

After returning from overseas, Councillors, or an accompanying member of council staff, should provide a detailed written report to council on the aspects of the trip relevant to council business and/or the local community. Councillors are also strongly encouraged to report back on their overseas travel to a full meeting of the Council. Details of overseas travel must also be included in Council's annual reports. Council is also required to report on the benefits of any proposed overseas sister city relationships.

**8.1.4 Accommodation** - the Council will pay reasonable accommodation costs (including meals) including the night before and/or after the conference where this is necessary because of travel and/or conference timetables.

**Attendance at dinners and other non-council functions** - Consideration may be given to meeting the cost of Councillors' attendance at dinners and other non-council functions which provide briefings to Councillors from key members of the community, politicians and business.

Approval to meet expenses should only be given when the function is relevant to the council's interest. Only the cost of the service provided will be met. No payment will be reimbursed for any component of a ticket that is additional to the service cost of the function, such as a donation to a political party or candidate's electoral fund, or some other private benefit. An additional payment to a registered charity may be acceptable as part of the cost of the function. **This payment is to be approved by Council.**

## 8.2 Training and Education Expenses

The provision of appropriate training courses approved by the General Manager or Council.

Council will make separate provision for the payment of relevant training and educational expenses incurred by councillors in the budget. These expenses will support and encourage an active learning process and skills development in addition to attending seminars and conferences related to council functions.

It is essential where Council is paying these expenses that the training or educational course is directly related to the Councillor's civic functions and responsibilities.

### 8.3 Local Travel Arrangements and Expenses

Councillors may claim kilometre allowance for use of private vehicles when used to travel (including return) between their place of residence and:

- i) to attend Council or Committee meetings of which they are a member;
- ii) inspections within the Council's area undertaken in compliance with a resolution of the Council;
- iii) attending public meetings convened by the Council;
- iv) kilometre rates for such travel will be paid at the rate set by the ATO;
- v) Council will meet the cost incurred of authorised travel by public transport or taxi in the circumstances listed above; and
- vi) Payment is subject to a formal claim form being lodged with attached receipts, if appropriate.

### 8.4 Travel Outside the LGA Including Interstate Travel

Prior approval of travel should generally be required for interstate travel. The application for approval should include full details of the travel, including itinerary, costs and reasons for the travel.

### 8.5 Care and Other Related Expenses

Council will make provision for the payment of other related expenses associated with the special requirements of councillors such as disability and access needs, to allow them to perform their normal civic duties and responsibilities.

### 8.6 Insurance Expenses and Obligations

Council will provide Councillors' insurances required in carrying out their civic office functions.

**8.6.1 Personal injury** while ever on Council business, which Council shall become legally liable to pay arising out of bodily injury, caused by accidental, violent, external and visible means. Such insurance shall also cover permanent disablement, temporary total disability and temporary partial disability. The cover does not include medical expenses. This provision is subject to any limitations or conditions as set out in the Council's policy of insurance which is, at the discretion of the Council, taken out.

**8.6.2 Professional Indemnity** for matters a councillor shall become legally liable to pay arising out of the Councillor's performance of civic duties or exercise of his/her functions as a Councillor, provided the performance or exercise of the relevant civic duty or function is in the opinion of Council, bona fide and/or proper. This provision is subject to any limitations or conditions as set out in the Council's policy of insurance which is, at the discretion of the Council, taken out.

**8.6.3 Public Liability** for matters that a Councillor shall become legally liable to pay arising out of Councillor's performance of civic duties or exercise of his/her functions as Councillor, subject to any limitations or conditions as set out in the Council's policy of insurance, which is at the discretion of the Council, taken out.

**8.6.4 Travel Insurance** for approved interstate and overseas travel on Council business. All insurances are to be subject to any limitations or conditions set out in the council's policy of insurance.

**Note: All of the above insurances exclude acts of gross and criminal negligence.**

## **8.7 Legal Expenses and Obligations**

That in the event of an enquiry, investigation or hearing by any of:

- the Independent Commission Against Corruption;
- the Office of NSW Ombudsman;
- the Division of Local Government, Department of Premier and Cabinet;
- the NSW Police Force;
- the Director of Public Prosecutions;
- the Local Government Pecuniary Interest and Disciplinary Tribunal;
- Council's Conduct Review Committee/ Reviewer; or
- other legally constituted investigatory bodies having proper jurisdiction into the conduct of a Councillor; or

Council shall reimburse such Councillor, at the conclusion of such enquiry, investigation, hearing or proceeding (including any appeal), for all legal expenses properly and reasonably incurred, given the nature of the enquiry, investigation, hearing or proceeding, on a solicitor/client basis, including the costs of proceedings for the recovery of costs against the other party to the proceedings.

This is provided that the subject of the inquiry, investigation or hearing arises from the performance in good faith of a councillor's functions under the Act and the matter before the investigative or review body has proceeded past any initial assessment phase to a formal investigation or review. In the case of a conduct complaint made against a councillor, legal costs should only be made available where a matter has been referred by a general manager to a conduct reviewer/conduct review committee to make formal enquiries into that matter in accordance with the procedures in the Model Code of Conduct. In the case of a pecuniary interest or misbehaviour matter legal costs should only be made available where a formal investigation has been commenced by the Division of Local Government.

In addition, legal costs must only be provided where the investigative or review body makes a finding that is not substantially unfavourable to the councillor. This may include circumstances in which a matter does not proceed to a finding. In relation to a councillor's conduct, a finding by an investigative or review body that an inadvertent minor technical breach had occurred may not necessarily be considered a substantially unfavourable outcome.

The Councillor will diligently pursue the recovery of any costs which he/she is awarded in the proceedings.

The amount of such reimbursement shall be reduced by the amount of any moneys that are recovered by the Councillor on any basis and upon any recovery being made after reimbursement from the Council, the amount recovered shall be paid to the Council;

The Councillor is required to submit a Statutory Declaration which details his/her contributions to legal bills and any contributions received by the Councillor in respect to such matters.

Council will not meet the legal costs of legal proceedings initiated by a councillor under any circumstance. Council will not meet the legal costs of a councillor or Council employee seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.

- a) A Council may disburse money only if the disbursement is authorised by the Local Government Act 1993, either expressly or because it is supplemental or incidental to or consequential upon the exercise of its functions.
- b) In the particular circumstances outlined below, a council may therefore indemnify or reimburse the reasonable legal expenses of:
  - a. A Councillor defending an action arising from the performance in good faith of a function under the Local Government Act (section 731 refers) provided the outcome to the legal proceedings is favourable to the Councillor.

**NOTE:** Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of his or her functions under the Act should be distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. An example of the latter is expenses arising from an investigation as to whether a Councillor acted corruptly by using knowledge of a proposed rezoning for private gain. This latter type of expense should not form part of a policy adopted under section 252 of the Act.

## 9. ADDITIONAL MAYORAL EXPENSES

In addition to those facilities provided to the Councillors the Mayor, in carrying out the duties of that office, is entitled to receive the benefit of the following facilities subject to conditions without reduction of fees payable under s248 and/or 249 of the Act:

- 9.1 **Appropriate furnished office** within the Civic Centre.
- 9.2 **Secretarial Services** including word processing, photocopying, printing, postage, facsimile and telephone facilities.
- 9.3 **Administrative Assistance** associated with any Council functions, organisations, meetings, publications and the like by the General Manager's Department and other appropriate staff as determined by the General Manager.
- 9.4 **Office refreshments** – as provided in the Mayoral Office for entertainment purposes.
- 9.5 **Stationery** – Mayoral letterhead, envelopes and stationery, generally.
- 9.6 **Office Equipment** – provision of appropriate office equipment such as desktop computer or laptop computer, facsimile machine, photocopier either within the Mayoral Office or shared with the Administration.



## **9.7 Mayor - Mobile Telephone & Motor Vehicle**

A motor vehicle and mobile telephone is provided for the Mayor. Private use costs are the responsibility of the Mayor.

## **PART 3 – PROVISION OF FACILITIES**

### **10. GENERAL PROVISIONS**

**10.1** Any equipment provided shall remain the property of the Council, and shall be returned to the Council within one week of the Councillor leaving office.

The equipment is for the exclusive use of the Councillor on Council business and the Councillor shall not loan the equipment to a third party.

The Councillor shall be responsible for the good care and proper use of such equipment and to promptly report any faults, malfunctions or needs for service/repair to the Council.

In order for a Councillor to be entitled to the reimbursement of telephone calls, the Councillor must:

- i)** make his/her telephone and facsimile numbers available to the public to ensure that he/she is accessible to the residents and ratepayers of the Shire;
- ii)** identify all mobile telephone calls associated with his/her duties as Councillor on his/her mobile telephone account;
- iii)** meet the cost of any private usage (e.g. not business calls on Council's behalf).

**10.2** Requests for issues of stationery, and/or equipment shall be made to the General Manager, Executive Assistant or the Manager, Executive Services. All approved requests will be provided by the Council.

## Building and Development Control Policy

22nd November 2007

### What is a Council Policy?

A Council policy is a set of rules for any particular activity, development or local Government function, which is made by a Council for its own local government area. It is important to have regard to them as Councils generally take them into account when determining development applications.

Council Policies are often referred to in Section 149 Planning Certificates; however it is important to check whether there is a council policy relating to a proposed Development Application prior to lodgement. Please note that these policies may change from time to time and new policies are added. There may be more Council policies which apply to your development - for an updated list, please contact Council.

### Aims of this Policy

Controlling development and applying a consistent approach to development throughout the Bogan Shire Council local government area;

- i) Providing consistent and equitable development standards for land development;
- ii) Encouraging a high standard of development that is sympathetic with the environment;
- iii) Explaining and documenting Council's requirements to provide the public with an understanding of its policies for development;
- iv) Providing information to developers to ensure the required information is provided with development applications.

### What plans and information do I need to submit with the application?

As a minimum, you will need to submit a site plan showing the existing and proposed structures on the site, a floor plan of the existing and proposed sections, engineer details of the building and slab details and a geotechnical report for the soils (soil test) and a statement of environmental effects.

**A full list of the required information for particular developments can be obtained from Council.**

A BASIX certificate is to be submitted with all applications for new dwellings, dwelling additions, duplexes and other multi-unit developments and dwelling additions from 30 June 2006, which outlines the sustainability of the proposal with regard to solar access and water and energy efficiency. For more information on this, look up <http://www.basix.nsw.gov.au>

The application forms provide some guidelines as to what information is required with development applications however the applicants are encouraged at an early stage in the project formulation to discuss the proposed development with Council.

If the required information is not provided Council may not accept the application or there will be delays in the processing of the application.

## **1. Setbacks**

To enable a uniform streetscape, separation between dwellings and the street and to provide amenity for residents it is important that acceptable separation (setback) distances are provided between dwellings and utilities. The required setback distances are as follows:-

### **1.1 Front Setbacks Dwellings in Zone 2(a)**

- The setback for the front of the edge of the eaves must be no less than 8.0 m from the front property boundary.
- Setback when adjacent to another street e.g. (corner block) will be minimum 4m, or 6m where there is a driveway.

### **1.2 Side and Rear Setbacks**

- The minimum distance required to be provided between a dwelling and the side and rear boundaries of a lot is to be a minimum of 900mm.

## **2. Storm Water Disposal**

You must ensure that storm water runoff from new structures, existing structures affected by new work or a new subdivision is directed to the street gutter or approved storm water drainage.

## **3. Fencing**

### **3.1 Side and Rear Fencing**

- Side and rear fencing are to be compatible with the existing streetscape and locality.

### **3.2 Height and Colour**

- The preferred side and rear fencing is to be timber or of pre-coloured metal, or brick. The height must be consistent with the area and a maximum of 1.8m high. The front fence height should continue around the side and finishing with a taper to the building setback to the higher level over a distance of no less than 2m.

### **3.3 Front Fence**

- The front fence must only be 1.2m high. It must be of ornamental nature.

## **4. Private Open Space for Single Dwellings**

A private open space area\* equivalent to 75% of the total floor space of each dwelling or 50 m<sup>2</sup> whichever is the greater is to be provided for each dwelling.

**\*Note open space areas do not include area used for pathways, access, parking, required setbacks and the like.**

## **5. Off Street Car Parking**

→ The number of off-street parking spaces exclusive of lock up garages required for each dwelling are as follows:

1 or 2 bedrooms - 1 space

3 or more bedrooms - 2 spaces

**Note: Bedrooms may include a study, serving room, play or rumpus room, office or the like where the design of the floor plan can facilitate the use of such room as a bedroom and where the floor area is greater than 9m<sup>2</sup>. The required car parking spaces must be provided and available on site and must be identified on the development application drawings.**

## **6. Subdivision**

→ Council must be satisfied that the ratio of depth to frontage is suitable for a dwelling to be erected thereon, and where the land is un-sewered there is suitable area for the on-site disposal of effluent.

→ The subdivision should be designed having regard to the opportunity and constraints of the land.

→ A dwelling or holding is required to have coincident legal and practical access to ensure the long term viability of that access. If you are proposing to subdivide land or erect a house where vehicular access to the lot or house must traverse someone else's land, an easement for access is to be registered over the neighbour's land to ensure the access is legal. The access may have physically been there for years, but to ensure it is a legal access, the easement must be created or another alternative found for the access.

## **7. Residential Flat Buildings and Dual Occupancies in Zone No. 2(a) Sewered Land in Bogan Shire Council.**

### **7.1 Height Limitations for Residential Flat Buildings**

→ Building height is limited to single storey where the predominant development in the locality is single storey. Council may consider developments of greater height however the developer will need to demonstrate to Council that there will be no adverse impact as a result of the proposed development on the streetscape and neighbouring development in terms of visual, privacy and overshadowing considerations.

**Note: Residential flat buildings proposed in excess of one storey are to comply with the objectives of State Environmental Planning Policy 65 – Design Quality of Residential Flat Development.**

## 7.2 Site Area and Number of Units

The site area and number of units that can be constructed on land will be considered on merit having regard to the site, design of the proposed development, site coverage (and proportion of remaining open space), off-street car parking requirements and Landscaping requirements are met.

## 7.3 Landscaped area

### 7.3.1 Minimum Landscaped\* Area for a Residential Flat Building is 40%

**\*Note landscaped areas do not include the areas used for pathways, access, car parking and the like.**

### 7.3.2 Landscaping

- Site landscaping must be provided prior to occupation of the development. A detailed plan of landscaping including location and species types must be submitted to and approved by Council prior construction work commencing. Landscaping should comprise low water usage species comprising trees, shrubs (natives preferred) and lawn.
- The BASIX certificate required to be submitted with the application will dictate some of these aspects.
- To ensure that landscaping is provided, Council will not issue a construction certificate until a landscaping plan for the residential flat complex or dual occupancy is approved by Council and will be encouraging the developer to complete all landscaping prior to issue of the occupation certificate.

## 7.4 Setbacks for residential flat buildings

To afford a level of amenity between residential flat buildings, adjoining development and the street, the following setback distances are specified:-

### 7.4.1 Front Setbacks

- A minimum distance of 8.0m from the front boundary.

### 7.4.2 Side Boundary Setback

- Minimum setbacks to the side boundary are 900mm where not fronting onto another street.
- Setback when adjacent to another street e.g. (corner block) will be minimum 4m, or 6m where there is a driveway.

## 7.5 Off Street Car Parking for Residential Flat Buildings and Dual Occupancies

The number of off street parking spaces required to be provided which does not include lock up garage space are as follows:

- 1 space per dwelling

## 7.6 Surface treatment of off street car parking area and driveways

→ The off street car parking area(s) including driveways, hard stand and car parking spaces and are to be of a two coat bitumen seal, paving blocks or concrete surface. Driveways are to be a minimum of width of 3.5m for a single dwelling or 6m for two or more dwellings.

## 8. Industrial development

### 8.1 Site area

→ A minimum site area required for an industrial development is 2000m<sup>2</sup>.

### 8.2 Setbacks

→ The aim of the setback requirement is to provide separation between industrial developments, to enable access for emergency service vehicles and to provide a level of amenity within the industrial area.

#### i) Front

→ Minimum front set back is 9m between the building and street boundary.

#### ii) Side

→ Minimum side set back is 5m between the building and side allotment boundary.

#### iii) Rear

→ Minimum rear set back is 5m between the building and rear allotment boundary.

The setback requirements will be subject to the design of the development and the on-site vehicle manoeuvrability required for each development. The specified setback area is to be kept clear and maintained in an accessible manner at all times.

### 8.3 Traffic

→ The Roads and Traffic Authority (RTA) "Guide to Traffic Generating Developments" will be used to assess and determine traffic impacts, parking requirements, access and parking area design, as will the latest version of AUSTRROADS for turning templates. State Environmental Planning Policy No 11 - Traffic Generating Developments. (SEPP 11) may also apply depending on the scale and operation of the proposed development.

### 8.4 Vehicle Parking

#### 8.4.1 Off Street Parking

Council will require the provision of off-street car parking as required by the RTA Guidelines. Where uses are not addressed in the RTA Guidelines, Council will determine the required parking provision. The following examples indicate the parking required for some common industrial uses:-

- **Factories** require one space per 100m<sup>2</sup> Gross Floor Area (GFA)
- **Warehouses** require one space per 300m<sup>2</sup> GFA.
- **Mechanical repair workshops** require 6 spaces per work bay.

#### **8.4.2 Surface Treatment**

- The surface treatment required for off street parking will be a minimum of a two coat bitumen seal.
- Council will also consider the relevant Australian Standard for the provision and dimensions of off street parking.

#### **8.4.3 Vehicle Manoeuvrability on Site**

- All access ways, manoeuvring areas, parking areas and loading areas are to be readily accessible and adequate areas on site must be provided for the turning and manoeuvring of all vehicles. The loading, unloading and reversing of vehicles on Councils roads, footpaths or reserves is strictly prohibited.
- All vehicles entering and exiting the development site must do so in a forward direction. Council will assess the vehicle manoeuvrability on site by the vehicle turning templates available in the relevant Australian Standard and AUSTROADS.
- The loading and manoeuvring areas are to be sealed with a surface capable of withstanding the proposed loads while minimising the impact of dust and nuisance from vehicle manoeuvrability. Details of the surface treatment to the loading and manoeuvring areas must be discussed with Council's Environmental Services Department prior to submitting a development application.

#### **8.4.4 Signposting**

- All vehicle movements to, from and on site are to be clearly delineated. Off street car parking spaces are to be clearly delineated line marked and signposted in accordance with the RTA Guidelines and the relevant Australian Standard prior to occupation of the development.

#### **8.5 Driveway Crossings**

- The Roads and Traffic Authority (RTA) "Guide to Traffic Generating Developments" will be used to assess and determine access requirements.

#### **8.6 Landscaping – Industrial Developments**

- Landscaping can also play a major role in beautifying an industrial site. Site landscaping must be provided prior to occupation of the development. A detailed plan of landscaping including location and species types must be submitted to and approved by Council prior to construction work commencing. Landscaping should be a variety of low maintenance species comprising trees, shrubs (natives preferred).

- To ensure that landscaping is provided Council will require the developer to submit a landscaping plan of the site to be approved by Council prior to the construction certificate being released by Council. Landscaping is to be completed prior to issue of the occupation certificate.

## **8.7 Open Storage and Loading Areas**

- Open storage and loading areas are to be identified on the development application and are to be located behind the building line of the industrial development. Council approved screening devices (screen fencing, metal fencing and walls etc.) will be required to be provided to prevent open storage areas and loading areas from being viewed from a public place.

## **8.8 Advertising and Signage**

- State Environmental Planning Policy No. 64 – Advertising and signage provides guidelines in relation to advertising structures and signage. An advertising strategy for the site is to be submitted with the development application detailing all proposed advertising signs.

## **8.9 Waste Removal and Storage**

- Provision is to be made for the storage on-site and disposal of all trade waste and refuse. A minimum hardstand area of 3m by 2.4m is to be allocated for the storage of on-site waste containers and such area is to be located behind the building line (where possible) and accessible by waste service vehicles.

## **8.10 Dwellings in Industrial and Commercial Areas**

- Dwellings are prohibited in industrial areas, other than those used in conjunction with an industry. The dwelling must meet these standards:

- Located on the same allotment as the industry to which it relates;
- Maximum number of 2 bedrooms;
- Minimum construction standard required being weather board, pre coloured metal, brick, timber, hardiplank type materials, decorative concrete blocks and glazing;
- Minimum facilities and standard are to be required as per the Building Code of Australia for a dwelling;
- A clothes drying facility and a private open space area is required to be provided on site.
- A private open space area\* equivalent to 50% of the total floor space of the dwelling is to be provided for such dwelling.

**\*Note open space areas do not include area used for pathways, access, parking and the like.**

**\*\*\*Note - A dwelling on industrial land for the purposes of this section does not include a caravan, containers or the like that have been converted for use as a dwelling.**





## **9. Relocatable Dwellings**

Relocatable dwellings, to be relocated onto an urban block of land within Bogan Shire Council, shall be subject to an approval by Council.

### **9.1 Floor Height**

- The floor height of habitable areas of dwellings shall be a minimum of 300mm above the higher of the existing natural surface or kerb and gutter, or where natural drainage of the land is likely to seriously affect the dwelling foundations.

### **Aim**

**The aim of this procedure is to implement Council's adopted roads policy:**

"The Bogan Shire Roads Policy established a register of arterial, distributor, collector and access road classifications, according to the "Bogan Shire Roads Policy and Priorities" as may be amended by Council from time to time, to establish priorities and guide management of roads under Council's control, and to minimise risk relative to the level of service for each road appropriate to usage and the available resources.

### **Strategy**

The strategies are to:

1. Maintain each road in condition that is safe and trafficable, as appropriate to the level of service adopted for each class of road, its priority in the road policy and priorities and the available resources;
2. Use risk assessments and the roads policy and priorities as tools to priorities the application of the available resources.

### **Principles**

Guiding principles for application of the roads policy and strategies are:

1. Resources including funds, plant, labour, water and gravel are limited, necessitating the application of most resources to higher priority roads;
2. Apply risk management principles, i.e. minimise risk and provide good or at least safe access for the most people that can be afforded.
3. Prioritising the use of resources and determining the threshold between "higher" and "lower" priority roads is dependent on variables including:
  - a) Government legislation, policies and funding;
  - b) Council's adopted policies and strategic directions;
  - c) Changes in economic activity and demographic patterns;
  - d) The resources able to be allocated in the annual Management Plan.

4. The recurrent roads budget is not expected to increase significantly in the short term or without new external funds, and is not sufficient to:
  - a) Provide everyone with access to a high speed all weather road;
  - b) Maintain all roads to a desirable standard of re-sheets and annual grading; and
  - c) Undertake new construction without affecting maintenance and rehabilitation.
5. Roads require different levels of service depending on factors such as type and volume of traffic, safety of users including schools buses, type of construction, and location in relation to towns, number of dwellings serviced and economic activity.
6. Maintain each road consistently as appropriate to the specified level of service and available resources:
  - a) Maintain or improve on the existing level of service for high priority roads;
  - b) Maintain lower priority roads at (or allow decline to) a level or service where the road will be trafficable in dry conditions with reduced vehicle operating speeds and ride quality/comfort, and may be impassable in wet conditions;
  - c) Not grade low priority roads if in trafficable condition; and
  - d) Refine mid-priority roads ranking to establish the threshold that fits resources.
7. Having the physical resources to undertake works, includes skilled labour, modern plant fleet, resource sharing with other Councils and agencies, and outsourcing specialist expertise, services and plant as needed.
8. Limit isolated jobs that divert resources from core business and programmed works, unless there is an assessed risk requiring mitigation more urgently.
9. It may be necessary to consider alternative financing methods if upgrading selected high priority roads would reduce long term costs.

## **Operational Management**

Operational management of the road network to ensure roads are trafficable, within the constraints of weather and resources include:

1. Documented inspections and risk assessments, both programmed and requested.
2. Prioritising works with competing demands, making best use of available resources with reference to the safety of road users and the road policy and priorities.
3. Adapt appropriate new technologies and “best practice” such as from the Australian Road Research Board, e.g. gradually increase re-sheeting and improve the shape of high priority roads to reduce long term maintenance costs; and

4. Recommending changes to the road policy and priorities and level of service where a road is assessed as under or over resourced in relation to:
  - a) Managing risk;
  - b) New traffic volume measurements replacing estimated or out-dated data;
  - c) Available resources and strategic directions determined by Council; and
  - d) Evolving levels of service definitions, maintenance practices and management systems.

### Levels of Service

The roads policy establishes four classes of roads based on function and traffic volume as representative of various factors noted above in a local context:

- a) Arterial
- b) Distributor
- c) Collector (or Minor Road)
- d) Access

The Roads Policy and Priorities List below is based on a priority scoring spreadsheet and includes details on the level of service for each class of road. Priorities and position in the road register may be subsequently amended by Council resolution.

Levels of service and priorities are broadly classified according to the following table, with nominal frequencies subject to weather, available resources and other factors:

Road Class (Level of Service)	Traffic Volume (ranking priority)	Traffic volume range, (veh/per)	Operating speed dry weather (min km/hr)	Maintenance grading frequency, (years)	Re-sheet frequency (years, max)	Reseal frequency (years, max)
Arterial	6	45+	64 – 80+	0.5	2 – 5	10
Arterial	5	23–44	50 – 70+	0.5	5	15
Distributor	4	11–22	50 – 70+	1	8, most	20
Collector	3	5–10 Gravel	50 – 70+	2	Unlikely	N/A
Access	2	0–4 Gravel	50 – 70+	4	Not likely	N/A
Access	1	0–4 Formed	50+	4	N/A	N/A

The lower dry weather operating speed is the intervention level for a heavy grade.

## Consultation and Review

Initial consultation included Councillors and senior managers. The draft policy was advertised inviting public comment prior to further consideration by Council and adoption of the policy.

The policy and its application should be reviewed in conjunction with preparation of the annual Management Plan of Council and as part of strategic planning.

## Performance Indicators

Maintain each road according to its adopted level of service (as applicable):

- Maintenance grading within the specified frequency (annual program);
- Gravel re-sheeting or resealing within the specified frequency (longer term);
- Documented inspection and risk assessment determining that each road is safe for road users at speeds appropriate to the class of road prevailing conditions (excluding unsealed roads when not trafficable due to wet weather) at least annually and otherwise upon inspection ahead of programmed maintenance grading or upon receiving a request or feedback from road users;
- Desirable to improve shape of unsealed roads for drainage – aim for 10 km/year.

## Road Policy and Priorities List

The following list classifies each road, with level of service described in more detail:

### Arterial Roads

Traffic volume priority ranking score is 5 or 6, out of 6. Reseal every 10 – 15 years or sooner of possible. Regularly carry out bitumen patching to maintain condition.

If unsealed, grade 2 times per year. Gravel re-sheet according to need and budget – aim for 2 years for Colane and Canonbar Roads (on black soil) and 5 years for others.

Normal operating speeds for most vehicles in dry weather on unsealed roads in reasonable comfort should be at least 80 km/hr for regional roads, Colane Road, Canonbar Road and part of Pangee Road. For all other roads it should be at least 70 km/hr to meet national “best practice” standards, although road users typically expect at least 80 km/hr. May be impassable when wet.

Inspect and manage medium to high risk immediately upon notification. Refer low risk hazard to next programmed visit. A “heavy grade” intervention is required on unsealed roads if normal dry weather operating speed for most vehicles drops to:

- 64 km/hr for regional roads, Colane Road and Canonbar Road, and
- 60 km/hr for other roads.

Number	Name & Segment	Seal, km	Gravel, km	Formed, km
<b>Regional Roads:</b>				
MR 228	Hermidale Nymagee Road	33.2	28.5	
MR 57	Tottenham Road	64.7		
MR 61	Cobar Condobolin Road		36.6	
MR 7514	Cockies Road		75.14	
<b>Local Roads:</b>				
Various	Local urban streets (most)	TBA		
1	Mulla Road	17.42	15.36	
5	Peisley Road (Tottenham Rd to Cockies Rd)		17.96	
10	Pangee Road (Tottenham Rd to Peisley Rd)	16.5	39.00	
16	Yarrandale Road	18.10	21.09	
14	Gilgai Road (SH8 to Bourkes Rd)	6.64	17.00	
17	Booroomugga Road (Seal at Girilambone)	1.73		
22	Moonagee Road (Seal from Nyngan)	4.74		
23	Buckiinguy Road	11.20		
24	Canonbar Road	29.13	15.00	
92	Colane Road	6.00	50.81	
	Local Roads Total	111.28	176.22	
	<b>Local &amp; Regional Roads Total</b>	<b>209.18</b>	<b>316.46</b>	
	Combined Total	525.64		

### **Distributor Roads**

Traffic volume priority ranking score is 4, having moderate traffic levels. Reseal every 20 years or sooner. Regularly carry out bitumen patching to maintain condition. Less trafficked sealed roads are promoted to this level to ensure seals are preserved.

If gravelled, aim to grade once per year and re-sheet every 8 years according to need and budget. May be impassable when wet. Normal operating speeds for most vehicles in dry weather on unsealed roads in reasonable comfort should be at least 70 km/hr to meet national "best practice" standards, although road users typically expect at least 80 km/hr. inspect and manage medium to high risk immediately upon notification. Refer low risk hazard to next programmed visit. A "heavy grade" intervention is required if normal dry weather operating speed for most vehicles drops to 50 km/hr. Approximately 40% of roads may drop to Collector level of service unless \$170,000 extra funds are found for gravel re-sheeting – this list needs further prioritising.

Number	Name & Segment	Seal, km	Gravel, km	Formed, km
<b>Regional Road:</b>				
MR424	Monkey Bridge Road		24.4	
<b>Local Roads:</b>				
	Local urban streets (some)			
2	Gibsons Road		5.60	
3	Buddabadah Road		22.46	
4	Danaloo Road		15.26	
5	Peisley Road (Cockies Rd to Pangee Rd)		28.00	
7	Warrah Road		5.70	
8	Bobadah Road		20.98	
10	Pangee Road (Peisley Rd to Bobadah Rd)		39.80	
12	Coffils Lane		26.43	
14	Gilgai Road		22.54	
17	Booroomugga Rd (End of seal to Fergusons Rd)		20.53	
19	Cooneybar Road		38.45	
20	Murrawombie Road	5.00	25.17	
21	Gongolgon Road		39.78	
22	Moonagee Road (End of seal near "Chandos")	7.19		
25	Merryanbone Road		21.00	
26	Old Warren Road	27.35		
39	Hickeys Road (Cockies Rd to near "Mayo")		6.82	
40	Plummers Road		30.70	
49	Temple's Lane	4.56	5.03	
60	Whiterock Road	2.00	25.44	
78	Okeh Road (Murrawombie Rd to New Bogan Rd)		4.00	
81	Benah Road		11.22	
82	Pepper Lane		2.12	
89	Ski Lane		0.71	
90	East Nyngan Road		0.39	
	<b>Local Roads Totals</b>	<b>38.91</b>	<b>425.32</b>	
	<b>Local &amp; Regional Roads Total</b>	<b>38.91</b>	<b>449.72</b>	



### **Collector (Minor) Roads**

Traffic volume priority ranking score is 3. Program a maintenance grade every 2 years subject to inspection of condition and apparent need. Re-sheet if opportunity arises from additional external funds – not expected at 2006/07 levels of funds. Formed roads will not be gravel sheeted, but may require a patch gravel to resolve isolated hazards.

Condition can be a lower standard if still trafficable in most weather conditions. May be impassable when wet. Generally has maximum 5.5m wide pavement, unless it is a long through road or a year round road train route. Normal dry weather operating speed for light vehicles should be at least 70 km/hr, but if it drops to 50 km/hr, a “heavy grade” intervention is required soon. Repair isolated hazards if they are a medium or high risk, otherwise leave for a programmed maintenance grade or install warning signs. Drivers must drive according to road condition, not necessarily at desired speeds or comfort level.

Number	Name & Segment	Seal, km	Gravel, km	Formed, km
<b>Rural Roads</b>				
5	Peisley Road – Pangee Rd to MR228		32.00	
9	Glengariff Road		16.92	
11	Honeybugle Road		20.70	
13	Bourkes Road		28.14	
15	Kallara Road		19.13	
17	Booroomugga Rd (Fergusons Rd – Elmore Rd)		17.00	
18	Elmore Road		30.66	
22	Moonagee Road (“Chandos” – “Moonagee”)		12.00	
33	Wyes Road – to house		4.64	
39	Hickey’s Road (“Mayo” – “Strathyeene”)		8.00	
41	Shannonvale Road		8.07	
42	Colbain Road		4.18	
44	Koomanganong Road		12.95	
50	Rutherglen Road		1.83	
51	Currans Road		14.55	
58	Cooneys Road		9.10	
59	Laroo Road		11.52	
61	O’Neills Road		8.00	
63	Westlyn Road		11.24	
64	West Bogan Road		14.98	
66	Days Road		13.54	
67	Paynes Road		11.73	
73	Jumps Road		11.63	
74	Doneys Road		15.45	
77	Tubba Villa Road		11.62	
78	Okeh Road (New Bogan Rd - “Okeh”)			15.38
88	John Butler Road	0.28		
	<b>Local Roads Totals</b>	<b>0.28</b>	<b>349.58</b>	<b>15.38</b>

### **Access Roads**

Minor “access” roads are generally dead ends servicing few or no dwellings, with occasional seasonal rural traffic. Traffic volume priority ranking score is 1 or 2. Program maintenance grade every 4 years subject to inspection of condition and assessment of risk. Re-sheet only higher priority roads are fully serviced.

Trafficable in dry conditions. Probably impassable when wet. Maximum 5.5m wide. Normal dry weather operating speed for light vehicles should be 70 km/hr on gravel roads and 50 km/hr on formed roads. Consider a “heavy grade” intervention below 50 km/hr. Repair medium to high risk isolated hazards only, or install warning signs. Drivers are often unable to drive at desired speeds or comfort level.

Number	Name & Segment	Seal, km	Gravel, km	Formed, km
<b>Rural Roads</b>				
27	Priors Road		5.53	
28	Singletons Road			3.00
29	Maroobi Road			2.45
30	Eulo Glen Road		7.02	
31	Wera Road		4.99	
32	Simpsons Road			2.68
33	Wyes Road – beyond house			0.60
34	Kidstons Road		1.53	
35	Backhouses Road		3.40	
36	Lunaria Road			6.26
37	Logans Road			10.41
38	Billandry Road		7.30	
43	Kellys Road		7.54	
46	Drummy Road		7.73	
47	Parkers Road		4.28	
48	Fords Road		12.90	
52	Healeys Road		4.10	
53	Sarona Downs Road		8.33	
54	Jefferys Road		5.63	
55	Trethowans Road		5.13	
56	Dicksons Road		6.78	
65	Wilgaree Road		4.07	
69	Johnsons Road		4.45	
71	Fergusons Road		5.48	
72	Warrego Road		2.05	2.00
75	Glen Idyll Road			8.41
76	Cox's Road		8.22	
79	New Bogan Road		6.70	
80	Larsens Road		3.59	
84	Budgery Road		2.20	
85	Tikkara Road		0.66	
86	Neeroc Road		5.00	
	<b>Local Roads Totals</b>		<b>134.61</b>	<b>35.81</b>

**“Roads” not maintained by Council**

Traffic volume priority ranking score is 0. These named “roads” are no longer used and/or were not formed, or maintained by others. Council expends minimal or no resources on them. Maintenance of fire trails may be undertaken on request.

Number	Name & Segment	Seal, km	Gravel, km	Formed, km
<b>Rural Roads</b>				
57	Babinda Fire Trail			28.08
62	Munda Road			4.80
68	Charlestons Road			1.83
70	Old Kidgery Road			2.20
83	Glengariff Lane			15.88
87	Quanda Road			10.20
91	Bee Tree Lane			1.32
	<b>Totals</b>			<b>64.31</b>

**Other Policies are currently being reviewed.**