



BOGAN SHIRE COUNCIL

Minutes

24th June 2010





Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

PRESENT: Councillors RL Donald, JL Douglas, LH Dutton, HJ Griffiths, JE Hampstead OAM, AM Kennedy, EM McLaughlin, and KM Ryan.

Also present were Mr MJ Brady (General Manager), Mr Michael Ryan (Acting Works Manager), Mr JE Loxley (Manager of Environmental Services) and Mrs CJ Ellison.

179/2010 APOLOGY: RESOLVED that the apology for the absence received from Councillor Neill be accepted and he be granted leave of absence from the meeting. **(Hampstead/Griffiths)**

180/2010 EXCLUSION OF PRESS AND PUBLIC: RESOLVED that the Committee move into a closed and confidential section of the Council Meeting because of information provided and discussed involves personnel matters concerning particular individuals other than Councillors. **(Douglas/Griffiths)**

At 10.05am Mr Greg Miller of JR Richards & Sons Waste & Recycling Services Dubbo now attended the meeting.

Discussion:

Establishing a kerb side recycling pick up in Nyngan.

The company to come back to Council with a proposal to establish the kerb side pickup, including the required bin.

Residents need to pay \$104 per annum.

181/2010 RESOLVED that Council ask JR Richards & Sons, Waste & Recycling Services Dubbo to supply to Council a quote with a view to establish a kerb side recyclable pickup in Nyngan. Also ask JR Richards & Sons to provide information about carrying out the domestic garbage kerb side collection. **(Douglas/Kennedy)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

Other Matters

Local Government Elections:

Send to Councillors, with the Minutes the recommendations from the 2008 Local Government Elections.

Railway Gates:

182/2010 RESOLVED that two gates be erected at the Museum and the other two gates be erected on the corner of the Heritage Walkway, near the middle railway crossing. **(Ryan/McLaughlin)**

Local Government Mayors Meeting:

Advice of an additional amount of \$100m has been made available to Local Government under the Regional and Local Community Infrastructure program.

At 10.35am Council adjourned for morning tea and resumed at 11.00am.

Mr John Kennedy, Community Safety Officer, NSW Rural Fire Service, North West Zone and Bogan District, Coonamble now addressed the meeting concerning the Bush Fire Land Prone Map.

Concern - overgrowth at the old hospital of cleaning today of ongoing maintenance program.

Council now returned to the Closed and Confidential Section of the Meeting.

183/2010 EXCLUSION OF PRESS AND PUBLIC: RESOLVED that the Committee moved into a closed and confidential section of the Council meeting because information provided and discussed would if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposed to conduct) business. **(Hampstead/Kennedy)**

Council returned to open Council.

DECLARATION OF PECUNIARY INTEREST: Nil

The following resolutions arose from decisions made in the Closed and Confidential Section of the Meeting held on 27th May 2010.

172/2010 APOLOGY: RESOLVED that the apology for the absence received from Councillor Neill be accepted and he be granted leave of absence from the meeting. **(Hampstead/Griffiths)**

173/2010 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 27th May 2010, copies of which has been circularised to Councillors be taken as read and confirmed. **(Ryan/Douglas)**

174/2010 RESOLVED that

1: That two new positions be created for a total of 35 hours per week with the incumbent being offered one position for 21 hours (three days) per week with the remaining position of 14 hours (2 days) per week to be advertised. The position on the existing organisational structure is to be amended to now show two positions with no change in the total hours committed to the role and that it be renamed Data Management Officer.

2: That new positions be created for Accounts Payable Officer for 21 hours per week and IT/GIS Officer for 35 hours per week replacing the current position of Accounts Payable /IT GIS Officer.

3: That the IT/GIS Officer position be offered to Miss Tara McDermott.

4: That a new position be created for Finance Officer within Band 1 Level 4 for 21 hours per week and that Mrs Webster be appointed to the position.

5: That the incumbent be appointed to the existing position of Customer Services/Debtors Officer for 14 hours per week and that the remaining 21 hours per week position be advertised.

6: That the position of Works Manager be removed from the structure.

7: That the position of Works Supervisor (35 hours per week) be created on band 2 level 3 and that the position be advertised; and

8: That the position of Building Maintenance/Civil Works Ganger be created within the organisation structure on band 1 level 4 grade 3 and advertised. **(Ryan/Dutton)**

175/2010 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Ryan/Griffiths)**

176/2010 RESOLVED that the tenders for provision of earthmoving and plant hire services to Council for the period to 30th June 2011, be accepted as submitted to form a panel of contracts, subject to the plant and operators meeting Council's requirements, and summarised in no particular order as follows: **(Ryan/Dutton)**

Load, Haul and Place Gravel:

- Neill Earthmoving
- Klante's Earthmoving

Haul Gravel:

- B. Jordan
- P. Klante
- Neill Earthmoving
- WT & TS Roach
- Dennis Hurst
- Garry Collins
- Luke Hurst

Win and Stockpile Gravel:

- Neill Earthmoving
- David Baker Earthmoving
- Klante's Earthmoving

Backhoe Hire:

- Klante's Earthmoving

Bulldozer Hire:

- Klante's Earthmoving
- Gary Leonard
- Maas Plant Hire
- Neill Earthmoving

Excavator Hire:

- Klante's Earthmoving
- Maas Contracting
- Neill Earthmoving

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

- Bruce Jordan

Grader Hire:

- Klanteø Earthmoving
- Maas Plant Hire
- Neill Earthmoving
- Sherrin Rentals

Loader Hire:

- B Jordan
- Klanteø Earthmoving
- Maas Plant Hire
- Neill Earthmoving
- Sherrin Rentals

Miscellaneous Plant Hire:

- Rollers Australia ó Compaction Meters, UHF Radio.

Scraper Hire:

- Maas Plant Hire
- Klanteø Earthmoving

Truck Hire:

- Bruce Jordan
- Klanteø Earthmoving
- D Hurst
- Neill Earthmoving
- WT & TS Roach
- Luke Hurst
- Garry Collins

Water Cart Hire:

- JR & DJ Carter
- Iowabah Pastoral Co
- Maas Plant Hire.
- Neill Earthmoving

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

- Sherrin Rentals
- Klanteø Earthmoving

Roller Hire:

- Earth Plant Hire
- Bruce Jordan
- Sherrin Rentals
- Rollers Australia

177/2010 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Douglas/McLaughlin)**

178/2010 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Kennedy/Griffiths)**

184/2010 RESOLVED that the Minutes of the Extraordinary Meeting of Council held on 24th May 2010, copies of which has been circularised to Councillors be taken as read and confirmed. **(Kennedy/Griffiths)**

Business arising from the Minutes:

Minute 133/2010 ó the fee for 603 Certificates be set in accordance with the Local Government Act and the fee for Outstanding Notices be set at \$100.00.

Minute 136/2010 ó the raw water be supplied to St Josephø School. Council contribute 100%.

185/2010 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 27th May 2010, copies of which has been circularised to Councillors be taken as read and confirmed. **(Griffiths/Dutton)**

Business arising from the Minutes:

IRRITEK - unable to progress until after the Channel Run and bad weather ceases.

Plant figure explanation ó there has been a review of hire rates and another review to take place at the end of July. A plant performance report will be tabled each month at the Manex meetings. There will also be weekly cost reports.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

Korea War veterans Association of NSW ó negotiations to erect the plaque, involve the sub-branch of the Nyngan RSL.

Effluent into the Macquarie River ó advice received that it is treated effluent being put into the Macquarie River.

Regrowth on Highway Verges ó advice - RTA employs contractors to do the slashing and clearing.

COMMITTEE MINUTES

1 NYNGAN MUSEUM COMMITTEE MEETING

Held on 12th May 2010 at the Nyngan Museum.

Present: Glad Eldridge (in the Chair), Marion Wardman (Acting Secretary) Edna Boss, Val Keighran, Yvonne Parady, Max Lovett

Apologies: Marg & Hugh Sibbald, Donna Pumpa, Alan Collins, Dorothy Larsen

Minutes: Moved - E. Boss. Seconded ó Max Lovett

Business Arising From Minutes:

1. No plans for History Week 4th ó 10th September
2. Mugs & pens ó leave til next meeting.
3. Railway gates, delivered and under progress.
4. Dates for raffle.
5. Start collecting recipes to make a recipe book.
6. Clean out one of the filing cabinet s for family history.

Correspondence:

1. Museum in the Spotlight
2. 2 recipes received
3. Chinese History
4. School Photos from Alex Hay
5. 2 letters from the Shire thanking us for the effort we put in for the Major Mitchell Visit.

Treasurer's Report: *Also see attached.*

7 th May 2010	97.60
17 th May 2010	166.20
21 st May 2010	124.00
26 th May	193.00

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

4 th June 2010	113.00
Total	<u>693.60</u>

General Business:

1. Dates for raffle selling ó 17th June (Thurs), 1st July (Thurs),
2. RSL Door Night ó Friday 18th June 10, 2010
3. Get a bumper tin put at front door.

Meeting Closed 10.00am, followed by Morning Tea.

1.1 Recommendation

That the Minutes of the Nyngan Museum Committee Meeting held on 3rd March 2010 be noted and received.

186/2010 RESOLVED that the Minutes of the Nyngan Museum Committee Meeting held on 3rd March 2010 be noted and received. **(Hampstead/Kennedy)**

2 MINUTES OF THE FINANCE COMMITTEE MEETING

Held on the 18th May 2010 in the Council Chambers.

Present: Cr Donald, Cr Ryan and Cr Griffiths.
General Manager, Michael Brady.
Acting Manager of Corporate Services Neill Turner.
Executive Assistant Cathy Ellison.

Apology: Cr Dutton

Discussion:

Council has received two responses to the advertised donation policy asking for donations in next financial year.

They are:-

- Mid West Equestrian Committee

Request for \$500.00 to purchase materials to erect a portable dressage arena.

Recommended that Council donate the \$500.00 as requested by the Mid West Equestrian Committee. **(Griffiths/Ryan)**

- Nyngan Health Service

Request for \$1000.00 to purchase a syringe driver.

Defer this request until after Cr Donald and Cr Griffiths attend the Health Service Meeting on 19th May 2010. To be discussed at the May Ordinary Council Meeting.

Advertise donation policy again between now and the end of June ó to close Friday 18th June 2010 /and again in September.

Council's budget for donations is approximately \$10,000.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

Categories to be listed for donations.

Donations are to be a one off request.

Set policy and list for rates & water accounts to be waived.

BSC ó record usage of the Showground/ parks and gardens / racecourse, e.g. Rugby League Football Challenge.

Rugby Union Club has requested a one off waiver of the annual fee charged for the Clubhouse.

BSC to promote the showground as a venue for functions.

Recommended that Council compile a list of previous recipients of rates and charges excluding charges for actual usages for water and sewerage that have been donated with the view to these donations being made annually without further requests and be acknowledged by the recipients. **(Ryan/Griffiths)**

General Manager's comment: Suggest applicants be asked to write to Council each year and the General Manager to make a determination in accordance with the adopted policy.

Council request that all donations be acknowledged.

There being no further business the meeting closed at 10.30am.

2.1 Recommendation:

That the report be received and noted

187/2010 RESOLVED that Council consider the request from Barnardos as a late item. The matter related to Barnardos seeking to bring a theatre group to the High School later this year . **(Griffiths/Kennedy)**

188/2010 RESOLVED that the report be received and noted and that the following donations be approved:-

\$1000 to the Multi Purpose Service Centre for a syringe driver;

\$1000 to Barnardos to bring a theatre group to the High School; and

\$1000 to the Nyngan Rugby Union Club annual fee to be waived. **(Ryan/Griffiths)**

MAYORAL MINUTE

1 ANNUAL SHIRES CONFERENCE

From all reports this was one of the better Conferences based on the theme "Building a Brighter Future". The Conference was opened by the Premier which gave it considerable credibility and some media attention. Premier Keneally touched on current planning issues, drought support and the efforts by State and Federal Governments to minimise the effect of the economic downturn via their stimulus packages. Opposition Leader Barry O'Farrell spoke later to the Conference with his policy highlights mainly being a "decade of decentralisation" a much higher priority for the Local Government Minister in State Cabinet. Both were reluctant to announce any termination of rate pegging.

Other guest speakers included Gordon Gregory from the National Rural Health Alliance, Ray Brown, Mayor of Western Downs Regional Council in Queensland with many national resources issues. Ministers John Robertson (Transport), Linda Burney (Community Services) and Phil Costen (Water) addressed the Conference.

A highlight of the Conference was Tony Jones, of ABC fame from Q & A facilitating a panel with Barbara Perry, Local Government Minister, Tony Kelly, Planning Minister, Chris Hartcher, Shadow Minister for Inter-Governmental Relations, and Gladys Berejiklian, Shadow Transport Minister. Tony Jones skillfully went about trying to get answers from the panel that addressed the questions and made sense. A must for next year.

Libby Darlison, Chair of the One Association Taskforce, gave an update on the progress of the taskforce to provide models and other recommendations to the Conference about this on the 16th and 17th August 2010.

Council's four resolutions were all passed along with about eighty considered by the Conference. Other delegates may wish to comment.

1.1 Recommendation

That the report be received and noted.

189/2010 RESOLVED that the report be received and noted. **(Griffiths/Dutton)**

Attached correspondence:

1. Western Division Councils of NSW ó Campaign for the introduction of a National Container Deposit Scheme, suggested draft letter;

For Councilø Consideration.

190/2010 RESOLVED that Council send a support letter for the introduction of a National Container Deposition Scheme. **(Griffiths/Ryan)**

2. Local Government Weekly ó Invitation to the One Association Convention 16th and 17th August 2010 at Star City.

For Councilø Consideration.

191/2010 RESOLVED that Council not support any One Association model that does not give equal votes to any member Council. **(Hampstead/Griffiths)**

192/2010 RESOLVED that Council notes the following three recommendations received from the LGSA:-

1. Council notes the importance of forming One Association to provide a uniform voice for Local Government in NSW;
2. The Mayor, nominated elected representatives from Council and the General Manager attend the One Association Convention on the 16th and 17th August 2010; and
3. Council consider this matter further when the One Association Taskforce releases its discussion paper. **(Griffiths/Kennedy)**

193/2010 RESOLVED that the Mayor, Deputy Mayor, Councillor Dutton and the General Manager attend the One Association Convention on the 16th and 17th August 2010. **(Griffiths/Kennedy)**

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

3. Western Division Councils of NSW ó if Council is interested in participating at the Country and Regional Living Expo on 6th and 7th August 2010.

For Councilø Consideration.

194/2010 RESOLVED that the report be noted. **(Ryan/Douglas)**

4. Western Division of the Shires Association of NSW ó Media Release.

No more roadside rubbish;

For Councilø Information.

195/2010 RESOLVED that the report be noted. **(Ryan/Douglas)**

196/2010 RESOLVED that Council endorse having the helicopter in Vanges Park mounted on a pole in accordance with the specifications received from Caloundra RSL and that the colour of the helicopter be camouflage. **(Griffiths/Douglas)**

Other matters:

Meeting with members of the New England Credit Union (Orana Credit Union) ó interested in establishing a branch in Nyngan.

The word ðNynganö on Councilø cheques ó to be investigated once again.

197/2010 RESOLVED that Council pay Lyn Quinton \$250 for the painting of the old hospital and Council donate the painting to the hospital. **(Hampstead/Dutton)**

Sergeant Tony Wood now attended the meeting.

Council moved into the Closed and Confidential Section of the Meeting.

198/2010 EXCLUSION OF PRESS AND PUBLIC: RESOLVED that the Committee move into a closed and confidential section of the Council Meeting because of information provided and discussed would, if disclosed, prejudice the maitnenance of law and deals with matters affecting the

Council adjourned for lunch at 12.30pm and resumed at 1.30pm.

The General Manager of Tritton Mines, Mr Luke McGarry joined with Councillors and staff for lunch.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

The Manager of Environmental Services, Mr Josh Loxley now left the meeting.

Mr McGarry addressed the meeting after lunch and provided an update on the mine progress.

A question on notice was raised to Mr McGarry on the amount of royalties paid to the Government.

Mr McGarry was thanked for attending the luncheon and the meeting.

Mrs Maria Kinsey, Bogan Shire Council Librarian now attended the meeting.

Discussion:

Library Grant.

How to potentially access funding ó Council make a contribution to assist with the grant application.

Applications close September and notification received the following March.

Council provide in kind contributions.

199/2010 RESOLVED that Council commit to contributing up to 50% towards this project (installing ramp /toilet/ double doors) out of loans funds. Investigate if the new round of Regional and Local Community Infrastructure Program can be used for this project. **(Ryan/Douglas)**

Council include in this budget up to \$180,000 from loan funds.

Mrs Kinsey was thanked for attending and addressing the meeting.



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

REPORTS TO ORDINARY MEETING OF COUNCIL - GENERAL MANAGER'S REPORT

1 CHECKLIST

Date	Minute No	Matter	Action Required	Responsible Officer	Status
22/02/2007	65/07 480/08	Library	Investigate installing suitable electronic doors to library.	H & B	Grant has been lodged. Advice on grant to be received next year. Grant unsuccessful and will be resubmitted. Proposed works were not deemed in the spirit of the fund. Investigate what Council could do to assist with the grant. Librarian to address Council June 2010 Council Meeting.
23/08/2007	500/07 371/07 370/07	Housing Residential & Aged Care Accommodation	Feasibility of developing Council owned land, subdivide, establish further aged care accommodation.	Mayor / GM	Manager of Environmental Services to provide a report on suitable land to commence this project. GM met with Nyngan Community Homes and they will write to Council on the matter.
25/02/2010	20/2010	Aged Care Facility	Investigate the possibility of a facility on the vacant County Energy land opposite the MG Hostel.	Mayor	To be progressed. Land north of the hospital to be investigated. GM to attend meeting on 30/6/2010.
13/12/2007	543/07	LEP	Draft LEP be prepared for purpose of reclassifying public lands.	H & B	S54 application has been completed and forwarded to Dept of Planning.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

<p>24/01/2008 26/11/2009</p>	<p>438/08 466/09</p>	<p>Swimming Pool</p>	<p>Report to February Council Meeting- assessment of pool structure / cost to repair existing pool / repairs not feasible cost to construct a new pool.</p>	<p>H & B</p>	<p>Application for new Aquatic & Fitness Centre under Regional and Local Community Program Strategic Project not successful.</p> <p>GM met with Minister Albanese & Parliamentary Secretary.</p> <p>Council needs to have project ready for next round of Jobs Fund. Maximum grant \$2M.</p> <p>Recommend project be staged. Surveyor's plans completed.</p> <p>Draft construction plans completed end of Nov 2009. Completed plans next Council meeting. Community meetings to be organise in the new year.</p> <p>Look at outside lighting. New application for grant submitted.</p> <p>Correspondence in Precis June 2010. Letter to ask to reconsider application essential for small community, approach community to assist in paying off loan, approach local contractors</p>

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

34/04/2008	106/08	Treated Sewerage Effluent Project	Call tenders	Eng	Contract amendments completed. Bore hole drilling for groundwater quality monitoring in progress. Contractor engaged for power line construction. Draft Site Suitability Plan and Site Management Plan submitted to DECCW. Quotes received for pump and pipework and being evaluated.
24/04/2008	140/08	Main Street	Advertise preliminary street plans & seek community comment.	H & B	Meeting held with landscape architect to further develop the brief. Includes Nymagee & Pangee Sts and Truck Stop Mitchell Highway. Waiting on updated plans. Contact with Consultant last week. Blister design received, waiting on street design to proceed. Plans have just arrived. To be considered in the budget.
28/08/2008	309/08	Phillip Dutton Rest Area	Council approach Hermidale Gymkhana Committee, RTA & Traffic Committee to have a rest area sign posted along the highway on both sides.	Mayor	Letter sent. Discussed at 14th Nov 2008 and 17/8/09 Traffic Committee meeting. RTA will design & install signage. RTA has signed listed.
	432/08	Lease of Railway Land on Highway	Investigate if the old shell fuel depot area can be transferred to BSC, or otherwise leased.	Mayor	Letter sent and acknowledged. To be followed up. GM in contact with ARTC.
	435/08	Raw Water	Investigate expanding raw water to ovals, parks, gardens & cemetery.	Eng / H&B	Progressively checking on various existing infrastructure.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

					Raw water line from showground to cemetery will be installed by end of March. Waiting on installation by contractor.
23/10/2008	447/08	Residences- Pangee Street	Council to speak to residents.	H & B	Fine issued significant improvement in condition of yard. Further inspections are planned. Court Order to clean up. Matter referred to ARTC for action.
22/01/2009	6/09	Recycling	Approach Yarrabin & Western District Supported Employment to discuss the idea. Representatives from Council, Yarrabin & WDSE visit Gilgandra recycling complex. Gauge the support of the community once more information is obtained. Proceed further to establish a recycling complex in Bogan Shire if investigations seem favourable.	Mayor	To hold discussions with Yarrabin and Supported Employment to dispense recycling services. Representative attending June 2010 Council Meeting.
	9/09 467/09	Ambulance Station	Council express interest in acquiring the former ambulance station premises.	Mayor	Continuing investigating and testing on contamination. Still waiting on reports to be sent to Council. Council to obtain copy of rules when released. National Guidelines to be applied to building, proceed further to insist retain building. Letter sent to NSW Ambulance Service advising Council wishes to retain building for community use.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

	164/2010				<p>To contact Kevin Humphries Office, report next meeting on the \$ value of the property from a buyer's perspective. Health Dept has advised letter in progress with options to obtain building.</p> <p>Council write to Health Minister asking to acquire station at no cost to be used for community purposes.</p>
	23/09	Community Hall Renewal Fund	Council lodge an application with the Community Hall Renewal Fund for a grant to upgrade the Town Hall.	H & B	<p>Application in progress, quotes obtained to refurbish floorboards, upgrade kitchen, air-conditioning, reconstruct toilets.</p> <p>Asbestos removed by contractor.</p>
26/02/2009 24/09/2009	41/09 398/09	Businesses in Residential Areas	Advise all residents of the need to adhere to Legislation and Regulations relating to the conduct of businesses in residential areas.	H & B	<p>Meetings held with two residents 15th April 2009. Progress report to Council June 2009. Electricity and sewer issues. Meeting held 16th September 2009 with owners. Alternate site suggested.</p> <p>Council to put proposal to owners. Council progress the alternate site & retain ownership.</p> <p>Council depot not considered satisfactory, looking at land near airport.</p> <p>Currently sewerage systems being installed.</p>

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

26/03/2009	99/09	Waste Depot	Make representations to the Minister to expedite acquiring more land for a new tip cell from Livestock Pest & Health Authority.	H & B	Waiting for reply from Dept of Lands to receive instructions. Meeting with RW Corkery regarding design and construction of new waste facility. In progress. Ask for quote for waste
25/08/2009	430/09	Drug & Alcohol Policy (Fit for Work Policy)	Report to October 2009 Council Meeting.	GM	Report to October 2009 Council meeting with recommendation. Meeting 16 th March 2010. Draft Policy to LGSA, USU, Consultative Committee, made available to Public and employees. Letter from USU received. Advice to be received from the LGSA.
	59/2010				
	339/09	Campervan & Motor Home Rally	Apply for the tender to hold the 2012 Rally in Nyngan	CPO	Application to be completed by 30 th September 2009. General Manager of Campervan & Motor Home Assn to visit 30 th October 2009. Council have a representative at the rally in Port Macquarie.
25/08/2009 17/12/09	363/09 505/09	Levee	Advertise for experienced levee persons to inspect levee & provide costing to bring levee back to acceptable safe standard. Contact other Councils to assist identify suitable levee bank contractors.	Eng	Now investigating option of joint grant funding (1/3 Fed, 1/3 State & 1/3 Council) for an audit of the levee. Levee bank to be assessed. Grant application lodged mid April 2010. Response mid June.
24/09/2009	391/09	Caloundra RSL ó Helicopter	Council offer no objection to the proposal, providing a replacement helicopter is simultaneously, & one used during the flood evacuation. Ask for community comment in Council Column.	Mayor	Verbal report at the June Council meeting. Caloundra RSL advised of Council's decision.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

	437/09 506/09	Mick Glennie Hostel Pathway	Install two disabled pedestrian crossings and improve lighting. Approach GWAHS & Country Energy for assistance with costs & lighting.	Eng	Traffic hump in Derrybong Street & signs be aware of elderly, to be referred to the next traffic Committee meeting.
22/10/2009		Old Hospital	Letter to GWAHS re condition of yard.	H & B	Letter been forwarded. Response received. Council asked to quote for work. Quote submitted. Site now a fire hazard, refer to RFS. Issue to be raise with CEO of GWAHS.
22/10/09 25/03/2010	79/2010	House Numbering Oatley Street	House numbers in Oatley to be implemented.	H & B	Details specific to each premises be forwarded to residents & owners in Oatley Street. Letters to Government agencies & `other stakeholders indicating the proposed street address changes. Waiting on response from Australia Post. Response received. Letters now to residents. 14 days for objections ó completed by end of June 2010.
26/11/09	458/09	Flashing Lights	Letters to Kevin Humphries & RTA regarding installing flashing lights at schools.	GM	Letters sent. RTA response received. Letter sent to RTA asking if Council can install & pay for lights. Reply Precis February Council Meeting. Council write another letter of safety concern. RTA has advised that a decision on approving Councils to pay for the installation for flashing lights in about one month's time.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

26/11/09	460/09	APC	Letters to surrounding Councils advising of EOI to improve water delivery. Contact Fed Govt to ensure \$12m remains.	GM	Cobar Water Board informed that Council has included \$60,000 in its 2010/2011 Draft Management Plan for channel maintenance.
17/12/09	531/09	Mitchell Highway	Letter to RTA CEO & Minister re condition of Highway between Nyngan and Nevertire. Council not accepting explanation from RTA CEO.	Mayor	Letters sent to RTA CEO & John Cobb MP re condition of Highway.
17/12/09	539/09	Noxious Weed	Approach Minister for Lands to service notice on African Box Thorn weed for Crown lands.	H & B	Referred to Macquarie Valley Weeds for action.
17/12/09		Dental Surgery	Investigate if BSC qualifies for funding to upgrade surgery.	GM / H& B	No progress, other issues have priority.
17/12/09		Doctor Surgery	Doctor to confirm in writing that the design is satisfactory, clauses to included in the lease.	GM	Council proceed to sign lease, doctor to sign a sub-lease. Verbal report at June Council Meeting.
25/02/2010	19/2010	Doctor at Hospital	Letters to Minister & CEO of GWAHS re no VMO in Dr Chanø's absence.	Mayor	Letters sent. Reply in May 2010 Precis.
25/03/2010	55/2010	New Hospital	Letter to Health Council asking to make signs more conspicuous.	Mayor	In progress.
25/03/2010	67/2010	Rural hospitals	Letters to Ministers seeking assurances new Federal proposals will not carry any threat to rural hospitals.	Mayor	Letters have been sent. Letter in May 2010 Precis.
22/4/2010	109/2010	Thomas Mitchell Plaque	Erect plaque in front of Nyngan Newsagency	H & B	Indication portable plaque be located in the VIC.
22/4/2010	110/2010	Larkin Oval Ladies Toilets	Upgrade toilets prior to start of football season.	H & B	In progress. To be completed by 2 nd July 2010.
22/4/2010	120/2010	Road Closures	Develop fold down signs for temporary road closures to be placed at strategic locations.	Eng	Four variable road closed signs erected. Four additional signs on order.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

27/05/2010	145/2010	Multi Purpose Shed & new demountable building	Complete costing of the new demountable building and the Multi Purpose Shed (RTA Inspection Shed at the Showground) be presented to the June 2010 Council meeting.	Eng/Env	Verbal report to be provided at the June 2010 Council meeting.
27/05/2010	146/2010	State Highway between Coolabah & Brewarrina	Support having the State Highway between Coolabah & Brewarrina renamed Arthur Hall VC Highway.	Mayor	Letters of support for the renaming of the highway sent to Roads Minister, Local member and RTA Parkes.
27/05/2010	163/2010	Lifeline Central West	Support in principle have the message printed on the back of the envelopes.	GM	Verbal report to be provided at the June Council meeting with a costing.
27/05/2010	167/2010	NSW Rural Doctors Network	Council ask NSW Rural Doctors Network what they are expecting as a financial contribution from Council.	GM	Letter sent.
27/05/2010	171/2010	Lower Weir User	Council write to user asking for documentation regarding water entitlement & advise Council is further investigating matter.	GM	Letter sent.

1.1 Recommendation:

That the report relating to the Monthly Checklist be received and those items marked as "Completed" be removed from the checklist.

200/2010 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as "Completed" be removed from the checklist. **(Dutton/Griffiths)**

201/2010 RESOLVED that to promote Lifeline Central West, Council provide a quality of flyers to be placed in strategic positions, eg, schools, Post Office, Woman's Day, Nyngan Show, Ag Expo, and Blue Day. **(Ryan/Douglas)**

2 LOWER MACQUARIE WATER UTILITIES ALLIANCE CHECKLIST

MATTER	DUE DATE	ACTION REQUIRED	STATUS
Bogan Shire to complete Strategic Business Plans for Water Supply and Sewerage	30 June 2008	Send final parcels of data to Dept of Commerce	Not yet done
Technical Committee to investigate potential areas for joint procurement of water supply and sewerage materials.	31 Oct 2008	Investigate	Understand Hunter Councils Regional procurement is arrange a tender ó to be confirmed
Technical Committee to devise a listing of specialist equipment and staff possessed by particular Member Councils which can be utilised on an occasional basis by the other Member Councils as required.		Develop database	Not yet implemented
<p>Since the ability of õsmallö Councils to achieve reliable water supply treatment to the 2004 Australian Drinking Water Guidelines is held up by many in the industry as a key õissueö in the water reform process presently underway across Australia, priority will be given in the first instance to the creation of an Operators Group.</p> <p>In the first instance this Group would undertake self-audits across the Alliance for the information of the Technical Committee so that the Alliance can assess for itself the quality of the processes and practices in use at each Member Councilsøfacilities.</p>		Form Operators group & undertake self-audits	<p>Operators group formed.</p> <p>A drinking water improvement management plan is likely to become a mandatory õbest practiceö requirement and so is likely to become a brief for another regional plan.</p>

2.1 Recommendation

That the report relating to the Lower Macquarie Water Utilities Alliance be received and those items marked as õCompletedö be removed from the checklist.

202/2010 RESOLVED that the report relating to the Lower Macquarie Water Utilities Alliance be received and those items marked as õCompletedö be removed from the checklist. (Dutton/Griffiths)

3 ADOPTION OF THE 2010/2013 MANAGEMENT PLAN AND ESTIMATES

3.1 Introduction

The purpose of this report is to formally adopt the 2010/2013 Management Plan and Estimates.

3.2 Background

In accordance with Section 406 of the *Local Government Act, 1993* Council must adopt a Management Plan and Estimates for the ensuing year after giving due consideration to all submissions lodged prior to the closing date.

3.3 Issues

At the time of writing this report no written submissions have been received although a verbal request for assistance has been received from the Show Society.

If any further submissions or requests are received before the close of the exhibition period they will be tabled at the Council Meeting.

A submission has been received from the General Manager for funding to upgrade the kitchen in the Administration office, install a ramp at the library and engage consultants to review the salary system.

The request from the Show Society sought support for:-

1. Upgrading the wool pavilion and
2. Painting the cattle yards ó the Show Society is prepared to make a contribution.

3.4 Assessment

3.4.1 Strategic Implications

Nil

3.4.2 Statutory & Policy

Consideration of this report means that Council is complying with the *Local Government Act, 1993* Section 406.

3.4.3 Consultation

Nil

3.4.4 Financial Implications

Nil

3.4.5 Technical Assessment

Nil

3.4.6 Graphs & Charts

Nil

3.5 Conclusion

The submissions and requests need to be considered prior to adopting the Draft Management Plan 2010/2013.

3.6 Recommendations

1. That Council adopt the Draft Management Plan for 2010/2013 including the Draft Estimates along with any amendments to the draft estimates adopted by Council as a result of any submissions received during the exhibition period.
2. That Council adopt a 2.6% increase in the total levy for General Fund rates.
3. That the interest rate on overdue rates and charges be set as 9% per annum.
4. That the fees and charges as listed in the report be adopted, but where such fees and charges are of a commercial nature or impacted by changes or reviews in GST legislation, Council reserves the right to vary such fees and charges throughout the year as circumstances require.

203/2010 RESOLVED

1. That Council adopt the Draft Management Plan for 2010/2013 including the Draft Estimates along with any amendments to the draft estimates adopted by Council as a result of any submissions received during the exhibition period.
2. That Council adopt a 2.6% increase in the total levy for General Fund rates.
3. That the interest rate on overdue rates and charges be set as 9% per annum.
4. That the fees and charges as listed in the report be adopted, but where such fees and charges are of a commercial nature or impacted by changes or reviews in GST legislation, Council reserves the right to vary such fees and charges throughout the year as circumstances require.

Other matters:

Acting Manager of Engineering Services to investigate where to allocate \$250,000 for construction on regional roads.

REPORTS TO ORDINARY MEETING OF COUNCIL - MANAGER OF CORPORATE SERVICES' REPORT

1 BANK RECONCILIATION

1.1 Introduction

The purpose of this report is to present the reconciliation of Council's cash book, bank statements and ledger bank account as at 30th April 2010.

1.2 Background

The presentation of the reconciliation of Council's cash book, bank statements and ledger bank accounts is not a requirement of any Act but has historically been provided for the information of Councillors.

1.3 Issues

The month of May 2010 is committed for training in the new Authority software product.
Assessment

1.3.1 Strategic Implications

Nil

1.3.2 Statutory & Policy

Nil

1.3.3 Consultation

Nil

1.3.4 Financial Implications

Nil

1.3.5 Technical Assessment

Nil

1.3.6 Graphs & Charts

Nil

1.4 Conclusion

Nil

1.5 Recommendation

That the report be received and noted.

204/2010 RESOLVED that the report be received and noted. (Ryan/Griffiths)

Minutes of the Ordinary Meeting of Bogan Shire Council held in Council Chambers on 24th June 2010

2 INVESTMENTS

2.1 Introduction

The purpose of this report is to outline the performance of Council's investment portfolio for May 2010.

2.2 Background

In accordance with Clause 212 of the Local Government (General) Regulation 2005 a report must be presented to the Council setting out details of all the money that the Council has invested under section 625 of the Act.

2.3 Issues

The Investment report for May 2010 is attached. At the end of May, Council had \$5.242 million invested which is some \$387,915 up from the previous month.

INVESTMENT MOVEMENTS FOR MAY 2010										
In ve st No .	Source	B/Fwd from 30/04/2010	Interest Earned	Matured	Renewal Funds	New Funds	Rate %	Maturity Date	Da ys	Balance @ 31/05/2010
83 7	Bankwest			(450,000.00)		0.00	5.45	31/05/2010		0.00
80 2	Westpac - Max-i Direct	331,509.38	0.00			140,868.53	3.55	On call	N/ A	472,377.91
82 6	Commonwealth Bank	500,000.00		500,000.00			4.60	0/01/1900	21 2	0.00
83 0	IMB Society	176,682.86					6.09	4/11/2010	18 0	176,682.86
83 1	IMB Society	823,317.14					6.09	4/11/2010	91	823,317.14
83 2	St George Bank	202,953.57	-	202,953.57		950,000.00	6.20	On call	N/ A	950,000.00
83 3	NAB	820,000.00					6.15	14/06/2010	18 2	820,000.00
83 4	Bankwest	500,000.00					5.45	1/07/2010	30	500,000.00
83 5	Suncorp-Metway	1,000,000.00			0.00		6.40	13/07/2010	18 1	1,000,000.00
83 6	Westpac	500,000.00				0.00	6.10	14/06/2010	14 6	500,000.00
		4,854,462.95	-	702,953.57	-	1,090,868.53				5,242,377.91

It is hereby certified that these investments have been made in accordance with the Local Government Act 1993 and the Regulations thereto.

Minutes of the Ordinary Meeting of Bogan Shire Council held in Council Chambers on 24th June 2010

<i>SUMMARY</i>									
Bankwest									500,000.00
Commonwealth Bank									0.00
IMB Society									1,000,000.00
NAB									820,000.00
St George Bank									950,000.00
Suncorp-Metway									1,000,000.00
Westpac									500,000.00
Westpac - Max-i Direct									472,377.91
Bank Of Queensland									-

<i>RECONCILIATION WITH GENERAL LEDGER</i>	
Balance per above	5,242,377.91
Less Max-i Direct account included with Cashbook reconciliation	(472,377.91)
	4,770,000.00
General ledger a/c no. 14011-000 and 19010.8200.8200	4,770,000.00
	<i>0.00</i>

2.4 Assessment

2.4.1 Strategic Implications

Nil

2.4.2 Statutory & Policy

Consideration of this report means that Council is complying with the Local Government (General) Regulation 2005.

2.4.3 Consultation

Nil

2.4.4 Financial Implications

Nil

2.4.5 Technical Assessment

Nil

2.4.6 Graphs & Charts

Nil

2.5 Conclusion

Nil

2.6 Recommendation

That the report be received and noted.

205/2010 RESOLVED that the report be received and noted. **(Hampstead/Griffiths)**

3 SUMMARY OF RATE COLLECTIONS

3.1 Introduction

The purpose of this report is to provide a comparison of rate collections as at May 2010, with the same period last year.

3.2 Background

Nil.

3.3 Issues

Historically Bogan Shire staff has provided this report for the information of Councillors.

3.4 Assessment

The amount collected for the month of May 2010 was \$422,408.69.

MAY

		2009/2010	2008/2009
Arrears as at 30th June previous year		460,020.62	379,727.16
Plus	Levy	3,349,680.85	3,179,030.50
	Transfers from Postponed	11,672.98	18,710.00
Gross Levy		3,356,843.30	3,577,467.66
Less	Pensioner Concession (State)	- 42,419.04	- 43,304.99
	Pensioner Concession (Council)	- 34,709.53	- 35,435.47
	Transfers to Postponed	- 3,347.62	- 4,163.94
	Abandoned	- 11,190.92	- 17,326.26
	Levy Rebate	- 10,009.97	- 18,697.68
Net Total Levy for Year		3,715,186.84	3,458,539.32
		- 3,089,804.71	-

Minutes of the Ordinary Meeting of Bogan Shire Council held in Council Chambers on 24th June 2010

		2,728,388.51
Less Payments to the 31 May 2009		
Plus Refunds	108.50	911.05
Net Total Balance	625,490.63	731,061.86
Plus Postponed	36,568.10	36,568.10
Gross Total Balance	662,058.73	767,629.96
Collection % of Total Receivable	83.17%	78.86%
Arrears % of Total Receivable	12.38%	21.14%

3.4.1 Strategic Implications

Nil

3.4.2 Statutory & Policy

Nil

3.4.3 Consultation

Nil

3.4.4 Financial Implications

Nil

3.4.5 Technical Assessment

Nil

3.4.6 Graphs & Charts

Nil

3.5 Conclusion

Nil

3.6 Recommendation

That the report be received and noted.

206/2010 RESOLVED that the report be received and noted. **(Douglas/Kennedy)**

4 COUNCILLORS AND MAYORAL FEES

4.1 Introduction

The purpose of this report is to inform the Council what Councillor and Mayoral fees are payable for the new financial year.

4.2 Background

The Remuneration Tribunal determines what fees each category of council must pay their respective Councillors and Mayor each year. The Tribunal also undertakes a fundamental review of the categories of Councillor and Mayoral officers in accordance with section 239 of the Act. Each year the review has regard to issues raised in submissions received from the Local Government and Shires Associations and individual Councils, as well as advice received from the Department of Local Government. The Tribunal also considers the findings of previous reviews and considers the relative merits of a number of alternate models.

This year, after taking into account all the factors as well as the views of the Assessors, the Tribunal considered that an increase in fees of 3% was appropriate and found that there was no strong case to significantly alter the current categories of Councillor and Mayoral offices or to move individual Councils between categories.

While the groupings remained unchanged, the Tribunal did include descriptive titles for each of the different categories. The Bogan Shire Council has thus remained a category 4 council with the descriptive name of Rural.

4.3 Issues

Pursuant to section 241 of the *Local Government Act, 1993* the fees payable to Councillors and the Mayor are as follows;

Councillors Minimum = \$7,250 and Maximum = \$9,570

Mayor^{NOTE#1} Minimum = \$7,770 and Maximum = \$20,890

Note#1 - This fee must be paid in addition to the fee paid to the Mayor as a Councillor (s.249(2)).

Minutes of the Ordinary Meeting of Bogan Shire Council held in Council Chambers on 24th June 2010

It should be noted that in the past the Mayoral allowance has been split 80% to the Mayor and 20% to the Deputy Mayor. Based on the fees currently being paid with an additional 3% increase, the fees payable for the 2010/2011 financial year will be as follows :

Councillors	\$ 7,250.00
Deputy Mayor	\$ 2,990.00
Mayor	\$11,960.00
Total Remuneration for Mayor, Deputy Mayor and Councillors	
Mayor	\$11,960.00 plus \$7,250 = \$19,210
Deputy Mayor	\$ 2,990.00 plus \$7,250 = 10,240
Councillors	\$7250

4.4 Assessment

4.4.1 Strategic Implications

Nil

4.4.2 Statutory & Policy

Consideration of this report means that Council is complying with the *Local Government Act, 1993*.

4.4.3 Consultation

Nil

4.4.4 Financial Implications

Nil

4.4.5 Technical Assessment

Nil

4.4.6 Graphs & Charts

Nil

4.5 Conclusion

Nil

4.6 Recommendation

That Council approve the fees payable from the 1st July 2010 to Councillors of \$7,250, the Deputy Mayor of \$2,990 and the Mayor of \$11,960.

207/2010 RESOLVED that Council approve the fees payable from the 1st July 2010 to Councillors of \$7,250, the Deputy Mayor of \$2,990 and the Mayor of \$11,960. **(Ryan/Dutton)**

5 MARCH BUDGET REVIEW

5.1 Introduction

A review of the budget for the period ending 31st March 2010 has been conducted. The review has been based on the original income and expenditure estimates presented in the 2009/2010 Management Plan together with the adjustments made during the first and second quarterly reviews adopted by Council. The current financial review is attached and the adjustments relating to the review of the budget allocations are presented for Council's consideration.

5.2 Background

Clause 203 of the *Local Government (General) Regulation 2005* requires the responsible accounting officer of a council to prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the management plan that the council has adopted for the relevant year, a revised estimate of the income and expenditure for that year.

5.3 Issues

The current review has not changed the consolidated projected unrestricted cash deficit of \$84036.

While no adjustments are being proposed for this quarter the following observations are made in respect of unspent budget items:

- Administration estimates remaining neutral due to the following;
 - Loans funds for the residences to be constructed are yet to be spent.

- Transport and Communication remaining neutral due to the following;
 - Financial Assistant Grant funds for rural roads maintenance are unspent although indications are those funds will be spent by 30th June.
 - Supplementary funds for flood damage works have been approved for works that have already commenced.

5.4 Assessment

5.4.1 Strategic Implications

Nil

5.4.2 Statutory & Policy

Consideration of this report means that Council is complying with the *Local Government (General) Regulation 2005*.

5.4.3 Consultation

Nil

5.4.4 Financial Implications

Nil

5.4.5 Technical Assessment

Nil

5.4.6 Graphs & Charts

Nil

5.5 Conclusion

Having regard to the estimates of income and expenditure, it is the Responsible Accounting Officer's belief that the Budget Review Statement indicates that the financial position of the Council is satisfactory with regards to Council's short term liquidity position.

5.6 Recommendation

That the Budget Review for the period ended 31st March 2010 be adopted including the variations to income and expenditure.

208/2010 RESOLVED that the Budget Review for the period ended 31st March 2010 be adopted including the variations to income and expenditure. **(Ryan/Douglas)**

Other Matters:

Councillor Ryan expressed concern about the calculations of the plant income and expenditure estimates.

REPORTS TO ORDINARY MEETING OF COUNCIL – MANAGER OF ENVIRONMENTAL SERVICES REPORT

1 DEVELOPMENT APPLICATIONS

1.1 Introduction

Council is to be advised that since the Council meeting on 27th May 2010 the following four Development Applications and Complying Development Certificates have been approved:

DA CERT NUMBER	APPLICANT	ADDRESS	DESCRIPTION	VALUE
2010/006	Rodney Griffith	Tritton Mine Yarrandale Road Hermidale NSW 2825	Pastefill Plant	\$10,000,000
2010/013	HM Lowe & Co	Gerarø Nyngan NSW 2825	New Shearing Shed	\$203,000
2010/015	Paul Williams	47 Terangion Street NYNGAN NSW 2825	Proposed roof Replacement	\$
2010/016	The Fisher Corporation	Glenarø Girilambone NSW2831	Subdivision	\$1000

1.2 Background

Nil

1.3 Issues

Nil

1.4 Assessment

1.4.1 Strategic Implications

Nil

1.4.2 Statutory & Policy

Nil

1.4.3 Consultation

Nil

1.4.4 Financial Implications

Nil

1.4.5 Technical Assessment

Nil

1.4.6 Graphs & Charts

Nil

1.5 Conclusion

Nil

1.6 Recommendation

That the report be received and noted.

209/2010 RESOLVED that the report be received and noted. **(Ryan/Douglas)**

2 NYNGAN GARDEN CLUB

As a s355 Committee of Council.

2.1 Introduction

The purpose of this report is bring before Council a request to establish an approved committee under section 355 of the Local Government Act 1993.

2.2 Background

A s.355 committee is a council approved committee of volunteers who accept the responsibility for the management of Council or a Council owned facility in their area.

Under the Local Government (LG) Act 1993 Council is able to delegate some of its function to a committee of Council. Council uses this delegation and appoints community people to manage its facilities or function through a committee of management. It is important to note that the Committee of Management provides recommendations that go to Council for determination.

The Nyngan Garden Club is a newly formed committee from the community who wish to have input and work on a volunteer basis in Council's Parks and Gardens. The Garden Club will not be able to afford the high cost of insurances required to work in Council Parks and Gardens.

2.3 Issues

The Nyngan garden Club will be a volunteer committee offering advice and labour from it members. The committee will work closely with the Environmental Services Department.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

Should Council resolve to establish a Nyngan Garden Club Committee, the committee will be bound by a set of operating procedures currently being drafted that will include but not be limited to:

- The process of appointing committees and members
- Committee membership
- Reporting
- Power of the committee Model Code of Conduct
- Financial Management
- Legal and Insurance

2.4 Assessment

2.4.1 Strategic Implications

Delegating function to a management committee assist Council in carrying out its role.

2.4.2 Statutory & Policy

The proposed management committees can only be established under s.355 of the LG Act.

2.4.3 Consultation

Nyngan Garden Club.

2.4.4 Financial Implications

Nil

2.4.5 Technical Assessment

Nil

2.4.6 Graphs & Charts

Nil

2.5 Conclusion

The establishment of a Nyngan Garden Club Committee will help facilitate the planting of trees and flowers with Council Parks and Gardens.

2.6 Recommendation

That Council establish a Nyngan Garden Club as a Section 355 Committee of Council.

210/2010 RESOLVED that Council establish a Nyngan Garden Club as a Section 355 Committee of Council. **(Douglas/Ryan)**

Councillor McLaughlin now left the meeting.

3 BUSH FIRE LAND PRONE MAP

3.1 Introduction

The purpose of this report is for council to accept the proposed draft Bush Fire Prone Map from NSW Rural Fire Service.

3.2 Background

On 1st August 2002, the *Rural Fires and Environmental Assessment Legislation Amendment Act 2002* came into effect. The Act amends both the EP&A Act 1979 and the Rural Fires Act 1997 to ensure that people, property and the environment are more fully protected against the dangers that may arise from bush fires.

A Bush Fire Prone Area is an area that can support a bush fire or is likely to be subject to bush fire impact. It is appropriate that people living in such areas are advised of such potential. Research has shown that 85% of houses are lost in the first 100m from bush land and that ember attack is a significant form of attack on properties.

The Amendment Act requires Councils to map bush fire prone land within their Local Government Area (LGA), which becomes the basis for planning for bush fire protection. Bush Fire Prone Land Maps act as a trigger mechanism for development of land within bush fire prone areas to ensure, where appropriate that bush fire safety provisions are incorporated into the development. Section 148 of the EP & A Act 1979 requires Council to prepare a Bush Fire Prone Land Map after consultation with the Commissioner of the NSW RFS. The Commissioner designates land as bush fire prone within the LGA and, when satisfied that the land has been recorded on a map, certifies the map as a Bush Fire Prone Land Map for the purpose of this or any other Act.

3.3 Issues

The implications for land identified on a Bush Fire Prone Land Map are as follows:

- In accordance with Section 79BA of the EP&A Act 1979, development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land unless the consent authority is satisfied that the development complies with *Planning for Bush Fire Protection 2001* produced by the NSW RFS or has consulted the commissioner.
- In accordance with section 100B of the *Rural Fires Act 1997*, the Commissioner has an ability to issue a bush fire safety authority for residential or rural residential subdivision or for special fire protection purpose developments of bush fire prone land where the commissioner believes the development complies with standards which provide the development with appropriate protections measures.
- For the purposes of the Building Code of Australia (BCA) designated bush fire prone land maps are also used to give effect to Australian Standard AS 3959-199 Construction in Bush Fire Prone Areas.

- Bush fire prone land is specified in Schedule 4 of the EP & A Regulations 2000 as matters relating to the land and is to be identified on Section 149 Planning Certificates. Section 149 of the EP & A Act 1979 requires that Council may, in a planning certificate, include advice on such other relevant matters affecting the land of which it may be aware. In this case, the advice if the land has potential to be subject to bush fire attack. This is an important mechanism for local government (through the S149 Certificates) to alert people living in areas of the potential for bush fire attack through a formal process and likewise is an important flag for people looking to purchase into bush fire prone areas so that they may make informed decisions as to the level of risk they may be faced with.

NEW BUSH FIRE PRONE LAND MAP FOR BOGAN SHIRE LGA

The NSW RFS has recently completed a revised version of the current 2004 Bush Fire Prone Land Map for the Bogan LGA in accordance with the five-yearly review requirements of Section 146(1) of the EP & A Act 1979. The revised map was produced through the analysis of satellite imagery and ground truthing. Vegetation was then identified as either Category 1 or Category 2.

Comparison maps that highlight the differences between the current 2004 Bush Fire Prone Land Map and the revised draft 20 Bush Fire Prone Land Map will be tabled at the meeting. The comparison maps indicate that there are some areas of land that are currently located in bush fire prone areas that may be potentially removed from bush fire prone areas and there are some areas of land that are not currently bush fire prone area that may become bush fire prone area if the draft map is gazetted.

3.4 Assessment

3.4.1 Strategic Implications

Nil

3.4.2 Statutory & Policy

To ensure Councils planning controls reflect the latest needs of the community and environment and meets the latest legislative requirements

3.4.3 Consultation

Nil

3.4.4 Financial Implications

Cost of advertising the map and correspondence to NSW RFS

3.4.5 Technical Assessment

Nil

3.4.6 Graphs & Charts

Nil

3.5 Conclusion

The NSW Rural Fire Service (RFS) has drafted a revised version of the Bogan Shire Bush Fire Prone Land Map (certified 9/2/2004) in accordance with the five yearly review requirement of Section 146(1) of the *Environmental Planning & Assessment Act 1979 (EP&A Act 1979)*. This report recommends that the 2009 draft Bush Fire Prone Map be placed on public exhibition for twenty eight (28) days to enable consideration of any submissions by affected landowners and other members of the community. The NSW RFS may or may not decide to modify the 2009 Draft Bush Fire Prone Land map based on the consideration of submissions received. The NSW RFS will then forward the revised Bush Fire Prone Land Map back to Council.

3.6 Recommendations

1. That Council place the draft 2009 Bush Fire Prone Land map on public exhibition for a period of twenty eight (28) days.
2. That, following public exhibition, any submissions received be forwarded to the NSW Rural Fire Service for consideration.
3. That the Manager Environmental Services notify all public exhibition respondents of the determination of their submissions by the NSW RFS.
4. Upon receipt of the final 2009 Draft Bush Fire Prone Land Map, Council give delegation to the General Manager to provide a letter to the Commissioner of the New South Wales Rural Fire Service on behalf of Council, requesting that the Commissioner certify Councils Bush Fire Prone Land Map. The certification letter is to be prepared in accordance with the requirements outlined in the *NSW RFS – Bush Fire Prone Land Mapping Guidelines – June 2006*.

211/2010 RESOLVED

1. That Council place the draft 2009 Bush Fire Prone Land map on public exhibition for a period of twenty eight (28) days.
2. That, following public exhibition, any submissions received be forwarded to the NSW Rural Fire Service for consideration.
3. That the Manager Environmental Services notify all public exhibition respondents of the determination of their submissions by the NSW RFS.
4. Upon receipt of the final 2009 Draft Bush Fire Prone Land Map, Council give delegation to the General Manager to provide a letter to the Commissioner of the New South Wales Rural Fire Service on behalf of Council, requesting that the Commissioner certify Councils Bush Fire Prone Land Map. The certification letter is to be prepared in accordance with the requirements outlined in the *NSW RFS – Bush Fire Prone Land Mapping Guidelines – June 2006*. **(Griffiths/Kennedy)**

PRECIS OF CORRESPONDENCE

1 NYNGAN HIGH SCHOOL

Attached is a copy of correspondence received from the Nyngan High School SRC suggesting that diving boards be included in the Nyngan Swimming Pool Complex. A petition was also attached with 200 signatures supporting this idea.

1.1 Recommendation: That diving boards not be installed (as previously advised to Council) on the basis that it presents a significant OH & S risk.

212/2010 RESOLVED that Council ask their insurers for written advice if there is any additional cost to have diving boards at the swimming pool. Council to check with all Councils in the Western Division and C Division who have diving boards and consult the existing Pool Manager.

(Ryan/Douglas)

2 DEPARTMENT OF LOCAL GOVERNMENT

Attached is a copy of a Department of Local Government Circular regarding the implementation of the Revised Meetings Practice Note. The Division of Local Government has been monitoring feedback on the Revised Practice Note and information is provided to some of the more frequently asked questions.

2.1 Recommendation: That the report be received.

213/2010 RESOLVED that the report be received. **(Kennedy/Griffiths)**

3 DEPARTMENT OF INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT AND LOCAL GOVERNMENT

Attached is a copy of an email received from the Department of Infrastructure, Transport, Regional Development and Local Government advising Council that the application for the Bogan Shire Aquatic and Fitness Centre Project for funding has not been successful.

3.1 Recommendation: That the report be received and noted.

214/2010 RESOLVED that the report be received and noted. **(Hampstead/Dutton)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 24th June 2010

4 MID WEST EQUESTRIAN CLUB

Attached is a copy of correspondence received from the Mid West Equestrian Club thanking Council for the use of its facilities and equipment.

4.1 Recommendation: That the report be received and noted.

215/2010 RESOLVED that the report be received and noted. **(Ryan/Kennedy)**

5 GOVERNMENT WEEKLY CIRCULARS

Weekly Circulars 19/10 to 22/10 are tabled for Council's information. Copies of the Circulars Indices and Summary of Items have been dispatched to Councillors.

5.1 Recommendation:

That the Local Government Weekly Circulars be noted.

216/2010 RESOLVED that the Local Government Weekly Circulars be noted. **(Ryan/Kennedy)**

Other Matters:

Coffill Road ó end of Gilgai Road ó Engineer to investigate condition of road.

Trees, Pangee Street to be removed. Check if contractor can give a good trim in place of removing trees.

Youth Council at NHS ó activity for holidays ó movie night, to be liasied with Police. (Maybe hold on regular basis) Council gives full support to this proposal.

Staff matters.

There being no further business the meeting closed at 3.00pm.

These Minutes were confirmed by resolution at a meeting held on 22nd July 2010 and were signed as a true record.

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GENERAL MANAGER

MAYOR

