



BOGAN SHIRE COUNCIL

Business Paper

23 October 2014

Table of Contents

COUNCIL MEETING NOTICE	4
COMMITTEE MEETING MINUTES	5
1 NYNGAN RACECOURSE / SHOWGROUND USERS ADVISORY GROUP MEETING	5
2 NYNGAN MUSEUM.....	8
MEETING OF COUNCIL – GENERAL MANAGER’S REPORT	11
1 CHECKLIST	11
2 PRECUNINARY INTEREST RETURNS.....	21
3 DELIVERY PROGRAM.....	22
4 CHRISTMAS – NEW YEAR OFFICE CLOSURE	23
5 DECEMBER / JANUARY RECESS	24
6 NYNGAN SHOW DAY.....	25
REPORTS TO ORDINARY MEETING OF COUNCIL - CORPORATE SERVICES DEPARTMENT	32
1 BANK RECONCILIATION.....	32
2 INVESTMENTS	33
3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION.....	35
4 REVISION OF PAYMENT OF EXPENSES AND PROVISION OF FACILITITES TO THE MAYOR AND COUNCILLORS POLICY – AP002	36
5 REVISION OF COUNCIL’S INVESTMENT POLICY	37
6 SECTION 713 SALE OF LAND FOR UNPAID RATES.....	38
7 REQUEST FROM NYNGAN HOSPITAL FOR REDUCTION IN WATER AND SEWER CHARGES	41
8 BOGAN BUSH MOBILE REPORT TERM 3.....	43
REPORT TO THE ORDINARY MEETING OF COUNCIL – ACTING MANAGER OF ENGINEERING SERVICES REPORT	45
1 OPERATIONAL REPORT	45
REPORTS TO ORDINARY MEETING OF COUNCIL – MANAGER OF DEVELOPMENT & ENVIRONMENTAL SERVICES REPORT	49
1 DEVELOPMENT APPLICATIONS	49
2 OPERATIONAL REPORT – PARKS AND GARDENS TEAM.....	50
3 OPERATIONAL REPORT – NOXIOUS WEEDS OFFICER.....	51
4 POTENTIAL REZONING – PROGRESS REPORT	52

PRECIS OF CORRESPONDENCE	56
1 REGIONAL MARKETING PROJECT	56
2 WESTERN NSW LOCAL HEALTH DISTRICT	56
3 NSW RURAL FIRE SERVICE.....	56
4 MARK COULTON MP	57
5 WEEKLY CIRCULARS	57
GRANTS AND FUNDING	58

16 October 2014

COUNCIL MEETING NOTICE

The next Ordinary Meeting of Council will be held in the Council Chambers, Nyngan on Thursday 23 October 2014 **at 9.00am.**

At 10.00am Council will adjourn for a short morning tea.

At 11.00am Council will attend the official opening of the refurbished Library.

At 12.15pm the Mayor will conduct an Australian Citizenship Ceremony for Mr Stuart Dedman.

At 1.00pm Council will adjourn for lunch.

AGENDA

1. Opening Prayer
2. Remembrances
3. Apologies
4. Declarations of Interest
5. Confirmation of the Closed and Confidential Minutes of the Council Meeting held on 26 September 2014
6. Confirmation of the Minutes of the Council Meeting held on 26 September 2014
7. General Manager's Report incorporating reports from:-
 - Manager of Corporate Services
 - Acting Manager of Engineering Services
 - Manager of Development and Environmental Services
8. Correspondence
9. Grants and Funding

Your attendance at this meeting would be appreciated.

Yours sincerely

Cathy Ellison

Executive Assistant



**Committee Meeting Minutes to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

COMMITTEE MEETING MINUTES

**1 NYNGAN RACECOURSE / SHOWGROUND USERS ADVISORY GROUP
MEETING**

**Minutes of the Racecourse / Showground Users Advisory Group Meeting held at
Bogan Shire Council Chambers on 9 October 2014**

The meeting opened at 5:00pm

Present: Mayor Ray Donald (Chair), Bruce Cleaver, Phillip Gibson, Vernetta Gibson, Wendy Robb, Chris Elder, Dennis Thorpe, Rodney Robb, Derek Francis (General Manager), Alister Quarmby (Acting Manager Engineering).

1. Apologies:

Rowan Cleaver

2. Previous Minutes:

The minutes of the previous meeting were adopted.
(Moved Chris Elder, seconded Bruce Cleaver)

3. Matters Arising

- a) New Skillion – completed
- b) Sheep Yards – completed
- c) Tractor on blocks - resolved
- d) Wye Pavillion Renovations and other improvements
 - Some concerns still about water draining away from the building. To be monitored.
 - Agreed contributions not yet received from Duck Creek (\$500) and Pony Club / Mid Western Equestrian Club (\$500). Shire will follow up.
 - Fencing completed in vicinity of racecourse stalls which has resolved the WH&S issue – thanks to Rodney Robb for organising this.

**Committee Meeting Minutes to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

- Concerns about water draining from Bar roof – Shire to undertake repairs to gutters (including hooking up downpipes) if grant funding for replacing gutters is not forthcoming.

4. Other Matters

a) Racecourse

- Next year will be hosting the ANZAC Centenary meeting so a special effort needs to be made to ensure the racecourse is in good condition.
- Track surface needs extensive maintenance (loads of sand & grader).
- Centre of track has very long grass, fire hazard and harbours undesirable wildlife. Shire to communicate with RFS regarding a controlled burn or, alternatively, to slash. The drains will need attention at the same time.
- There are a few holes in the ground along the length of the new stalls fence that need filling in.
- Grandstand – quote be obtained to repaint.
- Lighting needed on the grandstand for security purposes at Duck Creek (possibility of installing a floodlight).
- Vandalism to door at grandstand and announcer's box during Duck Creek event has been repaired.
- Shire to investigate moving the fence to the north of the Pavillion to enlarge the public area to the east of the grandstand.
- Toilets – continue to be unsatisfactory for large crowds such as Duck Creek. A vacuum tanker is required next year.

b) Showgrounds

- Thanks to those involved for renovations done in 2014, noting that the paint on the fascia's is peeling and needs attention.
- Arena rails (rodeo area) has not been painted yet. If paint can be supplied by the Shire, Rodney Robb can arrange for this work to be done. Shire to liaise with Rodney.



**Committee Meeting Minutes to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

c) Show Day Public Holiday.

Council, as a result of feedback received from the community, is intending to apply for a full day public holiday on Show Day 2015. This is to facilitate maximum participation by school children, parents and carers and is a result of a new Education Department directive preventing the schools from closing in the morning. The Committee expressed their support.

Next meeting to be held prior to 2015 events.

The meeting closed at 5:55pm.

1.1 Recommendation

That the Minutes of the Racecourse / Showground Users Advisory Group Meeting held at the Council Chambers on 9 October 2014 be received.



**Committee Meeting Minutes to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

2 NYNGAN MUSEUM

Attached are the Minutes of the Nyngan Museum Meeting held on Wednesday 17 September 2014.

2.1 Recommendation

That the Minutes of the Nyngan Museum Meeting held on Wednesday 17 September 2014 be received.



**Committee Meeting Minutes to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

Museum Meeting Wednesday 17th September 2014

Meeting commenced 9.40am

Present:

Chair: Glad Eldridge, Acting Secretary: Anna Corby, Dawn Conway, Hugh Sibbald, Margaret Sibbald, Sharon Thompson, Stewart McKenzie, Val Keighran, Shire Rep: Donna Pumper.

Apologies:

Anne Cumming, Dorothy Larsen, Dennis Callaghan, Tammy Trothe.

The minutes were read by Glad. Acceptance of the minutes, with an amendment to the name at the previous meeting of 6th August 2014 of Dawn Hopwood to Dawn Conway, was moved by Sharon Thompson and seconded by Anna Corby.

Business Rising

- Still waiting on electrician, to deal with Mining Room light and Air conditioner, Glad to ring Shire again.
- We are out of pen's, waiting on Ron Willcoxon to bring some 'Nyngan' home made pens from the Men's Shed. They are dearer than the 'National' pens, thought we might get ½ doz. for specials.
- Ask Shire for a new design to be considered for the Helicopter.
- Glass cabinets are waiting to be delivered by Shire, 2 or 3 weeks, as they are busy in the main street.

Correspondence

Only one, the account for the glass cabinet. Glad and Val to draw a cheque.

Treasure's Report

Listed on the back of the minutes, being \$656.20 for August. Moved by Glad, seconded by Sharon Thompson.

**Committee Meeting Minutes to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

General Business

- No pens ordered from National Pen's, our old distributors, look into next meeting.
- Anna has written to the Shire about maintenance urgently needed at the Cannonbar cemetery.
'Kilarnie' has the Azar family graves which we should look at. Michael Kennedy is the contact.
- Rajah Quilt will be on display in Canberra, we would like to go, Glad to contact curator for dates. Coincides with Vanges café opening.
- Has been suggested plastic strips for outside door ways.
- Jim Marr passed away 9.09.2014. A great historical worker.
- Glad looking into wreaths for Anzac Day 2015.
- SES have received notification about a loan for their new building 'We are not holding our breaths', here's hoping.
- Glad will leave on Wednesday 17th to go to her Granddaughters graduation in Sydney. People wanted for coach 2.30pm Wednesday, Val, Dawn, Hugh, Anna? Thank you.
- TV on the blink, taken leave. Donna has an old one if needed. We will look into pricing a new one. Probably one on the wall. Ask Stewart to price a suitable one next time he is in Dubbo.
- RSL Club Night 26th September 2014.

Meeting closed 10.40am.

Treasurer's Report

Glad Eldridge and Colin Pardy

September 2014	
05.09.2014	\$485.50
11.09.2014	\$14.00
19.09.2014	\$440.65
27.09.2014	\$255.00
30.09.2014	<u>\$211.45</u>
Total	<u>\$1,538.55</u>

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

MEETING OF COUNCIL – GENERAL MANAGER'S REPORT

Mayor and Councillors

The following report is submitted for consideration:-

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	24/05/2012	123/2012	Vacant Block – Cnr Nymagee /Mitchell Streets	Asked John Holland to meet with Council ASAP to work towards some agreement concerning the block.	MDES	UPDATE: JHR has removed underground tanks mid-2014 prior to lease approval.
	19/12/2013	507/2013		Approach John Holland to beautify site of former BP Service Station.		Verbal confirmation received from John Holland Rail that a lease document will be forwarded to Council in coming weeks. UPDATE: Still awaiting lease document from JHR.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
2	28/06/2012	179/2012	Dog Pound	Construction of the new dog pound in the location closer to the main road in the airport complex.	MDES	Works progressing, design of kennels completed and to be manufactured by BSC. <u>UPDATE:</u> Works program placed on hold until all other works are completed due to limited staff.
3	26/07/2012	193/2012	Transfer of Land – Nymagee St 5,7 & 9	Council seek EOI to demolish the subject dwelling & associated structures including removal of excessive vegetation.	MDES	Works scheduled for May 2015 – hot weather not suitable for wearing asbestos protective clothing.
4	25/10/2012	315/2012	Local Heritage Sites	When new VIC commences, signpost heritage sites with heritage colour and erect sign with the history of each location.	ENG	Pending accreditation of new VIC. Accreditation will be sought in time for 2015 'holiday season'.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
5	22/05/2014	181/2014	Swimming Pool	Filtration plant room & associated structure. A final report to November Council meeting detailing final costs of all works & proposed future redevelopment works for 2015/16.	MDES	Pool to be prepared for public opening by October. UPDATE: General pool M&R program completed. 95% of all external works to filtration plant room completed. Shade sails installation expected by mid-November. Pool ready for 2014 swimming season. Minor internal works still outstanding but should be completed by mid-November.
6	13/12/2012 28/03/2013	418/2012 098/2012	Davidson Park Revitalisation Program	Council remove the entire playground, equipment, associated ground cover, fencing & park-bench seating with shelter. Establish paving pathways to the mural.	MDES	UPDATE: Removal completed. Paving subject to budget.
	27/03/2014	065/2014		New playground area to be located in the centre of the Park.		

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
						<p>New fencing and soft-fall material installed in October. Entire playground area to be completed by early November.</p> <p>Relocated picnic table and shelter completed to new location.</p> <p>Depending on available budget, top-dressing and turf outstanding at present.</p>
7	28/02/2013	043/2013	Waste Management – Village Waste Depot Operations	Program of Works for Hermidale & Girilambone be commenced immediately.	MDES	<p>Girilambone: Completed with exception of asbestos disposal program. Issues with WorkCover requirements final clean-up, specialised equipment required. Efforts to resolve are still progressing.</p> <p>UPDATE: Suitable equipment located, waiting on contractor.</p>

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
8	26/06/2013	258/2013	Traffic Committee Recommendations Pre School Parking	RMS to re-examine the intersection design including: <ul style="list-style-type: none"> Installing blister on the western side of Moonagee St for "Give Way" sign. 	ENG	Engineering preparing design options and estimates for consideration during 2014/2015. Proposal and Estimate sent to RMS.
9	23/04/2013	124/2013	Flood Insurance	Council seek clarification from the Insurance Council of Aus re: the availability of discounts or other provision on insurance pricing for towns protected against floods and whether flood insurance is mandatory.	ENG	Insurance Council has requested flood study information. UPDATE: Insurance Council advised that Council has adopted the Nyngan Flood Study. COMPLETED
10	22/05/2014	175/2014	Showground Arena Irrigation	Showground Watering System be upgraded in conjunction with the completion of the cemetery raw water system.	ENG	Mid-State Equestrian Club event on September 20 & 21. Postpone work until October 2014.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
11	27/03/2014	067/2014	Skate Park	Shade Sail Cover over the Skate Park.	MDES	UPDATE: Contractor erected poles. Shade sails measured with installation expected by mid-November.
12	19/12/2013	532/2013	Rezoning of Rural Land Outside the Nyngan Township	Report on estimated cost be provided to February 2014 Council meeting prior to progressing with the proposal.	MDES	Planning proposal lodged with the NSW Department of Planning and Infrastructure. UPDATE: Gateway Determination was to proceed subject to variations outlined in the Gateway Determination conditions.
13	27/02/2014	006/2014	Medical Services	Pursue & make enquiries into using the Nyngan Multipurpose Service Centre & waiting rooms to attract an additional Medical Officer with VMO rights.	GM	Discussions with Senior Management of NSW Western LHD ongoing.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
	26/06/2014	199/2014		GM pursue options for obtaining funding for the construction of a new medical centre.		
14	27/03/2014	066/2014	Heritage Park	Order & plant a grove of trees surrounding the sandstone blocks & plant Lone Pine tree.	ENG	UPDATE: Only 2 trees remain to be planted in October in conjunction with Pangee Street redevelopment.
15	22/05/2014	182/2014	Teamster Rest Area	Cobb & Co Coach & Bullock Wagon location – confirm quotations and budget allowing progress without delay.	MDES	UPDATE: Quotations received within budget for frame, cladding and roofing materials. DA submitted and being assessed. Project to start late-October but now expected completion date to be early December 2014 depending on staff and contractors.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
16	22/06/2014	209/2014	Tourist Information Bay	On commencement of project, Council advise owners/apparent owners of existing highway signage that existing signs to be removed & may be replaced by signs on the Information Bays. Council charge an annual fee and an initial fee.	GM	Information supplied to AGL – awaiting response on sponsorship. <u>UPDATE:</u> Tritton Mines also approached for sponsorship.
17	28/08/2014	302/2014	Nyngan Child Care	Council proceed with the application for funding a study into the viability of providing a childcare service in Nyngan.	MCS	Application submitted.
18	28/08/2014	308/2014	Oval Place	Construct a length of 270 metres of road from Terangion Street to Larsen's Depot.	ENG	To be programmed.
19	26/09/2014	356/2014	RMS Directional Signage into Nyngan	Refer to Traffic Committee & then to RMS.	ENG	Further signage be investigated.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
20	24/07/2014	279/2014	Dialysis Services at Nyngan Hospital	Send a firm letter to the Health Minister, Local Member & Dubbo Health District stating urgent need for expansion of the services.	GM	Letter sent, discussion held with LHD – dialysis services currently under review throughout district. UPDATE: Response in Precis October 2014.
21	28/08/2014	297/2014	Lease of Council Road	Council applies to Crown Land to close unformed road which passes through Lot 43 DP752899.	GM	Process underway.
22	28/08/2014	317/2014	Nyngan Airport	Investigate supplying aviation fuel & providing a refuelling service.	ENG	Dr Heggie advised.
23	26/09/2014	337/2017	Sports Insurance	Urgent letter be sent to Insurance Council of Australia re insurance benefits paid to injured players.	GM	Letter sent.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
24	26/09/2014	362/2014	Nyngan Waste Management & Resource Facility	Cost analysis be presented to Council to compare costs of providing additional staff to man the facility against awarding a contract to an external party.	MDES	Investigations under way.
25	26/09/2014	363/2014	Fire Safety Audit Program	Further report on progress of compliance with Program.	MDES	<u>UPDATE:</u> Several commercial properties inspected with Fire Safety Audit Reports referred to owners for further consultation in coming weeks. Report to March 2015 Council Meeting on overall impact.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

1.1 Recommendation

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

2 PECUNIARY INTEREST RETURNS

2.1 Introduction

The purpose of this report is to table the Pecuniary Interest Register.

2.2 Background

Tabling of the Register is a requirement under Section 450A of the Local Government Act.

2.3 Discussion

For noting.

2.4 Recommendation

That Pecuniary Interest Register be received and noted.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

3 DELIVERY PROGRAM

3.1 Introduction

The purpose of this report is to provide information regarding progress with respect to the principal activities detailed in Council's adopted Delivery Program.

3.2 Background

The General Manager is required under the provisions of Section 404(5) of the Local Government Act to provide Council with regular reports regarding progress with respect to the principal activities detailed in Council's Delivery Program.

Council previously resolved that these reports be provided in October and April.

3.3 Discussion

The attached report mirrors the layout of Council's Delivery Program and 2014/15 Operating Plan and Budget. Managers responsible for each of the activities listed under the Strategies and Outcomes have indicated the current status of the activity asL-

- not started
- progressing - with issues
- progressing - no issues
- not progressing, or
- completed.

Where considerate appropriate, Managers have included comments.

3.4 Attachments

Report on Delivery Program 2014/15 Activities.

3.5 Recommendation

For consideration and noting.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

4 CHRISTMAS – NEW YEAR OFFICE CLOSURE

4.1 Introduction

The purpose of this report is to obtain Council's approval for the closure of the Council offices over the Christmas/New Year holiday period to allow staff concessional leave over this period.

4.2 Background

As a long-established (over twenty years) practice in common with other Councils, Bogan Shire Council has closed its Council offices between Christmas and New Year and granted leave on these days to indoor office staff in recognition of them working any unpaid overtime during the year. Outdoor staff have traditionally not been granted any special leave over this period as they are paid for overtime throughout the year.

4.3 Issues

Christmas Day and Boxing Day fall on a Thursday and Friday this year with New Year's Day on the following Thursday. Subject to the closure of Council's offices for this week, concessional leave can therefore be granted to indoor staff for 29, 30 and 31 December 2014 and for Friday 2 January 2015.

Council has previously delegated the granting of concessional leave for office staff, for the period between Christmas and New Year, to the General Manager subject to a Council decision to close the offices.

4.4 Recommendation

That in addition to the public holidays over the Christmas / New Year period, Council closes the Shire Offices on the 29, 30 and 31 December 2014 and 2 January 2015 and advises the community accordingly.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

5 DECEMBER / JANUARY RECESS

5.1 Introduction

The purpose of this report is for Council to consider the option of going into recess during December / January.

5.2 Background

Council has in the recent past not held an ordinary monthly meeting in January.

5.3 Discussion

It is common for Councils to go into recess over the holiday season. At that time of year a number of people, including Councillors and staff take holidays. Generally speaking, this is a quieter period for Government, suppliers and professional advisors as well, resulting in less need for Council decision-making than at other times of the year.

Not having regular meetings can result in delays in decision-making. Council has previously, subject to the limitations in Section 377 of the Local Government Act 1993, delegated certain Council functions, including making decisions that would otherwise be made by Council, to the Mayor, Deputy Mayor and General Manager for this period – with Councillors to be contacted if practical. These decisions should be reported to the Council at its first meeting in the New Year.

5.4 Recommendation

1. Council goes into recess from 19 December 2014 until 31 January 2015 and consequently does not have an ordinary meeting during January 2015.
2. Pursuant to and subject to the limitations of Section 377 of the Local Government Act, Council grants authority to the Mayor, Deputy Mayor and General Manager with Councillors to be contacted if practical, to make decisions on behalf of Council during this recess period.
3. Any such decisions are to be reported to the Council at its first meeting in 2015.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

6 NYNGAN SHOW DAY

6.1 Introduction

The purpose of this report is to advise Council of community response to the declaration of a local event day / public holiday for Nyngan Show Day in 2015.

6.2 Background

Traditionally Council has requested that the relevant State Minister declare a half-day public holiday for the Bogan Shire area on Monday afternoon of the Nyngan Show.

In 2014, for the first time, the relevant education authorities directed local schools to have classes on the morning of Show Day (the non-gazetted holiday portion of the day) rather than to close the schools and be allowed to make up this time during the year.

Following the Show, Council received feedback from the Nyngan Show Society, the community and schools on the impact this had on them. Firstly, it prevented students (and some parents / carers) from legitimately participating in Show activities in the morning and secondly it limited the extent to which families could participate in the Sunday night Show events, it being a "school night".

On the basis of this feedback, Council took a resolution on 26 June 2014 that Council request a full day public holiday for the Nyngan Show.

Notwithstanding this resolution, in the process of making application to the NSW Government for the declaration of a holiday, Council is expected to take into account the costs to business and the local community through appropriate public consultation.

The NSW Government introduced legislation in 2010 which makes provision for the declaration of local event days as an alternative to local public holidays. Based on information provided by NSW Industrial Relations the potential impacts on business and the community for a public holiday as opposed to a local event day in a designated Local Government area are:-

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

Public Holidays

- Banks are required to close unless they hold specific approval to remain open.
- Shops are free to open without restriction.
- All employees who work in the designated area are entitled to be absent from work.
- Those employees who work may have an entitlement to penalty rates.

Local Event Day

- Banks and shops are free to open without restriction.
- Entitlements to paid time off work or penalty rates for employees will only arise where they have been agreed at a workplace level.

Following community consultation last year, Council applied for a half-day public holiday as the most appropriate option given the intent behind the half-day holiday is to encourage as many people as possible to participate in the Show.

6.3 Discussion

As part of the standard public consultation process, the General Manager wrote to Straits Tritton Mine, local banks, schools and the Bogan Community Tourism and Business Group asking them to advise Council if they would prefer the declaration of a Local Event Day and whether they had views regarding the whole-day or half-day holiday.

Correspondence supporting a full day public holiday was previously received from Nyngan Public School (Attachment 1) and Nyngan Combined Schools – including Hermidale and Girilambone (Attachment 2). A further letter (Attachment 3) was received from St Joseph's School in response to the General Manager's recent letter.

A letter was received from Straits Tritton Mine (Attachment 4) saying that they would prefer a Local Event Day.

Council is required to advise the Minister for Industrial Relations before 7 November 2014 of any requests for local public holidays or local events in 2015.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

6.4 Attachment

1. Letter from Nyngan Combined Schools
2. Letter from St Joseph's School
3. Email from Nyngan Public School
4. Letter from Straits Tritton Mine

6.5 Recommendation

That the report be received and noted.

Derek Francis

GENERAL MANAGER

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**



Nyngan Combined Schools

Bogan Shire Council
Bogan St
NYNGAN NSW 2825

Dear Mr Francis and Councillors,

Re: Nyngan Show

We write to you in response to comments made from community members at the recent Nyngan Show.

Our schools enjoy supporting the show by encouraging our students to enter works in the show competitions, as well as showcasing our schools in the school displays in the Wye Pavilion. Our students thoroughly enjoy the leadership opportunity of being involved in the show as junior stewards.

Comments from community members indicate that there were less school students in attendance at the show than in previous years.

Please be aware that this year is the first time that principals have been directed to have schools open during the non-gazetted holiday portion of the Monday of the show. As such, there was a portion of students at school from the beginning of the school day until 12pm.

Please be assured that there is no disrespect intended. Principals are directed to have schools opened unless there is a gazetted public holiday.

Yours sincerely,

Nicole Hunt
Principal
Nyngan High School

Leone Dewhurst
Principal
Hermidale Public School

Angela Lewis
Principal
Girilambone Public School

Sharon Grimmond
Principal
St Joseph's Primary School

*Received by email
4/11/14*

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

P.O. Box 142,
NYNGAN. 2825

BOGAN SHIRE COUNCIL	
FILE	R/N
10 SEP 2014	
ASSIGNEE	

23 Terangion Street,
Phone: (02) 68321588
Fax: (02) 68321454
Email: admin.nyngan@wf.catholic.edu.au

9th September, 2014

The General Manager
Bogan Shire Council
P.O. Box 221
NYNGAN 2825

Dear Derek,

RE: 2015 NYNGAN SHOW HOLIDAY

I am writing in reply to your letter dated 27th August, 2014 regarding arrangements for the 2015 Nyngan Show Day.

Our school is in favour of a full-day holiday for our students and would support the Bogan Shire Council's endeavour to have the 2015 Nyngan Show Day declared as a local public holiday.

St Joseph's School Committee has a policy in place that a full-day holiday, if gazetted, be granted to the students of St Joseph's School, Nyngan after due notification to the Wilcannia-Forbes Diocesan Director of Schools, our parent community and local school bus companies. This policy was formulated as our School Committee recognised the necessity of the whole-hearted support of the Nyngan Community and School Community and for our students to have the opportunity to take on roles of responsibility at the Nyngan Show as well as participating in various competitive sections of this important local event.

Yours sincerely



Sharon Grimmond
Principal

From: "Pearce, Kylie" <kylie.a.pearce@det.nsw.edu.au>
To: "Admin" <admin@bogan.nsw.gov.au>
Sent: Thursday, 22 May 2014 1:18 PM
Subject: Attention Derek

Hi Derek,

I would like to thank Ray for his call on Tuesday. Unfortunately I have been offsite, returning this morning and the message was delivered via paper not electronically.

Nyngan Public School would support a full show day holiday. I have just completed a meeting with my Director and discussed this with him. He has indicated that NPS could have a full day if the Bogan Shire declare it a full day.

I look forward to discussing this further.

Regards,

Kylie Pearce

Principal - Nyngan Public School

60 Cathundral St, Nyngan.

02 68 321 605

0429 141971

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**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**



**Straits
Tritton Mines**

BOGAN SHIRE COUNCIL	
FILE	R/N
25 SEP 2014	
ASSIGNEE	

22 September 2014

Mr Derek Francis
General Manager
Bogan Shire Council
PO Box 221
Nyngan NSW 2825

Dear Derek

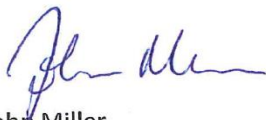
2015 NYNGAN SHOW DAY

Thank you for your letter of 27 August regarding options for the 2015 Nyngan Show Day.

It is Tritton Resources Limited's clear preference that the day be declared a Local Event Day due to the effect on the operation a Gazetted Public Holiday entails. Failing that a half-day Public Holiday is the preference.

The half-day Public Holiday last year allowed attendance of those that were interested in attending while minimising disruption to operations. This would be an acceptable compromise that provides demonstrated support the Nyngan Show while still maintaining efficiency of the mining operations.

Yours faithfully



John Miller
General Manager
Tritton Operations

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

**REPORTS TO ORDINARY MEETING OF COUNCIL - CORPORATE SERVICES
DEPARTMENT**

Mayor and Councillors

The following reports are submitted for consideration:-

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 30 September, 2014.

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, however historically it has been provided for the information of Councillors.

Bank Reconciliation for September 2014		
Council General Fund		
Bank Statement Balance	\$	175,328.91cr
Add Deposits not yet receipted	\$	305.20cr
Less Unpresented Payments	\$	49,098.05dr
Balance as per Council	\$	126,536.06cr
Represented by the following in Council Ledgers		
Account		
19001.8000.8000	\$	126,536.06cr
Difference	\$	0.00

1.3 Recommendation

That the Bank Reconciliation report be received and noted.

**Manager of Corporate Services' Reports to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

2 INVESTMENTS

2.1 Introduction

The purpose of this report is to outline the performance of Council's investment portfolio for September 2014.

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 Discussion

The Investment Report for September 2014 is shown below. At the 30 September 2014 Council had \$7.6 million invested. There has been minimal movement in Council's investments since the August 2014 report.

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

**Manager of Corporate Services' Reports to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

Investment Movements for September 2014

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

Bogan Shire - Investment movements for September 2014							
REF	Source	Maturity	Days	% rate	Interest	Bal 31/08/2014	Bal 30/09/2014
4346	CBA	26-Dec-14	180	3.750%	18,493	1,000,000.00	1,000,000.00
833	NAB	17-Oct-14	180	3.720%	14,676	800,000.00	800,000.00
838	NAB	06-Nov-14	180	3.650%	9,000	500,000.00	500,000.00
839	NAB	08-Nov-14	180	3.660%	18,049	1,000,000.00	1,000,000.00
840	NAB	11-Sep-14	180	3.700%	18,246	1,000,000.00	1,000,000.00
900	Westpac	13-Oct-14	180	3.720%	18,345	1,000,000.00	1,000,000.00
802	Westpac - Maxi direct	n/a	n/a	2.400%		2,294,847.33	2,299,575.34
				Variable			
	Balance securities held					7,594,847.33	7,599,575.34
	Balance Ledger 19010.8200.8200					7,594,847.33	7,599,575.34
	Summary by institution						
	CBA					1,000,000.00	1,000,000.00
	NAB					3,300,000.00	3,300,000.00
	Westpac					3,294,847.33	3,299,575.34
						7,594,847.33	7,599,575.34

2.4 Recommendation

That the Investments Report be received and noted.

**Manager of Corporate Services' Reports to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

3.1 Introduction

The purpose of this report is to provide a comparison of rate collections as at September 2014, with the same period last year.

3.2 Discussion

This report is provided for the information of Councillors.

Rate Collections	2014-2015	2013-2014
Arrears Prior to 01/07/2014	323,938	476,735
First Instalment Outstanding as at 30/09/2014	95,048	90,786
Total Arrears	418,986	567,521
Total Outstanding	3,150,717	3,196,903
Monthly Transactions		
Amount Levied & B/Fwd	4,746,857	4,922,110
Add: Adjustments	13,542	-75,880
Less: Payments to end of September	-1,535,414	-1,575,674
Less: Rebates	-77,230	-73,653
Add: Postponed	2962	0
Gross Total Balance	3,150,717	3,196,903
Arrears of total amount levied %	9%	12%

Total arrears have dropped from \$567,000 at the end of September 2013 to \$419,000 as at September this year.

Each instalment amounts to approximately \$1,187,000
(Total Rates, Waste, Water & Sewer Access Charges)

Council has collected at this date \$40,000 less than at the same time last year.

8% of rate payers have not paid their first instalment prior to the 30th September 2014.

3.4 Recommendation

That the Rates Collections Report be received and noted.

**Manager of Corporate Services' Reports to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

4 REVISION OF PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE MAYOR AND COUNCILLORS POLICY – AP002

4.1 Introduction

The purpose of this report is to review policy AP002 Payment of Expenses and Provision of Facilities to the Mayor and Councillors. The Policy was last adopted on 28 November 2013 and is now due to be reviewed.

4.2 Background

This Policy determines what expenses will be met by Council on behalf of Councillors when on Council business.

The preparation and review of this Policy on an annual basis is a mandatory requirement under section 252 of the Local Government Act to ensure accountability and transparency in the reasonable and appropriate provision of expenses and facilities to Mayors and Councillors.

4.3 Discussion

The Policy is based on the following principles:-

- That the Mayor and Councillors should be re-imbursed for their expenses incurred in properly carrying out the duties of office as elected representatives of the community.
- Elected representatives should have the use of adequate facilities to enable them to appropriately fulfil their role as responsive and responsible community representatives.
- It is essential that a Policy is in place to ensure that such office is open to all eligible citizens.
- 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.

The Policy has operated effectively over the past few years and therefore there seems no reason to change it. It is therefore recommended that the current Policy be re-adopted for a further twelve months.

4.4 Recommendation

That Council adopt the current Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy AP002 for a further 12 months.

**Manager of Corporate Services' Reports to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

5 REVISION OF COUNCIL'S INVESTMENT POLICY

5.1 Introduction

The purpose of this report is to review Policy FIN002 Investment Policy. The Policy was last adopted on 26 September 2013 and is now due to be reviewed.

5.2 Background

The Investment Policy is one of the most important Policies that Council has. It has a major effect on how Council invests ratepayers' money from a viewpoint of both risk and return.

The objective of this Policy is to govern how staff invests Council's money so as to obtain the highest possible return for a given level of risk.

5.3 Discussion

There is a positive correlation between risk and return when placing investments. Council wants the highest return possible but only at an acceptable level of risk. The Investment Policy governs how much risk Council staff can take when investing Council funds.

The current Investment Policy was adopted in September 2013 in a moderately uncertain economic environment with low interest rates. It allows only conservative investments allowed by the most current investment order that has been issued by the Minister for Local Government.

A requirement of the Policy is that it be reviewed at least once per year.

Given that the economic environment is very similar to one year ago, when the Policy was originally adopted, and that it has served Council well, it is recommended that the policy be re-adopted without change for a further 12 months.

5.4 Recommendation

That Council adopt the current Investment Policy FIN002 for a further 12 months.

**Manager of Corporate Services' Reports to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

6 SECTION 713 SALE OF LAND FOR UNPAID RATES

6.1 Introduction

The purpose of this report is to present a timeline of monthly duties in preparation for the sale of land for unpaid rates.

6.2 Background

Council will be listing properties deemed as having bad or doubtful debts attached to them and selling these properties in accordance with Sections 713 to 726, Division 5, of the Local Government Act, 1993.

Council resolved (327/2012) to proceed with the sale of land for unpaid rates. (Attachment 1).

6.3 Discussion

October	Set place, date and time for the sale.
	Write a formal letter to at least three conveyancers/solicitors for expressions of interest in assisting with the sale and their terms of trade.
	Write a formal letter to at least two real estate agents for expressions of interest in assisting with the sale and their terms of trade.
November	Select Council's preferred auctioneer and solicitor.
	Compile a list of properties to be sold.
	Make a file for each property including map/aerial photograph, photograph of the land from the street, title search and LPI property print out from Valnet.
	Write to the owner and advise that Council is proposing to sell the land, including a notice of intent form.
	Certify the debt in writing (GM to sign).
Obtain a new valuation for the properties that have debts less than 5 years old. The land must be sold less than 6 months from the new date of valuation.	

**Manager of Corporate Services' Reports to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

December	Prepare a report of properties to be sold for Council to resolve at the ordinary meeting to be held on 18 December 2014.
	Provide owner/property details to Council's appointed auctioneer and solicitor.
	Give notice of the proposed sale by means of an advertisement published in the Government Gazette and at least 1 newspaper. Sale must be completed within 6 months but not less than 3 months from this point.
January	Take reasonable steps to ascertain the identity of any person or organisation that has a vested interest in the property (Mortgagee - any excess funds may need to be dispersed amongst stakeholders after the sale).
	Advise adjoining property owners of the sale and any person that has expressed interest.
February	Arrange meeting with solicitor and auctioneer to discuss the sale logistics (set-up, payment required, sequence of properties to be sold).
March	IT to make a slide show of the properties for the sale.
	Prepare property information sheets and booklets.
	Re-advertise before the sale.
April	Conduct sale.
May	Prepare a report of Rates and Charges to be written off for all properties.

6.4 Attachement

Resolution 327/2012.

6.5 Recommendation

That Council

1. That the report be received and noted.
2. That Council conduct the auction of properties for the recovery of unpaid rates and charges on Saturday 11 April 2015.

**Manager of Corporate Services' Reports to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

Attachment 1

327/2012 RESOLVED that:-

- (1) The Manager Corporate Services as Public Officer prepares a certificate under Section 713 [3] for the Local Government Act 1993 based on the assessment information provided in Appendix B.
- (2) The Manager Corporate Services takes reasonable steps, as provided by section 715 [1] (c) & (d) to ascertain the identity of any person who has an interest in the land listed in this certificate and takes reasonable steps to notify each such person of the Council's intention to sell the land listed.
- (3) Council proceed with the sale of land listed in the certificate prepared under recommendation (1) subject to the provision of Section 715 (2) of the Local Government Act 1993.
- (4) The General Manager, in accordance with the provisions of Section 715 of the Local Government Act 1993:-
 - a) Advertises Council's intention to sell the land listed in the Gazette and Nyngan Observer.
 - b) Sets a date for the sale of land listed in the certificate.
- (5) That following the sale of land a further report is presented to Council making recommendations for any outstanding issues.
- (6) The General Manager be authorised to purchase all of those blocks in appendix B in Canonba and Bobadah regardless of the purchase price, and any other land in Girilambone and Hermidale that cannot be built on. A reserve price be placed on any other blocks that the General Manager considers necessary. **(Ryan/Dutton)**

**Manager of Corporate Services' Reports to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

7 REQUEST FROM NYNGAN HOSPITAL FOR REDUCTION IN WATER AND SEWER CHARGES

7.1 Introduction

The purpose of this report is to consider a request from Western NSW Local Health District for a reduction in water and sewer charges for Nyngan Hospital.

7.2 Background

Over the last year Nyngan hospital has used 7,608 Kilolitres of water and paid \$12,975 for water usage and \$17,121 for access and discharging to the sewer system. Western NSW Local Health are requesting reductions to the variable charges relating to both services.

7.3 Discussion

A request has been made to reduce both the water usage charge and the charge for discharging to the sewer system.

Water

Western NSW Health argue that they should receive a subsidy for water put on the nature strip on the corner of Hoskins Street and Flashman Avenue. They argue that a subsidy for watering has been promised by Council in the past.

It should be noted that no record of such a subsidy exists and that the responsibility for watering nature any particular nature strip rests with the owner of the property.

It is hard to quantify the amount of water being put on the nature strip and therefore hard to calculate the amount of the subsidy requested. The hospital maintains that it pours 4810 kilolitres of water on all grassed areas from November to March. If we were to estimate that a quarter of that amount went into the nature strip the value of the subsidy would be \$2,140.

If a subsidy were to be given it would need to be taken from the General Fund and paid to the Water Fund. This has not been budgeted for and would create a dangerous precedent whereby other occupiers may expect the same subsidy.

Sewer

The sewerage discharge factor adopted in Council's operational plan is 0.9. This percentage is recommended as best practice. Western NSW Health argue that 4,810 Kilolitres (63%) of their total usage of 7,608 Kilolitres is used for watering.

**Manager of Corporate Services' Reports to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

If the discharge factor was therefore reduced to 0.4 (ie assuming that 60% is used on lawns and 40% is used discharged into the sewer) the amount of the subsidy would be approximately \$9,512, with Western NSW Health paying the remaining \$7,609. This subsidy would not come from General Fund. The discharge factor would be reduced in the calculation of the sewerage charge.

Altering the discharge factor may mean that Council will get further requests from other commercial properties to revise their discharge factors.

7.4 Recommendation

That Council not provide a subsidy to Western NSW Health for water usage or discharging to the sewerage system.

**Manager of Corporate Services' Reports to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

8 BOGAN BUSH MOBILE REPORT TERM 3

8.1 Introduction

The purpose of this report is to update Council on the activities of the Bogan bush Mobile.

8.2 Statistics as at 10 October 2014

Total klm on vehicle: 82 425km

Total Children Enrolled : 207 as at 10.10.14

Total Children Enrolled: 223 as at 4.09.2013

Current Areas being visited:-

Nyngan (2 sessions per fortnight), Tottenham, Collierreina, Trangie, Mullengudgery, Warren, Marthaguy, Marra, Hermidale, Girilambone, Mungery, Nevertire, Duck Creek and Barnardos.

8.3 Mobile Muster

We were invited to Melbourne for the Mobile Muster, funded by DET to meet with Assistant Minister Susan Ley for discussions as to where mobile services are at and what the Department sees as in the future of mobiles. Minister Ley expressed a real understanding of the importance of the work mobiles do in rural and remote NSW and that the Department would be looking at continued support of our services. Whilst at the Mobile Muster we were involved in workshops conducted by Woolcott Consulting to assess on behalf of the Department as to how mobiles could move towards being "in scope" and accredited. We look forward to hearing some of the outcomes from the Department in relation to the Mobile Muster.

8.4 Sessions

All venues are going strong, we have 13 families attending the Barnardos session with the view that they will transition to our Nyngan sessions next year.

BBM attended the Ag Expo and Nevertire Muster in term 3 with both days being a huge success, we received a lot of positive feedback from the day, and I have included an email from a family from Cobar.

**Manager of Corporate Services' Reports to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

Hi Nic and staff

Just wanted to say a huge thank you for the wonderful play area you had at the Nyngan Expo. My girls just loved playing with the toys and drawing. I'm not sure if you organised the petting zoo, but it was fabulous!

Your show bags were a fantastic hit and I was surprised at all the little goodies inside. My girls played all the way home with the play dough and loved sticking the straws and sticks into it to make animals.

You do an amazing job, thank you so much.

Mick and Joelle, *Deppeler Earthmoving, Cobar N.S.W 2835*

8.5 Mobile Meet 2014

Rani and I attended the Annual Mobile Meet in Mudgee in August. We were involved in numerous training sessions and discussion groups with similar service types to ours. We found the week to be very informative and have returned implementing many of our new ideas, we find this week a great networking time where we can foster relationships with fellow mobile services.

I have been invited to sit on the NSW MCSA committee, which I am looking forward to having input to decisions affecting our service and advocating the wonderful work mobiles do.

8.6 Long Day Care Update

Our proposal was submitted to the Department on 30.8.2014. We were then asked to answer a few additional questions. Following a conversation with the State Child Care Office this week we have been advised that the project has been recommended to proceed by the State Office and forwarded to the National Child Care Office for their approval. We will be advised as soon as a decision has been made.

We are in the process of planning our end of year celebrations and Christmas parties and are looking forward to another action packed term.

Nichole Jenkins, Director, Bogan Bush Mobile

Luke Taberner

MANAGER CORPORATE SERVICES

**Acting Manager Engineering Services' Reports to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

**REPORT TO THE ORDINARY MEETING OF COUNCIL – ACTING MANAGER OF
ENGINEERING SERVICES REPORT**

Mayor and Councillors

I submit the following report for consideration:-

1 OPERATIONAL REPORT

1.1 Civil Works

The work undertaken between the reporting period from the 15 September to the 10 October consisted of the following:-

- Completed the construction of the Nyngan Swimming Pool Filtration Plant and Storeroom.
- Completed the excavation and the construction of garden beds. This work included the backfilling with soil mixture, planting trees, installing tree guards, all part of the ongoing beautification of the Pangee Street CBD.
- Continuation of tree planting in Heritage Park.
- Remove old walkway from Heritage Park and beginning construction of new concrete footpaths.
- Removed cricket pitch cover from Larkin Oval.
- Repairs to Museum.
- Repairs to Nyngan Town Hall.

1.2 Community Facilities

The work undertaken by Council's Community Facilities during this reporting period consisted of the following:-

- Preparation of the ovals and sporting fields.
- Prepared showground for ODE.
- Cleaning and sweeping of the Nyngan CBD.
- Repairs to the irrigation system at No.3 Oval.
- Cleaning and maintenance of town streets and nature strips.
- Cleaning of town streets gutters and culverts.
- Showgrounds and ovals fertilised.

Acting Manager Engineering Services' Reports to the Ordinary Meeting of Bogan Shire Council held on 23 October 2014

1.3 Roads

The work undertaken during this reporting period by Works Crews consisted of the following:-

No.	Name	Comments
40	Plummers Road	Maintenance grading continuing.
78	Okeh Road	Maintenance grading completed.
81	Benah Road	Maintenance grading continuing.
5	Peisley Road	Maintenance grading continuing.
79	New Bogan Road	Maintenance grading continuing.
92	Colane Road	Maintenance grading completed.
10	Pangee Road	Maintenance grading completed.
	Girilambone	Fire break completed.
	Coolabah	Fire break completed.
	Nyngan Tip	Fire break completed.
HWY 7	Mitchell Highway	Shoulder grading completed.
HWY 8	Barrier Highway	Shoulder grading commenced.
HW7	Mitchell Highway	Rehabilitation commenced.
	Girilambone town streets	Maintenance grading completed.
81	Benah Road	Resheeting commenced.

Council's Jet-Patcher during this reporting period has carried out routine maintenance on the following roads:-

- Nyngan town streets, this work included sealing new water mains in Bogan Street, sealing waterlines and excavations for gardens in Pangee Street.
- Canonba Road.
- Yarrandale Road.
- Mitchell Highway shoulder sealing in preparation for reseals.
- Barrier Highway.

**Acting Manager Engineering Services' Reports to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

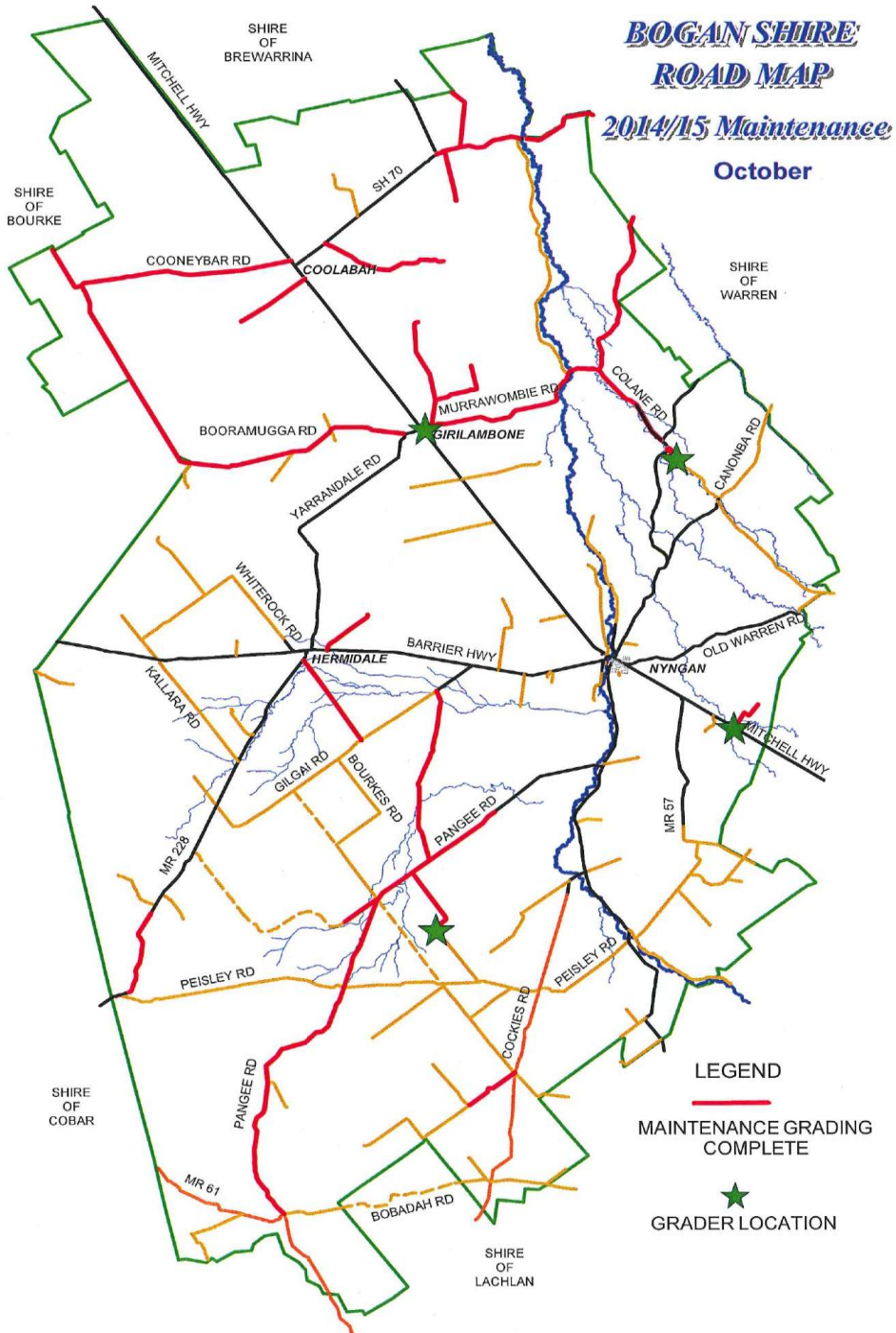
The works program for the remainder of October includes but is not limited to the following:-

- Continuing maintenance grading of rural roads including Honeybugle Road, Plummer's Road, Pangee Road, Benah Road, Merryanbone Road and shoulder grading on the Barrier Highways.
- Continuing the 'Singletons Road' rehabilitation of 3.1km of the Mitchell Highway commencing west from where the 'Illyria' project finished last year.
- Complete construction of concrete footpaths at Heritage Park in Nymagee Street.
- Footpath repairs in Terangion Street Nyngan near Post Office.
- Maintenance to the Town Library.
- Installation of downpipes and bubblers of the racecourse bar.
- Continuing Pangee Street beautification works.
- Continuing shoulder grading on the Barrier Highway.
- Commencing heavy patching sections of the Barrier and Mitchell Highways

Alister Quarmby

ACTING MANAGER ENGINEERING SERVICES

**Acting Manager Engineering Services' Reports to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**



Manager Development and Environmental Services' Reports to the Ordinary Meeting ' of Bogan Shire Council held on 23 October 2014

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

Mayor and Councillors

I submit the following reports for consideration:-

1 DEVELOPMENT APPLICATIONS

1.1 Introduction

One (1) Development Application has been approved since Council's September 2014 Meeting.

DA NUMBER	APPLICANT	ADDRESS	DESCRIPTION	VALUE (\$)	PROGRESS
2013/012	Mr Ian & Mrs Sara Drain	6 Cathundril Street, NYNGAN	Dwelling extension	40,000	Awaiting additional information as of 16/5/2013
2014/001	Dr Ryan Heggie	Cannonbar Road, NYNGAN	Hangar	64,000	Awaiting additional information as of 10/2/2014
2014/004	Mr Ian Bennett	Mitchell Highway, NYNGAN	Transport depot	25,000	Awaiting additional information as of 22/4/2014
2014/013	Mr Bruce Jordan	"Killawarra Station", COOLABAH	Extractive industry	10,000	Awaiting additional information as of 25/6/2014
2014/016	NSW Rural Fire Service	Cnr Dalley & Bourke Street, COOLABAH	Emergency services facility	140,000	Awaiting additional information as of 26/6/2014
2014/017	Michele Deacon	18 Minore Street, NYNGAN	Awning	20,000	Awaiting additional information as of 16/7/2014
2014/018	Kenneth White	66 Dandaloo Street, NYNGAN	Carport	4,000	Awaiting additional information as of 21/8/2014
2014/020	Bogan Shire Council	70 Pangee Street NYNGAN	Display Shed	80,000	Being assessed as of 23/9/2014
2014/021	Mrs Ruth Reid	2/60 Cobar Street NYNGAN	Glass enclosure (extension)	23,570	Approved 9/10/2014
2014/022	Mr Ron Bright	7 Cannonbar Street NYNGAN	Carport	3,000	Being assessed as of 23/09/2014

Manager Development and Environmental Services' Reports to the Ordinary Meeting ' of Bogan Shire Council held on 23 October 2014

1.2 Recommendation

That the report be received and noted.

2 OPERATIONAL REPORT – PARKS AND GARDENS TEAM

2.1 Introduction

The purpose of this report is to outline the key works undertaken since Council's September 2014 meeting by the Parks and Gardens team.

2.2 Discussion

Key works undertaken consisted of the following:-

- Continued progressing with specific works program to Heritage Park;
- Completed the majority of planting for the Pangee Street beautification program;
- Completed a final landscape tidy up of the Nyngan swimming pool grounds which included laying of additional turf; and
- Completed routine maintenance tasks.

2.3 Recommendation

That the report be received and noted.

Manager Development and Environmental Services' Reports to the Ordinary Meeting ' of Bogan Shire Council held on 23 October 2014

3 OPERATIONAL REPORT – NOXIOUS WEEDS OFFICER

3.1 Introduction

The purpose of this report is to outline the key works undertaken since Council's September 2014 meeting by the Noxious Weeds Officer.

3.2 Discussion

Key work undertaken consisted of the following:-

- Roads and Maritime Services highway work included:-
 - Spraying the edge breaks along Mulla Road, Gilgai Road, Old Warren Road, Mitchell Highway and Barrier Highway;
- A number of road inspections were completed (684kms), notable State and Regional roads included:-
 - Bobadah Road;
 - Colane Road;
 - Gilgai Road; and
 - Old Warren Road.
- Control sprayed woody weeds along Yarrandale Road;
- 17 property inspections were completed;
- Town spraying included Nyngan street drains;
- Two (2) Water Course inspections were completed (Murrumbidgee which include Colane Bridge and Duck Creek);
- Assisted where required to cover waste management activities due to staff being absent;
- Assisted in cleaning the pool for opening; and
- Sprayed village cemeteries including the Cannonbar Cemetery.

3.3 Recommendation

That the report be received and noted.

Manager Development and Environmental Services' Reports to the Ordinary Meeting ' of Bogan Shire Council held on 23 October 2014

4 POTENTIAL REZONING – PROGRESS REPORT

4.1 Introduction

The purpose of this report is to discuss a written request (attachment 1) from Planning Consultant Geolyse on behalf of Cobar Express Pty Ltd. The request is to seek in-principle support from Council for the Lodgement of a Planning Proposal to have 36 Nymagee Street Nyngan rezoned from R1 – General Residential to IN1 – General Industrial.

4.2 Discussion

The proposal seeks in-principle support of Council for a planning proposal to facilitate the use of residential land for the purpose of a 'Freight Transport Facility' for use by their business and drivers alongside 'Rural Supplies' sales store.

The subject site is located at 36 Nymagee Street, Nyngan (Lot 42 DP 710750). The land is currently zoned R1 – Residential under the Bogan Local Environmental Plan (LEP) 2011 however due to its previous use as a mechanical workshop the site comprises of purpose built structures not fit for habitation as a dwelling. The subject site was previously zoned 4 Industrial under the Bogan LEP 1991 which allowed it to be used as a mechanical workshop.

As Cobar Express Pty Ltd wish to provide a rural supplies and freight transport facility from this site they propose the site is rezoned IN1 – General industry which will allow for this type of use.

4.3 Attachment

Written request from Planning Consultant Geolyse.

4.4 Recommendation

1. That the report be received and noted.
2. Council resolves to provide in-principle support to Cobar Express Pty Ltd Nominees to commence preparation of a Planning Proposal to amend the Bogan LEP 2011 to allow an application for a Freight Transport Facility and Rural Supplies sales store at 36 Nymagee Street. Council will consider the merits of any Planning Proposal prior to resolving to forward the proposal to the Department of Planning & Infrastructure.

Timothy Riley

MANAGER OF DEVELOPMENT & ENVIRONMENTAL SERVICES

**Manager Development and Environmental Services' Reports to the Ordinary Meeting
of Bogan Shire Council held on 23 October 2014**

ASSIGNEE

aubb@geolyse.com
geolyse.com

Our Ref: 114196_LEO_001

16 September 2014

The General Manager
Bogan Shire Council
P.O. Box 221
Nyngan, NSW 2825

Attention: The General Manager

Dear Sir,

REQUEST IN PRINCIPLE SUPPORT TO LODGE A PLANNING PROPOSAL TO REZONE 36 NYMAGEE STREET, NYNGAN FROM R1 - GENERAL RESIDENTIAL TO IN1 – GENERAL INDUSTRIAL.

Geolyse Pty Ltd (Geolyse) have been engaged by Cobar Express Pty Ltd (Cobar Express) to seek in principle support from Council for the lodgement of Planning Proposal to have 36 Nymagee Street, Nyngan rezoned from R1 – General Residential to IN1 – General Industrial.

The subject site is formally identified as Lot 42 in DP 710750 and is commonly known as 36 Nymagee Street, Nyngan. Figure 1 below provides an aerial view of the subject site.



Figure 1: Aerial view of the site outlined in red (Source: sixmaps.nsw.gov.au)

The subject site is currently zone R1 – General Residential under the *Bogan Local Environmental Plan 2011 (BLEP)* Figure 2 below details the current land zoning of the site.



**Manager Development and Environmental Services' Reports to the Ordinary Meeting
of Bogan Shire Council held on 23 October 2014**

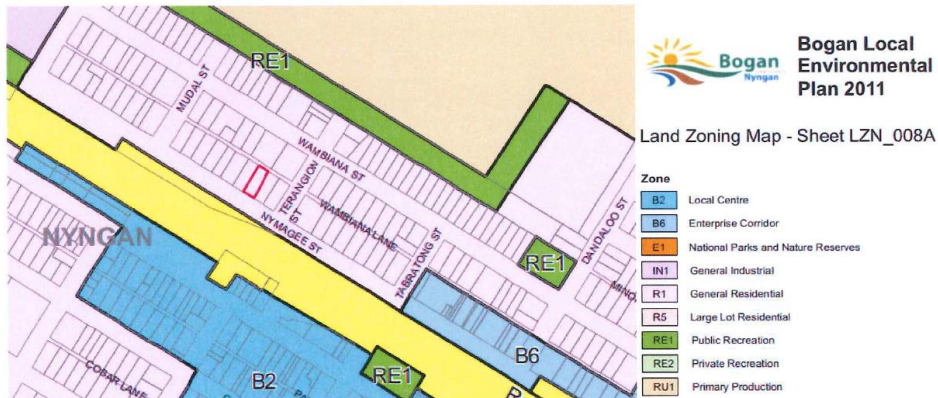


Figure 2: BLEP Land Zoning Map Sheet LZN_008A Extract

The current buildings and past land use of the site was as a mechanical workshop, it is understood that the site ceased operation as a mechanical workshop and has remained unoccupied in recent times. Figure 3 below provides a street view photograph of the previous use of the site.



Figure 3: Photograph of previous mechanical workshop use (Source: Google.com.au/maps/place/)

Cobar Express would like to inform Council of their intention to occupy the site for their use as a 'Freight Transport Facility' for use by their business and drivers alongside 'Rural Supplies' sales store to further support the economic viability of the property. Cobar Express have advised that the site will generally be operated as follows:

- 'Freight Transport Facility' - Would generally be an average of 4 to 6 vehicle movements per day (2 to 3 trucks), would be of a Medium Rigid Vehicle sized truck and would be primarily used as a halfway/safe house for drivers as they transport loads across the region, state and interstate. Ancillary office and loading and unloading activities would occur during normal daylight hours however drivers would be required to arrive and park on site at any time;
- 'Rural Supplies' – Would generally be operated in combination with the freight transport facility and would be open to the public to support the day to day needs of the farming community.



**Manager Development and Environmental Services' Reports to the Ordinary Meeting
of Bogan Shire Council held on 23 October 2014**



- In particular, the display, sale or hire of stock feeds, grains, seed, fertilizers, veterinary supplies and other goods or materials used in farming and primary industry production. The operating hours of the business would be during daylight hours and if feasible 7 days per week.

The R1 – General Residential Land Use Table of the BLEP prohibits the use of the site as a 'Freight Transport Facility' and in this respect a change of zoning is required to facilitate the use of the site for such purposes. It should be noted that the use of the site for 'Rural Supplies' is not prohibited and a Development Application could be lodged now for use of the site in this manner.

The IN1 – General Industrial Land Use Table of the BLEP permits the use of IN1 zoned land as a 'Freight Transport Facility' and 'Rural Supplies'.

As detailed above the site was previously used as a mechanical workshop and comprises of purpose built structures not fit for habitation as a dwelling and therefore any future use of the site for residential purposes would require development application to be lodged with Council.

Additionally, in accordance with the provisions of State Environmental Planning Policy No. 55 – Remediation of Land would require the submission of a contamination investigation report to demonstrate that the site is suitable for residential / habitable purposes.

With the history of the site in mind and having regard to Nyngan's residential land supply and the likelihood of additional development costs beyond that of a standard residential property development in the Nyngan township it is likely that the site would remain vacant until such time that market economics / demand facilitate the feasible development of the site which could be some period of time.

Understanding the history of the site, market economics that would facilitate residential development of the zone and given the immediate development intentions of Cobar Express a more appropriate zone for the site would be IN1 – General Industrial.

In this regard we respectfully request Bogan Shire Council confirm their acceptance for Cobar Express to lodge a Planning Proposal to affect the change in zoning on the site from R1 – General Residential to IN1 – General Industrial?

Additionally, we request Council staff confirm what supporting documentation and reports would be required to accompany such a planning proposal in the future?

We trust that this information is sufficient for Council to make an informed decision on the above matter however should you wish to discuss any matter outlined in this proposal please do not hesitate to contact us.

Yours faithfully
Geolyse Pty Ltd



STEVEN GUY
Senior Town Planner

PRECIS OF CORRESPONDENCE

1 REGIONAL MARKETING PROJECT

Attached is a copy of correspondence regarding a Memorandum of Understanding between the Orana Regional Organisations of Councils' members (OROC members), Mid Western Regional Council and Regional Development Australia Orana (RDA Orana) to assist in the delivery of the Regional Relocation Project which aims to promote the benefit of living, working and investing in the Orana region. At this stage the level of contribution required to be part of the project is \$1,500 per Council.

1.1 Recommendation: For Council's Consideration.

2 WESTERN NSW LOCAL HEALTH DISTRICT

Attached is a copy of correspondence received from Scott McLachlan, Chief Executive of the Western NSW Local Health District concerning the provision of dialysis services to Nyngan. He advises of the levels of dialysis and that the need to expand and fund the service in Nyngan features on the LHDs 2014/15 Asset Strategic Plan.

2.1 Recommendation: For Council's Information.

3 NSW RURAL FIRE SERVICE

Attached is a copy of correspondence received from NSW Rural Fire Services concerning the 10/50 Vegetation Clearing Scheme, introduced on 1 August 2014, a program designed to provide people living near bushland the ability to remove or thin vegetation to improve their protection from bush fires. A number of changes which are listed in the correspondence have since been made and will come into effect 30 September 2014. Councils may wish to review their Bush Fire Prone Land Map in line with the changes and maps should then be formally submitted to the NSW RFS for certification.

Recommendation: For Council's Information.

**Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council
held on 23 October 2014**

4 MARK COULTON MP

Attached is a copy of correspondence received from Mark Coulton MP advising the Australian Government has launched the National Stronger Regions Fund (NSRF). The Fund is an Australian Government initiative to boost productivity and economic development in Australia's regions by funding priority infrastructure projects in local communities. Local Government is eligible to apply and grant funding must be matched in cash on at least a dollar for dollar basis and the funded part of the project must be completed on or before 31 December 2019.

Recommendation: For Council's Consideration.

5 WEEKLY CIRCULARS

Weekly Circulars 36/14 to 39/14 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.

GRANTS AND FUNDING

LG Weekly 36/14 – 19 September 2014

Public Reserves Management Fund – Round Two Open

NSW Councils are encouraged to apply for funding in round two of the Public Reserves Management Fund.

Applications Open for Community Resilience Innovation Program

The NSW Ministry for Police and Emergency Services (MPES) encourages Councils to apply for natural disaster resilience funding through the Community Resilience Innovation Program (CRIP).

LG Weekly 37/14 – 26 September 2014

Preschool Funding Model Training – October and November

Regional training days are being held for preschool providers to help them meet requirements to operate effectively under the Preschool Funding Model.

Round 2 EPA Major Resource Recovery Infrastructure Grants Open

The Environment Protection Authority (EPA) and the Environmental Trust are calling for applications under Round 2 of the Major Resource Recovery Infrastructure Grants Program.

LG Weekly 38/14 – 3 October 2014

Creating Liveable Communities – Prizes Available

Councils in NSW are encouraged to submit their ideas to receive prize money for projects that make their community more livable for carers, older people and people with disability.

**Grants and Funding to the Ordinary meeting of Bogan Shire Council
held on 23 October 2014**

Natural disaster Funding Arrangements Draft Report

The Productivity Commission has released the draft report for the Natural Disaster Funding Arrangements Inquiry. The draft report includes a range of recommendations, many will impact on Local Government. Councils are encouraged to lodge submissions on the draft report.

LG Weekly 39/14 – 3 October 2014

National Stronger Regions Fund Open

Round One of the National Stronger Regions Fund is now open. Economic enhancement grants are available between \$20,000 and \$10 million. Councils are encouraged to apply.

Landfill Consolidations and Environmental Improvements Grants Program

Eligible Councils and regional groups of Councils are encouraged to apply for a share of \$7 million to fund landfill consolidation, closure and environmental improvements.

Grants open for the 20 Million Trees Program

Councils are encouraged to apply for the first competitive grants round of the Australian Government's Trees Program. The Program aims to have the Australian community plant 20 million trees by 2020.

