



# **BOGAN SHIRE COUNCIL**

## **Business Paper**

**28 May 2015**



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**21 May 2015**

## **COUNCIL MEETING NOTICE**

The next Ordinary Meeting of Council will be held in the Council Chambers, Nyngan on Thursday 28 May 2015 at 9.30am.

At 10.00am, Mr Phil Standen, Regional Manager Western, and Mr Peter Stitt, Asset Manager of RMS will address Council.

### **AGENDA**

1. Opening Prayer
2. Remembrances
3. Apologies
4. Declarations of Interest
5. Manager Engineering Services Confidential Report
6. Confirmation of the Minutes of the Extraordinary Meeting (Estimates) of Council held on 14 May 2015
7. Confirmation of the Minutes of the Council Meeting held on 23 April 2015
8. Committee Meeting Minutes
9. General Manager's Report incorporating reports from:-
  - Manager of Corporate Services
  - Manager of Engineering Services
  - Manager of Development and Environmental Services
10. Correspondence
11. 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 28 May 2015**

**COMMITTEE MEETING MINUTES**

**1 NYNGAN MUSEUM**

Attached are the Minutes of the Museum Committee Meeting held on Wednesday 1 April 2015.

**1.1 Recommendation**

That the Minutes of the Museum Committee Meeting held on Wednesday 1 April 2015 be received and noted.

**Committee Meetings' Minutes to the Ordinary Meeting of Bogan Shire Council  
held on 28 May 2015**

**MUSEUM MEETING WEDNESDAY 1<sup>st</sup> April 2015**

**Meeting Commenced 9.30am**

**PRESENT:**

Val Keighran (Chair), Val Hardwig, Stewart McKenzie, Sharon Thompson, Tammy Trothe, Glad Eldridge, Hugh Sibbald, Margaret Sibbald, Glad Eldridge, Ray Donald, Yvonne Pardy, Colin Pardy, Anna Corby and Donna Pampa.

**APOLOGIES:**

Peter Keighran, Edna Boss, Bay Lovett.

The minutes and Treasurers report were read by Tammy Trothe.  
Carried by Glad Eldridge, Seconded by Val Hardwig.

**Special Guest:**

Shirley Biddulph – has recently moved from Bourke and now residing in Nyngan.

**Business Rising**

None

**Correspondence**

\* ANZAC programm draft

Carried Stewart McKenzie, Seconded by Glad Eldridge

**General Business**

- Ray Donald asked if the Solar people had made contact – the answer was no.
- Ray Donald as OH&S was good. Signage can be cleaned up.
- Internet is up and running, Mrs. Corby is happy.
- Open Day went well with approx. 30 people coming through.
- Tourist Guide to update data.
- Council is applying for “i” accreditation, signs along the road and at Museum.
- ANZAC week:  
All wreaths done.  
Advertising to tell people of the display a available and dates available.
- Flood remembrance activities to be done in May as can update and re-vamp of flood displays.
- Anyone can join the ANZAC marchers and march from the Heritage park area and will be put behind veterans.
- Glad Eldridge pointed out the display cupboards need to be dusted.



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- Lights in Mines display room cant be done until Brian Morris is available.
- Board with faces needs to be looked into. Design needs to be finalised. Can't use Bogan as one as it is already designed near river. Perhaps a smaller version could be used at Museum.

**Coordinators Report**

- Keep written tallies.
- Purchase a new wireless printer. \$80.00 at the Post Office.

Moved Ray Donald  
Seconded Tammy Trothe

- Mannequin for the Air Force uniform - \$160.00

Moved Val Keighran  
Seconded Sharon Thompson

Meeting Closed 10am



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**Monthly Banking  
For April 2015**

Visitors Through Museum		Adults	Children
		31	5
		62	16
		56	4
		61	1
		\$ 93.00	\$ 5.00
		\$ 186.00	\$ 16.00
		\$ 168.00	\$ 4.00
		\$ 183.00	\$ 1.00
<b>TOTAL</b>		<b>210</b>	<b>26</b>
		<b>\$ 530.00</b>	<b>\$ 26.00</b>

DATE	Sales	Visitors	Surplus/shortage
6/04/2015	\$ 13.00	\$ 98.00	\$ 12.00
13/04/2015	\$ 75.00	\$ 202.00	\$ -
20/04/2015	\$ 59.50	\$ 172.00	\$ 1.10
27/04/2015	\$ 78.50	\$ 184.00	\$ -
<b>TOTAL</b>	<b>\$ 226.00</b>	<b>\$ 656.00</b>	<b>\$ 13.10</b>

Visitors Through Museum 236

MONTHLY BANKING \$ 895.10

Monthly Surplus/Shortage \$ 13.10



**Committee Meetings' Minutes to the Ordinary Meeting of Bogan Shire Council  
held on 28 May 2015**

**2 OROC BOARD MEETING**

Attached are the Minutes of the OROC Board Meeting held on Friday 1 May 2015.

**1.2 Recommendation**

That the Minutes of the OROC Board Meeting held on Friday 1 May 2015.



**Committee Meetings' Minutes to the Ordinary Meeting of Bogan Shire Council  
held on 28 May 2015**

**Minutes of the OROC Board Meeting**

held at Warren Sporting and Cultural Centre, Warren

On Friday 1st May 2015, at 9.30 am

**1. Meeting Open and apologies**

**Present:** Gary Woodman, General Manager Cobar; Clr Peter Abbott, Deputy Mayor Cobar Shire; Steve Loane, General Manager Warrumbungle Shire; Dan Simmons, General Manager Brewarrina Shire; Don Ramsland, General Manager Walgett Shire; Clr David Lane, Mayor Walgett Shire; Derek Francis, General Manager Bogan Shire; Clr Jim Hampstead, Deputy Mayor Bogan Shire; Clr Doug Batten, Mayor Gilgandra Shire; Neil Alchin, Director Corporate and Business Services, Gilgandra Shire; Clr Bill McAnally, Mayor Narromine Shire; Mark Riley, General Manager Dubbo City; Clr Rex Wilson, Mayor Warren Shire Council; Ashley Wielinga, General Manager Warren Shire; Ross Earl, General Manager Bourke Shire; Clr Al Karanouh, Mayor Coonamble Shire; Rick Warren, General Manager Coonamble Shire; John Walkom, Chair RDA Orana and Belinda Barlow OROC Executive Officer.

**Apologies:** Clr Andrew Lewis, Mayor Bourke Shire; Greg Lamont, General Manager Narromine Shire; Clr Mathew Dickerson, Mayor Dubbo City; Clr Ray Donald, Mayor Bogan Shire; Clr Peter Shinton, Mayor Warrumbungle Shire; Clr Rod Buhr, Mayor Wellington Council; Karen Roberts, Acting General Manager, Wellington Council; Paul Mann, General Manager, Gilgandra Shire; Clr Lilliane Brady, Mayor Cobar Shire and Clr Angelo Pippas, Brewarrina Shire;

The meeting was opened at 9.30 am by OROC Chair Clr Bill McAnally.

At this juncture the Chair expressed, on behalf of OROC, sympathies to Ray and Di Donald on the passing of their son David and to Rex and Robin Wilson who are cousins to David Donald.

The Chair also extended, on behalf of OROC, get well wishes to Mayor of Cobar, Councillor Lilliane Brady, and also to Mayor of Dubbo, Councillor Mathew Dickerson.

Mayor of Warren Shire Clr Rex Wilson welcomed the OROC Board to Warren.

**Motion:** *That the apologies be accepted by the OROC Board.*

**Moved:** *Clr David Lane* **Seconded:** *Steve Loane* **CARRIED**

**Committee Meetings' Minutes to the Ordinary Meeting of Bogan Shire Council  
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## **2. Energy and Management Services (EMS)**

Peter and Andrew Halyburton from Energy and Management Services have been engaged by OROC Member Councils to negotiate the renewal of electricity supply contract for various contestable sites and street lighting.

The current electricity supply for OROC is due to expire on 30 June 2015 and requires a contract in place for both contestable sites and street lighting.

Peter and Andrew Halyburton of Energy and Management Services addressed the OROC Board and provided a comprehensive overview of the current electricity market and an analysis in response to a pricing request (16th April 2015) for OROC Members. The Board were advised that there were 4 leading Retailers who responded to the pricing request made by OROC and offers that were received were of high quality and highly competitive.

A final analysis of prices undertaken by Energy and Management Services determined that Momentum Energy offered the best 1, 2 and 3 year contracts for contestable sites and street lighting with a \$29,591 (2.8%) advantage over EnergyAustralia for the first year. For year 2, Momentum Energy provided a \$42,169 (3.8%) advantage over the offer from Energy Australia and \$61,860 (5.3%) advantage in year 3.

**Motion:** *1. That OROC Members accept Momentum Energy as the preferred Energy provider for contestable sites and streetlighting for a 3 year period.*

*2. That this contract be subject to Momentum Energy offering 30 day payment terms and that a separate metering agreement be investigated.*

**Moved:** Ashley Wielinga **Seconded:** Mark Riley **CARRIED**

At this juncture Peter and Andrew Halyburton from Energy and Management Services left the meeting.

## **3. Confirmation of previous OROC Board Meeting Minutes**

**Motion:** *That the minutes of the meeting of OROC held in Dubbo on Friday 20 February 2015 be accepted as a true and accurate record of that meeting.*

**Moved:** Clr Al Karanouh **Seconded:** Clr Doug Batten **CARRIED**

**Committee Meetings' Minutes to the Ordinary Meeting of Bogan Shire Council  
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**4. Confirmation of previous GMAC Meeting Minutes**

**Motion:** *That the minutes of the meeting of GMAC held in Dubbo on Friday 17 April 2015 be accepted as a true and accurate record of that meeting.*

**Moved:** *Clr Doug Batten* **Seconded:** *Steve Loane* **CARRIED**

**Motion:** *That the 9 recommendations contained therein be adopted by the OROC Board.*

**Moved:** *Clr Al Kananouh* **Seconded:** *Don Ramsland* **CARRIED**

**Recommendations:**

**1:** That OROC extend an invitation to Gary Humphries, Chief Operating Officer, Essential Energy to the July 2015 OROC Board Meeting to discuss the final determination of the Australian Energy Regulator (AER) in respect to Street Lighting costs for the ensuing period. (2014-2019).

**2i:** That OROC recommends Dubbo City Council's Director Environmental Services, Melissa Watkins be requested to represent OROC members, and engage with NSW Planning and Infrastructure to provide input into the Central West/Orana Regional Growth Plan

**2ii:** That Dubbo City Council's Director Environmental Services, Melissa Watkins be requested to provide OROC with updates on the Orana Regional Growth and Infrastructure Plan; noting that any emerging issues in the Plan development to be discussed with OROC.

**3: a)** That the OROC Chair be requested to make urgent representations both by way of a face to face meeting with The Hon Troy Grant, Deputy Premier and Minister for Police and Justice along with a delegation of OROC Mayors and further correspond with The Hon Troy Grant raising concern in respect of the loss of Court House Services and proposed closures, particularly highlighting the region's considerable concerns at the continual erosion of government services from rural and regional communities.

**b)** That OROC also correspond with The Hon Sarah Mitchell, Parliamentary Secretary for Western NSW, providing her with a copy of the correspondence received from The Hon David Clarke, Parliamentary Secretary for Justice, raising concerns in respect of the loss of Court House Services and proposed closures, particularly highlighting the region's considerable concerns at the continual erosion of government services from rural and regional communities.

**4:** That OROC extend an invitation to The Hon Sarah Mitchell MLC, Parliamentary Secretary, for Rural and Regional Health and Western NSW to the OROC Board Meeting to be held on Friday 1 May, 2015 to discuss issues affecting the Orana Region of Western NSW.

**Committee Meetings' Minutes to the Ordinary Meeting of Bogan Shire Council  
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**5:** That the OROC Executive Officer together with the GMAC Chair determine a 'Statement of Regional Priorities' as part of the process of revising the OROC Regional Strategic Plan for consideration at a future meeting of OROC.

**6:** That OROC acknowledge Matt Parmeter, Solar Exchange Initiative Co-ordinator for his effort in developing the Solar Exchange Initiative Project.

**7:** That OROC respond to the Local Government Minister in respect to the considerable concern of cost shift activities on OROC member councils, highlighting the serious nature of cost shift and continued erosion of government services in the region.

**8:** That OROC correspond with LGNSW President and Chief Executive, Premier and Deputy Premier and Parliamentary Secretary of Western NSW in respect to OROC's considerable concern of cost shift activities on member councils, highlighting the serious nature of cost shift and continued erosion of government services in the region. Requesting for LGNSW to make representation to IPART on cost shift figures recorded over the years.

**9:** That the Finance Professional Team and the Human Resources and Learning Development Team meet together later in the year to identify and determine future direction of each Team.

**Motion:** *That the 26 determinations contained therein be endorsed by the OROC Board noting that in respect of determination 10. as below, Nyngan is to be acknowledged in further correspondence to NSW Government in respect of loss of Court House Services.*

**Moved:** Mark Riley **Seconded:** Gary Woodman **CARRIED**

**Determinations:**

**1.** That the apologies be accepted.

**2.** That the Minutes of the previous GMAC Meeting held 20 February 2015 in Dubbo be adopted.

**3.** That the correspondence received by Essential Energy in respect to Essential Energy's revised regulatory proposal.

**4:** That GMAC note the revised street lighting charges proposed by Essential Energy for the ensuing period. (2014-2019)

**5:** That GMAC note Peter Halyburton, Energy and Management Services has been invited to present at the OROC Board Meeting with an update of the Australian Energy Regulator's (AER) final determination on street lighting charges (2014-2019) and the current OROC electricity contracts.



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- 6:** That GMAC note Energy and Management Services will be conducting e21 EnergyPlus software training for relevant council staff on Friday 1 May in Warren and that all councils are encouraged to send staff to this training.
- 7:** That OROC Executive Officer be requested to inform NSW Planning and Infrastructure that Dubbo City Council's Director of Environmental Services Melissa Watkins will represent OROC members during the process of developing the Orana Regional and Infrastructure Growth Plan.
- 8:** That GMAC Chair Mark Riley be requested to inform Dubbo City Council's Director of Environmental Services of OROC's recommendation.
- 9:** That Dubbo City Council's General Manager and Director of Environmental Services discuss the need to establish an OROC Regional Planning Professional Team.
- 10:** That GMAC notes the response from The Hon David Clarke MLC, NSW Parliamentary Secretary for Justice in respect to the lack of consultation with local government during the review period of Court House Services in the region.
- 11:** That the report of the Central West, Orana and Far West Regional Leadership Group meeting be noted by GMAC.
- 12:** That GMAC note that the next Regional Leadership Group is to be held on 12 May 2015 in Dubbo and the Far West Regional Leadership Group meeting is to be held in Broken Hill on 20 May 2015.
- 13:** That GMAC note the correspondence received from Minister Toole outlining the NSW Coalition's position on Local Government reform.
- 14:** Discussion took place in respect to Pilot Joint Organisations, Fit for the Future and the Far West Initiative and each GMAC member gave an update on each council's 'Fit for the Future' position and future proposal.
- 15:** That GMAC note that delegates representing Dubbo City Council and Gilgandra Shire Council will be attending the LGNSW Regional Collaboration and Shared Services Roundtable on 29 and 30 April 2015 in Sydney; and that the delegate from Gilgandra Shire be asked to provide a verbal update to OROC Board Members at the next meeting.
- 16:** That information supplied by RDA Orana in respect to the Orana and Far West Regional Audit and Infrastructure Plan be noted.



**Committee Meetings' Minutes to the Ordinary Meeting of Bogan Shire Council  
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**17:** That the report of the Mining Development Taskforce Meeting held on 4 March 2015 be noted.

**18:** That GMAC acknowledge the Solar Exchange Initiative Project has gained support from the NSW Legislative Council and Federal Senate.

**19:** That the OROC Correspondence be accepted.

**20:** That the financial report for period ending 23 March 2015 be accepted.

**21:** That the Executive Officer's report be accepted.

**22:** That GMAC note the OROC Financial Professional Team meeting minutes.

**23:** That GMAC note the Orana Risk and Safety Management minutes.

**24:** That GMAC note the OROC HR & LD Team meeting minutes.

**25:** That GMAC note information in respect to the Internal Audit current three (3) year arrangement is now finalised with a future process yet to be determined by its members.

**26:** That GMAC note the information in respect Emissions Reduction Fund and request that M2100 further discuss any opportunity to attract funding to the region with Matthew Parmeter, Co-ordinator of the Solar Exchange Initiative project.

## **5. Business Arising**

### **5.1 Joint Organisations/Fit for the Future/Far West Initiative**

The OROC Board gave consideration to the sharing of information between Member Councils that are undertaking submissions (Template 2 and Template 3) under the Fit for the Future reform process.

**Motion:** *That member Councils that are preparing Fit for the Future submissions, being Templates 2 and 3, under the Local Government Reform process be requested to share copies of their submissions with relevant Members.*

**Moved:** Mark Riley **Seconded:** Gary Woodman **CARRIED**





**Committee Meetings' Minutes to the Ordinary Meeting of Bogan Shire Council  
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## **5.2 OROC Weather Radar**

The meeting was advised that the recently appointed Minister for Primary Industries, Niall Blair, had been forwarded a copy of the OROC Weather Radar Study.

Prior to the March 2015 State Government election Member for Dubbo and Deputy Premier, Troy Grant indicated to OROC Chair, that any funding allocated in State Government's 2015 Drought Strategy is to go towards the construction of a weather radar service in Western NSW.

**Motion:** *That OROC write to the Minister for Primary Industries, Niall Blair, and Member for Dubbo and Deputy Premier thanking Government for their election commitment of \$2.5 million to work with the Bureau of Meteorology to develop enhanced network weather stations across the state and in this regard, requesting that a weather radar facility be constructed to service the Western Region on the current Bureau of Meteorology site at Cobar.*

**Moved:** *Clr Doug Batten* **Seconded:** *Ross Earl* **CARRIED**

## **5.3 NSW Attorney General – Court House Services**

A determination in respect of this matter has already occurred as part of the "Report of Previous GMAC Meetings" component of these minutes.

## **5.4 NSW Planning and Environment**

A determination in respect of this matter has already occurred as part of the "Report of Previous GMAC Meetings" component of these minutes.

## **5.5 Cost Shifting**

The OROC Board had before it correspondence dated 3 March 2015 from The Hon Paul Toole, Minister for Local Government, in respect to the issue of cost shifting. A determination in respect of this matter has already occurred as part of the "Report of Previous GMAC Meetings" component of these minutes.

## **5.5 Regional Airlines**

The OROC Board had before it correspondence dated 12 March 2015 from The Hon Warren Truss, Minister for Infrastructure and Regional Development in respect of the issue of regional airlines continuing to fly in and out of Sydney Airport (Mascot) once Badgerys Creek is operational.

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**Motion:** *1. That the correspondence from The Hon Warren Truss, Minister for Infrastructure and Regional Development, be noted.*

*2. That OROC proceed to write to Sarah Mitchell, Parliamentary Secretary for Western NSW, supporting the advancement of securing a regular air services between Walgett, Bourke and Dubbo.*

**Moved:** Ross Earl **Seconded:** Clr David Lane **CARRIED**

### **5.7 NSW Local Government Minister**

The OROC Board had before it correspondence dated 5 March 2015 from The Hon Paul Toole, Minister for Local Government in respect to the State Government's position on Local Government reform post the March 2015 NSW State election.

**Motion:** *That the correspondence from The Hon Paul Toole be noted.*

**Moved:** Clr Doug Batten **Seconded:** Clr Rex Wilson **CARRIED**

### **5.8 Orana and Far West Regional Audit and Infrastructure Plan – RDA Orana**

The OROC Board had before it information in respect of the Orana and Far West Regional Audit and Infrastructure Plan.

**Motion:** *That the information regarding the progress of the Orana and Far West Regional Audit and Infrastructure Plan be noted.*

**Moved:** Clr Bill McAnally **Seconded:** Don Ramsland **CARRIED**

### **5.9 Western Mining and Resource Development Taskforce**

The OROC Board had before it information supplied by Alison McGaffin, NSW Premier and Cabinet in respect of an update on the Western Mining and Resource Development Taskforce.

**Motion:** *1. That the information regarding the progress of the Western Mining and Resource Development Taskforce be noted.*

*2. That OROC proceed to write to Sarah Mitchell, Parliamentary Secretary for Western NSW indicating the significance of the work undertaken by the Western Mining and Resource Development Taskforce Group and NSW Mining Related Councils.*

**Moved:** Steve Loane **Seconded:** Derek Francis **CARRIED**

### **5.10 Solar Exchange Initiative**

The OROC Board had before it information supplied by Matt Parmeter in respect of the Solar Exchange Initiative.

**Motion:** *That the information regarding the Solar Exchange Initiative be noted.*

**Moved:** *Clr Doug Batten* **Seconded:** *Don Ramsland* **CARRIED**

### **5.11 LGNSW Invitation to OROC Board Meetings**

The OROC Board had before it information in respect of the inability of LGNSW President, Chief Executive and Executive Members to attend the OROC Board Meeting on 1 May 2015.

**Motion:** *That such information be noted.*

**Moved:** *Clr Doug Batten* **Seconded:** *Steve Loane* **CARRIED**

## **6. OROC Correspondence**

**Motion:** *That the OROC correspondence be accepted.*

**Moved:** *Mark Riley* **Seconded:** *Clr Rex Wilson* **CARRIED**

## **7. OROC Financial Report**

**Motion:** *That the OROC financial report for the period ending 23 March 2015 be accepted by the OROC Board.*

**Moved:** *Clr Rex Wilson* **Seconded:** *Clr Doug Batten* **CARRIED**

## **8. OROC Executive Officers Report**

**Motion:** *That the OROC Executive Officer's Report be accepted by the OROC Board.*

**Moved:** *Clr Rex Wilson* **Seconded:** *Clr Doug Batten* **CARRIED**

## **9. Lower Macquarie Water Utilities Alliance**

Stewart McLeod, Director Technical Services Dubbo City Council and LMWUA Project Officer, David Swann joined the meeting.

**Committee Meetings' Minutes to the Ordinary Meeting of Bogan Shire Council  
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**9.1 Minutes from previous LMWUA Board Meeting held 20 November 2014**

**Motion:** 1. *That the minutes of the LMWUA Board Meeting held in Dubbo on Friday 20 November 2014 be accepted as a true and accurate record of that meeting.*

2. *That it be recorded that the General Manager of Warrumbungle Shire Council, Steve Loane, had previously submitted an apology in respect of this meeting.*

**Moved:** *Clr Rex Wilson* **Seconded:** *Ross Earl* **CARRIED**

**9.2 Minutes from LMWUA Technical Committee Meeting held 24 February 2015**

**Motion:** *That the minutes of the LMWUA Technical Committee held on 24 February 2015 be accepted as a true and accurate record of that meeting.*

**Moved:** *Ashley Wielinga* **Seconded:** *Stewart McLeod* **CARRIED**

**9.3 Minutes from LMWUA Technical Committee Meeting held 21 April 2015**

**Motion:** 1. *That the minutes of the LMWUA Technical Committee held 21 April 2015 be accepted as a true and accurate record of that meeting.*

2. *That a letter of thanks be sent to Narromine Shire Council for their efforts in regards to designing and hosting the LMWUA website.*

**Moved:** *Stewart McLeod* **Seconded:** *Ashley Wielinga* **CARRIED**

**9.4 LMWUA Project Officer's Report**

**Motion:** 1. *That the LMWUA Project Officer's report be accepted.*

2. *That the following Actions are to be discussed by the LMWUA Technical Committee.*

- i) Currency of Best Practice Planning (Action 1)
- ii) Documentation of Asset Maintenance Procedures (Action 2)
- iii) Alliance keeps abreast of possible grants and awards (Action 4)

**Moved:** *Clr Rex Wilson* **Seconded:** *Stewart McLeod* **CARRIED**

## **9.5 LMWUA Business Plan and Regional Strategy: Implementation Plan**

**Motion:** *That the LMWUA Business Plan and Regional Strategy be adopted.*

**Moved:** *Gary Woodman Seconded: Stewart McLeod CARRIED*

## **9.6 LMWUA Matters without notice and General Business**

There were no further LMWUA matters discussed.

## **10. OROC General Business**

### **10.1 Joint Organisations – Fit for the Future**

Mayor Gilgandra Shire Council Clr Doug Batten provided the OROC Board a comprehensive overview of the Regional Collaboration and Share Services LGNSW Roundtable that he attended on 29 and 30 April 2015. Issues raised included:

- Pilot JO's – challenges include engagement between all levels of government.
- There is not a 'one size that fits all' approach in respect of the Pilot JO's – there are varying models being established by the Pilot regions.
- The Pilot JO governance appears to be an emerging challenge – areas of conflict/mediation process still needs to be determined.

**Motion:** *That such information be noted.*

**Moved:** *Clr Doug Batten Seconded: Mark Riley CARRIED*

### **10.2 IPART – Methodology for Assessment of Council Fit for the Future Proposals**

The Executive Officer advised the OROC Board of the recent release of the Methodology Consultation Paper by IPART as the Expert Advisory Panel for the assessment of Council's Fit for the Future Proposals. Further advice was provided that South Australian Local Government representative John Comrie has also been appointed to the Expert Advisory Panel to review local councils Fit for the Future submissions. Submissions on this paper are due 25 May 2015 with a public forum to discuss the paper being held in Dubbo on 15 May 2015.

**Motion:** *That each Member Council make its own submission if necessary to IPART in respect of the Methodology for Assessment of Council Fit for the Future Proposals.*

**Moved:** *Clr Jim Hampstead Seconded: Ross Earl CARRIED*

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### **10.3 Centenary of Anzac Day**

Member Councils reported in respect of individual activities undertaken in their respective localities to commemorate the Centenary of Anzac Day 2015.

***Motion:** That it be noted that Centenary of Anzac Day events across the entire region were very well supported.*

***Moved:** Clr Rex Wilson **Seconded:** Clr Al Karanouh **CARRIED***

### **10.4 Regional Development Australia - Orana update**

Chair of RDA - Orana, John Walkom provided an update on RDA – Orana activities to the Board as follows:

- Orana Bio-hub project – this project is a green waste composting initiative that is proposed to receive and process green garden waste from the Dubbo Local Government Area and surrounding areas.
- Orana Carbon Project – this project is an opportunity for diversification in rangeland areas of Western NSW. The establishment of Emissions Reduction Fund by the Federal Government will allow funding to spread throughout other sectors of the region's economy. Department of Environment will be in the region during May and will be travelling to parts of the region to discuss opportunities for attracting funding under their program with industry, community and local government.
- RDA - Orana continues to have a steady flow of regional immigration certifications along with a 402 Visa for Korean nationals that are currently studying in the region.
- RDA - Orana had met with a delegation from the Narromine Economic Development Group requesting that RDA - Orana facilitate discussions with relevant government bodies to increase water allocations for productive use in the Macquarie Valley.

***Motion:** 1. That such information be noted.*

*2. That OROC proceed to write to RDA - Orana requesting the Department of Environment travel to outlying areas of the region in respect to marketing the Emissions Reduction Fund.*

***Moved:** Ross Earl **Seconded:** Gary Woodman **CARRIED***

### **11. Close / Next Meeting**

Meeting closed 1.25 pm.

The next OROC Board Meeting is to be held on Friday 31 July 2015 in Lighting Ridge.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
held on 28 May 2015**

**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	28/06/2012	179/2012	<b>Dog Pound</b>	Construction of the new dog pound in the location closer to the main road in the airport complex.	<b>MDES</b>	<b>UPDATE:</b> Main structure completed to lockup stage. Rural perimeter fence and security chainwire fence erected. Water supply nearing completion. Mulch material and trees planted on western elevation. Commission date late June 2015.
2	26/07/2012	193/2012	<b>Transfer of Land – Nymagee St 5,7 &amp; 9</b>	Council seek EOI to demolish the subject dwelling & associated structures including removal of excessive vegetation.	<b>MDES</b>	<b>UPDATE:</b> Removal of asbestos programmed for June 2015 with completion by end of July 2015.

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3	25/10/2012	315/2012	<b>Local Heritage Sites</b>	When new VIC commences, signpost heritage sites with heritage colour and erect sign with the history of each location.	<b>GM</b>	Pending accreditation of new VIC. Accreditation approved. <b>UPDATE:</b> Design of signs underway.
4	13/12/2012 28/03/2013	418/2012 098/2013	<b>Davidson Park Revitalisation Program</b>	Council remove the entire playground, equipment, associated ground cover, fencing & park-bench seating with shelter. Establish paving pathways to the mural.	<b>MDES</b>	<b>UPDATE:</b> <b>Most works completed. Due to lack of staff balance of works to be reprogrammed to 2015/2016.</b>
5	28/02/2013	043/2013	<b>Waste Management – Village Waste Depot Operations</b>	Program of Works for Hermidale & Girilambone be commenced immediately.	<b>MDES</b>	<b>Girilambone:</b>  Completed with exception of asbestos disposal program. Issues with WorkCover requirements final clean-up, specialised equipment required.  Suitable equipment located, waiting on contractor.



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6	26/06/2013	258/2013	<b>Traffic Committee Recommendations</b>  <b>Pre School Parking</b>	RMS to re-examine the intersection design including: <ul style="list-style-type: none"> <li>Installing blister on the western side of Moonagee St for "Give Way" sign.</li> </ul>	<b>ENG</b>	Engineering preparing design options and estimates for consideration during 2014/2015. Proposal and Estimate sent to RMS. RMS to fund blister.  Funding approved. <b>COMPLETED</b>
7	23/04/2013	124/2013	<b>Flood Insurance</b>	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.	<b>ENG</b>	Insurance Council has requested flood study information.  Insurance Council advised that Council has adopted the Nyngan Flood Study.
	23/10/2014	385/4014		Council request the Insurance Council of Australia to advise all insurance companies that Nyngan is not a flood prone town, is protected by a levee bank as demonstrated in BSC Flood Study.		Insurance Council requested additional information which has now been provided to them.  Awaiting confirmation from Insurance Council that all companies have been advised accordingly.
	23/04/2015	101/2015				

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				Council forward a follow-up letter asking if all companies have been advised Nyngan is not a flood prone town.	<b>GM</b>	<b>UPDATE: Letter sent. COMPLETED</b>
8	19/12/2013	532/2013	<b>Rezoning of Rural Land Outside the Nyngan Township</b>	Report on estimated cost be provided to February 2014 Council meeting prior to progressing with the proposal.	<b>MDES</b>	Planning proposal lodged with the NSW Department of Planning and Infrastructure.  Gateway Determination: Rezoning to proceed subject to conditions.
9	27/02/2014	006/2014	<b>Medical Services</b>	Pursue & make enquiries into using the Nyngan Multipurpose Service Centre & waiting rooms to attract an additional Medical Officer with VMO rights.	<b>GM</b>	Discussions with Senior Management of NSW Western LHD ongoing – use of MPS is a possibility.
	26/06/2014	199/2014		GM pursue options for obtaining funding for the construction of a new medical centre.		Grant application to be made for 2015 round of National Stronger Regions Fund.

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10	27/03/2014	066/2014	<b>Heritage Park</b>	Order & plant a grove of trees surrounding the sandstone blocks & plant Lone Pine tree.	<b>MDES</b>	<b>COMPLETED</b>
11	22/05/2014	182/2014	<b>Teamster Rest Area</b>	Cobb & Co Coach & Bullock Wagon location – confirm quotations and budget allowing progress without delay.	<b>MDES</b>	<p><b><u>UPDATE:</u></b>  <b>Cladding and internal linings and roller-doors installed all trimmings completed. Trees planted along railway fence line as screening.</b></p> <p>Initial ground level filling commenced.  Project completion date late June 2015 as awaiting front awning and power supply.  Delays due to limited available staff &amp; other projects.</p>
12	22/06/2014	209/2014	<b>Tourist Information Bay</b>	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.	<b>GM</b>	<p>Information supplied to AGL – awaiting response on sponsorship.</p> <p>Tritton Mines also approached for sponsorship.</p> <p><b><u>UPDATE:</u></b>  <b>RMS require a DA, currently being prepared.</b></p>

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	23/04/2015	129/2015		Report be submitted to Council on various locations for the Tourist Information Bay and the Big Bogan Statue.	<b>Eng</b>	<b>UPDATE:</b> <b>Report to May Council Meeting refers.</b>  <b>COMPLETED</b>
13	23/10/2014	386/2014	<b>Sports Insurance</b>	Council write to all Shire Sporting Clubs' controlling bodies asking to explain what the premiums paid from the local Club are used for.	<b>MCS</b>	Report to April 2015 Council Meeting refers.
	23/04/2015	114/2015		Council write to Minister for Sport and Recreation raising issues & requesting information on how insurance fees paid by sporting clubs are spent.		<b>UPDATE:</b> <b>Action pending.</b>
14	26/09/2014	362/2014	<b>Nyngan Waste Management &amp; Resource Facility</b>	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.	<b>MDES</b>	Assumptions included in draft budget. Further report to Council July 2015.

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15	26/09/2014	363/2014	<b>Fire Safety Audit Program</b>	Further report on progress of compliance with Program.	<b>MDES</b>	Fire Safety Audit Reports (FSARs) to all selected properties completed. Meetings held with several owners/Board of Directors.
	26/02/2015	033/2015		Legal proceedings including the issuing of Notices and Orders to commence against the owner/occupier of any premises who fails to confirm their agreement to comply with the findings of the Fire Safety Audit Report.		Efforts still being made to have owners upgrade building voluntary.
	23/04/2015	102/2015		Council place an article in the Nyngan Observer advising residents of the Fire Safety Program.		<b>UPDATE:</b> <b>Action pending.</b>
16	27/11/2014	445/2014	<b>O'Reilly Park</b>	Report to March 2015 Council Meeting on the overall budget expenditure for the project.	<b>MDES</b>	<b>UPDATE:</b> <b>Playground operational. Report on project expenditure to be submitted in June 2015.</b>

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						<b>Additional softfall material required throughout in July, once current material has compacted within next few months.</b>
17	26/02/2015	024/2015	<b>Long Day Care</b>	<p>1. Council commit \$250,000 towards the construction of the facility in the 2015/16 Capital Budget.</p> <p>2. The western portion of Lot 111, DP721218, Dandaloo Street be the preferred location.</p> <p>3. A loan be raised for Council's contribution to the project.</p>	<b>MCS</b>	Plans for a 43 Place Centre at Lot 111, DP721218 Dandaloo Street are being drawn up. These will be submitted to the Education Dept along with a report by 30 June 2015 in an attempt to gain Stage 2 funding of \$450,000.
18	26/02/2015	034/2015	<b>Street Trees</b>	An Arborist Report be obtained and a report to April 2015 Council Meeting.	<b>MDES</b>	<b>UPDATE:</b> Arborist inspected nominated trees and now awaiting Arborist report. Report to June meeting subject to submission of Arborist Report

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19	26/02/2015	042/2015	<b>Chinese Portion – Nyngan Cemetery</b>	Repairs to the burner be carried out in the current year's program.  Other upgrading matters be considered in 2015/16 estimates.	<b>MDES</b>	<b>UPDATED:</b> <b>Awning structure erected awaiting on brick layer to carry out repairs.</b>  <b>Report to Council July 2015.</b>
20	26/03/2015	077/2015	<b>Traffic Committee Recommendations</b>	Council request RMS to provide funding to:- <ul style="list-style-type: none"> <li>• Install bollards and "No Stopping" signs either side of Cannonbar / Nyngan Streets;</li> </ul> <hr/> Council trim trees & relocate signs in Pangee Street at the Moonagee Street intersection.  Council relocate "Give Way" sign & holding line from Nymagee Street into Moonagee Street. Provide a "Children Crossing" Warning sign in Nymagee Street.	<b>ENG</b>	RMS funding approved.  <b>COMPLETED</b>  <hr/> <b>UPDATE:</b> <b>Programmed for May</b>

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				Council look at ways of decorating the overhead camera structure on the eastern side of town.		Write to RMS – in progress.
21	23/04/2015	107/2015	<b>Telstra</b>	Write to Telstra Ombudsman expressing concerns on behalf of residents who have issues. Copy of letter to Minister for Communications & Federal Member.	<b>GM</b>	<b><u>UPDATE:</u></b> <b>Community being requested to provide details for inclusion in letter.</b>



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## **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 VILLAGE TOUR 2015**

### **2.1 Introduction**

The purpose of this report is to record matters raised during the 2015 Village Tour as well as progress made with items raised in previous meetings with community representatives.

### **2.2 Background**

Councillors and Management Staff met with representatives of Coolabah, Girilambone and Hermidale on Thursday, 16 April 2015 as part of Council's regular annual meeting program with village communities.

### **2.3 Discussion**

A report-back on previous issues was provided and some new matters were raised by community members present.

### **2.4 Attachment**

Village Tour Checklist.

### **2.5 Recommendation**

That this report be received and noted and that those items marked as completed be removed from the checklist.

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**Coolabah**

**Bogan Shire Council**

**Coolabah Village Meeting – 11 April 2013**

**Coolabah Follow-up Meeting – 3 December 2013**

**Coolabah Village Meeting – 8 April 2014**

**Coolabah Follow-up Meeting – 24 November 2014**

**Coolabah Village Meeting – 16 April 2015**

Key discussion points and actions:

<b>Items for Action – Previous Meetings</b>	<b>Responsible Officer</b>	<b>Status</b>
i. Mitchell Highway – Steep slopes along certain areas, Shire will be requesting funds from the RMS (RTA) to reinstate the road shoulders.	<b>Manager Engineering Services</b>	<b>Shire will continue to refer to RMS for consideration in their budget. RMS has advised they are currently putting funds into pavement rather than shoulders and batters.</b>
ii Upgrade of rest area – Shire will investigate what the position is with regard to the upgrade and application for funding that was done some time ago.	<b>Manager Engineering Services</b>	<b>Work delayed by other commitments, concrete slab for existing shelter programmed for new Financial Year.</b>

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Items for Action – Previous Meetings	Responsible Officer	Status
		<p><b>New Grant approved for Bus Stop improvements – work postponed for new Financial Year.</b></p> <p><b>Shire will request funds for sealing from RMS. (No funding available from RMS at present).</b></p>
<b>Items for action from meeting 11 April 2013</b>		
<p>i. Shire requested to continue lobby for reduction in daylight savings.</p>	<p><b>Mayor</b></p>	<p><b>Continue to raise with NSW Government.</b></p>
<p>ii. Public toilets in Nyngan – review opening hours &amp; consider other security measures such as cameras if opened overnight.</p>	<p><b>Manager Engineering Services</b></p>	<p><b>Rotary Park open 24hrs / day. Davidson Park opened from 6:30/7:00 am. Shearing Shed Museum open 24hr / day.</b></p> <p><b><u>COMPLETED</u></b></p>
<p>iii. Minor maintenance requested for tennis court lights &amp; memorial plaques.</p>	<p><b>Manager Engineering Services</b></p>	<p><b>Plaques completed.</b></p> <p><b>Awaiting input from the community regarding the replacement of lights with modern LED system.</b></p>

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<b>Items for Action – Previous Meetings</b>	<b>Responsible Officer</b>	<b>Status</b>
<b><u>Meeting 24 November 2014</u></b>		
Defer pending community discussions.		
iv. Helipad – request to consider construction in future budgets.	<b>General Manager</b>	<b>For budget consideration.</b> <b><u>COMPLETED</u></b>
<b>Items for action from meeting 8 April 2014</b>		
i. Bus Stop – Shire to address graffiti.	<b>Manager</b> <b>Engineering Services</b>	<b><u>COMPLETED</u></b>
ii. Tip – what did it cost and was the plant freighted from Wilcannia.	<b>Manager</b> <b>Development &amp; Environmental Services</b>	<b><u>UPDATE:</u></b> <b>No plant was freighted from Wilcannia. All work was undertaken well within budget. No further action required. Cost of upgrade program \$ 16,794.68.</b> <b><u>COMPLETED</u></b>

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<b>Items for Action – Previous Meetings</b>	<b>Responsible Officer</b>	<b>Status</b>
iii. Tip – the access road needs grading.	<b>Manager Engineering Services</b>	<b><u>COMPLETED</u></b>
iv. Water quality – investigate putting alum in tank drains.	<b>Manager Engineering Services</b>	<b>Alum added to ground tank after rain. Blows away if in drains. <u>COMPLETED</u></b>
v. Burnt down house – clean up required.	<b>Manager Development &amp; Environmental Services</b>	<b>All fire damaged material removed. Asbestos clearance certificate issued. No further action required.</b>
<hr/>		
<b><u>Meeting 16 April 2015</u></b>		
<b>Incorrect house identified – item still outstanding.</b>		
vi. Roads – Brewarrina Road corner to Monkey Bridge (Graeme) where Warren Shire is carting / Murrawombie Road resheeting.	<b>Manager Engineering Services</b>	<b><u>COMPLETED</u></b>

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<b>Items for Action – Previous Meetings</b>	<b>Responsible Officer</b>	<b>Status</b>
vii. Recycling – investigate central point in Nyngan.	<b>Manager</b> <b>Development &amp; Environmental Services</b>	<b><u>UPDATE:</u></b> <b>240lt MGB recycling bins to be installed for 12 month trial period at Rotary Park, Flood Memorial Carpark, Teamster Rest and proposed Tourist Information Bays.</b> <b>Bins placed in Teamster's Rest Area and Rotary Park.</b> <b>Major recycling collection facility to be located within new Nyngan Waste Depot during 2015.</b>
<b>Items for action from meeting 24 November 2014</b>		
i Bus Stop – BSC to investigate replacing damaged perspex screen with mesh when slab is done.	<b>Manager</b> <b>Engineering Services</b>	<b><u>UPDATE:</u></b> <b>Waiting availability of Civil Works Gang.</b>
ii Water Quality – BSC to monitor, some mud coming through lately.	<b>Manager</b> <b>Engineering Services</b>	<b><u>UPDATE:</u></b> <b>Becomes a problem when supply is getting low.</b>

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<b>Items for Action – Previous Meetings</b>	<b>Responsible Officer</b>	<b>Status</b>
iii Ground Tank – BSC to consider measures to resolve littering at tank. Reported that pontoon broken. (By swimmers ??)	<b>Manager Engineering Services</b>	<b><u>UPDATE:</u> Monitor complaints.</b>
iv Hotel – BSC to pursue whatever action can be taken to secure / demolish fire-damaged building.	<b>Manager Development &amp; Environmental Services</b>	<b><u>UPDATE:</u> Notice of Intent issued. Follow-up inspection required.</b>
<b>Items for action from meeting 16 April 2015</b>		
i Memorial area – paint before Anzac Day.	<b>Manager Engineering Services</b>	Manager checked area - did not require painting, was thoroughly cleaned for Anzac Day.  <b><u>COMPLETED</u></b>
ii BBQ area – fencing required, especially along Highway – use of village funds.	<b>Manager Engineering Services</b>	
iii Rest Stop – fenced off area needs a bigger gate.	<b>Manager Engineering Services</b>	

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<b>Items for Action – Previous Meetings</b>	<b>Responsible Officer</b>	<b>Status</b>
iv Tree on the corner near Overlander Hotel in Nyngan needs trimming for sake of visibility.	<b>Manager</b> <b>Engineering Services</b>	<b><u>COMPLETED</u></b>
v Car parking near exit from Foodworks, Nyngan obscures oncoming traffic.	<b>Manager</b> <b>Engineering Services</b>	Refer to Traffic Committee
vi Leak in pipeline along fire trail needs attention.	<b>Manager</b> <b>Engineering Services</b>	Already attended to before meeting. <b><u>COMPLETED</u></b>



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**Bogan Shire Council**

**Girilambone Village Meeting – 11 April 2013**

**Girilambone Follow-up Meeting – 3 December**

**Girilambone Village Meeting – 8 April 2014**

**Girilambone Follow-up Meeting – 24 November 2014**

**Girilambone Village Meeting – 16 April 2015**

**Girilambone**

Key discussion points and actions:

Items for Action – Previous Meetings	Responsible Officer	Status
<p>Park fence, Shire to source quotes for pool fencing, turf and watering system on behalf of the community. Costs to be met from the Village Improvement fund.</p> <p><b><u>Meeting 23/10/2012</u></b></p> <p>All very keen to get the park started asap – irrigation, fencing, turf. Agreed that area previously discussed with Shire staff is the area to be fenced. Request to consider levelling area between shelter and toilet to be used for parking for caravans etc.</p>	<p><b>Manager</b> <b>Engineering Services</b></p>	<p><b><u>UPDATE:</u></b> <b>Bulk of work completed.</b> <b>Watering system and turf to be completed in winter 2015.</b></p>

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<b>Items for Action – Previous Meetings</b>	<b>Responsible Officer</b>	<b>Status</b>
<p><b><u>Meeting 03/12/2013</u></b></p> <p>Awaiting confirmation of funds from sale of former RSL to put these towards the purchase of playground equipment before turfing / irrigation. Shire to arrange installation of playground equipment. All playground improvements installed by Shire, funded by village fund. Playground improvements expected to be complete by winter 2014.</p>		
<p>Tip – Shire is currently cleaning up by way of grading and installation of signage indicating where to dump metal, for example.</p> <p><b><u>Meeting 23/10/2012</u></b></p> <p>Major issues with full hole and indiscriminate dumping. Requested signage for separate areas (scrap metal etc).</p>	<p><b>Manager Development &amp; Environmental Services</b></p>	<p><b>Bulk of clean-up program now completed including new access roadway, signage, and fencing.</b></p> <p><b>Illegal asbestos dumping encapsulated and awaiting approval for removal and disposal. Program early 2014.</b></p> <p><b><u>UPDATE:</u></b></p> <p><b>Still awaiting asbestos removal process to be undertaken as per WorkCover requirements, expectation before Christmas 2014. Cost to-date \$14,516.39</b></p>

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<b>Items for Action – Previous Meetings</b>	<b>Responsible Officer</b>	<b>Status</b>
<p>Murrawombie Rd – concern about condition of stock crossings, Shire to investigate and address. Request to repair flood damage to stock crossing.</p>	<p><b>Manager Engineering Services</b></p>	<p><b>For consideration in 2014/15 estimates.</b> <b><u>COMPLETED</u></b></p>
<p>Tarring of village streets – Shire to investigate possibility of tarring dirt roads within the village. <b><u>Meeting 23/10/2012</u></b> Dust from dirt roads in town remains a problem – to be raised with Council for consideration for inclusion in budget.</p>	<p><b>General Manager</b></p>	<p><b>Approx. \$25,000 per town block.</b> <b>For consideration in 2014/15 Estimates.</b> <b><u>COMPLETED</u></b></p>
<p>Illegal scrap metal – concern about snakes, pests etc. and encroachment onto neighbouring blocks. Shire to investigate and address.</p>	<p><b>Manager Development &amp; Environmental Services</b></p>	<p><b>Two premises have been identified and legal notices have been issued on owners.</b></p>

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Items for Action – Previous Meetings	Responsible Officer	Status
<p><b><u>Meeting 24 November 2014</u></b></p> <p>Owners have returned to property, significant community concerns about scrap metal, snakes and pests. BSC to investigate.</p>		<p><b><u>UPDATE:</u></b></p> <p><b>One property has cooperated and undertaken major clean-up.</b></p> <p><b>Other property, owners has left property and subject dwelling has recently been fire damaged. Legal Action commenced for fire damaged dwelling to be removed and PINs to be issued on non-compliance with previous Orders.</b></p> <p><b>Other premises identified as being fire damaged and legal action to be commenced.</b></p>
<p>Dogs – noise issues. Community to contact Shire offices with complaints.</p> <p><b><u>Meeting 23/10/2012</u></b></p> <p>Recognised that action is being taken.</p>	<p><b>Manager Development &amp; Environmental Services</b></p>	<p><b>Dog Audit completed by Regional Rangers. Follow-up being undertaken.</b></p> <p><b>Council officers have inspected subject premises. Matter is ongoing.</b></p>

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<b>Items for Action – Previous Meetings</b>	<b>Responsible Officer</b>	<b>Status</b>
<p><b><u>Meeting 11/4/2013</u></b></p> <p>Request to continue monitoring.</p>		<p><b><u>UPDATE:</u></b></p> <p><b>Dog complaints/matters in 2014 have ceased to be an issue. Ranger is still following up on Companion Animal Act related matters.</b></p> <p><b><u>COMPLETED</u></b></p>
<b>Items for action from meeting 11 April 2013</b>		
<p>i. Replace guidepost – minor civil works required.</p>	<p><b>Manager Engineering Services</b></p>	<p><b><u>COMPLETED</u></b></p>
<p>ii Memorial at Park – consider upgrades / repairs once other work has been completed at park.</p>	<p><b>Manager Engineering Services</b></p>	<p><b>Waiting on other work to be completed.</b></p>
<p>iii. Public Toilet :-</p> <p>a. install directional sign from highway &amp; sign on toilet building.</p> <p>b. requires general clean-up of weeds &amp; then ongoing grass slashing. Community to alert Shire if work is required between scheduled maintenance.</p>	<p><b>Manager Engineering Services</b></p>	<p><b>Signs not installed – programmed for first ¼ 2014.</b></p> <p><b>Public Toilet signs ordered.</b></p> <p><b><u>COMPLETED</u></b></p>

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Items for Action – Previous Meetings	Responsible Officer	Status
<b>Items for action from meeting 03 December 2013</b>		
i. Concern regarding traffic on road between pub (former RSL) and park – children crossing / high speeds. Shire to investigate signage and other measures.	<b>Manager Engineering Services</b>	<b>Suggest Mother &amp; Child warning signs with playground plate attached.</b>  <b><u>UPDATE:</u></b> <b>Programmed to be installed.</b>
<b>Items for action from meeting 8 April 2014</b>		
i. Miles Street – repair potholes / bitumen surfacing.	<b>Manager Engineering Services</b>	<b><u>COMPLETED</u></b>
ii. Water quality – investigate potential for second tank as a desilting tank.	<b>Manager Engineering Services</b>	<b><u>UPDATE:</u></b> <b>Not an economical solution.</b>
<b>Items for action from meeting 24 November 2014</b>		
i. Plaque at Memorial – Community to consider whether they wish to fund plaque – BSC can arrange to have it made.	<b>Manager Engineering Services</b>	<b><u>UPDATE:</u></b> <b>To be considered for 2015/16.</b>

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Items for Action – Previous Meetings	Responsible Officer	Status
<b>Items for action from meeting 16 April 2015</b>		
i. Barking dogs at Lots 122 & 128 – major concern.	<b>Manager Development &amp; Environmental Services</b>	
ii. Playground – shade for consideration using 2015/16 village fund & community funds.	<b>Manager Engineering Services</b>	
iii. Playground – need to formalise arrangements for lawn mowing.	<b>Manager Engineering Services</b>	
iv. Cemetery needs clean up.	<b>Manager Development &amp; Environmental Services</b>	
v. Murrawombie Road needs re-sheeting.	<b>Manager Engineering Services</b>	

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<b>Items for Action – Previous Meetings</b>	<b>Responsible Officer</b>	<b>Status</b>
vi. Park – sign required, no alcohol. Bins required.	<b>Manager Development &amp; Environmental Services</b>	
vii. Illegal hunting activities causing major concern for residents of rural properties.	<b>General Manager</b>	To be raised by Council at next Police Forum Meeting.



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**Hermidale**

**Bogan Shire Council**

**Hermidale Village Meeting – 11 April 2013**

**Hermidale Follow-up Meeting – 3 December 2013**

**Hermidale Village meeting – 8 April 2014**

**Hermidale Follow-up Meeting – 24 November 2014**

**Hermidale Village Meeting – 16 April 2015**

Key discussion points and actions:

Items for Action – Previous Meetings	Responsible Officer	Status
<p>i. Outstanding item for 2011 – property behind the pub. Council to address.</p> <p><b><u>Meeting 24 November 2014</u></b> Request for BSC to follow up with family again.</p> <p><b><u>Meeting 16 April 2015</u></b> Strong request for Council to progress as property is a fire hazard.</p>	<p><b>Manager Development &amp; Environmental Services</b></p>	<p><b>Communications received from owner. Vegetation cleared. Orders to demolish issued 14 March 2013. Owner has removed vegetation nuisance and discussing demolition options with Council.</b></p> <p><b><u>UPDATE:</u></b> <b>No further communication received. Legal Action pending.</b></p>

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<b>Items for Action – Previous Meetings</b>	<b>Responsible Officer</b>	<b>Status</b>
<p>ii. Tarring of village streets – Shire to investigate possibility of tarring dirt roads within the village.</p> <p><b><u>Meeting 22/10/2012</u></b></p> <p>Dust from dirt roads in town remains a problem – to be raised with Shire for consideration for inclusion in budget.</p>	<p><b>General Manager</b></p>	<p><b>Approx. \$25,000 per town block.</b></p> <p><b>For consideration in 2014/15 Estimates.</b></p> <p><b><u>COMPLETED</u></b></p>
<p>iii Nymagee Road –</p> <p>Is it possible to have a centre-line painted on it. Lots of traffic on the road, oncoming trucks tend to dominate.</p> <p><b><u>Meeting 24 November 2014</u></b></p> <p>Request for Council to reconsider, especially on dangerous bends. White lines on edges of road also needed for night time. Increased mine traffic &amp; harvest traffic a concern.</p>	<p><b>Manager</b></p> <p><b>Engineering Services</b></p>	<p><b>Allow in Estimates for bends.</b></p> <p><b>Considered in Estimates, not budgeted for.</b></p> <p><b><u>COMPLETED</u></b></p> <p><b><u>UPDATE:</u></b></p> <p><b>Reconsider at Estimates Meeting.</b></p>

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<b>Items for Action – Previous Meetings</b>	<b>Responsible Officer</b>	<b>Status</b>
<p>iv Village signs – Shire to design in consultation with community. A suitable “Welcome to Hermidale” sign for funding from village funds.</p> <p><b><u>Meeting 24 November 2014</u></b></p> <p>BSC to liaise with community regarding positioning of signs.</p>	<p><b>Manager Engineering Services</b></p>	<p><b>Not commenced. (Input from community required).</b></p> <p><b>Arranged by community.</b></p> <p><b><u>COMPLETED</u></b></p>
<p><b>Items for action from meeting 8 April 2014</b></p>		
<p>i. Telephone exchange – assistance with raising priority for replacement. (down 17 times since May 2013)</p> <p><b><u>Meeting 24 November 2014</u></b></p> <p>Phone lines not identified as a problem, but very poor internet speeds are a major problem.</p> <p><b><u>Meeting 16 April 2015</u></b></p> <p><b>Internet speed &amp; phone lines still a major issue.</b></p>	<p><b>General Manager</b></p>	<p><b><u>UPDATE:</u></b></p> <p><b>Raised with Area General Manager of Telstra, no response.</b></p> <p><b>To be raised with Mark Coulton, Federal Member.</b></p> <p>Deputy Mayor explained this had been brought to the Federal Member’s attention.</p>

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Items for Action – Previous Meetings	Responsible Officer	Status
<b>Items for action from meeting 24 November 2014</b>		
i. Currans Road - Problem with coarse gravel on surface – BSC to inspect ASAP.	<b>Manager Engineering Services</b>	<b><u>UPDATE:</u> Maintenance grading completed.</b>
ii. Hermidale – Nymagee Road:- a. Request to start seal from Nymagee end → maximise benefit for residents. b. Straighten out chicane bends on Shire boundary when constructing – in the meantime ensure appropriate warning signs.	<b>Manager Engineering Services</b>	<b><u>UPDATE:</u> Current application to RMS was for the Northern End, and was submitted prior to the meeting on 24 November 2014. Council to consider in 2015/16 Estimates.</b>
iii. O'Neill's Road & Sarona Downs Road – dangerous dips identified – maintenance work required. Table drains need to be done.	<b>Manager Engineering Services</b>	<b><u>UPDATE:</u> To be carried out during maintenance grading, programmed for before end of Financial Year.</b>
<b>Items for action from meeting 16 April 2015</b>		
i. Hermidale/Nymagee Road needs warning signs on right hand bend urgently.	<b>Manager Engineering Services</b>	Deputy Mayor gave undertaking this would be done by 30 June 2015.

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<b>Items for Action – Previous Meetings</b>	<b>Responsible Officer</b>	<b>Status</b>
ii. O'Neill's Road – stated that in urgent need of repair (nothing has been done for 2 years).	<b>Manager Engineering Services</b>	
iii. Old airport road – big potholes that need repair.	<b>Manager Engineering Services</b>	
iv. Request that Council investigate state of O'Neill's Road and Currans Road.	<b>Manager Engineering Services</b>	Deputy Mayor gave an undertaking that this would be done on the Council Roads Tour.

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### **3 ADMINISTRATION OF 2016 LOCAL GOVERNMENT ELECTIONS, COUNCIL POLLS AND REFERENDA**

#### **3.1 Introduction**

The purpose of this report is to advise Council of correspondence from the NSW Electoral commission concerning the estimated cost and the Contract between Bogan Shire Council and the Electoral Commissioner.

#### **3.2 Background**

Council resolved at the 26 February 2015 meeting that:-

1. Pursuant to s. 296(2) and (3) of the *Local Government Act 1993* (NSW) ("the Act") an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, a Council Poll arrangement be entered into by contract for the Electoral Commissioner to administer all Council Polls of the Council.
3. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

#### **3.3 Discussion**

The cost of the 2012 Local Government Elections administered by the Electoral Commission was \$27,447.20 incl GST. Council also had to pay advertising costs of \$1311.71 and Council staff wages of \$1291.72.

The 2016 Council Elections Preliminary Estimates to Council is \$31,073.00 incl GST which does not include the advertising.

The 2012 Elections were well-managed locally by the NSW Electoral Commission.

Council did ask that the Returning Officer be located in Nyngan, but alternatively was located in Cobar. Bourke, Cobar and Nyngan Local Government areas were administered from the Cobar office.

Council is required to sign the contract and return same by Friday 5 June 2015.



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**3.4 Attachment**

Contract for Administration of all Elections Council Polls and Constitutional Referenda (Section 296(3) Local Government Act 1993()) between Bogan Shire Council and the Electoral Commissioner.

**3.5 Recommendation**

That Council sign the Contract for Administration of all Elections Council Polls and Constitutional Referenda (Section 296(3) Local Government Act 1993 between Bogan Shire Council and the Electoral Commissioner for the Local Government Elections 2016.

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**CONTRACT FOR ADMINISTRATION OF ALL ELECTIONS, COUNCIL  
POLLS AND CONSTITUTIONAL REFERENDA**

*Section 296(3) Local Government Act 1993*

between

**Bogan Shire Council**

and

**the Electoral Commissioner**

I V KNIGHT  
Crown Solicitor  
60-70 Elizabeth Street  
SYDNEY NSW 2000  
DX 19 SYDNEY  
Tel: (02) 9224 5238  
Fax: (02) 9224 5244  
Ref: 201301535  
T08 I V Knight

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**General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
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**CONTRACT FOR ADMINISTRATION OF ALL ELECTIONS, COUNCIL POLLS AND  
CONSTITUTIONAL REFERENDA**

This Contract is between the following parties:

Council: Bogan Shire Council  
81 Cobar Street  
Nyngan NSW 2825

AND

Electoral Commissioner: Mr Colin Barry  
NSW Electoral Commission  
Level 25, 201 Kent Street, Sydney NSW 2000

**1. Background and objectives**

- 1.1. Section 296(2) of the LG Act provides that a council can enter into an election arrangement (including by contract) with the Electoral Commissioner to administer elections of the council as provided by s. 296 of that Act.
- 1.2. Section 296(3) of the LG Act provides that an election arrangement for the Electoral Commissioner to administer all Elections of a council can be entered into if the council resolves at least 18 months before the next ordinary election of councillors that such arrangement is to be entered into and the arrangement is entered into no later than 15 months before the next ordinary election of councillors.
- 1.3. Section 18 of the LG Act has the effect that s. 296 applies to a Council Poll and a Constitutional Referendum, with such modifications as may be necessary, in the same way as that section applies to an election. Section 296(3) of the LG Act, as applied and modified by section 18, provides that a Council Poll and/or Constitutional Referendum arrangement for the Electoral Commissioner to administer all Council Polls and/or Constitutional Referenda of a council can be entered into if the council resolves at least 18 months before the next ordinary election of councillors that such arrangement is to be entered into and the arrangement is entered into no later than 15 months before the next ordinary election of councillors.
- 1.4. The Council has resolved pursuant to sections 296(2) and (3) of the LG Act (as applied and modified by s. 18 in the case of Council Polls and Constitutional Referenda) to enter into an election arrangement with the Electoral Commissioner for the Electoral Commissioner to administer all Elections, Council Polls and Constitutional Referenda for the Council and to do so by contract.
- 1.5. The Electoral Commissioner is committed to providing Election, Council Poll and Constitutional Referendum services efficiently, economically, fairly, impartially and with integrity.
- 1.6. The Council and the Electoral Commissioner agree that each will endeavour to fulfil the objectives, terms and conditions of this Contract in good faith.

**2. Definitions**

- 2.1. In this Contract, except where the context otherwise requires:

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**2016 Ordinary Election** means the ordinary election of councillors which is to be held on the second Saturday of September 2016 in accordance with s. 287 of the LG Act, or on such day as ordered by the Minister in accordance with section 288.

**Business Day** means a day that is not a Saturday, Sunday, public holiday or bank holiday in New South Wales; or not subject to the Christmas shut-down period as determined annually by the New South Wales Department of Premier & Cabinet for public sector agencies.

**Commencement Date** means the commencement date of this Contract as defined in clause 3.

**Confidential Information** means:

- a) any information exchanged between the parties before, on or after the date of this Contract regarding the business or other affairs of either party that is not publicly available;
- b) this Contract (subject to clause 12)
- c) any information that is marked confidential by either party; and
- d) any information disclosed to, or accessed by, or acquired by, the parties during the course of this Contract that is by its nature confidential.

**Constitutional Referendum** means a constitutional referendum as referred to in Chapter 4, Part 3, Division 2 of the LG Act.

**Contract** means this contract and includes any schedules to this contract, as varied from time to time in accordance with this Contract.

**Council** means the local government council that is specified as a party to this Contract on page 2.

**Council Poll** means a council poll as referred to in Chapter 4, Part 3, Division 1 of the LG Act.

**Election** means an election as defined in the Dictionary of the LG Act but does not include the first election for an area after its constitution (see section 296(7) of the LG Act) or an election of the mayor or deputy mayor by the councillors (see section 296(8)).

**Electoral Commissioner** means the Electoral Commissioner for New South Wales who is appointed under section 21AA of the *Parliamentary Electorates and Elections Act 1912* (NSW).

**Force Majeure Event** means any event or circumstance beyond a party's control that could not have been reasonably prevented by the party. A Force Majeure Event includes (but is not limited to) acts of God, natural disasters, fire, storm, flood, tempest, acts or threats of war or terrorism and riots.

**Intellectual Property Rights** means all intellectual and industrial property rights throughout the world, whether created before, on or after the date of execution of this Contract including copyright, trademarks, designs, patents, semiconductor or circuit layout rights, trade, business or company names or other proprietary rights, whether or not registered or registrable and any rights to registration of such rights.

**LG Act** means the *Local Government Act 1993* (NSW).

**Services** means those services defined in clause 4.

**Service Level Agreement** means a service level agreement as referred to in clause 4.

**Term** means the term of this Contract as defined in clause 3.

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**Termination Date** means the termination date of this Contract as defined in clause 3.

- 2.2. Except where the context otherwise requires:
- (a) the singular includes the plural and vice versa.
  - (b) a reference to a party includes its successors and permitted assigns.
  - (c) a reference to a document includes all amendments or supplements to that document.
  - (d) a reference to a clause, party, schedule or attachment is a reference to a clause, party, schedule or attachment to this Contract.
  - (e) a reference to legislation is a reference to that legislation as amended, consolidated, re-enacted or replaced, and includes any subordinate legislation.
  - (f) where a word or phrase is defined in this Contract, any other grammatical form of the word or phrase has a corresponding meaning.
  - (g) where a party is required to act in good faith in the performance of this Contract, that will be read as a requirement to act:
    - (i) honestly;
    - (ii) reasonably, having regard to the terms of this Contract; and
    - (iii) co-operatively, by doing everything properly and reasonably within the control of that party to perform its or their obligations under this Contract.

### **3. Term and termination**

- 3.1. The parties acknowledge that, in accordance with s. 296(6) of the LG Act:
- a) this Contract can be terminated by the Council or the Electoral Commissioner at any time after the 2016 Ordinary Election by giving written notice of termination; and
  - b) if this Contract is not terminated by either party after the 2016 Ordinary Election, the Contract is automatically terminated 18 months before the ordinary election of councillors that immediately follows the 2016 Ordinary Election.
- 3.2. The parties agree that for the purposes of providing notice of termination in accordance with s. 296(6) of the LG Act, four weeks written notice of termination will constitute reasonable notice and that the notice will specify the date of termination.
- 3.3. This Contract commences on the day that it is signed by the parties (the "Commencement Date"). In the event that this Contract is signed by the parties on different dates, this Contract commences on the date that it is signed by the last party.
- 3.4. This Contract terminates:
- a) on the date of termination specified by a party in a notice issued pursuant to clause 3.2; or
  - b) if no such notice is issued, 18 months before the date of the ordinary election of councillors that immediately follows the 2016 Ordinary Election;
- the "Termination Date".
- 3.5. The duration of this Contract is from the Commencement Date until the Termination Date (the "Term").

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- 3.6. Clauses in this Contract dealing with Term and termination, Costs and payment of Costs, indemnity, dispute resolution and any other provision which by its nature should survive expiry, survive the expiry of this Contract.
- 3.7. Upon termination of this Contract, each party must, within 7 days of receiving a request from the other party or as otherwise agreed, return any Confidential Information of the other party and any other material owned by, or licensed to, the other party (including any copies).

### **4. Services and service levels**

#### ***Services***

- 4.1. The Electoral Commissioner will provide the services of administering all:
  - a) Elections of the Council; and
  - b) Council Polls and Constitutional Referenda of the Council;during the Term of this Contract (the "Services").

#### ***Service levels for the 2016 Ordinary Election***

- 4.2. The parties agree that the Electoral Commissioner will administer the 2016 Ordinary Election in accordance with the service levels specified in Schedule 1 of this Contract.
- 4.3. In the event that a Council Poll and/or a Constitutional Referendum is being held at the same time as the 2016 Ordinary Election, the parties agree that the Electoral Commissioner will administer the 2016 Ordinary Election, together with the Council Poll and/or Constitutional Referendum, in accordance with the services levels specified in Schedule 1 of this Contract.

#### ***Service levels for other Elections, Council Polls and/or Constitutional Referenda***

- 4.4. The level of services to be provided by the Electoral Commissioner for each Election (other than the 2016 Ordinary Election), Council Poll and Constitutional Referendum (other than a Council Poll and/or Constitutional Referendum that is held at the same time as the 2016 Ordinary Election) will be as specified in a Service Level Agreement. A Service Level Agreement may specify the service levels for more than one of those events.
- 4.5. Prior to the administration of an Election (other than the 2016 Ordinary Election), Council Poll or Constitutional Referendum (other than a Council Poll and/or Constitutional Referendum that is held at the same time as the 2016 Ordinary Election), the parties will in good faith negotiate and agree in writing to the terms of a Service Level Agreement.
- 4.6. The Service Level Agreement forms part of the Contract once agreed to in writing between the Council and the Electoral Commissioner.
- 4.7. The parties agree to use reasonable endeavours to negotiate and agree to a Service Level Agreement in accordance with any timeframe set or agreed to by the Electoral Commissioner.

### **5. Costs and payment of Costs**

#### ***Costs for the 2016 Ordinary Election***

- 5.1. The parties agree that the costs to be charged and invoiced by the Electoral Commissioner for administering the 2016 Ordinary Election (and the basis on which such costs may be varied) are as specified in Schedule 2 of this Contract.
- 5.2. In the event that a Council Poll and/or a Constitutional Referendum is being held at the same time as the 2016 Ordinary Election, the parties agree that the costs to be charged and invoiced by the Electoral Commissioner for administering the 2016 Ordinary Election, together with the Council Poll and/or Constitutional Referendum,

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and the basis on which such costs may be varied are as specified in Schedule 2 of this Contract.

***Costs for other Elections, Council Polls and/or Constitutional Referenda***

- 5.3. At the same time that a Service Level Agreement is prepared and negotiated in accordance with clause 4.5, the parties must also in good faith negotiate and agree in writing to the costs that will be charged and invoiced by the Electoral Commissioner to administer the relevant Election, Council Poll and/or Constitutional Referendum, ("Costs Agreement"). A Costs Agreement may specify the costs for more than one of those events.
- 5.4. A Costs Agreement may also make provision for the agreed basis on which those Costs may be varied.
- 5.5. A Costs Agreement forms part of the Contract once agreed to in writing between the Council and the Electoral Commissioner.
- 5.6. The parties agree to use reasonable endeavours to negotiate and agree to a Costs Agreement in accordance with any timeframe set or agreed to by the Electoral Commissioner.

***Payment of costs***

- 5.7. The Council agrees to pay all costs as invoiced by the Electoral Commissioner provided that such costs are as agreed in a Costs Agreement or as agreed in Schedule 2 of this Contract.
- 5.8. The Council must make payment via Electronic Funds Transfer (EFT) to NSW Electoral Commission within 30 days of receipt of each invoice.
- 5.9. The Electoral Commissioner's payment details are as follows:
  - New South Wales Electoral Commission, ABN 94 828 824 124
  - Level 25, 201 Kent Street, SYDNEY NSW 2000
  - Phone (02) 9290 5209 Fax (02) 9290 5991
  - Account Name: NSW Electoral Commission Operating AC
  - Account Details: BSB 032-001, Account 204108

**6. Notice of casual vacancy or resolution**

- 6.1. The Council agrees to notify the Electoral Commissioner of any event giving rise to a casual vacancy or resolution to conduct a Council Poll or Constitutional Referendum as soon as possible and in any event no later than within 7 days of the event.

**Note:** clause 285 of the *Local Government (General) Regulation 2005* requires the general manager of the Council to give notice of a casual vacancy to the Electoral Commissioner within 7 days.

**7. GST**

- 7.1. For the purposes of this clause, a term or expression that is defined in the *A New Tax System (Goods and Services Tax) Act 1999* (Cth) (the "GST Act") has the same meaning as in the GST Act.
- 7.2. All amounts payable under this Contract are exclusive of GST unless otherwise stated.
- 7.3. If a party ("Supplier") is or becomes liable to pay GST in connection with any supply made under this Contract and the amount of GST is not included in the amount payable under this Contract:
  - a) the Supplier may add to the price of the supply an amount equal to the GST payable on the supply ("GST Amount");

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- b) the other party will pay the Supplier the price for the supply in accordance with this Contract plus the GST Amount.
- 7.4. Any invoice rendered by a party that includes a GST Amount must conform with the requirements for a tax invoice as set out under the GST Act.

### **8. Failure or voiding of an Election**

- 8.1. The parties acknowledge that s. 318 of the LG Act provides (amongst other things) that if an election for a civic office is not held when it is due, fails or is later declared void, the returning officer is to hold another election as if a casual vacancy had occurred in the civic office.
- 8.2. In the event that an Election (including the 2016 Ordinary Election) is not held when it is due or fails or is later declared void as described in s. 318 of the LG Act, the Council agrees to pay all costs as invoiced by the Electoral Commissioner in relation to the administering of the Election.
- 8.3. For the avoidance of doubt, in the event that the 2016 Ordinary Election fails or is later declared void, the parties agree that this Contract can be terminated in accordance with clause 3.

### **9. Indemnity**

#### **Indemnification of the Council**

- 9.1. The Electoral Commissioner will indemnify and keep indemnified the Council against liability or loss that may be suffered or incurred by the Council arising directly as a result of, or in connection with, the provision of the Services to the extent that the same is due to any unlawful, wrongful, wilful or negligent act or omission of the Electoral Commissioner and/or a person who is employed to enable the Electoral Commission to exercise its functions.
- 9.2. The Electoral Commissioner's liability to indemnify the Council under clause 9.1 will be reduced proportionally to the extent that any unlawful, wrongful, wilful or negligent act or omission of the Council or an officer, employee, agent or contractor of the Council caused or contributed to the liability or loss.

#### **Indemnification of the Electoral Commissioner**

- 9.3. The Council will indemnify and keep indemnified the Electoral Commissioner against:
  - (a) any liability or loss that may be suffered or incurred by the Electoral Commissioner arising directly or indirectly as a result of, or in connection with, the Electoral Commissioner providing the Services; and
  - (b) any liability for legal costs and disbursements on a solicitor-client basis that are incurred by the Electoral Commissioner in circumstances where the Electoral Commissioner is a party to, is subpoenaed or is otherwise required to participate in any court or tribunal proceedings as a result of, or in connection with, the Electoral Commissioner providing the Services.
- 9.4. The indemnity in clause 9.3 will not have operation in circumstances where the liability or loss is due to any unlawful, wrongful, wilful or negligent act or omission of the Electoral Commissioner and/or a person who is employed to enable the Electoral Commission to exercise its functions except to the extent that any unlawful, wrongful, wilful or negligent act or omission of the Council or an officer, employee, agent or contractor of the Council caused or contributed to the liability or loss.

### **10. Insurance**

- 10.1. The Council acknowledges that the Electoral Commissioner is covered by the Treasury Managed Fund ("TMF"), which is a self-insurance scheme in respect of

## **General Manager's Report to the Ordinary Meeting of Bogan Shire Council held on 28 May 2015**

New South Wales Government departments and agencies. The TMF provides cover worldwide in respect of workers' compensation according to NSW statute and liability including public liability, products liability and professional indemnity.

### **11. Dispute resolution**

- 11.1. The Council and the Electoral Commissioner will attempt to settle any dispute that may arise out of or in connection with this Contract in accordance with this Dispute Resolution clause before resorting to court proceedings.
- 11.2. If the Council or the Electoral Commissioner claims that a dispute has arisen, the claimant must give written notice of the dispute to the other party ("Dispute Notice"). The Dispute Notice must adequately identify and give details of the dispute.
- 11.3. The Council and the Electoral Commissioner agree to continue to perform their obligations under this Contract if there is a dispute between the parties.
- 11.4. Subject to clause 11.5, in the event that a Dispute Notice is served, the dispute resolution process stated will be followed in the order set out below:
  - (a) the representative of the Council and the representative of the Electoral Commissioner as specified in clause 15 will try to resolve the dispute in good faith by direct negotiation within 5 Business Days after the Dispute Notice is served or such other period as may be agreed in writing;
  - (b) if the representatives of the Council and the Electoral Commissioner do not resolve the dispute, the dispute will be referred to the Electoral Commissioner and the General Manager of the Council, or their nominees for that purpose, who will try to resolve the dispute in good faith by direct negotiations within 5 Business Days after it is referred to them or such other period as may be agreed in writing; and
  - (c) if the Electoral Commissioner and the General Manager of the Council do not resolve the dispute, the parties will negotiate in good faith to determine an appropriate form of alternative dispute resolution to resolve the dispute which may include mediation, arbitration or expert determination.
- 11.5. In the event that a dispute relates to the calculation or incurring of legal costs and disbursements on a solicitor-client basis that are incurred by the Electoral Commissioner as referred to in clause 9.3(b) (a "Costs Dispute"), the parties agree that instead of negotiating in accordance with cl. 11.4(c), the parties will:
  - (a) seek the recommendation of the President of the Law Society as to a costs expert who is to make a determination with regard to the Costs Dispute; and
  - (b) appoint the expert recommended by the President of the Law Society to determine the Costs Dispute.

The parties agree that the determination made by such expert will be final and binding.
- 11.6. Nothing in this clause 11 prevents the Council or the Electoral Commissioner from seeking urgent interlocutory relief.

### **12. Confidentiality**

- 12.1. Each party (the "Recipient Party") agrees not to disclose the Confidential Information of the other party (the "Disclosing Party") to any person except:
  - (a) on a confidential basis to the officers, employees, contractors or agents of the Recipient Party who require the information for the purposes of performing this Contract;
  - (b) on a confidential basis to the Recipient Party's legal or professional advisers;
  - (c) with the consent of the Disclosing Party; or

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- (d) if required to do so by law (including the *Government Information (Public Access) Act 2009* (NSW)), government policy or in connection with legal proceedings.

**13. Intellectual property**

- 13.1. The Council acknowledges that it holds no Intellectual Property Rights in relation to any documents or other materials provided to the Council by the Electoral Commissioner, staff employed to enable the Electoral Commission to exercise its functions or any contractors or agents of the Electoral Commissioner or Electoral Commission.

**14. Notices**

- 14.1. A notice under the Contract must be:
  - (a) in writing, directed to the representative of the other party as set out in clause 15; and
  - (b) forwarded to the address, facsimile number or the email address of that representative as set out in clause 15.
- 14.2. A notice under the Contract will be deemed to be received:
  - (a) in the case of delivery in person – when delivered to the recipient’s address for service and a signature is received as evidence of delivery;
  - (b) in the case of delivery by post – within 3 Business Days of posting;
  - (c) in the case of delivery by facsimile on a Business Day – at the time of dispatch if the sender receives a transmission report which confirms that the facsimile was sent in its entirety to the facsimile number of the recipient; or
  - (d) in the case of delivery by email on a Business Day – on receipt of confirmation by the sender that the recipient has received the email.

**15. Party representatives**

- 15.1. The representative on behalf of the Council is:

Name	_____
Position	_____
Address	_____
Direct Dial	_____
Mobile	_____
Facsimile	_____
Email	_____

- 15.2. The representative on behalf of the Electoral Commissioner is:

Name	Linda Franklin
Position	Director Elections
Address	LEVEL 25, 201 KENT STREET, SYDNEY NSW 2000
Direct Dial	02 9290 5218
Mobile	0438 620 684



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Facsimile	02 9290 5991
Email	<a href="mailto:linda.franklin@elections.nsw.gov.au">linda.franklin@elections.nsw.gov.au</a>

- 15.3. If the representative on behalf of the Council or the Electoral Commissioner varies, this must be communicated in writing to the other party, which may be by email.

**16. Force majeure**

- 16.1. Neither party will be liable for any failure to carry out obligations under this Contract if the failure was caused by a Force Majeure Event. If a Force Majeure Event affects a party's performance of this Contract, the party must provide prompt notice of this to the other party and use its best endeavours to overcome the disruption as quickly as possible and resume its obligations under this Contract.

**17. Miscellaneous**

- 17.1. The Council or the Electoral Commissioner may alter the Contract only by the written agreement of both the Council and the Electoral Commissioner.
- 17.2. No failure or delay by the Electoral Commissioner to enforce any part of this Contract will operate as a waiver of the Council's breach. Any waiver by the Electoral Commissioner of a breach of this Contract must be in writing and will not be construed as a waiver of any further breach of the same or any other provision.
- 17.3. If any provision of this Contract is prohibited, void, voidable, illegal or unenforceable, that part is severed from this Contract and the remainder of the Contract will retain its full force and effect.
- 17.4. This Contract contains the entire agreement between the parties. Any prior arrangements, agreements, representations or undertakings are superseded.
- 17.5. This Contract may be executed in counterparts, which will together constitute one agreement.



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**Execution**

**Executed as a contract**

**SIGNED BY** Mr. Derek Francis, General  
Manager of Bogan Shire Council  
ABN: 68 886 242 083  
in the presence of:

.....  
Signature of Witness

.....  
Signature of General Manager

.....  
Print name of Witness

.....  
Date

**SIGNED BY** Colin Barry, Electoral  
Commissioner for New South Wales Electoral  
Commission in the presence of:

.....  
Signature of Witness

.....  
Signature of Electoral Commissioner

.....  
Print name of Witness

.....  
Date

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
held on 28 May 2015**

**SCHEDULE 1 – Description of service levels for the 2016 Ordinary Election**

The parties agree that the Electoral Commissioner will administer the 2016 Ordinary Election in accordance with the service levels specified in table A below, and any changes to Schedule 1 may occur if the parties agree in writing that the change(s) should be made.

**A. Election services**

	Item	Description
1	Enrolment	<ul style="list-style-type: none"> <li>• Create composite authorised rolls for the area or wards concerned.</li> <li>• Create other electoral roll products as agreed by the Electoral Commissioner in accordance with legislation</li> <li>• Create street lists for the area or wards concerned</li> </ul>
2	Data Management	<ul style="list-style-type: none"> <li>• Create and manage databases of:               <ul style="list-style-type: none"> <li>○ Electors</li> <li>○ Polling places</li> <li>○ Returning &amp; Pre-poll offices</li> <li>○ Declared Institution venues</li> <li>○ Polling place and Returning Office staffing</li> <li>○ Elector participation projections</li> </ul> </li> </ul>
3	Election Staffing	<ul style="list-style-type: none"> <li>• Determine polling place &amp; Returning Office staffing requirements</li> <li>• Implement recruitment campaign for NSWEC staff</li> <li>• Employ, manage and pay NSWEC staff</li> <li>• Set up and staff NSWEC EOI helpdesk</li> <li>• Employ Head Office Returning Officer support staff</li> <li>• Training of relevant election staff</li> <li>• Post-election NSWEC staff evaluation</li> </ul>
4	Financial Services	<ul style="list-style-type: none"> <li>• Payment of temporary NSWEC election staff</li> <li>• Payment of NSWEC election material suppliers</li> </ul>
5	Venue Procurement	<ul style="list-style-type: none"> <li>• Identify, secure and pay for all polling places</li> <li>• Identify, secure and pay for the Returning Office</li> <li>• Identify, secure and pay for all additional pre-poll venues</li> <li>• Identify and contact all Declared Institutions</li> <li>• Employ and pay for all Returning Office security</li> </ul> <p>The same number of polling places and to the greatest extent possible the same venues as were used for previous elections will be used.</p> <p>The Returning Officer will appoint the optimum number of staff for each polling place based on the Electoral Commissioner's polling place staffing model.</p> <p>There will be one (1) pre-poll venue located at the Returning Office. The Electoral Commissioner, in consultation with Council will decide whether any additional pre-poll venue(s) will be required and confirm the arrangements within a reasonable period of time after the procurement of the additional venue(s) have been finalised between the Electoral Commissioner and the landlord(s).</p>

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		Where commercial or standalone premises are used as the Returning Office, the Electoral Commissioner will employ overnight security once used ballot papers are live on the premises from election night to conclusion of the count.
6	Postal voting	<ul style="list-style-type: none"> <li>• Managing postal vote applications</li> <li>• Processing and mailing postal vote packs</li> </ul>
7	Counting and Results	<ul style="list-style-type: none"> <li>• Employment, training &amp; payment of temporary NSWEC counting staff</li> <li>• Development of count data management system</li> </ul> <p>The services do not include the recount of the ballot papers, should one be required.</p>
8	Logistics	<ul style="list-style-type: none"> <li>• Packing and delivery of all office and cardboard material for Returning Office and polling places</li> <li>• Courier service for Returning Office and polling place equipment and other election materials</li> <li>• Supply of hire furniture for Returning Office and polling places</li> <li>• Warehousing services</li> <li>• Mailing &amp; distribution services for election material</li> </ul>
9	Media, Communications & Advertising	<p><b>Statutory advertising</b></p> <p>The NSWEC is responsible for the accurate placement of a series of statutory advertising messages to support the election.</p> <p>These messages are:</p> <ul style="list-style-type: none"> <li>• Enrolment</li> <li>• Nominations</li> <li>• Notice of election/uncontested election</li> <li>• Results</li> </ul> <p>Advertisements must appear at least once in a paper circulating in the Council area within a prescribed timeframe. They may appear more often at Council's discretion.</p> <p>The NSWEC will provide final text for placement by either Council or the NSWEC by agreement.</p> <p>Regardless of the placement arrangement the bills from the newspapers will go directly to Council for payment. The cost of the statutory advertisements is not included in the services.</p> <p><b>Elector brochure</b></p> <p>The NSWEC will not be providing an elector brochure option to councils as per the 2012 LGE. Councils who wish to organise their own brochure should discuss options with the NSWEC</p> <p><b>State-wide campaign</b></p> <p>The services include a state-wide advertising campaign to support the election through press, radio and online (no television) – includes advertising targeted towards equal access to democracy for electors with disabilities, CALD electors and Aboriginal and Torres Strait Island electors. As part of the state-wide campaign, the NSWEC will create</p>

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		<p>and publish educational material on its website and conduct information sessions with special interest groups including:</p> <ul style="list-style-type: none"> <li>• Aboriginal and Torres Strait Islander electors</li> <li>• Electors with disability</li> <li>• Electors from culturally and linguistically diverse communities</li> </ul> <p>Where appropriate, the NSWEC will respond to media enquiries concerning the administration of the 2016 Ordinary Election.</p>
10	IT Infrastructure & Applications Support	<ul style="list-style-type: none"> <li>• Provision and installation of equipment in RO offices</li> <li>• Provision and installation of equipment in NSWEC elector enquiry centre</li> <li>• Provision and installation of equipment in NSWEC Head Office</li> <li>• Provision and installation of equipment in NSWEC count centres</li> </ul>
11	Call Centres	<ul style="list-style-type: none"> <li>• Recruitment, training and payment of NSWEC call centre staff</li> </ul>
12	Ballot Paper Production, Allocation & Distribution	<ul style="list-style-type: none"> <li>• Design, develop &amp; print ballot papers</li> <li>• Create secure copies of ballot papers</li> <li>• Process and secure delivery of ballot papers to Returning Officers</li> </ul> <p>The services do not include the production of braille ballot papers, should they be required.</p>
13	Nominations & How-to-Vote	<ul style="list-style-type: none"> <li>• Process candidate nominations</li> <li>• Provide candidate enquiry line</li> <li>• Registration of how-to-vote material</li> <li>• Present Candidate Information Seminars (CIS)</li> </ul> <p>Where Council has agreed to receive candidate nominations, Council will provide sufficient staff to be trained by Electoral Commission to receive nominations and forward them onto the Electoral Commission for assessment.</p> <p>One CIS will be conducted by the Electoral Commissioner. The NSWEC will notify Council of the time, date and location of the CIS within a reasonable period of time after those details are determined by the Electoral Commissioner in consultation with Council</p>
14	External Reporting & Evaluation	<ul style="list-style-type: none"> <li>• Develop post-election surveys of election stakeholders</li> <li>• Conduct surveys, undertake analysis, write and distribute post-election reports</li> </ul>
15	Virtual Tally Room	<ul style="list-style-type: none"> <li>• Develop, test and support software for VTR</li> </ul>
16	Sydney Town Hall (STH)	<p>STH will be used as multi-LGA pre-poll centre:</p> <ul style="list-style-type: none"> <li>• Lease STH</li> <li>• Recruit &amp; train NSWEC staff</li> <li>• Supply all materials &amp; set up STH</li> <li>• Vote issuing &amp; counting operations</li> </ul>
17	Election Management	<ul style="list-style-type: none"> <li>• Fee to cover cost of services provided by NSWEC Head Office staff</li> <li>• Based on cents per elector model calculated by independent accounting and audit firm PwC</li> </ul>

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**B. Additional information**

1	In order to provide Services efficiently and economically, the Electoral Commissioner may decide that a number of services may be utilised by other local government councils who have resolved to enter into an election arrangement with the Electoral Commissioner.
2	The election method is attendance (face-to-face) voting with the addition of postal and pre-poll voting.
3	The method of voting and type of count is optional preferential with a manual distribution of preferences for a Mayoral election and election of one councillor and proportional representation if two or more councillors are to be elected.

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**SCHEDULE 2 - Costs and any agreed basis for variation of costs  
for 2016 Ordinary Election**

1. The parties agree that:
  - a) the costs to be charged and invoiced by the Electoral Commissioner for administering the 2016 Ordinary Election are specified in the table below and are based on prices provided by approved suppliers as at the commencement date, and
  - b) the costs in the table below have been prepared on the information available at the time and may vary. However, the Electoral Commissioner will only charge council the actual cost of conducting the election, and
  - c) the Electoral Commissioner may vary such costs if:
    - i. a variation is in accordance with this Contract, or
    - ii. there is any change to the law that impacts on the administration of the Services, or
    - iii. there is any change to the services specified in Schedule 1, or
    - iv. there is any change to an approved supplier or price provided by an approved supplier.
  - d) the Council shall be informed of any material costs variance as soon as practicable.

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**2016 Council Elections Preliminary Estimate  
Bogan Shire Council**

<b>Projects / Deliverables</b>	<b>Amount</b>
<i>Enrolment</i>	273
<i>Data Management</i>	6
<i>Election Staffing</i>	19,886
<i>Financial Services</i>	273
<i>Venue Procurement</i>	2,389
<i>Postal Voting</i>	336
<i>Counting and Results</i>	105
<i>Logistics</i>	1,078
<i>Media, Communications &amp; Advertising</i>	853
<i>IT Infrastructure &amp; Application Support</i>	279
<i>Call Centres</i>	326
<i>Ballot Paper Production, Allocation &amp; Distribution</i>	530
<i>Nominations &amp; How-to-Vote</i>	63
<i>External Reporting &amp; Evaluation</i>	134
<i>Virtual Tally Room</i>	199
<i>Sydney Town Hall</i>	29
<i>Election Management Fee @ 72 cents per elector</i>	1,489
<b>TOTAL (excluding GST)</b>	<b>28,248</b>
<b>GST</b>	<b>2,825</b>
<b>TOTAL (including GST)</b>	<b>31,073</b>

**Assumptions:**

All aspects of the election process will be as 2012

RO office will be similar to that used in 2012

LGE 2012 Election Status

Actual Number of Electors LGE 2012

Estimated Number of Electors LGE 2016

Roll growth since 2012 used for affected expenses

CPI growth since 2012 used for non-staff expenses

Wage growth since 2012 used for staff expenses

*Contested*

1,981

2,068

4.4%

11.0%

10.4%

10/03/2015



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## **4 FIT FOR THE FUTURE PROCESS**

### **4.1 Introduction**

The purpose of this report is to present information to Councillors on the NSW Government's Fit for the Future process and Council's submission in response, specifically the completion of Rural Council Template 3.

### **4.2 Background**

Previous reports to Council in September 2014, December 2014, February 2015 and March 2015 refer.

Bogan Shire Council is required to prepare a proposal, by 30 June 2015, to the Minister for Local Government explaining how it is "Fit for the Future" and, as a starting point, is instructed to consider the options of either a "Rural Council in Orana JO or merge with Warren".

In March 2015 Council passed the following resolution:-

*Based on advice from the Office of Local Government that "a statutory Rural Council model creating a different type of Council was not appropriate and a specific model is no longer being pursued" which implies that Bogan Shire Council's local democratic processes, independence and employment levels can be maintained:-*

- 1. Council staff, in consultation with nominated Councillors, proceed to prepare a draft Fit for the Future submission based on the Rural Council Proposal (Template 3) for consideration by Council.*
- 2. Council's submission should highlight Bogan Shire Council's proven track record of responsible financial management and good service delivery as well as demonstrating how Fit for the Future ratio performance will be addressed over time.*

### **4.3 Discussion**

In accordance with this resolution Council staff have continued to develop the Rural Council Fit for the Future Submission and have met to consult with nominated Councillors on two occasions.

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On 27 April 2015 the Minister for Local Government announced that IPART, supported by South Australian Local Government expert John Comrie, will act as the Expert Advisory Panel to review Fit for the Future submissions. The Mayor and General Manager attended an IPART briefing session in Dubbo on 15 May 2015 where it was confirmed by the Office of Local Government that the NSW Government does not support the creation of Rural Councils as a different type of Council structure.

Council staff will continue to develop our Fit for the Future submission which will be presented for adoption at the June Council meeting. The draft submission is currently based on the objectives and strategies presented in the attachment to this report. In attachment 2, Options 1 to 6 are the so-called Rural Council options which Council is required to address in Template 3. Option 7 includes the objectives and strategies necessary to address Council's Fit for the Future ratios in relation to infrastructure so that they meet the ratio targets set by the Government.

**4.4 Attachment**

1. Fit for the Future SWOT Analysis
2. Fit for the Future Options 1 to 7 – Strategies and Objectives

**4.5 Recommendation**

For consideration and, subject to any amendments, that Council endorses on principle the strategies and objectives set out in the attachment for further consideration and subsequent adoption at the Council meeting on 25 June 2015.

**Derek Francis  
GENERAL MANAGER**



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**Strengths / Weaknesses** – internal to Council  
**Opportunities / Threats** – external to Council

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Strengths	Weaknesses
<ol style="list-style-type: none"> <li>1. Community Support – well regarded by all sectors of the community.</li> <li>2. History of strong advocacy for local issues on behalf of the community.</li> <li>3. Orana Regional Organisation of Council (strongly collaborative with functional relationships and support).</li> <li>4. Well-qualified staff experienced in local government.</li> <li>5. Simple, flat, cost-effective staff structure enabling good communication and cooperation.</li> <li>6. Stable Council with Councillors working together for the benefit of the community.</li> <li>7. History of structurally balanced budgets, living within our means.</li> <li>8. Sound, positive, cashflow with good debt recovery.</li> <li>9. Adequate cash reserves.</li> <li>10. Long Term Financial Plan shows viability.</li> <li>11. Very low debt = flexibility.</li> <li>12. Water and Sewer running at full cost recovery</li> <li>13. Best practice Water and Sewer.</li> <li>14. Lower Macquarie Water User Alliance (National award winner for regional collaboration.)</li> </ol>	<ol style="list-style-type: none"> <li>1. Limited opportunities for increasing revenue. (<i>Strategy 5.3 refers</i>)</li> <li>2. Relatively small staff – creates single point sensitivity (<i>Offset and managed by Strengths 5 and 18</i>)</li> <li>3. Limited Asset Management historical data, management tools and reporting. (<i>Strategy 1.4 refers</i>)</li> <li>4. Limited ability to apply for grants (complexity) and limited opportunity for OROC / Orana JO to assist because of competing bids from member councils. (<i>Managed through employment of consultants where required</i>).</li> <li>5. Civic administration buildings dispersed – can impact on communication. (<i>Managed through deliberate, regular face-to-face contact</i>)</li> <li>6. Sometimes constrained by staff resources – unable to complete major works without consultants / contactors. (<i>Strategy 1.3 refers</i>)</li> </ol>

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<p>15. Large number of local people employed in key positions = local knowledge, pride and ownership.</p> <p>16. Good asset condition – especially roads</p> <p>17. Low asset backlog – evidenced by 2013 DLG audit.</p> <p>18. Attractive town, safe environment = Council can focus more on positives and core business than dealing with social issues and contributes to good staff attraction and retention.</p>	
<p><b>Opportunities</b></p> <ol style="list-style-type: none"> <li>1. Strategic location at the junction of highways – leverage economic benefits - especially opportunity for semi-regional service centre for far western towns (aged care, retail, schools). Capitalise on existing stable community, good services, high employment.</li> <li>2. Use loans (Council currently has no debt) to build childcare centre and medical centre.</li> <li>3. Childcare, medical centre and aged care will strengthen community and could encourage population growth.</li> <li>4. Increased tourism – largest solar plant, river &amp; water-skiing, on two “grey nomad” routes and the Big Bogan.</li> <li>5. Increased contracting on behalf of RMS – win / win for both parties.</li> <li>6. Supporting other Councils with expertise. (Eg. Town Planning).</li> </ol>	<p><b>Threats</b></p> <ol style="list-style-type: none"> <li>1. Reduction in grant funding. <i>(Managed through reduction in new infrastructure, staff and services if necessary with very significant effects).</i></li> <li>2. Uncertainty from year to year in RMS contract work. <i>(Strategy 3.2 refers)</i></li> <li>3. Lack of private medical facilities (GP) – flow on economic effect for the town. <i>(Assisted by construction of medical centre funded in 2015/16 budget)</i></li> <li>4. Lack of childcare facilities – flow on economic effect for the town. <i>(Managed by construction and staffing of childcare centre funded in 2015/16 budget)</i></li> <li>5. Water security in times of severe drought. <i>(Managed by NSW Government-funded off-river storages currently under construction)</i></li> </ol>

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<ul style="list-style-type: none"> <li>7. Manage community expectations around levels of service.</li> <li>8. Commercial irrigation opportunities based on Albert Priest Channel.</li> <li>9. New mining operations in short – medium term.</li> <li>10. Lobby for rating review (renewable energy), recognition of cost shifting and more equitable share of Financial Assistance Grants</li> <li>11. Fit for the Future Strategies will improve medium / long term service delivery.</li> </ul>	<ul style="list-style-type: none"> <li>6. Complexity of being a large-area, high-productivity, low-population-density Shire. <i>(Offset by strengths 1, 2, 5 and 6)</i></li> <li>7. Climate variations – drought and flood. <i>(Offset by strong mining activity)</i></li> <li>8. Threats to mining industry. <i>(Offset by strong agricultural activity)</i></li> <li>9. Lack of rental accommodation resulting from mine activity. <i>(Offset, as far as Council's own requirements are concerned, by the provision of staff housing)</i></li> <li>10. NSW Government policy and regulations &amp; red tape - role should be a service provider not a regulator. <i>(Strategy 5.2 refers)</i></li> <li>11. NSW Government policy on structural change for rural councils leading to loss of community identity, employment, local democracy and decision-making. <i>(Managed through strong representation to NSW Government resulting in Government assurances that a new, separate, type of legal structure for rural councils was no longer being considered.)</i></li> </ul>
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Option 1 – Resource Sharing

*(Either with neighbouring councils or via a Regional Joint Organisation)*

<b>Proposal (Objectives and strategies)</b>	<b>Implementation (How will your Council implement the option?)</b>
<p><b>1.1 Continue and strengthen existing resource sharing arrangements.</b></p> <p>Continue participation in current regional initiatives which provide opportunities for resource sharing, accessing skills and reducing costs by benefiting from economies of scale:</p> <p>a. Orana Regional Organisation of Councils / Orana Joint Organisation of Councils</p> <p>b. Lower Macquarie Water Utilities Alliance (Winner of 2013 National Award for Local Government Collaboration).</p> <p>c. North West &amp; Bogan Rural Fire Zone</p> <p>d. North Western Library Services</p> <p>e. Netwaste</p> <p>f. Road and Maritime Services - council cluster</p> <p>g. Regional Procurement</p> <p>h. Local Government Procurement</p> <p>i. Central West Local Land Services</p> <p>j. Nyngan Local Land Services Council and Bogan Aboriginal Corporation</p> <p>k. Nyngan Community Hub</p> <p>l. Inland NSW Tourism</p>	<p>a. Build on current OROC Strategic Plan – Goal 2 (Resource Sharing / Networking) which facilitates providing each Council with access to specialist advice and resources available at 11 other member Councils. Examples of this include:</p> <ul style="list-style-type: none"> <li>i. Joint procurement, for example recent OROC-wide electricity contract.</li> <li>ii. Professional Groups – Human Resources, Economic Development Officers, Finance and Workplace Health and Safety.</li> <li>iii. General Manager’s Advisory Committee.</li> </ul> <p>b. Formed in 2008 to cooperatively develop resource sharing opportunities and implementing best practice water management, the alliance provides Bogan Shire with access to specialist advice and project officer resources for water and sewerage operations along with 11 other OROC Councils.</p> <p>c. The Zone, covering 4 Shires and a distance of 57,432 square kilometres, involves Bogan in sharing Regional RFS Head Office expertise, resources and costs with 3 other Councils.</p> <p>d. NWLS covers 4 Shires, involves Bogan in sharing library management expertise, IT infrastructure, resources and costs with 3 other Councils.</p> <p>e. Providing access to skills and expertise through collaborative approaches to waste and resource management across 27 member councils.</p> <p>f. Joint road contract planning for regional priorities with NSW RMS and other x Councils.</p> <p>g. Joint procurement contracts with 11 other OROC councils, for example current shared bitumen contract – major component of expenditure.</p> <p>h. Joint procurement contracts on a state-wide basis.</p> <p>i. Working together across 12 Council areas to deliver services that add value to local industries, enhance natural resources, protect industries from pests and disease and help communities respond to emergencies like flood, fire and drought.</p> <p>j. Continued co-operation, particularly with joint funding applications.</p> <p>k. Interagency Group involving Bogan Shire, sharing resources and expertise of agencies delivering community services within the Shire, eg NSW Families and Community Services.</p> <p>l. Joint tourism strategic planning, resourcing and marketing with 35 other Council members.</p>

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<b>Proposal (Objectives and strategies)</b>	<b>Implementation (How will your Council implement the option?)</b>
<p><b>1.2 Continue and strengthen existing resource / cost sharing arrangements with Cobar Water Board / Cobar Shire Council</b></p> <p>Continue as the lead agency responsible for the management of the bulk water supply to Bogan Shire Council and Cobar Water Board / Cobar Shire Council.</p>	<p>Continue existing activities, including:</p> <ul style="list-style-type: none"> <li>i. Maintenance of the jointly-used Albert Priest Channel</li> <li>ii. Liaison with Office of Water regarding regulatory matters.</li> <li>iii. Management of bulk water purchases</li> <li>iv. Management and maintenance of the existing jointly-used water storage weirs.</li> <li>v. Construction of new jointly-used water storage facility to enhance security of supply.</li> </ul>
<p><b>1.3 Redirect expenditure on consultants to Joint Organisation.</b></p> <p>Take advantage of opportunities to source expertise from the JO rather than employing private consultants with a view to cost savings and building expertise, potential areas include:</p> <ul style="list-style-type: none"> <li>a. ICT support (\$39k average annual spend over 3 yrs.)</li> <li>b. Town Planning (\$42k average annual spend over 3 yrs.)</li> <li>c. Accounting / Finance (\$95k average annual spend over 3 yrs.)</li> <li>d. Engineering design and major infrastructure project management (Ad-hoc as required).</li> </ul>	<ul style="list-style-type: none"> <li>i. Fully identify costs associated with use of private consultants and confirm key areas where these skills are required (eg ICT support).</li> <li>ii. Engage in discussions with JO and other Councils to determine whether a business case exists to jointly employ suitable individuals.</li> <li>iii. Terminate existing arrangements and implement new ones with JO.</li> <li>iv. Reduce existing consultancy budget by determined amount.</li> </ul>
<p><b>1.4 Shared Asset Management</b></p> <p>Bogan Shire Council has strengths in asset management, having dedicated and qualified staff resources available.</p> <p>Using this, and complementary expertise found in other rural councils within Orana JO, seek to create a partnership with these Councils to strengthen and standardise asset management practices in much the same way as the Lower Macquarie Water Alliance.</p> <p>A key component of this is the acquisition of common software which could be acquired via the Innovation Fund.</p>	<ul style="list-style-type: none"> <li>i. Obtain agreement from the three other rural councils within Orana JO</li> <li>ii. Make application to the Innovation Fund.</li> <li>iii. Prepare joint tender proposal.</li> <li>iv. Acceptance of best tender</li> <li>v. Installation of software</li> <li>vi. Identify available expertise.</li> <li>vii. Joint software training completed.</li> <li>viii. Commence work on software implementation.</li> <li>ix. Begin data analysis and work on procedures and standards.</li> </ul>
<p><b>1.5 Identify other opportunities for resource sharing.</b></p> <p>Through ongoing dialogue with other Orana JO rural councils, identify opportunities for further resource-sharing, including:</p> <ul style="list-style-type: none"> <li>a. Ranger Services</li> <li>b. Street-sweeping</li> <li>c. Emergency works</li> </ul>	<ul style="list-style-type: none"> <li>i. Identify current opportunities with other Orana JO rural councils.</li> <li>ii. Enter into agreements as appropriate.</li> <li>iii. Review of existing arrangements and opportunities for new ones.</li> </ul>



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Option 2 – Shared Administration

(Agreements with neighbouring councils)

<b>Proposal (Objectives and strategies)</b>	<b>Implementation (How will your Council implement the option?)</b>
<p><b>2.1 Sharing Management Team with neighbouring councils</b></p> <p>Not considered to be practical.</p> <p>a. Firstly, distance between neighbouring Shire centres is too great, involving extended travel times. (Warren – 85kms, Cobar - 130kms, Bourke – 203kms and Condobolin - 301kms.)</p> <p>b. Secondly, inadequate local internet speeds, severe lack of mobile phone reception, frequent service interruptions, with lengthy response times, do not support remote office working arrangements for senior managers.</p> <p>c. Thirdly, senior managers, including General Managers, are very 'hands on' in a small rural Council and consequently existing workloads prohibit efficient sharing. Expressed differently, additional management staff would have to be employed to take on the workload no longer being undertaken by existing senior managers in this scenario.</p> <p>d. Lastly, Bogan Shire already runs a flat and lean management structure and has no Directors employed as Senior Staff as defined by the Local Government Act, running efficiently with a General Manager and three Departmental Managers.</p> <p>Rather than sharing managers as such, the current practice of sharing OROC rural council management resources (ideas, problem-solving, experience and skills) in collaborative forums will continue.</p>	<p>Confirm support from other Orana JO rural councils for regular ongoing collaborative forums to share management resources (ideas, problem-solving, experience and skills)</p>

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Option 3 – Speciality Services

(Marketing specialist services to other councils eg via a Centre of Excellence)

<b>Proposal (Objectives and strategies)</b>	<b>Implementation (How will your Council implement the option?)</b>
<p><b>3.1 Centres of Excellence</b></p> <p>Investigate options for making use of Bogan Shire staff, including retired staff, with specialist knowledge to develop local centres of excellence to service nearby Councils both inside and outside of Orana JO. Potential areas include:</p> <ul style="list-style-type: none"> <li>i. Local government software support</li> <li>ii. Human Resources Management</li> <li>iii. Building Surveying</li> <li>iv. Town Planning</li> <li>v. Engineering – particularly water</li> <li>vi. Asset Management – particularly valuation of road assets (new requirement to be done by external party).</li> </ul> <p>The role of the JO is to maintain a database of expertise throughout member Councils and coordinate requests for service.</p>	<ul style="list-style-type: none"> <li>i. Thoroughly review available expertise and opportunities.</li> <li>ii. Review capacity for taking on increased workload and implications for staffing / levels of service.</li> <li>iii. Build database of expertise within the JO for specialist staff opportunities.</li> <li>iv. Make opportunities known to Council's outside JO.</li> </ul>
<p><b>3.2 Highway Construction Projects</b></p> <p>Bogan Shire has recognised strengths in highway maintenance and construction work.</p> <p>Seek to confirm and increase the level of highway construction carried out on behalf of Road and Maritime Services.</p>	<ul style="list-style-type: none"> <li>i. Open discussions with RMS about the potential for more contract work on their behalf.</li> <li>ii. Obtain confirmation of the level of medium-term funding from RMS for contract work.</li> <li>iii. Subject to confirmation of medium-term funding, acquire additional resources if necessary to undertake work</li> </ul>

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Option 4 – Streamlined Governance

(Reducing the number of Councillors or formal council meetings)

<b>Proposal (Objectives and strategies)</b>	<b>Implementation (How will your Council implement the option?)</b>
<p><b>4.1 Reducing the number of Councillors</b></p> <p>Not considered worthwhile based on cost/benefit.</p> <p>a. Bogan Shire Councillors are part-time and paid the minimum allowance permitted - \$8,130 per annum.</p> <p>b. Bogan Shire does not run a council complex committee system with all decisions being taken by Council as a whole at one monthly meeting. This eliminates the cost of council committee meetings and structures.</p> <p>Community participation in Section 355 Committees is discussed in paragraph 6.4.</p> <p>c. Councillors do not receive additional allowances and travel and conference expenses are minimal with no Councillors having travelled interstate on Council business in, at least, the last 5 years.</p> <p>d. Based on this, cutting the number of Councillors from 9 to 7, for example, would have a minimal impact on Council's expenditure with negative impacts of the level of local democracy and debate.</p>	
<p><b>4.2 Implementing electronic business papers</b></p> <p>Consider phasing in the circulation of electronic business papers for Councillors and staff via tablet technology.</p>	<p>i. Council to consider a report on the cost-benefit of this measure and proposed implementation timelines.</p> <p>ii. Carry out actions as determined by Council.</p>

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Option 5 – Streamlined Planning, Regulation and Reporting

(Exploring flexibility under current legislative provisions, as well as adopting new options following legislative review)

<b>Proposal (Objectives and strategies)</b>	<b>Implementation (How will your Council implement the option?)</b>
<p><b>5.1 Complexity of Annual Report for Smaller Local Governments</b></p> <p>Encourage the NSW Government to review the level of detail required for, and complexity of, Local Government Annual Financial Statements in NSW for smaller Councils.</p>	<p>Bogan Shire Council to raise through Local Government NSW.</p>
<p><b>5.2 Reduction in NSW Government Red Tape</b></p> <p>Any other efficiencies, for example, cost savings in respect of land use planning will depend on requirements of the NSW Government and are out of Council's hands except to the extent that Government can be lobbied.</p> <p>Council will fully participate in and support Regional planning initiatives at a JO level.</p>	<p>Work with Local Government NSW and Orana JO to undertake a review of where efficiencies can be gained, particularly for smaller Councils, in the context of the IPART Local Government Compliance and Enforcement Review.</p> <p>Request Local Government NSW to raise with NSW Government on behalf of industry.</p>
<p><b>5.3 Rating Review</b></p> <p>Seek opportunity for justifiable, increased rates from Nyngan Solar Plant (largest solar power station in the southern hemisphere) via a new land category – Section 493 of Local Government Act.</p>	<p>Pursue request made to Minister for Local Government for consideration of a new land category, potentially based on Victorian model where level of power generation is taken into account.</p>
<p><b>5.4 Review of Unfunded Activities</b></p> <p>Unfunded responsibilities for such compliance activities relating to NSW legislation such as the Companion Animals Act and Swimming Pools Act.</p>	<p>Request Local Government NSW to lead an initiative to seek additional revenue from the NSW State Government / alternatively a reduction in council responsibilities in respect of Council activities to support State legislation such as dog and cat registration and inspections and swimming pool inspections.</p>

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Option 6 – Service Review

(Exploring options for improved cost recovery in service provision, or optional service delivery methods / standards)

<b>Proposal (Objectives and strategies)</b>	<b>Implementation (How will your Council implement the option?)</b>
<p><b>6.1 Unsealed Road Maintenance and Renewal</b></p> <p>Conduct Service Review for Shire Road Maintenance and Renewals. (1,400 kilometres of unsealed roads).</p> <p>Road maintenance makes up the majority of Council's operating expenditure (x%). Establishing / clarifying desired levels of service and identifying efficiencies could assist in reducing renewal and maintenance costs with positive impacts on FFF graphs.</p>	<ul style="list-style-type: none"> <li>i. In conjunction with new Community Strategic Plan identify, thorough community consultation, what services are most important and what levels of service are acceptable.</li> <li>ii. Identify extent to which Regional road costs are funded by Council's general fund and take appropriate action.</li> <li>iii. Engage consultants / JO to assist with identifying areas for change based on (i).</li> <li>iv. Council to review and Implement</li> </ul>
<p><b>6.2 Plant Management</b></p> <p>Conduct Service Review for Plant Management. (Plant is a significant cost resulting from road maintenance / construction activities - % of operating budget)</p> <p>Identifying improved utilisation, cost recovery and service delivery could reduce costs, freeing up funding for, amongst other things, asset maintenance and renewal.</p>	<ul style="list-style-type: none"> <li>i. Engage consultants / JO to assist with process of identifying where efficiencies can be made in operations as well as an optimal change over regime.</li> <li>ii. Council to review and Implement</li> </ul>
<p><b>6.3 Cost Accounting Review – Water and Sewerage</b></p> <p>Cost accounting review – potential for activity based costing exercise to ensure appropriate costing of council overheads.</p> <p>Has the potential to free up resources in the General Fund for, amongst other things, asset maintenance and renewal.</p>	<ul style="list-style-type: none"> <li>i. Commit resources to a review of cost accounting processes to establish true cost of running water and sewerage services, believed to be partially cross-subsidised by General Fund at present.</li> <li>ii. Council to review and Implement</li> </ul>
<p><b>6.4 Greater Community Involvement</b></p> <p>Identify areas of significant expense (for example community facilities, showgrounds and sportsfields) that could be partially managed by volunteers via Section 355 mechanisms.</p> <p>Has the potential to free up resources in the General Fund for, amongst other things, asset maintenance and renewal.</p> <p>Council already has in place up to six Section 355 Committees to manage halls, cemetery, showgrounds and museum.</p>	<ul style="list-style-type: none"> <li>i. Identify, as part of Community Strategic Plan, assets / facilities where Council and, for example, sporting clubs could benefit from Section 355 arrangements to reduce costs of maintenance.</li> <li>ii. Engage community groups in discussion.</li> <li>iii. Depending on outcome of (ii) develop and adopt Section 355 agreements.</li> </ul>

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Option 7 – Refocus expenditure on asset renewals

(Identify cash resources that can be used to address infrastructure backlog and increase spending on asset maintenance and renewals).

<b>Proposal (Objectives and strategies)</b>	<b>Implementation (How will your Council implement the option?)</b>
<p><b>7.1 Confirm Depreciation</b></p> <p>Undertake a review of depreciation to confirm that assumptions regarding required renewals are valid.</p> <p>Concern is that depreciation is too high and does not reflect the actual condition on the ground. <i>(Assets are in good condition, cash investments increasing and yet not all depreciation is funded and renewals are less than depreciation over time = depreciation too high?)</i></p>	<ul style="list-style-type: none"> <li>i. Engage consultants to review depreciation methodologies and assumptions across all asset categories.</li> <li>ii. Review effect of these changes.</li> <li>iii. Agree on outcome with auditors.</li> </ul>
<p><b>7.2 Review of medium term capital priorities</b></p> <p>Undertake a review of the mix of proposed capital works to ensure an appropriate mix of new works and renewal works.</p>	<ul style="list-style-type: none"> <li>i. Prepare medium to long term capital works program based on asset management data, community feedback and required renewals / depreciation.</li> <li>ii. Annually review this program as part of the budgeting process.</li> </ul>
<p><b>7.3 Apply Roads to Recovery increase to Renewals</b></p> <p>Apply approved and increased Roads to Recovery funding to asset renewals.</p>	<ul style="list-style-type: none"> <li>i. Use recent road asset audit undertaken as part of revaluation to identify priority road projects.</li> <li>ii. Carry out works.</li> </ul>
<p><b>7.4 Creation of Asset Renewal Reserve</b></p> <p>Use asset renewal reserve created in 2015/16 to reduce the asset backlog.</p>	<ul style="list-style-type: none"> <li>i. Use recent road asset audit undertaken as part of revaluation to identify priority projects.</li> <li>ii. Carry out works.</li> </ul>
<p><b>7.5 Dedicate % of Financial Assistance Grants to renewals</b></p> <p>“Ring-fence” half of expected FAG increase, up to \$100k per annum, over the next 5 years to be applied to asset renewals.</p> <p>Based on statements by the Office of Local Government, Minister for Local Government and past experience half of the expected increase is conservatively expected to be in the region of \$100k (3%) per annum. <i>(Increase in FAG’s was 10% between 2012/13 &amp; 2013/14 and 6% between 2013/14 and 2014/15 – showing the effect of the freeze.)</i></p> <p>If more substantial reallocation of FAG occurs then some items below will not need to be considered and the program of renewal works will be revised accordingly.</p>	<ul style="list-style-type: none"> <li>i. Use recent road asset audit undertaken as part of revaluation to identify priority projects.</li> <li>ii. Carry out works.</li> </ul>
<p><b>7.6 Fund infrastructure backlog from loans</b></p> <p>Depending on the outcome of measures 7.1 to 7.4, consider obtaining loans to finance the reduction of the infrastructure backlog to targeted level.</p>	<ul style="list-style-type: none"> <li>i. Consider new loans (Council currently has low levels of loans) to finance asset renewal works as a means to reduce backlog more quickly.</li> <li>ii. Depending on outcome of (i), use funds generated to carry out identified works.</li> </ul>
<p><b>7.7 Special Rate Variation</b></p> <p>If generally acceptable to the community, investigate option of special rates variation / levy to fund asset renewals following public consultation. (Especially if FAG grant increases are not forthcoming).</p>	<p>In conjunction with new Community Strategic Plan identify, thorough community consultation on levels of service whether the community will accept a special rates levy to fund particular infrastructure projects.</p> <p>Depending on outcome of (i), use funds generated to carry out identified works.</p>

**Manager Corporate Services' Report to the Ordinary Meeting of Bogan Shire Council  
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**REPORTS TO ORDINARY MEETING OF COUNCIL – MANAGER OF CORPORATE SERVICES**

**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 April 2015.

**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.

<b>Bank Reconciliation for April 2015</b>		
<b>Council General Fund</b>		
Bank Statement Balance	\$	440,214.84cr
Add Deposits not yet receipted	\$	6008.31cr
Less Unpresented Payments	\$	310,270.55dr
<b>Balance as per Council</b>	<b>\$</b>	<b>135,952.60cr</b>
<b>Represented by the following in Council Ledgers</b>		
Account		
<b>19001.8000.8000</b>	<b>\$</b>	<b>135,952.60cr</b>
<b>Difference</b>	<b>\$</b>	<b>0.00</b>

**1.3 Recommendation**

That the Bank Reconciliation Report be received and noted.

**Manager Corporate Services' Report to the Ordinary Meeting of Bogan Shire Council  
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## **2 INVESTMENTS APRIL 2015**

### **2.1 Introduction**

The purpose of this report is to outline the performance of Council's Investment Portfolio for the month of April 2015.

### **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 April 2015 is shown below. At the 30 April 2015 Council had \$7.8 million invested. There has been a \$466,000 decrease in Council's investments since the March 2015 report.

All money has been invested in accordance with Council's Investment Policy.

Interest rates continue to fall. Investment number 4506, which matured during April, was originally invested at 3.6% per annum, it was re-invested at 2.95%. This will mean a fall of \$2,370 for this specific investment. Applied across Council's whole investment portfolio this would amount to approximately \$44,000 less in investment returns per annum.

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



**Manager Corporate Services' Report to the Ordinary Meeting of Bogan Shire Council  
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**Investment Movements for April 2015**

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 April 2015							
REF	Source	Maturity	Days	% rate	Interest	Bal 31/03/2015	Bal 30/04/2015
4506	CBA	17-Apr-15	180	3.600%	14,202	800,000.00	0.00
4493	CBA	11-Feb-16	365	3.250%	11,836	1,000,000.00	1,000,000.00
6784	NAB	06-May-15	180	3.550%	8,802	500,000.00	500,000.00
5189	NAB	08-May-15	180	3.500%	17,356	1,000,000.00	1,000,000.00
3204	NAB	11-Sep-15	180	3.130%	15,778	1,000,000.00	1,000,000.00
1203	NAB	17-Sep-15	180	3.150%	15,879	1,000,000.00	1,000,000.00
7202	NAB	17-Oct-15	180	2.950%	11,832	0.00	800,000.00
802	Westpac - Maxi direct	n/a	n/a	1.950%	approx	2,939,696.99	2,473,008.53
	Balance securities held					8,239,696.99	7,773,008.53
	Balance Ledger 19010.8200.8200					8,239,696.99	7,773,008.53
	<b>Summary by institution</b>						
	CBA					1,800,000.00	1,000,000.00
	NAB					3,500,000.00	4,300,000.00
	Westpac					2,939,696.99	2,473,008.53
						8,239,696.99	7,773,008.53

**2.4 Recommendation**

That the Investments Report be received and noted.

**Manager Corporate Services' Report to the Ordinary Meeting of Bogan Shire Council  
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### **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 30 April 2015, with the same period last year.

#### **3.2 Discussion**

This report is provided for the information of Councillors.

<b>Rate Collections</b>	<b>2014-2015</b>	<b>2013-2014</b>
Arrears Prior to 01/07/2014	199,955	263,624
First Instalment Outstanding as at 30/04/2015	23,243	32,093
Second Instalment Outstanding as at 30/04/2015	30,206	46,681
Third Instalment Outstanding as at 30/04/2015	61,344	76,552
<b>Total Arrears</b>	<b>314,748</b>	<b>418,950</b>
<b>Total Outstanding</b>	<b>1,124,672</b>	<b>1,216,995</b>
<b>Monthly Transactions</b>		
Amount Levied & B/Fwd	4,758,514	4,925,733
Add: Adjustments	53,632	-178,185
Less: Payments to end of March	-3,612,095	-3,454,806
Less: Rebates	-78,418	-75,747
Add: Postponed	3,039	0
<b>Gross Total Balance</b>	<b>1,124,672</b>	<b>1,216,995</b>
<b>Arrears of total amount levied %</b>	<b>6.6%</b>	<b>8.5%</b>

Total arrears have dropped from \$419,000 at the end of April 2015 to \$315,000 as at 30 April this year.

Each instalment amounts to approximately \$1,190,000  
(Total Rates, Waste, Water & Sewer Access Charges)

Council has collected at this date \$157,000 more than at the same time last year.

2% of rate payers had not paid their first instalment prior to the 30<sup>th</sup> April, 2015.

2.5% of rate payers had not paid their second instalment prior to the 30<sup>th</sup> April, 2015.

5% of rate payers had not paid their third instalment prior to the 30<sup>th</sup> April, 2015.

#### **3.3 Recommendation**

That the Rates Collections Report be received and noted.

**Manager Corporate Services' Report to the Ordinary Meeting of Bogan Shire Council  
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## **4 LIBRARY REPORT**

### **4.1 Introduction**

The purpose of this report is to provide Council and Councillors with information both statistical and informative in regards to the library's function.

### **4.2 Background**

Historically the Library Manager has provided this report for the information of Councillors.

### **4.3 Issues**

During the school holidays the Library held story times and activity mornings for the last few weeks of the school holidays. Although not well attended the children who did come enjoyed playing with lego, and doing craft activities.

The Library hosted the Waste 2 Art photo display during the first weeks of April. Clients were fascinated by the creativity of using waste to make art objects.

**Sydney Puppet Theatre** will be sponsored by the Library with grant funds. The puppet show "Once upon a Time Café" is a modern and stylish interpretation of the classic story "The Frog Prince" and for this show the company has crafted exquisite hand carved wooden puppets, shadow puppets and a stunning 'crystal' marionette. The show is accompanied with a live octave mandolin designed and created specifically for the show by Steve Coupe. This show premiered at the Tarrengower Puppetfest in March 2012. I am sure the children will enjoy the performance.

As we have some remaining funds in our Refurbishment Grant I am replacing the old kitchen to provide more storage units and a work desk in our staff room. This will complete the total refurbishment. This work will commence on 18<sup>th</sup> May.

The Library will be hosting a **Photographic** display from the State Library called Portraits of War: the Crown Studios Project which consists of 80 portraits of World War One soldiers from NSW who have been selected from the State Libraries photographic collection. This collection was produced as part of the State Library's WW1 Centenary Regional Program.

The display reveals the fascinating story behind the creation of the portraits and delivers a moving experience that bears witness to the individual faces of Australian soldiers who served their country. The display is at the library from 5<sup>th</sup> May to 22<sup>nd</sup> May. I hope that Councillors will come along and take a look.

**Manager Corporate Services' Report to the Ordinary Meeting of Bogan Shire Council  
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**Our Bi-Annual Stock Take** will take place from Monday June 15<sup>th</sup> to Thursday 18<sup>th</sup> June. We will need to close the Library for 3 days ie Tuesday 16<sup>th</sup> to Thursday 18<sup>th</sup>. We will also work Monday 15<sup>th</sup> June. I am hoping that Council will approve this, as this year we will be doing the stock take without the help of North Western Library staff. I will need both casuals to work for those days.

**Library Statistics**

Statistics for the past quarter dating from 1.01.15 to 31.03.15 are as follows with a comparison of the previous year figures for the same period.

The Borrow Box Eaudio and Ebooks report for past 3 months for North Western Library:

**Loans:-**

**EAudiobooks 879**

**EBooks 544**

Total users 854

Active users 229

Our stats for people entering the library, IT Help, Computer Internet and WiFi users have increased and providing faxing, scanning, photocopying and laminating services gives our community a multi-faceted service.

**Manager Corporate Services' Report to the Ordinary Meeting of Bogan Shire Council  
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**JAN 1<sup>ST</sup> – MARCH 31<sup>ST</sup> 2015**

**JAN 1<sup>ST</sup> – MARCH 31<sup>ST</sup> 2014**

Adult Fiction	844	Adult Fiction	841
Western Fiction	64	Western fiction	82
Large Print	412	Large Print	521
Magazines	132	Magazines	202
Adult Non Fiction	65	Adult Non Fiction	88
Talking Books	86	Talking Books	58
CD's Discontinued		CD's	21
Junior Fiction	214	Junior Fiction	214
Junior Non Fiction	31	Junior Non Fiction	60
Easy & Easy2, Reading Resources	334	Easy & Easy 2 & Reading res.	508
Junior Talking Books	5	Junior Talking Books	5
Young Adult Fiction	46	Young Adult Fiction	42
Toys borrowed	8	Toys	18
Equipment	3	Equipment	
DVD's	341	DVD's	540
<b>TOTAL ISSUES</b>	<b>2585</b>	<b>TOTAL ISSUES</b>	<b>3219</b>
<b>TOTAL MEMBERS</b>	<b>2422</b>	<b>TOTAL MEMBERS</b>	<b>2337</b>
New Members	27	New Members	29
Internet usage	3215	Internet Usage	2568
People Counter	5054	People Counter	3979
WIFI	190	WIFI	160
It Help	99	It Help	68
Reference/Inquiries	147	Reference/inquiries	161
Toys played in Library	75		

**Manager Corporate Services' Report to the Ordinary Meeting of Bogan Shire Council  
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**4.4 Conclusion**

As this report demonstrates the Bogan Shire Library provides many services to our community and the community is keen to use the Library for their various needs.

**4.5 Recommendation**

That the Library Report be received and noted.

**Luke Taberner**

**MANAGER CORPORATE SERVICES**

## REPORT TO THE ORDINARY MEETING OF COUNCIL – MANAGER OF ENGINEERING SERVICES REPORT

### Mayor and Councillors

I submit the following report for consideration:-

## 1 OPERATIONAL REPORT

### 1.1 Civil Works

Work undertaken between the reporting period from the 13 April 2015 to 15 May 2015 consisted of the following:-

- Installation of a new gate for entry through railway fence to Shearing Shed Museum.
- Cladding and lining of the Cobb & Co display shed at Teamsters Rest in Pangee Street.
- Installing the lining for the new dog pound at the airport.
- Commencing construction of new concrete cycle way at the Peter Sinclair Bridge.
- Constructing a traffic blister opposite the Pre-School in Moonagee Street.
- Repairs at showground in preparation for the annual Nyngan Show.
- Installing pedestrian bollards and signage at the entrance to and opposite the Junior League Oval.
- Maintenance of the town levee.
- Repairs at 26 Flashman Avenue.
- Repairs to the façade of the dentist surgery in Pangee Street.

### 1.2 Community Facilities

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

- Preparation of the ovals and sporting fields.
- Preparation of the showground facilities for the annual Nyngan Show.
- Cleaning up after the annual Nyngan Show.
- Cleaning and sweeping of the Nyngan CBD.
- Preparing for private functions.
- Cleaning and maintenance of town streets and nature strips.
- Cleaning of town streets gutters and culverts.

**Manager of Engineering Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

**1.3 Roads**

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

<b>No.</b>	<b>Name</b>	<b>Comments</b>
MR 228	Hermidale/Nymagee Road	Construction commenced
26	Old Warren Road	Culvert repairs completed
24	Canonba Road	Re-sheeting completed
92	Colane Road	Culvert repairs completed
12	Coffill's Lane	Construction completed
MR 461	Cobar/Condobolin Road	Maintenance grade commenced
12	Coffill's Lane	Patch repairs completed
76	Cox's Road	Scour repairs commenced
92	Colane Road	Construction continuing
MR57	Tottenham Road	Shoulder grading completed
Town	Oval Place	Construction completed
HW7	Mitchell Highway	Heavy patching completed
HW8	Barrier Highway	Shoulder grading and sealing commenced
HW7	Mitchell Highway	Shoulder rehabilitation commenced
	Nyngan town streets	Trimming of street trees

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

- Nyngan town streets.
- Shoulder widening Mitchell Highway.
- Colane Road.
- Mitchell Highway.
- Old Warren Road.
- Tottenham Road shoulders.
- Barrier Highway.



**Manager of Engineering Services' Report to the Ordinary Meeting of  
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The works program for the remainder of May and June includes but is not limited to the following:-

- Continuing construction and sealing of the 1km of the Colane Road.
- Continuing construction of 2km of Hermidale Nymagee Road.
- Shoulder rehabilitation of the Mitchell Highway east of Nyngan with additional funding of \$290,000 provided by the RMS.
- Shoulder grading and sealing of the Mitchell Highway west of Nyngan.
- Tree trimming on sections of the Barrier and Mitchell Highways west of Nyngan.
- Sealing several sections of the Tottenham Road.

#### **1.4 Recommendation**

That the Operational Report for the reporting period from 13 April 2015 to 15 May 2015 be received and noted.

## **2 ACCESS TO LOT 7 DP 751304 OKEH ROAD**

### **2.1 Introduction**

The purpose of this report is for Council to consider providing access to Lot 7 DP751304 on the Okeh Road.

### **2.2 Background**

Mr Andrew Perry has written to Council seeking approval to clear timber along the road reserve that provides access to Lot 7 from the Okeh Road. He is in the process of purchasing the lot and as the road is currently a crown road reserve, it cannot be cleared.

### **2.3 Discussion**

The road reserve would have to be transferred from Crown Lands to Council for it to be cleared to allow sufficient width for farm machinery access. The length of road reserve from Okeh Road to Lot 7 is 770 metres with the amount of clearing required varying along its length.

**Manager of Engineering Services' Report to the Ordinary Meeting of  
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If the road is transferred to Council, we can then arrange to have the timber cleared and an access road constructed to provide access as required. Mr Perry has advised that he would be responsible for the cost of providing the access.

**1.4 Attachment**

Email and plans.

**2.5 Recommendation**

For Council's consideration.

**Manager of Engineering Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

Hi Timothy

I have placed a holding deposit to purchase Lot 7 of DP751304

Access to the property is very limited being via a northern and southern track that run through Lot 3

These tracks have been used for years but the owner of lot 3 is exercising his legal right to stop the use of these tracks, this is not negotiable unfortunately and has been the subject of an ongoing dispute between the owners of lot 3 and 7

The crown land road servicing the northern access to lot 7 via Okeh road is completely washed out and is impassable, the only other access is the southern access via the crown land road

However, the southern crown land road appears to have never been cleared and at present would need some trees removed in order to allow farm machinery access to Lot 7

Therefore, Lot 7 is now basically land locked to everyone but for the owner of Lot 3

In order to proceed with the purchase I am requesting in writing that I have permission to clear the crown road on the southern end intersecting with Okeh road down to Lot 7

Removal of all trees is not necessary, however some trees will need to be removed in order to gain access to Lot 7 for large farm machinery such as harvesters and semi-trailers

Please refer to the attachments that illustrates the issue very clearly, the first attachment is an overall view of lot 7 and the second is a detailed plan of the southern crown road

I look forward to your reply

Kind Regards

Andrew Perry B.Eng, MBA | Director



**Manager of Engineering Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

Hi Timothy

I have just been given verbal advice from the department of crown lands regarding the southern crown road running from OKEH road to lot 7

Crown lands have said that they cannot give the authority to clear the road but if the council wished to take over the road then the council can decide if the road can be cleared

They also stated that this clearing may need to be at my cost which doesn't worry me and the council may service the road once it has been created and added to the council road network

I am waiting to receive this information in written form but I thought I would pass it on to help with my enquiry  
Unfortunately time is of the essence with the sale of lot 7 so my apologies if this enquiry is causing the council any stress

I look forward to hearing from you

Kind Regards

Andrew Perry B.Eng, MBA | Director

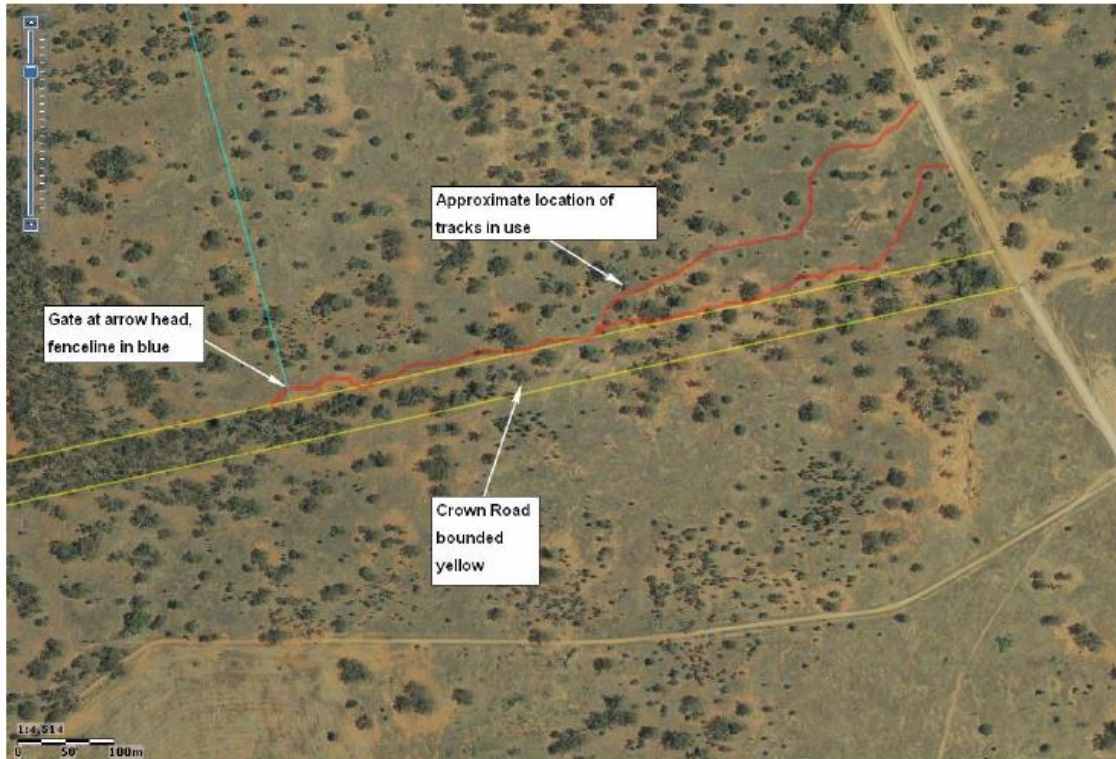
Manager of Engineering Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015



Northern access along crown road (from OKEH road) through lot 3 is completely washed out and cannot be used at all

Southern access along crown road (from OKEH road) through lot 3 has never been formed and consists of trees and bush (see separate attachment)

Manager of Engineering Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015



**Manager of Engineering Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

### **3 CLOSURE OF PAYNES ROAD**

#### **3.1 Introduction**

The purpose of this report is for Council to consider a request from Mr Henry Parry to close Paynes Road.

#### **3.2 Background**

I believe Mr Parry has requested the closing of Paynes Road in the past and has now advised that he owns the properties that use the road and it is no longer required for access.

#### **3.3 Discussion**

There are three properties that are not owned by Mr Parry that adjoin Paynes Road that have access from the Mitchell Highway but may also gain access to their properties from Paynes Road.

Mr Parry is the owner of six lots that currently adjoin Paynes Road and it is possible that at some time in the future one or more of the individual blocks could be sold and there would no longer be access available to the property.

#### **3.4 Attachment**

Letter and Plan of Properties along Paynes Road

#### **3.5 Recommendation**

For Council's consideration.



**Manager of Engineering Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

HC Parry

PO Box 292

Nyngan NSW 2825

7 May 2015

Bogan Shire Council

PO Box 221

Nyngan NSW 2825

Dear Sir

Re: Closure of Paynes Road

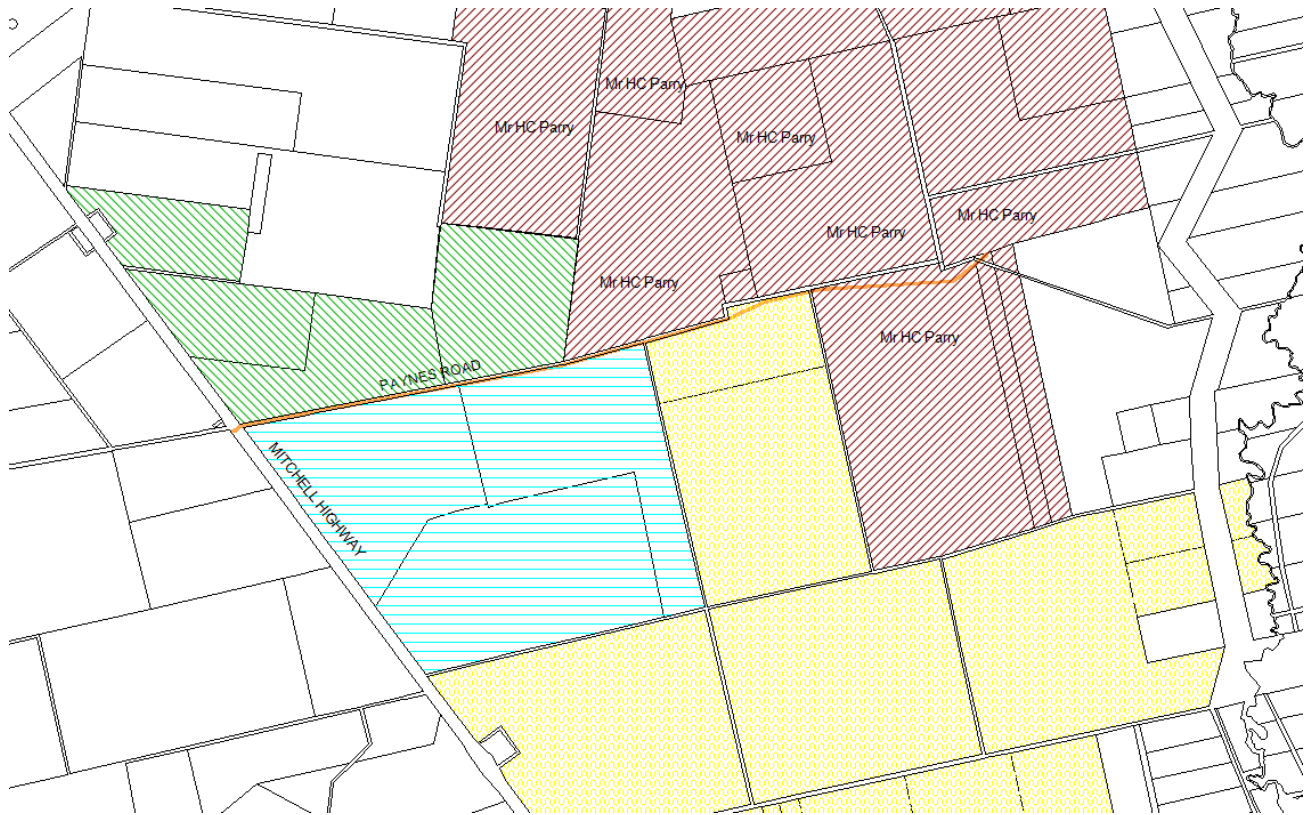
Further from my discussions with Graeme Bourke I am officially asking Council to close Paynes Road. I now own the properties that used Paynes Road as an access road so it is no longer required as I have access to my properties from the highway.

Yours faithfully

Henry Parry



**Manager of Engineering Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**



Paynes Roads

## **4 BIG BOGAN STATUE LOCATION**

### **4.1 Introduction**

The purpose of this report is to provide Council with options for the location of the Big Bogan Statue.

### **4.2 Background**

The original proposed location for the Big Bogan was at the Peter Sinclair Bridge to relate the theme of the Big Bogan to the Bogan River and to have it in a prominent location on the highway that passing travellers will see.

The feedback to Council from locals is that due to the public interest in the Big Bogan proposal, it should be constructed up to 6 metres high and erected within the town CBD. This would encourage travellers passing through Nyngan to come into and stop in Pangee Street and visit existing businesses and places of interest.

### **4.3 Discussion**

Council has recently looked at ways of erecting signage to attract highway traffic to visit the CBD and a possible tourist attraction as the Big Bogan may assist this. I am of the opinion that there are three suitable locations in Pangee Street for the proposed Big Bogan.

**Site 1:** Nyngan Museum carpark behind Vanges Park to the western side of the Railway Pedestrian Bridge.

Advantages: Visible from the street, centre of CBD, parking for cars, public toilets, next to Visitor Information Centre and the museum, refreshments and food available.

Disadvantages: Limited caravan and RV parking on site although there is ample across the railway pedestrian bridge or not far away at teamsters rest, the back of the figure is not very visible from Nymagee Street.

**Manager of Engineering Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

**Site 2:** Davidson Park adjacent to the Centenary Mural.

Advantages: centre of CBD, parking for cars in the street and future medical centre, caravan and RV parking nearby at Teamsters Rest, public toilets, refreshments and food available.

Disadvantages: Not very visible from the street without removing trees, existing shelter in front of figure, the back of the figure is not very visible from Nymagee Street, may look too big next to the CWA building.

**Site 3:** Teamsters Rest Parking Area.

Advantages: close to CBD, parking for cars in the street and room for caravans and RVs off street, next to Cobb & Co Coach, refreshments and food available, visible from the street, close to public toilets, figure may be more visible from Nymagee Street.

Disadvantages: Existing overnight camping area for RVs, RV sewer dump point.

Other sites that have been mentioned as possible locations outside the CBD and on the highway where vehicles can park are the proposed information bays opposite Nyngan Toyota and Tritton Accommodation Village, Flood Memorial Park, and Rotary Park.

#### **4.4 Attachment**

Plan and photos of proposed locations.

#### **4.5 Recommendation**

For Council's consideration.

Manager of Engineering Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015



Big Bogan Locations



Museum Car Park

**Manager of Engineering Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**



Davidson Park



Teamster's Rest

## **5 REMOVAL OF LARKIN OVAL CRICKET PITCH**

### **5.1 Introduction**

The purpose of this report is for Council to consider the removal of the concrete cricket pitch from Larkin Oval.

### **5.2 Background**

Group 11 Rugby League has written to Council requesting the removal of the concrete cricket pitch at Larkin Oval.

Less than four years ago, Council purchased a synthetic cover for the concrete pitch at a cost of \$6,000. This surface has not been successful and has required a lot of time and effort to install and remove for the football season. This cover is no longer usable and the pitch is now covered with rubber matting and sandy loam.

### **5.3 Discussion**

Group 11 wish to support the Nyngan Rugby League Club in improving the facilities at Larkin Oval. The Group has received several complaints from visiting clubs and has pointed out that a lot of money has been spent on improving safety. The Group Secretary believes the removal of the concrete pitch will assist Nyngan in getting additional games at Larkin Oval.

The Nyngan Rugby Union Club have also given verbal support for the removal of the concrete pitch and advised their players avoid the pitch area.

The Nyngan District Cricket Association has also written to Council to offer their consent to the removal of the concrete pitch, although they also say that Larkin Oval is the back up ground for the turf oval for them and Nyngan Junior Cricket Association.

The Cricket Association ask that Council contribute to the cost of purchasing a cover for the turf pitch at Number Three Oval to minimise the impact of wet weather on local cricket. The estimated cost of a suitable cover 25m x 10m is \$1,800.

**Manager of Engineering Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

The removal of the existing concrete pitch is estimated at \$1,800 including the laying of turf. This cost is equivalent to the annual operational expenditure of preparing the pitch for football and cricket.

**5.4 Attachment**

Letters of Support.

**5.4 Recommendation**

1. That Council removes the existing concrete pitch at Larkin Oval.
2. That Council considers contributing towards the cost purchasing a turf wicket cover for Number Three Oval.

**Graeme Bourke**

**MANAGER ENGINEERING SERVICES**



**Manager of Engineering Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

General Manager,

Nyngan Council

I'm writing this letter to support the Nyngan Rugby League club in their aim to improve the facilities at Larkin Ovals. The Group acknowledges the support the local Council has provided in developing this venue however the main issue of concern is the cricket pitch in the middle of this venue.

I have received several complaints from visiting clubs concerning this and have pointed out the Council & Nyngan Rugby League have spent a lot of money on improvement to this aspect and have made it safe for Rugby League.

Having said this the Group would fully support the removal of this pitch . The club has been very successful in the last few years and the group is looking at taking semi-finals & other games to this venue and the removal of the pitch would assist in this.

Happy to discuss

Ross McDermott

Group Secretary

Tooheys New Group X1

Home: 6887 2587

Mobile: 0429441838

FAX: 68872940





**Manager of Engineering Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

Nyngan District Cricket Association  
PO Box 27  
Nyngan NSW 2825

29/04/2015

General Manger  
Bogan Shire Council  
81 Cobar St  
NYNGAN NSW 2825

Dear Sir/Madam,

**RE: Concrete Cricket wicket on Larkin Oval**

I refer to the above matter and the safety concerns surrounding the pitch for the upcoming football season.

While the NDCA acknowledge the player safety issues surrounding the concrete and **consent** to the removal of the pitch, we note that Larkin Oval is our back up ground in wet weather for the turf oval, not only the NDCA but also the Nyngan Junior Cricket Association.

Junior cricketers in Nyngan would be very disappointed if they were unable to play on Saturday mornings because the turf wicket could not be prepared.

Please confirm the Council would be willing to contribute to the purchase of covers for the turf pitch to minimize the impact of wet weather on the development of cricket in Nyngan. I will provide a quote for covers shortly.

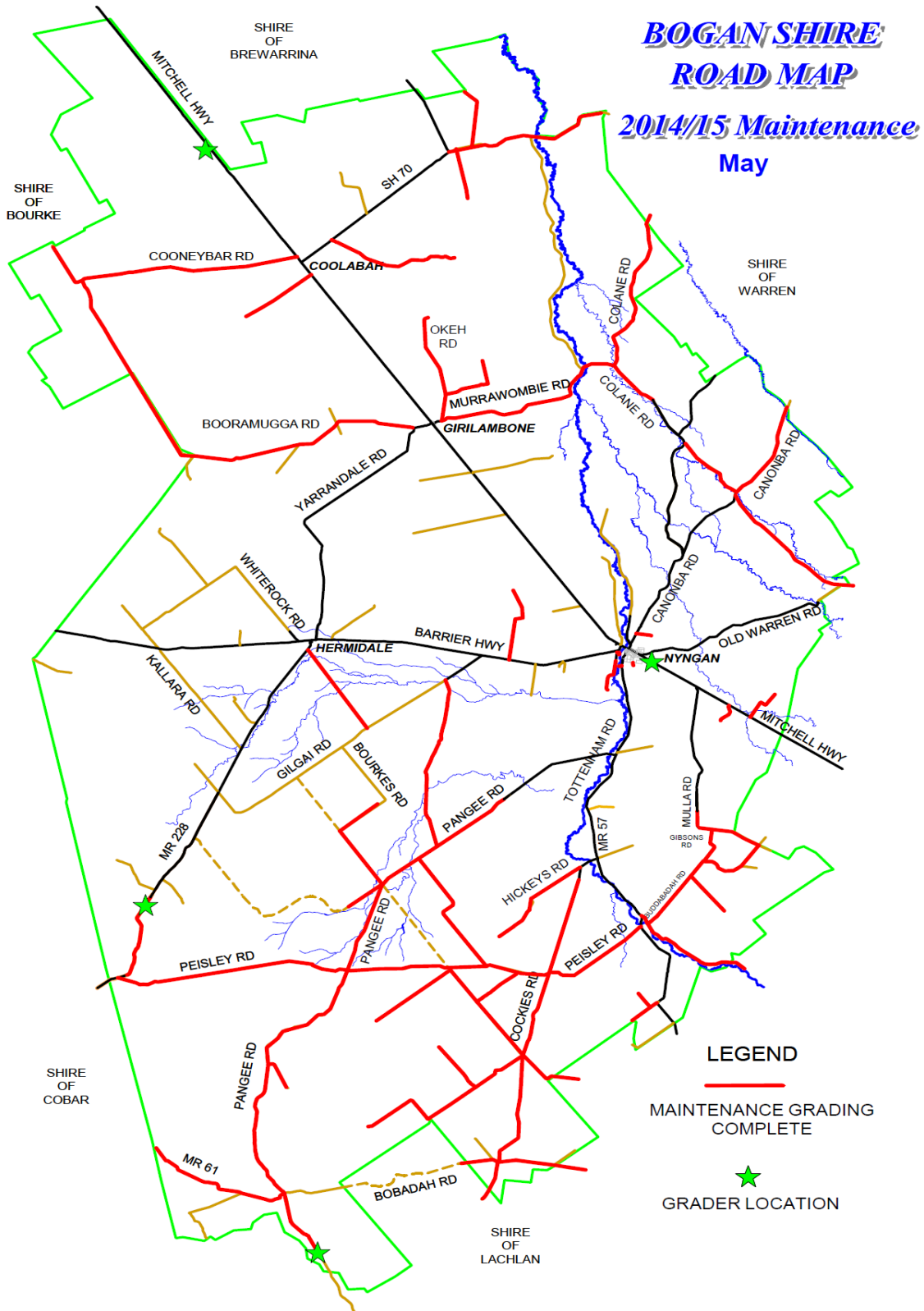
I note Larkin Oval is also used for a very popular 7 a side twilight cricket competition during the summer.

Please do not hesitate to contact me if you have any questions on 0410 650 911.

Sincerely,

Tim Smith  
Secretary  
Nyngan District Cricket Association

**Manager of Engineering Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**



**Manager of Development and Environmental Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

**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**

Three (3) Development Applications have been approved since Council's April 2015 Meeting.

2013/012	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	Ian Bennett	Mitchell Highway, NYNGAN	Transport depot	25,000	Awaiting additional information as of 22/4/2014
2014/013	Bruce Jordan	'Killawarra' COOLABAH	Extracting sand and gravel	5,000	Still waiting on consent from CL's 24/7/2014
2014/024	Kelvin Anderson	446 Okeh Road GIRILAMBONE	Subdivision	N/A	Approved 28/4/2015
2015/004	Tritton Resources Pty Ltd	Mitchell Highway GIRILAMBONG Lot 10 DP 751315 & Lot 3 DP 751342	Underground mine	20,000,000	Being assessed 3/3/2015
2015/006	Radhe Krishna Investments Pty Ltd	124 Nymagee Street NYNGAN	Demolish shed, Erect shed & fuel tanks	150,000	Being assessed 3/3/2015
2015/008	Glad Eldridge	97 Cobar Street NYNGAN	Shed	8,862	Approved 15/05/15
2015/009	Emma Templeton	93-101 Pangee Street, NYNGAN	Modification to DA 2012/011	250,000	Being assessed 04/05/2015

**Manager of Development and Environmental Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

2015/011	Graham Jackson and Angela Smith	94 Pangee Street, NYNGAN	Access Ramp	6000	Location of ramp reported to this meeting for consideration.
2015/012	Daniel Martin	Lot 3 Gregory Street, NYNGAN	Shed	8000	Approved 06/05/15

**1.2 Recommendation**

That the report be received and noted.

**Manager of Development and Environmental Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

## **2 OPERATIONAL REPORT – PARKS AND GARDENS TEAM**

### **2.1 Introduction**

The purpose of this report is to outline key work undertaken since Council's April 2015 meeting by the Parks & Gardens Team.

### **2.2 Discussion**

Key works that have been undertaken consisted of the following:-

- Staff being trained in Plant Operations – Waste Services to form backup program;
- Assisted Weeds Officer in weed spraying operations at Girilambone Cemetery and Hermidale;
- Undertaken other routine maintenance duties;
- Planting of seven (7) screen/shade trees at Teamster's Rest;
- Spreading of mulch and planting of three (3) trees at the new dog pound for landscaping purposes;
- Removal of dead animals (pigs) at Tottenham Road adjacent new levee bank;
- New bins placed at Teamster's Rest; and
- Two (2) trees placed in Rotary Park.

### **2.3 Recommendation**

That the Operational Report – Parks and Gardens Team be received and noted.

**Manager of Development and Environmental Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

### **3 OPERATIONAL REPORT - WEEDS**

#### **3.1 Introduction**

The purpose of this report is to outline the key works undertaken since Council's April 2015 meeting by the Noxious Weeds Officer.

#### **3.2 Discussion**

Key works undertaken consisted of the following:-

- Weed spraying operations at Girilambone Cemetery;
- Property inspections;
- Road inspections;
- Spraying of Prickly Pear at Coolabah;
- Woody Weed spraying along water supply line between Coolabah and Girilambone (approx. 30ks);
- Spraying of Woody Weeds - Pangee Road;
- Spraying of Noxious Weeds at Nyngan Waste Depot; and
- Spraying Box Thorn within town limits – Oatley Street & Showground Cross-country Course (Crown land).

#### **3.3 Recommendation**

That the Operational Report – Noxious Weeds Officer be received and noted.

## 4 PROGRESS REPORT – VARIOUS DEVELOPMENT APPLICATIONS

### 4.1 Introduction

The purpose of this report is to advise Council of the status and progress of major current Development Applications.

### 4.2 Development Applications

- DA 2013/012 – Mr and Mrs Drain: 6 Cathundril Street, Nyngan - Dwelling extension.

Council has been awaiting additional information from the applicant since May 2013. A letter has been issued to the applicant on 20 May 2015 advising to withdraw the application or Council will proceed to determine the application based on the information currently available. The recommendation of refusal is likely to be put forward.

- DA 2014/001 – Mr R Heggie: Cannonbar Road, Nyngan – Hanger.

Council has been awaiting information from the applicant since 10 February 2014. The applicant will be requested to confirm his intentions regarding this proposal.

- DA 2014/004 – Mr I Bennett: Mitchell Highway, Nyngan - Transport Depot

Council has been awaiting information from the applicant since 24 July 2014.

- DA 2014/013 – Mr B Jordan: Killawarra, Coolabah - Extracting sand and gravel.

Council has been awaiting information from the applicant since 24 July 2014 regarding Crown Land owners consent to the application as the proposed development is to be undertaken on a portion of Leasehold Land. It should be noted that Mr Jordan has verbally advised he is no longer the applicant of the proposal and this has been requested in writing.

**Manager of Development and Environmental Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

- DA 2015/004 – Tritton Resources: Mitchell Highway, Girilambone, - “Avoca Tank Project”.

The application was submitted on the 5 February 2015 and placed on public exhibition until the 1 May 2015. No public submissions have been received during the notification and advertising period. Response has been received from key Government Agencies as follows:-

1. NSW Office of Environment and Heritage, response dated 10 April 2015, advising the EIS does not meet the Director General's Requirements and specifically a Biodiversity offset strategy should be prepared.
2. NSW Office of Water, response dated 15 April 2015 requesting additional information.
3. Roads and Maritime Services, response dated 20 April 2015 providing a recommended condition of consent.
4. NSW Trade and Investment, response dated 5 May 2015, providing recommended conditions of consent.

Council is awaiting response from the NSW Environmental Protection Authority.

The consent authority will be the Joint Regional Planning Panel with Council undertaking the assessment of the application.

#### **4.3 Recommendation**

That the Progress Report – Various Development Applications be received and noted.



**Manager of Development and Environmental Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

## **5 DA 2015/011 & CC 2015/006 – ACCESS RAMP – 94 PANGEE STREET**

### **5.1 Introduction**

The purpose of this report is to present a proposal to Council for consideration of the construction of an access ramp on Council's road reserve within Pangee Street.

### **5.2 Background**

Council has received a Development Application for the installation of a new shopfront window and doorway as well as the construction of a new access ramp for the purposes of ingress and egress into the premises located at Lot 6 DP 38955 and Lot 7 DP 2014241, No. 94 Pangee Street Nyngan.

The applicant has proposed to locate the access ramp outside the confinements of the allotment boundaries and within Council's road reserve.

### **5.3 Discussion**

The subject premise is currently vacant. The applicant has informed Council that the premises will soon operate as a Newsagency.

In the instance where building work is proposed i.e. new shop front window and doorway, the building must be brought up to compliance with the Disability Discrimination Act 1992 (DDA) as well as the Building Code of Australia (BCA).

The current ingress/egress point into the building is via a flight of stairs consisting of two steps. In accordance with the DDA and BCA, access for people with a disability must be provided to and within all areas of a building normally used by the occupants. Therefore, an accessible ramp must be provided for the disabled in this instance.

In order for the applicant to locate the access ramp within the confinements of the allotment boundaries, extensive alterations would need to be made to the existing building. It is considered that such works would make it unviable for the applicant.

**Manager of Development and Environmental Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

The road reserve is approximately 5.2 metres wide, and compliance requirements of the DDA and BCA require the access ramp to be constructed approximately 1.8m wide (including wheelchair circulation space). Meaning, the road reserve (footpath) will measure 3.4 metres wide if constructed in the proposed location.

It is considered that this distance is still substantial to enable sufficient trafficable movement within Council's road reserve (footpath).

Precedence has been set within Pangee Street whereby there are three (3) existing access ramps located within Council's road reserve. These are located outside:-

- The Commonwealth Bank of Australia;
- The St Vincent De Paul's store; and
- The Westpac Bank.

Consent was sought from Council by the Commonwealth Bank of Australia to construct a ramp within the road reserve, DA2008/46. This application was considered and approved by Council on the 29<sup>th</sup> September 2008.

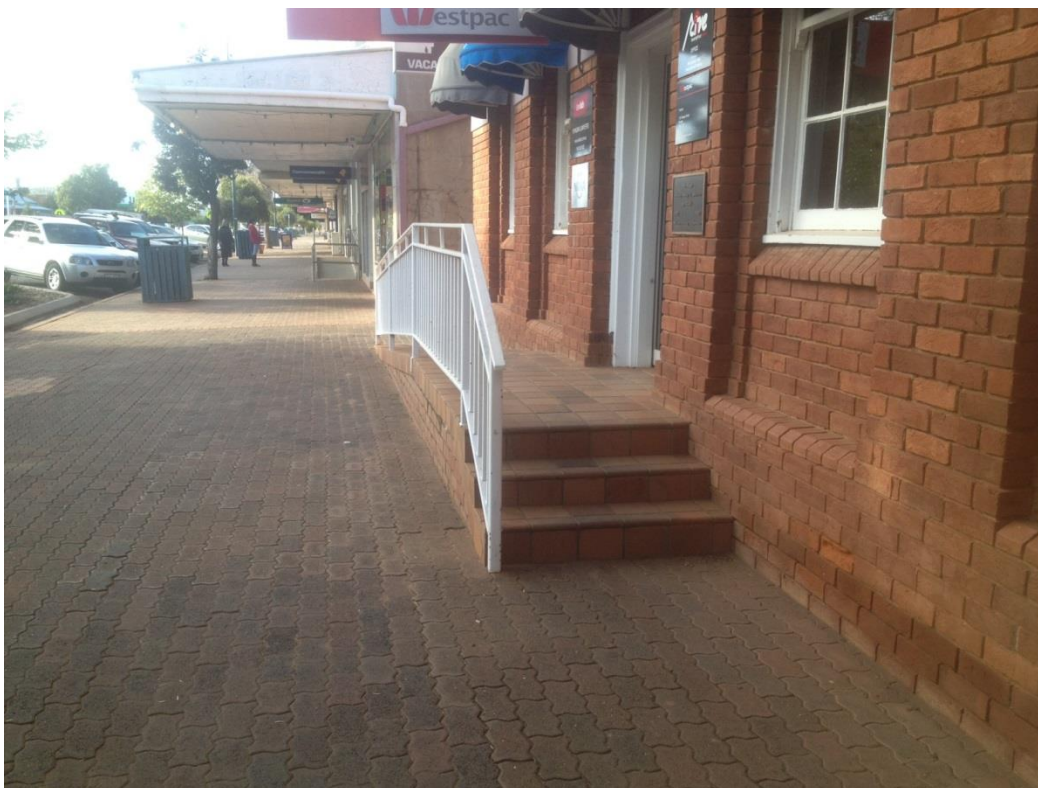


**Access ramp located outside of the Commonwealth Bank of Australia**

**Manager of Development and Environmental Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**



**Access ramp located outside of the St. Vincent De Paul Store.**



**Access ramp located outside of the Westpac Bank.**

**Manager of Development and Environmental Services' Report to the Ordinary Meeting of  
Bogan Shire Council held on 28 May 2015**

The following notable Conditions of Consent are recommended:-

1. During construction, a pathway must be provided being a minimum of 2.5m wide and designed to ensure safety of pedestrians from street traffic.
2. The applicant who benefits from the access ramp within Council's road reserve shall maintain the structure in a satisfactory state of repair to Council's satisfaction.

**5.4 Recommendation**

1. The report be received and noted.
2. The location of the access ramp is approved by Council.

**Timothy Riley**

**MANAGER OF DEVELOPMENT & ENVIRONMENTAL SERVICES**

## PRECIS OF CORRESPONDENCE

### 1 THANK YOU LETTERS

Attached are copies of *thank you* letters forwarded to Council:-

3. John Hoare – a very well organised and well supported Anzac Centenary – well done and congratulations.
4. Yvonne and Collin Pardy – wonderful 2015 Centenary Anzac Services – well organised, appreciated the planning and work into the event, thank you for memorable and moving celebration.
5. Nyngan Easter Rugby League Challenge – Council's staff time, effort and contribution towards hosting the Challenge – generous support in assisting with the 2015 event.

**1.1 Recommendation:** That the *thank you* letters received from John Hoare, Yvonne and Collin Pardy and the Nyngan Easter Rugby League Challenge be received and noted.

### 2 KEITH WHITE

Attached is a copy of correspondence received from Keith White thanking Council for the cover over the Burner in the Chinese Cemetery, but is disappointed in the final result. Mr White stated that there are still several matters which are needed to complete refurbishment of the area and asks Council to consider them in the budget. The matters are listed in the correspondence.

**2.1 Recommendation:** For Council's Consideration.

### 3 NYNGAN RUGBY LEAGUE FOOTBALL CLUB

Attached is a copy of an email received from the Nyngan Rugby League Football Club President asking if it would be possible to park their recently purchased bus for players and supporters at the heavy vehicle inspection shed at the show ground. The bus would be removed on inspection days.

**3.1 Recommendation:** For Council's Consideration.

#### **4 COOLABAH COMMUNITY**

Attached is a copy of an email received from Stuart MacAlpine on behalf of the Coolabah community requesting Council to approve the return of the jail cell block which was removed from Coolabah. The community has a collection of memorabilia from Coolabah 's past which has been put on display at the corner of the Mitchell Highway and the Arthur Hall VC Way. The jail will be displayed at the same corner.

**4.1 Recommendation:** For Council's Consideration.

#### **5 THE UNIVERSITY OF SYDNEY – SCHOOL OF RURAL HEALTH**

Attached is a copy of correspondence received from the University of Sydney – Rural Health requesting Council to consider in helping important research, the ARCHER study to be carried out at the Dubbo and Orange Campuses. The ARCHER study collates data relating to adolescent health. Council is asked to consider a donation to the study.

**5.1 Recommendation:** For Council's Consideration.

#### **6 TOYOTA TOUR de OROC 2015**

Attached is correspondence concerning the Toyota Tour de OROC 2015 Sponsorship Proposal. The tour is a unique event covering 1,200km over six days and is being held from Monday 5 October 2015 to Saturday 10 October 2015. Sponsorship Opportunities are listed and how you can become part of the event. Funds raised from the event will be used to build a patient accommodation unit for people using the Dubbo hospital – Macquarie Homestay Accommodation.

**6.1 Recommendation:** For Council's Consideration.

#### **7 NYNGAN NAIDOC COMMITTEE**

Attached is a copy of correspondence received from the Nyngan Naidoc Committee thanking Council for their continued support, advising of the planning for Naidoc Week 2015 and asking Council to waive fees for the use of the facilities and equipment. Naidoc Week is being held from Monday 27 July 2015 to Friday 31 July 2015. The correspondence sets out details for the week.

**7.1 Recommendation:** For Council's Consideration.

## **8 DRUG FREE AMBASSADORS AUSTRALIA**

Attached is a copy of correspondence received from Drug Free Ambassadors Australia advising of booklets which are provided free of charge for use by community groups, parents, schools etc detailing the current increase of illicit drug usage in country areas. Two of the booklets will be available at the meeting. Council is asked if they would require further booklets.

**8.1 Recommendation:** For Council's Consideration.

## **9 THE GREENS – JAN BARHAM MLC**

Attached is a copy of correspondence received from Jan Barham concerning the NSW Government Funding of Public Libraries, and asking for Council support in obtaining improved funding for public libraries in NSW. In October 2013, her motion calling for the Government to review library funding was passed by the Legislative Council. There has been no commitment from the Baird Government. A Petition has been established to increase state funding for public libraries in NSW and is now seeking Council's support.

**9.1 Recommendation:** For Council's Consideration.

## **10 ESSENTIAL ENERGY**

Attached is a copy of correspondence received from Essential Energy concerning the AER (Australian Energy Regulator) Determination 2014-19. The AER has produced fact sheets detailing its decision and a copy of Essential Energy's fact sheet is attached. The AER's decision means no funding for 2,750 jobs across the NSW Electricity Distribution Network. Essential Energy is considering their options to appeal the AER's decision and will keep Council informed of any developments. The correspondence also provides details for what it means to your Council, delivering affordable services and the next steps.

**10.1 Recommendation:** For Council's Information.

## **11 WEEKLY CIRCULARS**

Weekly Circulars 15/15 to 19/15 are tabled for Council's information. Copies of the Circulars Indices and Summary of Items have been dispatched to Councillors.

**11.1 Recommendation:** That the Local Government Weekly Circulars be noted.



**Grants and Funding to the Ordinary Meeting  
of Bogan Shire Council held on 28 May 2015**

**GRANTS AND FUNDING**

**LG Weekly 16/15 – 24 April 2015**

**Multicultural Arts and Festival – Grants now open**

Councils are eligible to apply for \$5000 funding to host events that allow all Australians to come together and experience different cultural traditions.

**NSW Young Regional Artist Scholarships now open**

Scholarships of \$10,000 are available for young artists aged 18-25 years old living in regional NSW to develop artistic talent in the region.

**LG Weekly 17/15 – 1 May 2015**

**NSW Hepatitis Awareness Week Community Grants**

Hepatitis NSW is providing grants of up to \$2,500 for community organisation and health agencies to run activities during Hepatitis Awareness Week 2015 (Monday 27 July 2015 to Sunday 2 August 2015) that raise awareness of viral hepatitis and hepatitis issues.

**2015 NSW Visual Arts Fellowship**

Applications are now open for the 2015 NSW Visual Arts Fellowship (Emerging) which is valued at \$30,000.

**LG Weekly 18/15 – 8 May 2015**

**Bush Connect Grants Available through NSW Environmental Trust**

Bush Connect is a contestable grants program seeking to achieve long-term outcomes for the NSW environment within the Great Eastern Ranges corridor.

**LG Weekly 19/15 – 15 May 2015**

**Accessible Arts Grants Program 2015-16**

The Lifetime Care and Support Authority (LTCSA) has provided funding to Accessible Arts for a two-year small grants program. The funding aims to support not-for-profit arts and disability services/organisations and/ or groups or individual artists with disability living in NSW. Councils are eligible to apply.





**Grants and Funding to the Ordinary Meeting  
of Bogan Shire Council held on 28 May 2015**

**Transurban Grants for Community Organisations**

Transurban is encouraging community organisations to apply for the next round of community grants. Applications are due by the end of the month.

**Beverage Container Recycling Grants**

Keep Australia Beautiful is offering grants of up to \$5,000 for projects which improve away-from-home beverage container recycling. Councils are eligible to apply.

**Bin Trim Grants**

The NSW Environment Protection Authority (EPA) is providing grants (\$50,000-\$400,000) for Councils and other organisations to carry out waste assessment for small-to-medium sized businesses.

