



BOGAN SHIRE COUNCIL

Minutes

28th October 2010



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 28th October 2010 at 9.30am**

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

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

Declaration of Pecuniary Interest: Nil

The following resolutions arose from decisions made in the Closed and Confidential Section of the Meeting held on 28th October 2010.

322/2010 APOLOGIES: RESOLVED that the apologies for the absence received from Councillors Griffiths, McLaughlin and Neill be accepted and they be granted leave of absence from both meetings. **(Douglas / Kennedy)**

323/2010 EXCLUSION OF PRESS AND PUBLIC: RESOLVED that the Committee move into a closed and confidential section of the Council Meeting because information provided and discussed involves matters concerning particular individuals other than Councillors. **(Dutton/Douglas)**

324/2010 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 23rd September 2010, copies of which had been circularised to Councillors be taken as read and confirmed. **(Douglas/Kennedy)**

325/2010 RESOLVED that Council is therefore not prepared to continue with the lease. Dr Brown to be advised accordingly. **(Douglas / Ryan) Unanimously**

326/2010 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Douglas/Kennedy)**

327/2010 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 23rd September 2010, copies of which has been circularised to Councillors be taken as read and confirmed. **(Hampstead/Kennedy)**



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Business arising from the Minutes

- Insurance Company

All paperwork including consignment note has been forwarded to Council's Insurance Company – new Council Chambers.

- Yarrandale Road

Water supply – Adequate.

- Local Health Networks

Bogan is in the area now called the Western Area.

- Pool

The Pool Manager has advised that the pool is currently in the best condition it has been in. Commendation is to be conveyed to the Acting Manager of Environmental Services and staff.

- Swimming Club requests for the pool complex:-

Two volleyball courts;

Install a diving board – to be used under strict supervision;

Cement an area for handball; and

Apply again for funding.

- Tongling City

To date no reply has been received to Council's correspondence.

- Bogan Day Out

The 2010 day and future days.



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COMMITTEE MEETING

1 DRAFT FIT FOR WORK POLICY MEETING

Held on 29th September 2010

Present: Mayor Ray Donald, Councillors Hampstead OAM, Kennedy, Neill and Ryan.

Mr Michael Brady General Manager

Mr Peter Giles

Mrs Cathy Ellison

The General Manager delivered a power point presentation on the Draft Fit for Work Policy and accompanying proposed amendments.

Discussion:

Policy not to apply to Councillors;

Random testing method endorsed by Committee;

Swab testing to be used in place of a urine test;

Disciplinary procedures now more closely aligned with the Award;

Random testing process must be independent and transparent and therefore the use of a computerised selection model is encouraged.

Recommended that the Draft Fit for Work Policy with amendments be presented at the October 2010 Council meeting for adoption and subject to adoption immediate implementation of the Policy. **(Hampstead/Ryan)**

Appreciation was extended to the General Manager for the amount of time and work he has spent on the policy.

There being no further business the meeting closed at 9.25am.

1.1 Recommendation

That the report be received and noted.

328/2010 RESOLVED that the report be received and noted and the policy be implemented forthwith. **(Hampstead/Kennedy)**



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329/2010 RESOLVED that it be noted that Councillors are quite prepared to be tested in line with the policy at any time. **(Hampstead/Kennedy) Unanimously**

At 10.15am, Angela and James White attended the meeting.

James spoke to Council on his recent football trip to Papua New Guinea and thanked Council for their assistance provided to him.

330/2010 RESOLVED that Council now deal with item 5 of the General Manager's report.
(Douglas/Hampstead)

PALAIS THEATRE

The report received from the structural engineer has indicated that the roof is inappropriate for the building.

331/2010 RESOLVED that:-

- The actions of the General Manager be endorsed;
- Repairs to the Palais Theatre be completed as soon as possible;
- Rehearsals be carried out at another venue; and
- The General Manager has the authority to spend money up to \$50,000 to get the repairs under way. **(Ryan/Douglas)**

332/2010 RESOLVED that Council investigate the outdoor area at the Palais Theatre with a view to making it a venue for community use, such as youth centre or indoor cricket. **(Douglas/Dutton)**



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BOORAMUGGA ROAD CLOSURE

333/2010 RESOLVED that Council deal with item 1 of the Acting Manager of Engineering Services' report after the Booramugga Road delegation leave the meeting. **(Hampstead/Ryan)**

Council adjourned for morning tea and 10.30am and resumed at 10.50am.

Mr Luke McGarry, General Manager of Tritton Mine, Mr Adrian Nugent, Mr Bill Morley and Mrs Margaret Morley now attended and addressed the meeting.

Discussion

Booramugga Road Diversion

334/2010 RESOLVED that the current road remain open subject to the Traffic Committee safety evaluation and a special Traffic Committee be called to address the decision. **(Hampstead/Ryan) Carried**

NOTICE OF MOTION

That the gates at Rotary Park capable of denying vehicle access be removed forthwith. Carried

Signed: JE Hampstead

JE Hampstead OAM

Councillor

335/2010 RESOLVED that Council investigate the wording on the current sign, if the sign indicates 'No Camping', the wording is to be changed to read 'No Overnight Stay'. **(Hampstead/Ryan)**



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MAYORAL MINUTE

1 DOCS

The Nyngan office of the Department of Community Services has been closed for over three weeks since Mrs Anne Quarmby took long service leave. A telephone number is on the door for people wanting to contact DOCS to call. The two cars previously based in Nyngan, and driven by Councillor Griffiths and Mrs Di Hughes to transport DOCS clients have been taken over to the Coonabarabran office with hardly any notice given to these two ladies.

After contact with the Coonabarabran office last week about these two situations I was told no decision had been made about re-opening the office during Mrs Quarmby's absence and the two cars had been 'temporarily' removed but were available to come from Coonabarabran to Nyngan to transport anyone to Dubbo and return if needed.

Naturally I have no knowledge of any confidential action between DOCS case workers and any Nyngan clients, except to be aware of the difficulty to employ case workers in western areas, and some inconsistency in the attendance of case workers when required in Nyngan (that is different ones attending from different towns). I also understand that a Manager's position that had some involvement with Nyngan has not been filled.

I have contacted local State Member Kevin Humphries about this situation and whilst he is making further enquiries, the initial advice to him from the DOCS Minister's office was that there had been no cutbacks to DOCS services in the Orana Far West region.

I seek Council's support for a strong letter to the Minister to protest about the closing of the DOCS office in Nyngan, an office that was extensively renovated less than 12 months ago. For those wanting to contact DOCS via the Nyngan administration office, a familiar local person to take enquiries and provide further initial assistance is much better than a telephone number on a closed door and then contact with a stranger. It is a loss of a valuable Government service to have the office closed.

1.1 Recommendation

For Council's Consideration.

336/2010 RESOLVED that Council's support a strong letter to the Minister to protest about the closure of the DOCS office in Nyngan. (Ryan/Kennedy)



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2 TREES

A recent meeting with local Tritton Manager Luke McGarry indicated that the mine was willing to upgrade their display in the Museum and plant some trees in an agreed location. I suggest we approach them to ask if they would be willing to provide and plant shade trees in O'Reilly Park as a forerunner to the removal of some of the large gum trees.

2.1 Recommendation

For Council's Consideration.

337/2010 RESOLVED that Council approach the mine and ask if they would be willing to provide and plant shade trees in O'Reilly Park as a forerunner to the removal of some of the large gum trees. **(Douglas/ Dutton)**

3 MENS SHED

GWAHS CEO Danny O'Connor has kindly authorised the removal, free of charge, of the steel shed behind the old Nyngan Hospital to be made available to the local Mens Shed committee to relocate to an acceptable site. This kind donation may well provide the Mens Shed members with an ideal shed to commence full operations and one suggested location could be the area east of the old RSL bowling greens next to the disused Caltex fuel depot.

3.1 Recommendation

For Council's Information.

338/2010 RESOLVED that the report be received and noted. **(Douglas/Kennedy)**



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Other matters:

MDBA - discussion paper;

One Association – LGA endorsed;

Western Division Mid Term meeting – RTA / Auslink Project;

Review of election costs and inquiry;

Western Division Conference – Brewarrina;

C Division Conference - to be held after the Special Shires Association Conference 23rd Feb 2011;

Visitors Information Centre -

339/2010 RESOLVED that Councillors inspect the VIC on the next meeting date and determine if the centre is operating in accordance with the agreed criteria. **(Hampstead/Ryan)**



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

1 CHECKLIST

Date	Minute No	Matter	Action Required	Responsible Officer	Status
22/02/2007	65/07 480/08 199/2010 221/2010	Library	Investigate installing suitable electronic doors to library.	H & B	Application for RCLIP grant submitted 29 th July 2010.
23/08/2007	500/07 371/07 370/07	Housing Residential & Aged Care Accommodation	Feasibility of developing Council owned land, subdivide, establish further aged care accommodation.	Mayor / GM	Manager of Environmental Services to provide a report on suitable land to commence this project. GM met with Nyngan Community Homes and they will write to Council on the matter.
25/02/2010	20/2010	Aged Care Facility	Investigate the possibility of a facility on the vacant County Energy land opposite the MG Hostel.	Mayor	To be progressed. Land north of the hospital to be investigated. GM to attend meeting on 30/6/2010. Letter Précis July 2010. Meeting to be held Thursday 16 th September 2010. Minutes of Meeting in September 2010 Business Paper.GM to see Solicitors re legal formalities, survey to completed.
22/07/2010	244/2010		Nyngan Community Homes committee to meet with Council.	GM	



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13/12/2007	543/07	LEP	Draft LEP be prepared for purpose of reclassifying public lands.	H & B	S54 application has been completed and forwarded to Dept of Planning. Approach by the Dept of Planning in September 2010 to complete LEP by June 2011.
24/01/2008 26/11/2009	438/08 466/09	Swimming Pool	Report to February Council Meeting- assessment of pool structure / cost to repair existing pool / repairs not feasible cost to construct a new pool.	H & B	<p>Second application for new Aquatic & Fitness Centre under Regional and Local Community Program Strategic Project not successful.</p> <p>GM met with Minister Albanese & Parliamentary Secretary.</p> <p>Council needs to have project ready for next round of Jobs Fund. Maximum grant \$2M.</p> <p>Recommend project be staged. Surveyor's plans completed.</p> <p>Draft construction plans completed end of Nov 2009. Completed plans next Council meeting. Look at outside lighting. New application for grant submitted. Letter to ask to reconsider application essential for small community, approach community to assist in paying off loan, approach local contractors.</p>



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					To have community meeting, source funds State and Federal. Community meeting held Wednesday 22nd September 2010.
34/04/2008	106/08	Treated Sewerage Effluent Project	Call tenders	Eng	Contract amendments completed. Bore hole drilling for groundwater quality monitoring completed. Contractor engaged for power line construction. Draft Site Suitability Plan and Site Management Plan submitted to DECCW. Licence variation approved. Menzies Irrigation will commence installing irrigation system early November 2010. Agreement signed.
24/04/2008	140/08	Main Street	Advertise preliminary street plans & seek community comment.	H & B	Meeting held with landscape architect to further develop the brief. Includes Nymagee & Pangee Sts and Truck Stop Mitchell Highway. Waiting on updated plans. Contact with Consultant last week. Blister design received, waiting on street design to proceed. Plans have just arrived. Funds budgeted for 2010/2011. Location of blisters to be nominated. Planting October 2010.

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28/08/2008	309/08	Phillip Dutton Rest Area	Council approach Hermidale Gymkhana Committee, RTA & Traffic Committee to have a rest area sign posted along the highway on both sides.	Mayor	Letter sent. Discussed at 12 th August 2010 Traffic Committee meeting. RTA will design & install signage. RTA has signed listed. Rest Area cannot be named after a person.
	432/08	Lease of Railway Land on Highway	Investigate if the old shell fuel depot area can be transferred to BSC, or otherwise leased.	Mayor	Letter sent and acknowledged. To be followed up. GM in contact with ARTC. Follow up with the local member Kevin Humphries & ARTC. ARTC advised sites need to be inspected, will advise Council of outcome after inspections.
	435/08	Raw Water	Investigate expanding raw water to ovals, parks, gardens & cemetery.	Eng / H&B	Progressively checking on various existing infrastructure. Raw water line from showground to cemetery has been installed. Waiting for contractor to complete connection to cemetery irrigation systems. Funds budgeted 2010/2011 to install pump & irrigation pipe from river to Terangion Street to service showground & cemetery.
23/10/2008	447/08	Residences- Pangee Street	Council to speak to residents.	H & B	Fine issued significant improvement in condition of yard. Further inspections are planned. Court Order to clean up. Matter referred to ARTC for action. Contact with new residences & advised will clean up.



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					Check on condition of yard.
22/01/2009	9/09 467/09 164/2010	Ambulance Station	Council express interest in acquiring the former ambulance station premises.	Mayor	<p>Continuing investigating and testing on contamination. Still waiting on reports to be sent to Council. Council to obtain copy of rules when released.</p> <p>National Guidelines to be applied to building, proceed further to insist retain building.</p> <p>Letter sent to NSW Ambulance Service advising Council wishes to retain building for community use.</p> <p>To contact Kevin Humphries Office, report next meeting on the \$ value of the property from a buyer's perspective. Health Dept has advised letter in progress with options to obtain building.</p> <p>Council write to Health Minister asking to acquire station at no cost to be used for community purposes. Reply received.</p>



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	23/09	Community Hall Renewal Fund	Council lodge an application with the Community Hall Renewal Fund for a grant to upgrade the Town Hall.	H & B	Application in progress, quotes obtained to refurbish floorboards, upgrade kitchen, air-conditioning, reconstruct toilets. Asbestos removed by contractor. Application lodged 7 th October 2010.
26/02/2009 24/09/2009	41/09 398/09	Businesses in Residential Areas	Advise all residents of the need to adhere to Legislation and Regulations relating to the conduct of businesses in residential areas.	H & B	Meetings held with two residents 15th April 2009. Progress report to Council June 2009. Electricity and sewer issues. Meeting held 16 th September 2009 with owners. Alternate site suggested. Council to put proposal to owners. Council progress the alternate site & retain ownership. Council depot not considered satisfactory, looking at land near airport. Draft sewage plans received this week.
26/03/2009	99/09	Waste Depot	Make representations to the Minister to expedite acquiring more land for a new tip cell from Livestock Pest & Health Authority.	H & B	Waiting for reply from Dept of Lands to receive instructions.



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					<p>Meeting with RW Corkery regarding design and construction of new waste facility. In progress. Ask for quote for waste.</p> <p>No cells available on existing site.</p> <p>Waste has been pushed back, estimating another 6 months life in existing cells.</p>
25/08/2009	339/09	Campervan & Motor Home Rally	Apply for the tender to hold the 2012 Rally in Nyngan	CPO	<p>Application to be completed by 30th September 2009. General Manager of Campervan & Motor Home Assn to visit 30th October 2009. Council has a representative at the rally in Port Macquarie. General Manager attended rally, and will provide a verbal report at the meeting.</p>
24/09/2009	391/09 196/2010	Caloundra RSL – Helicopter	Council offer no objection to the proposal, providing a replacement helicopter is simultaneously, & one used during the flood evacuation. Ask for community comment in Council Column.	Mayor	<p>Endorse mounting the helicopter on a pole as per specifications. Helicopter to be painted camouflage. To contact Caloundra re current position.</p> <p>Helicopter in process of being repaired, photos received re progress.</p>



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	437/09 506/09	Mick Glennie Hostel Pathway	Install two disabled pedestrian crossings and improve lighting. Approach GWAHS & Country Energy for assistance with costs & lighting.	Eng	Traffic hump in Derrybong Street & signs be aware of elderly. Lighting completed. Speed humps approved by Traffic Committee at 13 th May 2010 Meeting. (Derrybong Street & Flashman Avenue) Council to install.
26/11/09 22/07/2010	458/09 232/2010	Flashing Lights	Letters to Kevin Humphries & RTA regarding installing flashing lights at schools.	GM	Letters sent. RTA response received. Letter sent to RTA asking if Council can install & pay for lights. Reply Precip February Council Meeting. Council write another letter of safety concern. RTA has advised that a decision on approving Councils to pay for the installation for flashing lights in about one month's time. Consult with the Traffic Committee. Advised by the Traffic Committee 12 th August 2010 of its support to install the amber flashing light, subject to legal endorsement. Letter in September 2010 Precip.



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23/09/2010	300/2010				A Report with the costing, installation and other associated costs of flashing lights be presented to Council. Cost for one \$4000.
26/11/09	460/09 223/2010	APC	Letters to surrounding Councils advising of EOI to improve water delivery. Contact Fed Govt to ensure \$12m remains. Try and obtain more Government funding to complete the piping of the APC project.	GM Mayor	Cobar Water Board informed that Council has included \$60,000 in its 2010/2011 Draft Management Plan for channel maintenance. Take whatever action necessary, be it a trip to Canberra. Letter in Precis August 2010.
17/12/09	531/09	Mitchell Highway	Letter to RTA CEO & Minister re condition of Highway between Nyngan and Nevertire. Council not accepting explanation from RTA CEO.	Mayor	Letters sent to RTA CEO & John Cobb MP re condition of Highway. Contacted RTA Monday 13 th September 2010 re pot holes in road.
17/12/09	539/09	Noxious Weed	Approach Minister for Lands to service notice on African Box Thorn weed for Crown lands.	H & B	Referred to Macquarie Valley Weeds for action.
17/12/09		Doctor Surgery	Doctor to confirm in writing that the design is satisfactory, clauses to included in the lease.	GM	Council proceed to sign lease, doctor to sign a sub-lease. Verbal report at June Council Meeting. New lease has been received, lessor agreed to Council's negotiations. GM advise lessor solicitors latest terms unacceptable 25/10/2010.



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25/02/2010	19/2010	Doctor at Hospital	Letters to Minister & CEO of GWAHS re no VMO in Dr Chan's absence.	Mayor	Letters sent. Reply in May 2010 Precis.
25/03/2010	67/2010	Rural hospitals	Letters to Ministers seeking assurances new Federal proposals will not carry any threat to rural hospitals.	Mayor	Letters have been sent. Letter in May 2010 Precis.
22/4/2010	109/2010	Thomas Mitchell Plaque	Erect plaque in front of VIC	H & B	Indication portable plaque be located in the VIC. Plaque in process of being designed. Council to view draft plaque October Meeting 2010.
27/05/2010	146/2010	State Highway between Coolabah & Brewarrina	Support having the State Highway between Coolabah & Brewarrina renamed Arthur Hall VC Highway.	Mayor	Letters of support for the renaming of the highway sent to Roads Minister, Local member and RTA Parkes.
22/07/2010	231/2010		Letter to Geographical Names Board outlining reason for the renaming of the highway.	Mayor	Letter sent. Reply in September 2010 Precis. Approach the RTA for them to agree to putting signs up on either side of Coolabah. Family abut sign posting the highway through Coolabah .
23/09/2010	315/2010				Another letter sent to RTA.
27/05/2010	171/2010	Lower Weir User	Council write to user asking for documentation regarding water entitlement & advise Council is further investigating matter.	GM	Letter sent. Documentation received. Refer to State Water.
24/06/2010	181/2010	Recycling	Council ask JR Richards & Sons for a quote to establish kerb side recyclable pick up in Nyngan.	H & B	Report at September 2010 Council Meeting.



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23/09/2010	302/2010		Proposal be advertised and survey sent to residents.		Proposal notice Council Column Wed 13 th October 2010. Survey sent 27/10/2010.
24/06/2010	182/2010	Railway Gates	Erect 2 gates at Museum & 2 gates at Heritage walkway.	Eng	Work in progress. Determination to be made at September Council Meeting 2010. Referred to Garden Club.
22/07/2010	229/2010	SES	Approach SES in Dubbo seeking funds for improvements to the local SES building.	Mayor	Letter sent. 15 Dec SES Controller from Dubbo 9.30am to inspect building.
22/07/2010	236/2010	Tritton Mines	Council write to Tritton Mines asking for photos for the displays in Pangee Street and inquire about the introduction of mine tours.	GM	Spoke to mines, photos to be forwarded to Council.
22/07/2010	238/2010	Toilets	Obtain quotes for major upgrades of the toilets in Davidson and Rotary Parks	H & B	Some quotes received, still waiting on one quote. Will be available for the Council meeting. Council agreed to proceed with the project.
26/08/2010	257/2010	Air Services	Council approach the mines & together approach Brindabella Air Services to consider delivering an air service into Nyngan.	Mayor	Meeting held with the mines and Dubbo City Development Corp to discuss the air services into Nyngan on 9 th September 2010. Survey Mines, businesses, residential.



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26/08/2010	268/2010	Booramugga Road Opening	Advertise the proposal to close the section of Borramugga Rd through the mine site at Girilambone.	Eng	Report to October 2010 Council Meeting.
23/09/2010	289/2010	Houses – Flashman Avenue	Organise meeting to discuss designs.	H & B	Meeting held Thursday 30 th September 2010. Designs selected to be follow up with architect.
23/09/2010	295 & 296/2010	Ambulance Services	Make further representations to the NSW Ambulance regarding patient transfers & unavailability of ambulances. Approach the Government to provide backup ambulance services so as to have a ambulance on call at all times and to be paid overtime rates.	Mayor	Letters have been sent.
23/09/2010	308/2010	A1 Tree Service	Remove two large trees in Hoskins Street and stumps grinded.	H & B	No progress.
23/09/2010	309/2010 310/2010	A1 Tree Service	Trees in O'Reilly Park be removed, replaced with more suitable species, & 4 suitable trees be planted on western side. Old trees remain until such time as the new trees provide shade. Four suitable trees be planted on both side of the Park.	H & B	Figs trees be planted end of week 29/10/2010.
23/09/2010	311/2010	A1 Tree Service	Trees in Terangion Street be crowned and dead wood removed.	H & B	No progress.



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23/09/2010	312/20140	A1 Tree Service	Trees in front of the Library be removed ASAP.	H & B	No progress.
23/09/2010	313/2010	Trees	Approach Mine & ask if they would be prepared to contribute to the replacement of the trees and involve the school with the planting.	H & B	Mayoral Report Council Meeting October 2010.
23/09/2010	317/2010	Showground	Investigate showground as a playing venue for the Easter Rugby League Challenge.	H & B	To investigate early in the new year.

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340/2010 RESOLVED that Council install two flashing lights at each of the three schools.
(Donald/Hampstead)

1.1 Recommendation: That the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.

341/2010 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Dutton/Kennedy)**

2 PECUNIARY INTEREST RETURNS

2.1 Introduction

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

2.2 Background

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

2.3 Issues

Nil

2.4 Assessment

- 2.4.1 Strategic Implications:** - Nil
- 2.4.2 Statutory and Policy:** - A requirement under the Local Government Act
- 2.4.3 Consultation:** - Councillors and staff
- 2.4.4 Technical assessment:** - Nil
- 2.4.5 Financial Implications:** - Nil
- 2.4.6 Tables and graphs** - Nil

2.5 Conclusion

Nil

2.6 Recommendation

That the information be received and noted.

342/2010 RESOLVED that the information be received and noted. **(Ryan/Dutton)**

3 COUNCIL CHRISTMAS PARTY

3.1 Introduction

The purpose of the report is to determine the date and venue for the Christmas Party.

3.2 Background

It has been customary for the party to be held on the afternoon of the December Council meeting.

3.3 Issues

There are number of venues around town and Councillors will recall last year's function was held at the RSL Civic Club. The venue was suitable. A tentative booking has been made with the RSL.

3.4 Assessment

- 3.4.1 **Strategic Implications:** - Nil
- 3.4.2 **Statutory and Policy:** - Nil
- 3.4.3 **Consultation:** - Nil
- 3.4.4 **Technical assessment:** - Nil
- 3.4.5 **Financial Implications:** - Council has budgeted for the function.
- 3.4.6 **Tables and graphs** - Nil

3.5 Conclusion

Nil

3.6 Recommendation

That the December Council Meeting be held on the 16th December 2010 (third Thursday of the month) and that this year's Council Christmas party be held immediately following the December Ordinary Meeting of Council at the RSL Civic Club commencing at 1.00pm with the bar to remain open until 3.30pm.

343/2010 RESOLVED that the December Council Meeting be held on the 16th December 2010 (third Thursday of the month) and that this year's Council Christmas party be held immediately following the December Ordinary Meeting of Council at the RSL Civic Club commencing at 1.00pm with the bar to remain open until 3.30pm. **(Ryan/Douglas)**

4 PORT MACQUARIE MOTORHOME RALLY

4.1 Introduction

The purpose of this report is to provide feedback on the Port Macquarie Motorhome Rally.

4.2 Background

Councillors may recall a Council resolution to send a representative to the rally.

4.3 Issues

The issues will be relayed to Councillors by the General Manager during the Council meeting via a powerpoint presentation.

4.4 Assessment

4.4.1 Strategic Implications: - Nil

4.4.2 Statutory and Policy: - Nil

4.4.3 Consultation: - Nil

4.4.4 Technical assessment: - Nil

4.4.5 Financial Implications: - Nil

4.4.6 Tables and graphs - Nil

4.5 Conclusion

Nil

4.6 Recommendation

That the report be received and noted.

344/2010 RESOLVED that this report be deferred to the November Council Meeting.
(Douglas/Kennedy)

This item had been dealt with earlier in the meeting.

5 PALAIS THEATRE

5.1 Introduction

The purpose of this report is to advise councillors of issues related to the structure of the building.

5.2 Background

The theatre roof has in the past undergone major repairs.

5.3 Issues

A report is being prepared by a structural engineer and is expected to be received in the early part of next week. The structural engineer has advised council officers not to allow gatherings (for safety reasons) in the theatre of thirty or more individuals until such time as repairs have been carried out.

Following discussions with Mrs Angie White, a decision has been made to relocate the November 2010 Yarrabin concert to the Wye Pavilion at the showground. The General Manager has approved the manufacture of a modular stage by workshop staff so that the concert can proceed. Every effort will be made by council staff to ensure the concert is an outstanding success.

5.4 Assessment

- 5.4.1 Strategic Implications:** - Nil
- 5.4.2 Statutory and Policy:** - Nil
- 5.4.3 Consultation:** - Nil
- 5.4.4 Technical assessment:** - Nil
- 5.4.5 Financial Implications:** - The stage will cost approximately \$14,000 and will be a major asset to other events (such as the various fashion parades) occurring each year.
- 5.4.6 Tables and graphs** - Nil

5.5 Conclusion

All other venues considered, such as the Town Hall, were considered unsatisfactory.

5.6 Recommendation

That the actions of the General Manager be endorsed.



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

1 BANK RECONCILIATION

1.1 Introduction

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

1.2 Background

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

Bank Reconciliation for September 2010	
Council General Fund	
Bank Statement Balance	\$756,591.46
Less payments not presented at bank	(\$419,050.56)
Balance as per Council	\$283,683.38
Represented by the following in Council Ledgers	
Account	
19001.8000.8000	\$283,683.38
Difference	\$0.00

1.3 Issues

Nil

1.4 Assessment

1.4.1 Strategic Implications - Nil

1.4.2 Statutory & Policy - Nil

1.4.3 Consultation - Nil



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1.4.4 Financial Implications - Nil

1.4.5 Technical Assessment - Nil

1.4.6 Graphs & Charts - Nil

1.5 Conclusion

Nil

1.6 Recommendation

That the report be received and noted.

345/2010 RESOLVED that the report be received and noted. **(Ryan/Hampstead)**

2 INVESTMENTS

2.1 Introduction

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

2.2 Background

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

2.3 Issues

The Investment report for August 2010 is attached. At the end of September, Council had \$5.076 million invested which is some \$200k down from the previous month, due to withdrawal for heavy machinery for Yarrandale Road.

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Investment Movements for September 2010

Source	B/Fwd from	Interest	Matured	Renewal	New	Rate	Maturity	Days	Balance @
	6/30/2010	Earned		Funds	Funds	%	Date		9/30/2010
Bankwest			-		500,000.00	5.70	29/09/2010	90.00	0.00
Westpac - Max-i Direct	472,377.91	1,968.76			(218,136.95)	3.55	On call	N/A	256,209.72
Commonwealth Bank	0.00		-			4.60	0/01/1900	212	0.00
IMB Society	176,682.86					6.09	4/11/2010	180	176,682.86
IMB Society	823,317.14					6.09	4/11/2010	91	823,317.14
St George Bank	950,000.00	-	(250,000.00)		300,000.00	6.20	On call	N/A	1,000,000.00
NAB	820,000.00					5.95	14/12/2010	180	820,000.00
Bankwest	500,000.00					5.30	3/08/2010	33	500,000.00
Suncorp-Metway	1,000,000.00			0.00		6.40	11/10/2010	181	1,000,000.00
Westpac	500,000.00				0.00	5.80	12/12/2010	180	500,000.00
	5,242,377.91	1,968.76	(750,000.00)	-	581,863.05				5,076,209.72

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

<i>SUMMARY</i>	
Bankwest	500,000.00
Commonwealth Bank	0.00
IMB Society	1,000,000.00
NAB	820,000.00
St George Bank	1,000,000.00
Suncorp-Metway	1,000,000.00
Westpac	500,000.00
Westpac - Max-i Direct	256,209.72

<i>RECONCILIATION WITH GENERAL LEDGER</i>	
Balance per above	5,076,209.72
Less Max-i Direct account included with Cashbook reconciliation	(256,209.72)
	4,820,000.00
General ledger a/c no. 19010.8200.8200 + 19001.8000.8000	4,820,000.00
	0.00



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2.4 Assessment

2.4.1 Strategic Implications -Nil

2.4.2 Statutory & Policy

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

2.4.3 Consultation - Nil

2.4.4 Financial Implications - Nil

2.4.5 Technical Assessment - Nil

2.4.6 Graphs & Charts - Nil

2.5 Conclusion

Nil

2.6 Recommendation

346/2010 RESOLVED that the report be received and noted. **(Ryan/Douglas)**

3 SUMMARY OF RATE COLLECTIONS

3.1 Introduction

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

3.2 Background

Nil

3.3 Issues

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

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3.4 Assessment

SEPTEMBER

	2010/2011	2009/2010	2008/2009
Arrears as at 31st August previous year	320,108.50	460,020.62	379,727.16
Plus Levy	3,636,588.42	3,292,472.22	3,147,728.62
Transfers from Postponed	10,084.27	10,470.01	16,737.10
Gross Levy	3,966,781.19	3,762,962.85	3,544,192.88
Less Pensioner Concession (State)	-42,133.96	-41,465.96	-43,093.61
Pensioner Concession (Council)	-34,487.18	-33,929.66	-35,262.48
Transfers to Postponed	-3,334.42	-3,347.62	-929.54
Abandoned	-10,084.27	-11,168.76	-16,737.10
Levy Rebate	-12,042.16	-10,009.97	-18,697.68
Net Total Levy for Year	3,864,699.20	3,663,040.88	3,429,472.47
Less Payments to the 30 September 2010	-1,147,303.26	-1,152,139.66	-1,026,699.05
Plus Refunds	0.00	0.00	911.05
Net Total Balance	2,717,395.94	2,510,901.22	2,403,684.47
Plus Postponed	34,195.42	29,916.62	33,856.52
Gross Total Balance	2,751,591.36	2,540,817.84	2,437,540.99
Collection % of Total Receivable	29.69%	31.45%	29.94%
Arrears % of Total Receivable	8.28%	12.56%	11.07%

3.4.1 Strategic Implications - Nil

3.4.2 Statutory & Policy - Nil

3.4.3 Consultation - Nil

3.4.4 Financial Implications - Nil

3.4.5 Technical Assessment - Nil

3.4.6 Graphs & Charts - Nil



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3.5 Conclusion

Nil

3.6 Recommendation

That the report be received and noted.

347/2010 RESOLVED that the report be received and noted. **(Douglas/Dutton)**

4 BUDGET REVIEW JUNE 2010

The Manager of Corporate Services advises that the budget review is ongoing and will be finalised for review with the 2009/2010 financials by the auditors.

REPORTS TO ORDINARY MEETING OF COUNCIL – ACTING MANAGER OF ENGINEERING SERVICES REPORT

This item had been dealt with earlier in the meeting.

1 BOORAMUGGA ROAD CLOSURE

1.1 Introduction

The purpose of this report is to consider objections to the closure of the section of Booramugga Road through the Girilambone mine site.

1.2 Background

Council at its meeting of 26th August 2010 resolved to approve the road opening of the Booramugga Road diversion between the old Booramugga Road and Yarrandale Road. Council also resolved to advertise the proposal to close to traffic this section of road and consult with the residents and known road users.

1.3 Issues

Council has received a petition (copy attached) of 15 names objecting to the proposal on the basis that the road deviation route has two sweeping bends, an additional intersection and adds travel time for road users.

Straits Resources have applied for the closure on safety grounds and the need to use the road with unregistered plant and vehicles as part of the mine operation.

1.4 Assessment

1.4.1 Strategic Implications

The deviation road was originally constructed to a satisfactory standard but requires maintenance work before Council takes control.

It is a condition of Council accepting the road that Straits Resources be responsible for this work.

1.4.2 Statutory and Policy

Nil

1.4.3 Consultation

Notices were placed in the Nyngan Observer and letters issued to property owners on Booramugga Road advising of the proposal and calling for objection.



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1.4.4 Technical Assessment

Nil

1.4.5 Financial Implications

Straits Resources are responsible for all costs associated with the proposal and Council will carry out future maintenance work on the deviation road as part of its normal road maintenance program.

1.4.6 Tables and Graphs

A sketch showing the proposed deviation route is attached to this report.

1.5 Conclusion

Although there will be some inconvenience to the travelling public as the deviation adds 2 kilometres to the trip for Booramugga Road traffic wishing to travel through Girilambone, this would appear to be outweighed by the increased safety for traffic passing through the mine site and for the mine operation.

1.6 Recommendation

That Council proceed with the temporary closure of Booramugga Road when the deviation road has been brought to a satisfactory standard of road surface and signposting.

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2 EMERGENCY RISK MANAGEMENT REPORT

2.1 Introduction

The purpose of this report is to obtain a Council resolution to adopt the Emergency Risk Management Report prepared by Echelon Australia for Council.

2.2 Background

In 2005/06 and 2006/07 Council received grants from the NSW Government under its National Disaster Mitigation Program to develop an Emergency Risk Management Report.

Through a process of consultation with stakeholders and the community a draft report was prepared by Echelon Australia and submitted to the NSW Government by Council.

2.3 Issues

The report identifies a range of emergencies that could affect the Bogan Shire and Nyngan township and makes recommendations for Council to consider in conjunction with the Local Emergency Management Committee.

Adoption of the report does not commit Council to any particular course of action or the expenditure of funds.

It is necessary for Council to adopt the Report to access the remaining funding of \$29,000 from the Program.

2.4 Assessment

2.4.1 Strategic Implications

The Executive Summary from the Report sets out the Strategic Implications for Council.

“This Emergency Risk Management Report considers risk associated with a range of hazards. The process examines Natural, Biological and Technological risks that in the event of an emergency, would require a “ significant and coordinated emergency response” within the meaning of Section 4 of the State Emergency and Rescue Management Act 1989 (as amended).

The Report forms a basis for discussion of these hazards in terms of current arrangements and risk assessments. It is not the intention of this process to replace or subjugate current arrangements for the management of emergencies, but rather to augment data collection to provide a holistic view”.



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The summary goes on to state that the LEMC is not required to implement treatment plans.

2.4.2 Statutory and Policy

Council is not compelled to implement the report by its adoption.

Future policy changes to emergency management may result by adopting this report.

2.4.3 Consultation

Considerable consultation has taken place in preparing the report including the identified stakeholders in Government.

2.4.4 Technical Assessment

Nil

2.4.5 Financial Implications

Adoption of the report allows Council to access the outstanding grant funds.

2.4.6 Tables and Graphs

The report is a large document and has not been attached to this report but a copy is available for perusal at Council and copies will be printed by request.

A copy of the report will be tabled at the meeting.

2.5 Conclusion

The report is an extensive document which will serve Council well for a number of years in developing Emergency Management Strategies in conjunction with the Local Emergency Management Committee and the State Emergency Services.

2.6 Recommendation

That Council adopt the Emergency Risk Management Report prepared by Echelon Australia and dated April 2008.

348/2010 RESOLVED that Council adopt the Emergency Risk Management Report prepared by Echelon Australia and dated April 2008. **(Hampstead/Ryan)**

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

1 DEVELOPMENT APPLICATIONS

1.1 Introduction

Council is advised that since the Council meeting on 23rd September 2010 the following Development Application and Complying Development Certificate has been approved.

DA CERT NUMBER	APPLICANT	ADDRESS	DESCRIPTION	VALUE
2010/030	CG Neil	167 Pangee Street NYNGAN 2825	Verandah Enclosure	\$12,000

1.2 Background

Nil

1.3 Issues

Nil

1.4 Assessment

1.4.1 Strategic Implications - Nil

1.4.2 Statutory & Policy - Nil

1.4.3 Consultation - Nil

1.4.4 Financial Implications - Nil

1.4.5 Technical Assessment - Nil

1.4.6 Graphs & Charts - Nil

1.5 Conclusion

Nil

1.6 Recommendation

That the report be received and noted.

349/2010 RESOLVED that the report be received and noted. (Ryan/Douglas)



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PRECIS OF CORRESPONDENCE

1 JAMES WHITE & DANIEL PUMPA

Attached are copies of “*Thank You*” letters from James White and Daniel Pumpa thanking Council for the sponsorship provided to them during for their recent tour to Papua New Guinea with the Under 16’s NSWRL Young Achievers.

1.1 Recommendation: That the report be received and noted.

350/2010 RESOLVED that the report be received and noted. (Kennedy/Douglas)

2 THE NYNGAN MENS SHED INC

Attached is a copy of correspondence received from the Nyngan Mens Shed Inc extending appreciation to Council for the assistance provided to help establish the Shed.

2.1 Recommendation: That the report be received and noted.

351/2010 RESOLVED that the report be received and noted. (Kennedy/Douglas)

3 GOVERNMENT WEEKLY CIRCULARS

Weekly Circulars 36/10 to 40/10 are tabled for Council’s information. Copies of the Circulars Indices and Summary of Items have been dispatched to Councillors.

3.1 Recommendation:

That the Local Government Weekly Circulars be noted.

352/2010 RESOLVED that the report be received and noted. (Kennedy/Douglas)



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Other Matters

The Seniors Citizen Committee has requested Council’s assistance with the internal and external painting of their meeting room.

Home Start – request to erect a shade cloth at their premises, corner of Cobar and Terangion Streets.

353/2010 RESOLVED that the Development Application fee be waived and permission be granted to erect the shade cloth. **(Ryan/Douglas)**

Macquarie Water Users:

354/2010 RESOLVED Council object to the high increases proposed for the users. **(Dutton/Hampstead)**

DLG – advice of the mid term meetings for Councillors - for the attention of Councillors.

Moderising Local Government Discussion Paper - Meeting being held in Dubbo on the 9th November 2010 at 10.00am.

Delegates for Western Division Conference February / March 2010 - Mayor / Deputy Mayor / Councillor Griffiths and the General Manager.

Correspondence received from Mr Graham Furze was tabled at the meeting.

There being no further business the meeting closed at 2.55pm.

These Minutes were confirmed by resolution at a meeting held onand were signed as a true record.

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GENERAL MANAGER

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MAYOR

NOTES

A series of horizontal dotted lines extending across the page, providing a template for handwritten notes.