



BOGAN SHIRE COUNCIL

Minutes

25th February 2011





**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25th February 2011 at 9.30am**

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

Also present were Mr MJ Brady (General Manager), Ms Theresa Haley (Manager of Corporate Services), Mr Michael Ryan (Acting Manager of Engineering Services), Mr Kieran Smith (Acting Manager of Environmental Services) and Mrs CJ Ellison.

Prior to the Council Meeting, Councillors inspected Yarrabin Outreach Inc and the upgrade at the Nyngan Police Station.

REMEMBRANCE: Cr Jim Donohoe and the New Zealand earthquake victims.

DECLARATION OF PECUNIARY INTEREST:

Cr Ryan - Draft Advertising Sign Policy.

Cr Douglas – Donation request from Western Studio of Performing Arts.

13/2011 APOLOGY: RESOLVED that the apology for the absence received from Councillor McLaughlin be accepted and she be granted leave of absence from both meetings. **(Douglas/Kennedy)**

The following resolutions arose from decisions made in the Closed and Confidential Section of the Meeting held on 25th February 2011.

05/2011 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. **(Hampstead/Douglas)**

06/2011 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 16th December 2010, copies of which had been circularised to Councillors be taken as read and confirmed. **(Hampstead/Douglas)**

07/2011 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Douglas/Neill)**



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08/2011 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/Hampstead)**

09/2011 RESOLVED that Council consider the General Manager's performance to be satisfactory. **(Hampstead/Dutton) Carried**

10/2011 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Kennedy/Griffiths)**

11/2011 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. **(Kennedy/Griffiths)**

12/2011 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Griffiths/Kennedy)**

14/2011 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 16th December 2010, copies of which has been circularised to Councillors be taken as read and confirmed. **(Douglas/Neill)**

Business arising from the Minutes

- **Tongling City**

Preparations are under way for the delegation to visit Tongling City in May 2011.

- **One Association Conference Sydney 23rd February 2011**

15/2011 RESOLVED that the Minutes of the Special Meeting of Council held on 11th January 2011, copies of which has been circularised to Councillors be taken as read and confirmed with the following amendment. **(Neill/Hampstead)**

Solar Power – the farm itself will have a life span of 50 years.



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Business arising from the Minutes

- **RFS**

Amended account to be received, third installment paid with no increase.

- **Levee Bank**

On hold due to flooding.

- **Racecourse**

Work currently in progress, bulk of work completed.

COMMITTEE MEETING

1 RACECOURSE / SHOWGROUND USERS ADVISORY COMMITTEE

Held on 9th February 2011

The meeting opened at 5.30pm.

Present: Mayor Ray Donald (Chair), Michael Brady (General Manager), Mike Ryan (Acting Manager Engineering Services), Jim Hampstead OAM, Col Richards, Phil Gibson, Terry Tremain, Jenny Deacon, John Hoy, Dave Motley, Joy White, Peter and Mary Dutton, Vernetta Gibson, Rowan Cleaver, Robyn Harris and Louise Wass.

Issues

- **Racetrack Upgrade**

Mike Ryan provided an overview of the project.

- **Showground & Arena**

Watering system now operational.

The Mayor advised the showground arena is to be used by the footballers at the Easter Carnival. Signs will be required on the arena fence to indicate where the watering system is located.

To be check:-

- where pipes have gone into the arena:



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- ensure trenches where pipes are located have not subsided; and
- determine if they need to be topped up.

Fencing in the vicinity of the racecourse needs to be freshened with a spray of silver frost.

The gate on the eastern side of the arena nearest the RTA shed cannot be opened as it appears to have been damaged.

Two missing gates need to be replaced.

Erect a sign at the main gate entrance indicating it is the main entrance.

Pony Club - Stables– some of the damaged wrought iron around the stables need to be repaired.

Iron on the back of the stalls southern side nearest the levee bank needs maintenance.

Refer to Des McGuiness.

Shed at the back of the Pony Club needs to be enclosed and roof extended.

Dave Mottley will come back to Council with what is required.

Trees inside the track need to be trimmed or removed.

Inside the racetrack:-

- asked if in the future whether it would be available for parking – for use by Expo Committee provided rubber was placed on the track to facilitate an access way;
- parking would only be available for light vehicles; and
- inside the track would need to be slashed for this purpose.

Fascia boards nearest the bar and wool pavilion need to be replaced/repared.

Septic tanks pose a safety risk and may need some form of barrier.

Toilet/shower blocks – the Mayor raised the issue of upgrading those facilities:-

- inside floor and walls to be renovated – approximate cost \$7,000 to \$8,000 per block; and
- Would want the work completed before the Show.

Road from the Pony Club to the toilets needs to be filled with road base.

There being no further business the meeting closed at 6.50pm.

1.1 Recommendation:

That the report be received and noted.



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16/2011 RESOLVED that the report be received and noted. (Neill/Kennedy)

17/2011 RESOLVED that Council give permission for the Nyngan Ag Expo to use the inside of the racetrack for parking, provided rubber matting be put across the track and paid for by the Ag Expo Committee. The Committee is to be responsible for policing the area and ensuring parking would only be available for light vehicles. (Ryan/Hampstead)

2 COUNCILLOR BRIEFING SESSION – FIT FOR WORK POLICY

Held on 15th February 2011.

Meeting opened 5.10pm.

Present: Mayor Ray Donald (Chair), Councillors J Hampstead OAM, D Dutton, E McLaughlin K Ryan, J Douglas, and H Griffiths, Michael Brady General Manager, Mike Ryan Acting Manager Engineering Services, Ms Theresa Haley Manager Corporate Services, and Allan Tisdell of Advanced Drug Solutions .

Apologies: Councillors G Neill and A Kennedy.

Mr Tisdell gave a presentation on Drug and Alcohol testing including observations on Council's existing Fit for Work Policy.

Recommendations:

That the General Manager

(1) Work with Mr Tisdell on recommendations for changes to Council's existing policy including replacing saliva testing with urine testing and lowering the maximum alcohol level to 0.02 and report back to the February 2011 Ordinary Meeting of Council. The overriding concern from Council's perspective is to keep the workplace safe;

(2) Circulate those recommendations to the union representative prior to the meeting; and

(3) Brief all staff and explain why changes are being recommended to the existing policy.

Carried unanimously

2.1 Recommendation:

That the report be received and noted.

The General Manager advised Council that all the recommendations of the session had been completed.



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18/2011 RESOLVED that from the meeting held on 15th February 2011, with changes, the Fit for Work Policy be adopted and implemented. **(Hampstead/Ryan) Carried Unanimously**

MAYORAL MINUTE

1 NYMAGEE ROAD MEETING

Councillor Dutton, the General Manager and myself attended a meeting at Nymagee on Tuesday 25th January 2011, attended by representations from, Lachlan and Cobar Shires, Kevin Humphries MP, Mark Coulton MP and about 50 local residents. The meeting was initially called to discuss the condition of the regional road (SR1169) from Tottenham to Bobadah, but expanded into concerns about other local road conditions, funding, all weather access etc. A resolution from the meeting was that the three Councils jointly seek funding for sealing of this regional road, and progress works on local grade roads to bring them up to all weather standard.

1.1 Recommendation

That the report be received and noted.

19/2011 RESOLVED that the report be received and noted. **(Ryan/Kennedy)**

2 COALITION ROADS POLICY

I attended a meeting in Gilgandra on the 10th February 2011 joining thirteen other Councils from Kevin Humphries' Barwon electorate to discuss the Coalition's Road Policy. Enclosed is a submission I made on behalf of Bogan Shire Council. Thirty percent or \$1.4b from their Infrastructure NSW funding project is earmarked for rural and regional NSW in the first 5 years to consider projects like regional road upgrades over a value of \$100m. Our regional roads were marked on a map of the Barwon electorate to be part of one of the first projects this Infrastructure NSW Board will consider if the Coalition is elected in March. Council present soon established regional and upgrades (sealing) well in excess of \$100m, however any proposal that may see extra State Block Grant funding for our regional roads seems well worth supporting.

2.1 Recommendation

That the report be received and noted.

20/2011 RESOLVED that the report be received and noted. **(Douglas/Dutton)**



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3 WESTERN NSW LOCAL HEALTH NETWORK

Dr Robin Williams (Chair) Associate Professor Joseph Canalese OAM, Mrs Patricia Doolan PSM, Scott Griffiths, Tim Horan, Dr Darryl Mackender, Paul Mann, Dr Aubrey Tooth, Mrs Joan Treweeke, Ms Sue West – this Committee replaces the GWAHS Management Committee, however the large area covered remains much the same (Broken Hill excluded) with Dubbo, Orange and Bathurst hospitals on this area.

We have invited the Chair to address our C Division Conference. An Acting CEO has replaced Danny O'Connor who has returned to West Sydney.

3.1 Recommendation

That the report be received and noted.

21/2011 RESOLVED that the report be received and noted. (Ryan/Neill)

4 AUSTRALIA DAY

Our celebrations in O'Reilly Park were again well organised and supported with Ambassador Craig Goozee OAM very inspiring. Any suggestions for improvements are welcome regarding awards, venue, program, time etc.

4.1 Recommendation

For Council's Consideration.

Discussion:

1. Council Column – advertise more nominations required for Australia Day.
2. Nomination forms to be made smaller – 2 pages.
3. Form – include nominee agreed and sign form.
4. Venue – Swimming Pool.

It was **MOVED** that the venue for Australia Day remain at Davidson Park. (Ryan/Hampstead)

It was **PUT** to Council and **LOST**.

22/2011 RESOLVED that Council advertise in the Council Column for community feedback on three venues for the 2012 Australia Day celebrations – Davidson Park, Rotary Park and Swimming Pool. Closing date is one month after publication, with a decision being decided at the April Council Meeting. (Ryan/Douglas) **Carried**



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Council adjourned for Morning Tea at 10.35am and resumed at 10.50am.

Mrs Elizabeth Wynne, Local Controller SES now addressed Council.

Discussion:

SES activities during the flooding period prior to and after Christmas.

A report of the SES was tabled.

Mrs Wynne was thanked for attending the meeting.

Cr Griffiths now attended the meeting, the time being 11.05am.

5 MENS SHED

The local Mens Shed committee has acquired a 12 month lease from Ambulance NSW for the old Ambulance Station in Cobar Street, have cleared it out and commenced regular meetings on a Wednesday morning. This better venue will enable some of their equipment to be located and used, and hopefully encourage other blokes to pop in for a yarn and a cuppa.

5.1 Recommendation

That the report be received and noted.

23/2011 RESOLVED that the report be received and noted. **(Kennedy/Dutton)**

6 SHOWGROUND TOILETS

The Minutes of the well attended Racecourse / Showground Users meeting are attached in the Business Paper. I seek Council's endorsement to approach the main showground users (Nyngan Jockey Club, Duck Creek Race Committee, Ag Expo Committee, Show Committee, Pony Club, Mid West Equestrian Committee) to contribute to a major upgrade of the 5 toilet blocks at the showground. This would involve substantial improvements including rendering the walls and the floor to be polished and topped with a clear lacquer to make cleaning easier and consequently far more presentable. Council could undertake an upgrade of the urinals and showers at the same time. The approximate cost to each users would be \$8,000 to \$10,000 suggesting they either pay 80% of that cost now or pay it over 2 years. If Council agree to this approach it would be planned with the users agreement to participate to carry out the upgrades ASAP. The approach to the Nyngan Jockey Club and Duck Creek Committees should also I believe contain a request for assistance towards the upgrade currently being carried out to the track.

6.1 Recommendation

For Council's Consideration.



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24/2011 **RESOLVED** that in principle Council approach the users of the Racecourse / Showground to contribute to a major upgrade of the 5 toilet blocks at the showground, being rendering the walls and the floor to be polished and topped with a clear lacquer. The approximate cost to each user would be \$8,000 to \$10,000, with the option for each user to either pay 80% of the cost upfront (therefore not pay the full amount) or pay the full amount off over 5 years. **(Dutton/Griffiths)**

25/2011 **RESOLVED** that Council obtain a quote for an upgrade of showers and urinals at the showground, with the quote to be advised at the March Council Meeting. **(Dutton/Griffiths)**

7 SHOWGROUND ARENA

As the Easter Football Carnival at Nyngan increases in teams participating, staging the games would be considerably help by having some of them played at the showground. Verbal agreement has been obtained from the users of the ring for this to occur, assisted by the installation of underground watering using raw water from the river. A resolution for this to occur involving erecting goal posts and marking the ground would formalise arrangements for the arena to be used for football. Booking, hiring fees and maintenance should be largely the same as for Larkin Oval, with the complete understanding that the Show Committee, Ag Expo. Pony Club and Sheepdog Trails have priority for use of the ring

7.1 Recommendation

For Council's Consideration.

26/2011 **RESOLVED** that the showground arena be used as ovals for the Easter Rugby League Challenge Carnival, with booking, hiring fees and maintenance the same as for Larkin Oval. The Show Committee, Pony Club and Sheepdog Trials have priority to any usage of the showground arena. **(Ryan/Neill)**

Other matters:

27/2011 **RESOLVED** that the motions submitted from Bogan Shire Council to the Western Division and C Division Conferences be endorsed. **(Ryan/Neill)**

28/2011 **RESOLVED** that the Mayor, Councillors Griffiths, Hampstead and Neill and the General Manager attend the C Division Conference on the 16th March 2011. **(Kennedy/Dutton)**



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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. <u>UPDATE: Nil</u>
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			Surveys have been sent. Survey tables located at each of the Supermarkets. GM speaking to View Clubs and CWA.
22/07/2010	244/2010		Nyngan Community Homes Committee to meet with Council.	GM	<u>UPDATE: Flashmans determining best course of action in transfer of assets to Council and avoidance of any tax liability.</u>



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13/12/2007 25/11/2010 16/12/2010	543/07 369/10 426/10	LEP	Draft LEP be prepared for purpose of reclassifying public lands.	H & B	<u>UPDATE: Report to February 2011 Council Meeting.</u>
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	To have community meeting, source funds State and Federal. Community meeting held Wednesday 22nd September 2010. Consultant in the process of updating pool concept plan. Councillors need to commit to time frame to visit other pools. Visit Cobar & Forbes pool. <u>Carry out visits in March 2011.</u> <u>UPDATE: No change. Recommended changes forwarded to consultant.</u>
24/04/2008 16/12/2010	140/08 421/10	Main Street	Advertise preliminary street plans & seek community comment.	Eng	<u>UPDATE: Working party be convened following receipt of main street designs for Dubbo & Tamworth Councils.</u>



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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	<u>UPDATE: RTA / Traffic Committee approved signs. Signs have been ordered.</u>
28/08/2008 25/11/2010	432/08 387/10	Lease of Railway Land on Highway	Investigate if the shell site can be transferred to BSC, or otherwise leased.	Mayor	<u>UPDATE: ARTC only prepared for a commercial lease.</u>
28/08/2008 16/12/2010	435/08 420/10	Raw Water	Investigate expanding raw water to ovals, parks, gardens & cemetery.	Eng	To be considered in the 2011/2014 Management Plan. <u>UPDATE: No change.</u>
23/10/2008	447/08	Residences-Pangee Street	Council to speak to residents.	H & B	<u>UPDATE: Report to February 2011 Council Meeting.</u>
22/01/2009 <hr/> 25/11/2010	9/09 467/09 164/2010 384/10	Ambulance Station	Council express interest in acquiring the former ambulance station premises.	Mayor	Council write to Health Minister asking to acquire station at no cost to be used for community purposes. Reply received. Letter in November 2010 Precis. Council request that allotment 9 be transferred to Council. Letter sent to Minister requesting transfer of allotment 9 only. No response from Minister.



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					<u>UPDATE: Mens Shed has acquired lease of both allotments at ambulance station.</u>
	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	Waiting on Government decision. <u>UPDATE: No change.</u>
26/02/2009 24/09/2009 16/12/2010	41/09 398/09 395/10	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	<u>UPDATE: Request in writing sent to owners to lodge DA.</u>
26/03/2009 16/12/2010	99/09 410/10	Waste Depot	Make representations to the Minister to expedite acquiring more land for a new tip cell from Livestock Pest & Health Authority.	H & B	No cells available on existing site. Waste has been pushed back, estimating another 6 months life in existing cells. Approved project with funding up to \$350,000 to be fund by a loan. <u>UPDATE: Report to February 2011 Council Meeting.</u>
25/08/2009	339/09	Campervan & Motor Home Rally	Apply for the tender to hold the 2012 Rally in Nyngan	CPO	<u>UPDATE: Motorhomes' board considering proposal this week. General Manager to advise Council Meeting February 2011. Decision in April 2011.</u>



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26/11/09	460/09 223/2010	APC	<p>Letters to surrounding Councils advising of EOI to improve water delivery.</p> <p>Contact Fed Govt to ensure \$12m remains.</p> <p>Try and obtain more Government funding to complete the piping of the APC project.</p>	GM Mayor	<p>Mark Coulton has been contacted to organise a meeting with Ministers Burke & Crean.</p> <p>A meeting held with State Water Office who received a copy of quote from Irritek.</p> <p><u>UPDATE:</u> <u>Regional Development Australia met with BSC and Cobar Shire Council and is assisting with efforts to obtain funding from the Federal Government.</u></p>
17/12/09	531/09	Mitchell Highway	<p>Letter to RTA CEO & Minister re condition of Highway between Nyngan and Nevertire. Council not accepting explanation from RTA CEO.</p>	Mayor	<p>Letters sent to RTA CEO & John Cobb MP re condition of Highway.</p> <p>Contacted RTA Monday 13th September 2010 re pot holes in road.</p> <p>Acting Manager of Engineering Services to speak to the Regional Manager</p> <p><u>UPDATE: RTA offered no solution.</u></p>
17/12/09	539/09	Noxious Weed	<p>Approach Minister for Lands to service notice on African Box Thorn weed for Crown lands.</p>	H & B	<p>Referred to Macquarie Valley Weeds for action.</p>



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					<u>UPDATE: Waiting on Bourke Shire to provide instruction to BSC staff.</u>
25/02/2010	19/2010	Doctor at Hospital	Letters to Minister & CEO of GWAHS re no VMO in Dr Chan's absence.	Mayor	Locums available until June 2011. <u>UPDATE: Mayor to provide verbal report at the February Council Meeting.</u>
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. <u>UPDATE: Waiting on advice from Flashmans.</u>
24/06/2010 16/12/2010	181/2010 302/2010 366/10 419/10	Recycling	Council ask JR Richards & Sons for a quote to establish kerb side recyclable pick up in Nyngan. Proposal be advertised and survey sent to residents.	Eng	<u>UPDATE: Lachlan, Cobar, Warren, Bourke, Brewarrina Shires have no pick up recycling service.</u>
22/07/2010	229/2010	SES	Approach SES in Dubbo seeking funds for improvements to the local SES building.	Mayor	Quotes to be forwarded to Council for consideration for improvement. <u>UPDATE: SES Local Controller obtaining quotes.</u>



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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	Mines waiting on photos to be created in high definition. <u>UPDATE: Photographs yet to be received.</u>
22/07/2010	238/2010	Toilets	Obtain quotes for major upgrades of the toilets in Davidson and Rotary Parks.	H & B	Contractor commencing Rotary Park project 13 th Dec 2010 and Davidson Park to follow immediately afterwards. <u>UPDATE: Davidson Park renovation continuing & contractor engaged to paint Rotary Park toilets.</u>
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	GM spoke to Airlink, expressing desire to bring plane into Nyngan. <u>UPDATE: No change.</u> <u>Brindabella Airs Services not able to come into Nyngan.</u>
23/09/2010	289/2010	Houses – Flashman Avenue	Organise meeting to discuss designs.	H & B	<u>UPDATE: Received a draft specification and schedule for tender process to be review by Council.</u>



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23/09/2010	295 & 296/2010 383/10	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	Letter sent to the Operational Manager with same concerns. <u>UPDATE: Response February 2011.</u>
28/10/2010	331 & 332/2010	Palais Theatre	Repairs to Palais Theatre to be completed asap. Investigate making the outdoor area a venue for community use.	H & B	Three Builders have been approached. Waiting on response. <u>UPDATE: Advice to be forwarded to Councillors.</u>
28/10/2010	335/2010	Rotary Park	Check wording on sign re camping – sign to be changed to read “No Overnight Stay”.	Eng	<u>UPDATE: Programmed for week of 21st February 2011.</u>
25/11/2010	381/2010	Arthur Hall VC Highway	Wall memorial to be relocated, citation suitably inscribed beside the wall memorial, signs on the edge of the highway, officially unveiled on 11 th November 2011.	Eng	<u>UPDATE: Signs erected 16th February 2011. One sign to be erected once plaque has been finalised. Plaque in process of being ordered when wording is confirmed with the Hall family.</u>
16/12/2010	397/2010	Advertising Signs	Appropriate Policy be developed.	GM	<u>UPDATE: Report February 2011 Council Meeting.</u>
16/12/2010	404/2010	Tongling City	Council send a welcome letter, once the delegation with names is confirmed.	Mayor	<u>UPDATE: Names of students to be advised week of 21st February 2011. Four students. Interviews occurring 16th February 2011. BSC budget \$8500.</u>



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16/12/2010	422/2010	Liquid Trade Waste	Council adopt the draft policy for the discharge of liquid trade waste into Council's sewer and a further report be presented to Council detailing costs and options resulting from the policy.	Eng	<u>UPDATE: To be included in Draft Management Plan for 2011-2014</u>
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Council moved into the Closed and Confidential Section of the meeting, staff now left the meeting.

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

29/2011 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Ryan/Neill)**

30/2011 RESOLVED that Council consider in next year’s budget adequate shade at the Swimming Pool. **(Ryan/Douglas)**

31/2011 RESOLVED that Council approach the NSW Ambulance with a view to have both lots 9 and 10 transferred free of charge to Council, and advise that Council will consider any remedial work if required. **(Ryan/Hampstead)**

2 DRAFT ADVERTISING SIGN POLICY

2.1 Introduction

The purpose of this report is to present the Draft Advertising Sign Policy (see attachment) for Council’s consideration.

2.2 Background

Councillors will recall a report on advertising signs was considered at the December Ordinary Meeting. Council resolved that an advertising sign policy be drafted.

2.3 Issues

Nil

2.4 Assessment

- 2.4.1 Strategic Implications:** - Signage issue presents as an opportunity for Council to take a strategic approach to advertising signage.
- 2.4.2 Statutory and Policy:** - Nil
- 2.4.3 Consultation:** - Geolyse & Staff
- 2.4.4 Technical assessment:** - Nil
- 2.4.5 Financial Implications:** - Nil
- 2.4.5 Tables and graphs** - Nil

2.5 Conclusion

Nil

2.6 Recommendations

1. That the draft policy be placed on public exhibition for a period of not less than twenty eight (28) days; and
2. That the draft policy be referred back to Council after the conclusion of the exhibition period.

32/2011 RESOLVED

1. That the draft policy be placed on public exhibition for a period of not less than twenty eight (28) days with the following amendments;
 - The Policy only applies to Pangee Street CBD area;
 - Tables and chairs be placed against the wall, 2 metres in width from the wall;
 - Licence approval would be for three years;
 - Street stallers would be exempt, eg. CWA, Red Cross;
 - Advertising signs cannot be placed in front of other businesses, unless the business owner has the mutual consent of both owners;

and

2. That the draft policy be referred back to Council after the conclusion of the exhibition period. **(Kennedy/Griffiths)**

3 DRAFT LEP

3.1 Introduction

The purpose of this report is provide an update on developments with the Draft LEP.

3.2 Background

Councillors will recall the Draft LEP is currently being developed and that it is expected to be presented to the Minister for approval in June 2011.

3.3 Issues

Bogan Shire Council's (BSC) gateway determination is expected by the end of February 2011. A gateway determination is issued by the Minister for Planning (or their delegate) and specifies whether a planning proposal (BSC's Draft LEP) is to proceed and, if so, in what circumstances. The purpose of the gateway determination is to ensure there is sufficient justification early in the process to proceed with a planning proposal.

Listed below are the stages to the process in the coming month:

Gateway determination likely by 28/2/11

Bogan Shire Council to agree to public meeting on Draft LEP

Community Information Strategy released by Dept. of Planning

Plan community engagement strategy and issue public notice

Release of options paper to accompany the Draft LEP

Exhibition of Draft LEP

It is advisable (although not critical) that a public hearing be held in Nyngan to discuss key aspects of the Draft LEP. Only one meeting, it is suggested, needs to be held. At the time of writing this report, officers were actively pursuing a qualified town planner from another council to assist in conducting the public hearing.

3.4 Assessment

- 3.4.1 Strategic Implications:** - A new LEP is vital to the future of the Bogan Shire Community.
- 3.4.2 Statutory and Policy:** - The Draft LEP is being prepared in accordance with the EP & A Act 1979.
- 3.4.3 Consultation:** - The Acting Manager Environmental Services and the General Manager met with the Department of Planning representative again on 10/2/11.
- 3.4.4 Technical assessment:** - Nil
- 3.4.5 Financial Implications:** - Nil
- 3.4.6 Tables and graphs** - Nil



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3.5 Conclusion

Nil

3.6 Recommendation

1. That Council agree to hold a public meeting as soon as possible after the release of the gateway determination; and
2. That the General Manager be authorised to determine a suitable date.

33/2011 RESOLVED that

1. Council agree to hold a public meeting as soon as possible after the release of the gateway determination; and
2. The General Manager be authorised to determine a suitable date. **(Ryan/Douglas)**

4 FIT FOR WORK POLICY

4.1 Introduction

The purpose of this report is to provide recommended changes to the adopted Fit for Work Policy.

4.2 Background

Council resolved at a briefing session on 15th February 2011 that the General Manager, in conjunction with Mr Allan Tisdell of Advanced Drug Solutions, prepare a list of recommended changes to the Fit for Work Policy.

4.3 Issues

The recommended changes are contained within the document accompanying this report.

4.4 Assessment

- | | |
|--------------------------------------|---|
| 4.4.1 Strategic Implications: | - The policy is designed to ensure a safe working environment. |
| 4.4.2 Statutory and Policy: | - The attachment to this report incorporates recommended changes to the adopted policy. |
| 4.4.3 Consultation: | - Advanced Drug Solutions and Union Representative. |



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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 recommended changes in the attachment accompanying this report be adopted.

This item was dealt with in conjunction with the Councillor Briefing Session, Minute No.18/2011.

5 DRAFT BOGAN SHIRE COUNCIL SMOKE FREE POLICY

5.1 Introduction

The purpose of this report is to present the Draft Smoke Free Policy (see attachment) for Council's consideration.

5.2 Background

The Cancer Council is encouraging all Council's to adopt a smoke free policy to reduce the incidence of smoke related cancers in the community.

5.3 Issues

The Cancer Council approached Council regarding the policy and as part of that process indicated grants were available for all signage. The policy, if implemented, will contribute to minimising the effects of second hand cigarette smoke on community members (in particular children), as well as reducing the incidence of cigarette butts littering the environment.

5.4 Assessment

5.4.1 Strategic Implications: - The policy has the potential to contribute to a cleaner and safer environment.

5.4.2 Statutory and Policy: - Council has a legal obligation to protect its community.

5.4.3 Consultation: - Cancer Council.

5.4.4 Technical assessment: - Nil



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5.4.5 Financial Implications: - Cost of some installations if grant funds are exhausted before full implementation.

5.4.6 Tables and graphs - Nil

5.5 Conclusion

Nil

Recommendations

1. That the draft policy be placed on public exhibition for a period of not less than twenty eight (28) days; and
2. That the draft policy be referred back to Council after the conclusion of the exhibition period.

34/2011 RESOLVED that

1. the draft policy be placed on public exhibition for a period of not less than twenty eight (28) days; and
2. the draft policy be referred back to Council after the conclusion of the exhibition period. **(Hampstead / Dutton)**

6 PROPOSED NYNGAN WASTE FACILITY

6.1 Introduction

The purpose of this report is to brief Councillors on the latest developments in planning for a new waste facility.

6.2 Background

Council will recall it considered a supplementary report on the proposed new waste management facility at the December 2010 Ordinary Meeting.

6.3 Issues

The Acting Manager Environmental Services and the General Manager attended a workshop in Orange in order to progress the new waste facility proposal. Corkery's, from that workshop, will compile a background paper and deliver same to Council by 11th March, 2011. The General Manager gave a commitment Corkery's would receive Council's response by no later than 25th March, 2011. Hence, a report will be forthcoming to the March 2011 Ordinary Council Meeting.



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Given Council is the applicant for the new facility, it is likely the development application (DA) will be determined by the Joint Regional Planning Panel. Council's DA is not expected to be lodged before August 2011.

6.4 Assessment

- 6.4.1 Strategic Implications:** - The facility is needed in order to manage Bogan Shire's waste output.
- 6.4.2 Statutory and Policy:** - The new waste facility will need to comply with environmental and planning legislation.
- 6.4.3 Consultation:** - RW Corkery, Acting Manager Environmental Services, General Manager.
- 6.4.4 Technical assessment:** - Nil
- 6.4.5 Financial Implications:** - The new waste facility will be funded by a loan.
- 6.4.6 Tables and graphs** - Nil

6.5 Conclusion

Nil

6.6 Recommendation

That the report be received and noted.

35/2011 RESOLVED that the report be received and noted. (Griffiths/Douglas)

Council adjourned for lunch and resumed at 2.00pm.

Council returned to the Closed and Confidential Section of the meeting, with the General Manager and Manager of Corporate Services.



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All staff were now present at the meeting.

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 **31st January 2011**.

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 January 2011

Council General Fund

Bank Statement Balance	\$204,446.01
Less payments not presented at bank	(\$45,189.16)
Balance as per Council	\$159,256.85

Represented by the following in Council Ledgers

Account	
19001.8000.8000	\$159,256.85

Difference	\$0.00
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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



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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.

36/2011 That the report be received and noted. **(Ryan/Griffiths)**

2 INVESTMENTS

2.1 Introduction

The purpose of this report to is to outline the performance of Council's investment portfolio for December 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 December 2010 is attached. At the end of January, Council had \$5.077 million invested a decrease of \$546k on the previous month, this relates to movement on the Maxi Account due to decreased revenue over the Christmas / New Year period and payments relating to Yarrandale Road.



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Investment Movements for January 2011

Source	B/Fwd from	Interest	Matured	Renewal	New	Rate	Maturity	Days	Balance @
	6/30/2010	Earned		Funds	Funds	%	Date		31/10/2010
Westpac - Max-i Direct	472,377.91	8,047.84	(550,000.00)		327,480.38	4.00	On call	N/A	506,564.31
IMB Society	176,682.86	5,394.73	(182,077.59)	500,000.00		6.00	05/03/2011	180	500,000.00
IMB Society	823,317.14	25,138.69	(848,566.93)	500,000.00		6.00	05/03/2011	91	500,000.00
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	14/07/2011	180	820,000.00
Bankwest	500,000.00	4,595.89	(504,595.89)	500,000.00		5.80	01/0 3/2011	90	500,000.00
Credit Union Australia	1,000,000.00			0.00		5.86	21/05/2011	110	1,000,000.00
Westpac	500,000.00				0.00	5.80	15/06/2011	180	500,000.00
	5,242,377.91	43,177.15	(2,335,129.31)	1,500,000.00	627,480.38				5,077,906.13

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



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SUMMARY

Bankwest	500,000.00
IMB Society	1,000,000.00
NAB	820,000.00
Credit Union Australia	1,000,000.00
St George Bank	1,000,000.00
Westpac	500,000.00
Westpac - Max- i Direct	257,906.13

***RECONCILIATION WITH GENERAL
LEDGER***

Balance per above	5,077,906.13
Less Max-i Direct account included with Cashbook reconciliation	(257,906.13)
	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

That the report be received and noted.

37/2011 RESOLVED that the report be received and noted. **(Douglas /Kennedy)**

3 SUMMARY OF RATE COLLECTIONS

3.1 Introduction

The purpose of this report is to provide a comparison of rate collections as at January 2011, 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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JANUARY 2011

	2010/2011	2009/2010	2008/2009
Arrears as at 30th June previous year	465,334.13	460,020.62	379,727.16
Plus Levy	3,501,617.73	3,331,451.53	3,157,627.77
Gross Levy	3,966,951.86	3,791,472.15	3,537,354.93
Less Pensioner Concession (State)	-42,250.82	-42,114.32	-43,345.56
Pensioner Concession (Council)	-34,582.82	-34,460.17	-35,468.66
Movements to Postponed	3,362.42	7,122.39	15,807.56
Abandoned	-9,876.20	-11,172.27	-17,270.62
Levy Rebate	-6,354.32	-10,009.97	-18,697.68
Net Total Levy for Year	3,877,250.12	3,700,835.56	3,438,379.97
Less Payments to the 30 December 2009	-1,980,896.09	-1,880,786.10	-1,648,911.38
Plus Refunds	0.00	0.00	911.05
Net Total Balance	1,896,354.03	1,820,049.46	1,790,379.64
Plus Postponed	34,950.77	30,667.36	34,550.31
Gross Total Balance	1,931,304.80	1,850,716.82	1,824,929.05
Collection % of Total Receivable	51.09%	50.82%	47.96%
Arrears % of Total Receivable	48.91%	49.18%	52.04%

3.4 Assessment

3.4.1 Strategic Implications	Nil
3.4.2 Statutory & Policy	Nil
3.4.3 Consultation	Nil
3.4.4 Financial Implications	Nil
3.4.5 Technical Assessment	Nil
3.4.6 Graphs & Charts	Nil

3.5 Conclusion

Nil



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3.6 Recommendation

That the report be received and noted.

38/2011 RESOLVED that the report be received and noted. (Griffiths/Neill)

4. BUDGET REVIEW DECEMBER 2010

4.1 Introduction

A review of the budget for the quarter ended 31st December 2010 has been conducted. The review has been based on the budget adjustments adopted in September 2010 business papers and the realisation of the actual revenues and expenses to the end of December 2010.

4.2 Background

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

4.3 Issues

The Operational Revenues and Expenses have been reviewed. Council consolidated Operational Profit/Loss before depreciation is running at \$1.638M surplus for the December quarter; the consolidated Capital Works for the same period is running at \$1.094. Total movement in working funds is a surplus of \$557k this is \$1.1M under the expected budget of \$1.6M for the half year ending December 2010, this is a result of the Roads to Recovery Grant \$598K budgeted in December received in January, Yarrandale Road for December \$130K was billed in January [billing is always a month behind expenditure] and the drawdown on state government grants relating to Yarrandale Road to the value of \$310k from reserves which will happen at the financial year end. These adjustments to the December quarter will bring council into line with the current budget to December 2010.

Budget issue relating to Plant which was raised in November 2010 meeting of Council, has been reviewed as at December, of the plant shows it is currently running at a surplus of \$467k this is currently on track to the predicted surplus of \$719k by the end of the financial year.



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Budget Variances

The following budget variances are put forward for council's considerations,

Revenue

(\$29K) 08/09 Hazard Reduction received
\$150k RTA Repair Grant not successful

Expenses

\$45k Toilet Blocks [Rotary & Davison Parks]
\$20k Racecourse [Jockey Club]
\$100k Palais Theatre
\$40k Aerodrome Resealing
\$95k Sewerage Works at Aerodrome

4.4 Assessment

4.2.1 Strategic Implications Nil

4.4.2 Statutory & Policy

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

4.4.3 Consultation

Budget variations done in consultation with, Acting Managers of Engineering and Environmental.

4.4.4 Financial Implications

The impact on the budgeted working fund surplus of \$87,417 predicted for the financial year 2010-11 following the budget variations is a deficit of \$333K.

4.4.5 Technical Assessment Nil

4.4.6 Graphs & Charts Nil

4.5 Conclusion

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

Council is in a strong financial position with an investment portfolio of \$4.8M. There are continuing expenditure savings relating to staff positions, several trainee positions within all three divisions are fully funded in the budget, but not being utilised as well as the Managers position within Environmental Division.



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While Council currently uses the services of ProCert and Geolyse to cover the vacant position in the Environmental Division the expense afforded to these companies is less than that of a full time manager, giving Council a savings that can be contributed towards the budget variations which will be realised at the end of the financial year.

4.6 Recommendation

That the Budget Review for the period ended 31 December 2010 be received and adopted.

39/2011 RESOLVED that this item Budget Review December 2010 be deferred to the March 2011 Council Meeting. (Ryan/Hampstead)

5. MANAGEMENT PLAN QUARTERLY REVIEW DECEMBER 2010

5.1 Introduction

The purpose of this report is to consider the targets set by Council's Management Plan, for the quarter ended 30th December 2010.

5.2 Background

Section 406 and 407 of the *Local Government Act 1993* requires councils to prepare and adopt an annual Management Plan and then a "report to the council must be prepared as to the extent to which the performance targets set by the council's current management plan and have been achieved".

5.3 Issues

The review of the Management Plan together with the progressive outcome comments have been attached and no further comment needs to be tabled.

5.4 Assessment

5.4.1 Strategic Implications Nil

5.4.2 Statutory and Policy

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

5.4.3 Consultation

Internal - The report was compiled after all Senior Officers had provided input and update of their respective sections of the report.

External - Nil.

5.4.4 Technical Assessment Nil

5.4.5 Financial Implications Nil

5.4.6 Tables and Graphs Nil



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5.5 Conclusion

Nil.

5.6 Recommendation

That the report be received and noted.

40/2011 RESOLVED that the report be received and noted. (Griffiths/Hampstead)

6. LIBRARY QUARTERLY REVIEW DECEMBER 2010

6.1 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.

6.2 Background

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

6.3 Issues

The library hosted the Book Link Reading Presentation in September with 29 Children successfully reading the required 20 books and most read many more. In total over 1200 books were read throughout the programme.

The Library also participated in the "Get Reading" book programme with 50 titles that you can't put down.

North Western Library held its Annual General Meeting in mid October at Coonamble and some Statistics that might be interesting are: Total Issues for 1.9.09 to 30.6.10 in the four Shires of Warren, Gilgandra, Coonamble and Bogan was 87,859 with a total membership of 7,215. Over the past 6 years the North Western Library has received funding of \$273,815 in grants which purchased \$22,000 in Talking book CD's, \$66,000 in Large Print books, \$45,553 in Adult Fiction books and Youth Services and technology grant which was successful this Year \$140,262 has replaced computers for Publicises, provided Lap tops for Librarians, a Self Service Station to be installed, And provision of a Digital Projector and screen in each Library and Junior and Young Adult resources.

The Bogan Shire was guest Shire to the Central Western Zone Libraries Spring Meeting.

Librarians and Councillors from the central west including Oberon to the East, Moree to the North West, Cobar to the west, and Grenfell to the South and Dubbo, Orange and Kurri Kurri including Nyngan attended the meeting. The Bogan Shire organised a dinner at the Nyngan Riverside Caravan Park with the Nyngan High School Hospitality class catering for 21. Both the venue with entertainment by the Caravan Park resident singer / guitar player Tony Hunt and the 3 course meal were impressive with both visitors and residents claiming the whole evening a huge success.

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6.3.1 Library Statistics

Statistics for the past quarter dating from 1.10.10 to 31.12.10 are as follows with a comparison of the previous year figures for the same period:

October 1st – December 31st, 2010	October 1st – 31st December, 2009
Adult Fiction 1311	Adult Fiction 967
Western Fiction 112	Western Fiction 61
Large Print 650	Large Print 509
Magazines 209	Magazines 239
Adult Non Fiction 217	Adult Non Fiction 227
Talking Books 109	Talking Books 104
CD's 127	CD's 173
Junior Fiction 164	Junior Fiction 367
Junior Non Fiction 24	Junior Non Fiction 87
Easy & Easy2 & RR 501	Easy & Easy 2 & RR 375
Toys 18	Toys 41
Home-Start Resources 27	Home Start Resources 33
Junior Talking Books 4	Junior Talking Books 24
Young Adult Fiction 80	Young Adult Fiction 41
Videos 25	Videos 57
DVD's 479	DVD's 802
TOTAL ISSUES 4058	TOTAL ISSUES 4025
TOTAL MEMBERS 1620	TOTAL MEMBERS 1798
New Members 20	New Members 48
Internet usage 1016	Internet Usage 949
People Counter 4161	People Counter 4043

6.4 Assessment

- 6.4.1 Strategic implications - Nil**
- 6.4.2 Statutory and policy - Nil**
- 6.4.3 Consultation (Public, Government agencies) – Nil**
- 6.4.4 Technical assessment - Nil**
- 6.4.5 Financial implications - Nil**
- 6.4.6 Tables and graphs - Nil**

6.5 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.



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6.6 Recommendation

That the Library report be received and noted.

41/2011 RESOLVED that the Library report be received and noted. (Ryan/Douglas)

Other Matters:

- Palais Theatre

42/2011 RESOLVED that the contract for the Palais Theatre be awarded to WRL Engineering Pty Ltd. (Ryan/Neill)

- RFS

43/2011 RESOLVED that Council write a letter to the next meeting of the Bogan Shire Council Bush Fire Captains Meeting recommending that Bogan Shire join the other three Councils (Walgett, Warren and Coonamble) to become members of the North West Zone. (Dutton/Hampstead)



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

1 DEVELOPMENT APPLICATIONS

1.1 Introduction

Since the last Council meeting on 25^h November 2010 the following four Development Applications and Complying Development Certificates have been approved:

DA CERT NUMBER	APPLICANT	ADDRESS	DESCRIPTION	VALUE
2010/035	Rodney Bourke	2 Minore Street NYNGAN	Steele Framed Patio Cover	\$9 700
2010/036	Brian Morris	“East Nyngan” NYNGAN	Machinery Shed	\$43 000
2011/001	Prime Television	Part “Nardoo” NYNGAN	Communication Tower	\$35 000
2011/002	Bogan Shire Council	Tabratong Street NYNGAN	Patio cover @ Council office	\$41 760

1.1 Background

Nil

1.2 Issues

Nil

1.3 Assessment

1.3.1 Strategic Implications Nil

1.3.2 Statutory & Policy Nil

1.3.3 Consultation Nil

1.3.4 Financial Implications Nil

1.3.5 Technical Assessment Nil

1.3.6 Graphs & Charts Nil



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1.4 Conclusion

Nil

1.5 Recommendation

That the report be received and noted.

44/2011 RESOLVED that the report be received and noted. **(Ryan/Kennedy)**

PRECIS OF CORRESPONDENCE

1 NYNGAN AMATEUR SWIMMING CLUB

Attached is a copy of correspondence received from the Nyngan Amateur Swimming Club thanking Council for sponsorship at the recent carnival.

1.1 Recommendation: That the report be received and noted.

45/2011 RESOLVED that the report be received and noted. **(Hampstead/Douglas)**

2 RANI DUNN

Attached is correspondence received from Rani Dunn thanking Council for the Year 12 Scholarship awarded to her.

2.1 Recommendation: That the report be received and noted.

46/2011 RESOLVED that the report be received and noted. **(Hampstead/Douglas)**

3 NYNGAN GARDEN CLUB

Attached is a copy of correspondence received from the Nyngan Garden Club thanking Council for their support throughout last year.

3.1 Recommendation: That the report be received and noted.

47/2011 RESOLVED that the report be received and noted. **(Hampstead/Douglas)**



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4 NYNGAN PUBLIC SCHOOL

Attached is correspondence received from the Nyngan Public School thanking Council for the contribution to the Annual Presentation Night.

4.1 Recommendation: That the report be received and noted.

48/2011 RESOLVED that the report be received and noted. (Hampstead/Douglas)

5 INDUSTRIAL RELATIONS

Attached is a copy of correspondence received from NSW Government Industrial Relations advising of approval for the local half-holiday on Monday 23rd May 2011 within the Bogan Shire Council area on the occasion of the Nyngan Show.

5.1 Recommendation: That the report be received and noted.

49/2011 RESOLVED that the report be received and noted. (Ryan/Kennedy)

6 DAWN FARDELL

Attached is a copy of a Media Release issued from Dawn Fardell concerning the new Western Health Council. Members of the Western NSW Governing Council are listed.

6.1 Recommendation: That the report be received and noted.

50/2011 RESOLVED that the report be received and noted. (Hampstead/Griffiths)

7 SUTHERLAND SHIRE COUNCIL

Attached is a copy of correspondence received from Sutherland Shire Council advising of the Mayoral Minute presented to Council regarding the floods effecting Local Government areas. The thoughts of Council and its community are with our community during difficult times.

7.1 Recommendation: That the report be received and noted.

51/2011 RESOLVED that the report be received and noted. (Hampstead/Griffiths)

8 THE HON LINDA BURNEY MP

Attached is an acknowledgment letter received from the Hon Linda Burney MP, Minister for Community Services in reply to Council's letter concerning the Department of Community Services' apparent closure in Nyngan. A response will be forwarded as soon as possible.

8.1 Recommendation: That the report be received and noted.



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52/2011 RESOLVED that the report be received and noted. (Hampstead/Griffiths)

9 NATIONAL RURAL ADVISORY COUNCIL

Attached is correspondence received from the NRAC in reply to Council's letter concerning the timing and awareness of their visit to Bogan Shire on Tuesday 9th November 2011. Council is advised the NRAC requests the respective State Government develop the itinerary for the inspection to the area.

9.1 Recommendation: That the report be received and noted.

53/2011 RESOLVED that the report be received and noted. (Hampstead/Griffiths)

10 AMBULANCE SERVICE OF NEW SOUTH WALES

Attached is correspondence received from Max Stonestreet, Acting Director Operations Western Division Ambulance Service of NSW in reply to Council's letter concerning ambulance transports from Nyngan. Council is advised that all appropriate measures are taken to ensure the provision of emergency coverage for Nyngan. The attending doctor determines whether an ambulance is required to transfer a patient from Nyngan and transport options are co-ordinated through the Patient Flow Unit with the Western NSW Local Health Network.

10.1 Recommendation: That the report be received and noted.

54/2011 RESOLVED that the report be received and noted and Council consider the response completely unsatisfactory. (Ryan/Neill)

55/2011 RESOLVED that a letter be sent to the District Emergency Committee setting out the unsatisfactory responses to the ambulance situations in Nyngan. Despite repetitive letters from a number of organisations to Mr Stonestreet in Dubbo, what Council consider, are his unsatisfactory responses to these letters. (Hampstead/Dutton)

11 CARMEL TEBBUTT MP

Attached is a copy of correspondence received from Carmel Tebbutt MP, Minister for Health in reply to Council's letter concerning the availability of the Ambulance Service in response to triple zero calls in Nyngan. The Minister has been advised by the Ambulance Service that the dispatch of the vehicle away from the town is only undertaken where necessary, and non-urgent transport is undertaken by the Transport Unit.

11.1 Recommendation: That the report be received and noted.

56/2011 RESOLVED that the report be received and noted. (Ryan/Griffiths)



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12 JILLIAN SKINNER MP

Attached is a copy of correspondence received from Jillian Skinner MP, Shadow Minister for Health in reply to Council's letter concerning the availability of ambulance response vehicles in Nyngan. She was concerned to read about the ambulance response vehicles and notes that Council has written to the Minister for advice and investigation.

12.1 Recommendation: That the report be received and noted.

57/2011 RESOLVED that the report be received and noted. (Ryan/Griffiths)

13 CARMEL TEBBUTT MP

Attached is correspondence received from Carmel Tebbutt MP in reply to Council's letter concerning acquiring allotment 10 by way of transfer only, of the former Nyngan Ambulance Station. Council is advised that NSW Health will only accept a direct transfer of both allotments 9 and 10. Accordingly Council request cannot be accepted.

13.1 Recommendation: That the report be received and noted.

58/2011 RESOLVED that the report be received and noted. (Ryan/Griffiths)

14 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

Attached is a letter of support to Council from the Australian Local Government Association President, Genia McCaffery in relation to the difficult times of severe flooding suffered by our community. Cr McCaffery has advised that she will be making representation to the Prime Minister and relevant Federal Ministers to seek appropriate Federal assistance at this time of great need.

14.1 Recommendation: That the report be received and noted.

59/2011 RESOLVED that the report be received and noted. (Ryan/Griffiths)

15 COUNTRY ENERGY

Attached is a copy of correspondence received from Country Energy advising that Country Energy's retail business has been purchased by Origin Energy.

15.1 Recommendation: That the report be received and noted.

60/2011 RESOLVED that the report be received and noted. (Ryan/Griffiths)



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25th February 2011 at 9.30am

16 MURRAY DARLING BASIN PLAN

Attached is a copy of the submission from Bogan Shire Council to the Murray Darling Authority, Federal Parliamentary Inquiry and Senate Inquiry for Councillors' perusal.

16.1 Recommendation: That the report be received and noted.

61/2011 RESOLVED that the report be received and noted. (Ryan/Griffiths)

17 ORANGE CITY COUNCIL

Attached is a copy of correspondence received from Orange City Council seeking Council support for the Royalties for Regions Program. This program is an initiative of the Association of Mining Related Councils to work with the NSW State Government to have 30% of all royalties received by the State Government returned back to Local Government.

17.1 Recommendation: For Council's Consideration.

62/2011 RESOLVED that Council support the Royalties for Regions Program. (Ryan/Neill)

18 ANN CUMMINGS

Attached is a copy of correspondence received from Ann Cummings requesting to have a culvert put in for the access road into the property "Amaroo" on Cockies Road.

18.1 Recommendation: For Council's Consideration.

63/2011 RESOLVED that Council put in the culvert at half cost to the owner, in view of Council needs to ensure the continuation of the runoff into Cleaver's dam. (Ryan/Dutton)

19 WESTERN STUDIO OF PERFORMING ARTS

Attached is an application for a donation received from the Western Studio of Performing Arts to assist local children in their fund raising trip to Disneyland. There are 23 children participating in the dancing parade. Each child needs to pay \$350 each for participation and lessons. The Committee is fund raising to assist this cost.

19.1 Recommendation: For Council's Consideration.

Cr Douglas now left the room.

64/2011 RESOLVED that Council donate \$500.00 as requested to the Western Studio of Performing Arts. (Ryan/Hampstead)

Cr Douglas returned to the room.



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20 LGSA

Attached is a copy of correspondence received from the LGSA regarding legal assistance to Ballina Shire Council. The Associations received a request for legal assistance from Ballina Shire Council and this request was granted. Ballina Shire Council was the respondent in a matter in the Land and Environment Court. Bogan Shire's share of legal assistance is \$277.45.

20.1 Recommendation: For Council's Consideration.

65/2011 RESOLVED that Council agree to the request for legal assistance from Ballina Shire Council. (Hampstead/Griffiths)

21 LGSA

Attached is correspondence received from the LGSA regarding the Local Government Cultural Awards which began in 2004. Council is asked to consider making an application to the Awards for any cultural development activities undertaken by Council.

21.1 Recommendation: For Council's Consideration.

66/2011 RESOLVED that Council participate in the Local Government Cultural Awards and refer the matter to the Museum. (Ryan/Dutton)

22 NSW POLICE FORCE

Attached is correspondence received from Sergeant Tony Wood of the Nyngan Police Station asking Council to consider declaring an alcohol prohibited area to the areas of the Nyngan Showground that are not contained within the security fencing erected by organisers. Consultation with the organisers of the Duck Creek Picnic Races suggest that patrons drinking in the car parks poses a major risk for the event in relation to reducing the potential for violence, anti-social behavior and alcohol related medical emergencies.

22.1 Recommendation: That Council declare the areas of the Nyngan Showground and Nyngan Racecourse that are not contained within the fencing erected by organisers of the Duck Creek Picnic Races an alcohol prohibited area.

67/2011 RESOLVED that Council declare the areas of the Nyngan Showground and Nyngan Racecourse that are not contained within the fencing erected by organisers of the Duck Creek Picnic Races an alcohol prohibited area. (Hampstead/Douglas)



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
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23 NSW RURAL DOCTORS NETWORK

Attached is correspondence received from the NSW Rural Doctors Network inviting Council to consider participating in the 2011 Bush Bursary / Country Women's Association Scholarship Scheme. The bursaries and scholarships are offered annually to selected medical students in NSW. Council's contribution to the scheme is \$3000.00, in return the medical student will agree to spend two weeks of "rural placement" in our Shire.

23.1 Recommendation: For Council's Consideration.

68/2011 RESOLVED that Council as in the past, not participate in the scheme.
(Ryan/Hampstead)

24 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

Attached is correspondence received from the ALGA regarding Constitutional Recognition of Local Government – a role for Council. Council is asked to declare its support for financial recognition of Local Government in the Australian Constitution so that the Federal Government has the power to fund Local Government directly, and also for inclusion of Local Government in any new Preamble to the Constitution if one is proposed, and calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition.

24.1 Recommendation: For Council's Consideration.

69/2011 RESOLVED that Council declare its support for financial recognition of Local Government in the Australian Constitution. (Ryan/Douglas)

25 GOVERNMENT WEEKLY CIRCULARS

Weekly Circulars 48/10 to 49/10 and 01/11 to 05/11 are tabled for Council's information. Copies of the Circulars Indices and Summary of Items have been dispatched to Councillors.

25.1 Recommendation

That the Local Government Weekly Circulars be noted.

70/2011 RESOLVED that the Local Government Weekly Circulars be noted. (Douglas/Neill)



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 25th February 2011 at 9.30am

Other matters:

- **Yarrabin Outreach Inc**

71/2011 RESOLVED that Council obtain quotes for new carpets and advise at the March 2011 Council meeting. The eaves, roof, internal and external painting be considered in the next Estimates. (Ryan/Hampstead)

- **Cr Ryan**

Raised a matter with Council that a mobile phone was apparently purchased by Bogan Shire Council with Cr Ryan’s name included. Contact was made with Cr Ryan by Detective Buglass.

- **Clean Up Australia Day**

Postponed to another day.

There being no further business the meeting closed at 3.45pm.

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

.....
GENERAL MANAGER

.....
MAYOR

NOTES

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