



# **BOGAN SHIRE COUNCIL**

## **Minutes**

**22<sup>nd</sup> September 2011**





**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers  
on 22nd September 2011 at 9.30am**

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

Also present were Mr Derek Francis (General Manager), Ms Theresa Haley (Manager of Corporate Services), Mr Tim Riley (Manager of Environmental Services), Mr Mike Ryan (Acting Manager of Engineering Services), Mrs Cathy Ellison and Mrs Debb Wood.

**DECLARATION OF PECUNIARY INTEREST:** Nil

**278/2011 APOLOGY: RESOLVED** that the apology for the absence received from Councillor Kennedy be received and she be granted leave of absence from both meetings. **(Griffiths/Ryan)**

**The General Manager took the Chair**

**1 ELECTION OF MAYOR AND DEPUTY MAYOR**

**279/2011 RESOLVED**

1. That nominations be called firstly for the office of Mayor and secondly for the office of Deputy Mayor and where necessary elections be conducted by ordinary ballot.
2. That the term of office of the Deputy Mayor coincides with that of the Mayor.  
**(Ryan/Dutton)**

**Mayor:** The General Manager called for nominations for the office of Mayor. A nomination from Councillor Donald was received.

**280//2011** As there were no further nominations, Councillor Donald was declared elected to the office of Mayor for 2011/2012. **(Griffiths/McLaughlin)**

**Deputy Mayor:** The General Manager called for nominations for the office of Deputy Mayor. A nomination from Councillor Hampstead OAM was received.

**281/2011** As there were no further nominations, Councillor Hampstead OAM was declared elected to the office of Deputy Mayor for 2011/2012. **(Griffiths/McLaughlin)**

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**322/2011 RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 25th August 2011, copies of which has been circularised to Councillors be taken as read and confirmed. (Ryan/Neill)

**The following resolutions arose from decisions made in the Closed and Confidential Section of the Meeting held on 22<sup>nd</sup> September 2011.**

**282/2011 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 would prejudice the commercial position of the person who supplied it. (Griffiths/Neill)

**283/2011 RESOLVED** that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 25<sup>th</sup> August 2011, copies of which have been circularised to Councillors be taken as read and confirmed. (Hampstead/Griffiths)

**284/2011 RESOLVED** that a report be prepared on what would be needed to provide a suitable VIC at the Museum, including the entrance of the Museum, and the provision of disabled access and costing. If an offer to locate the VIC was made to the Museum, Council would require an indication of interest and acceptance from the Museum, keeping in mind the Museum is completely managed by volunteers. Council is to advise the current VIC of any proposed offer to the Museum. (Ryan/McLaughlin)

**285/2011 RESOLVED** that:-

1. Council accept the tender of Ausroad Systems Pty Ltd for a 6 m3 Jetpatcher Maintenance Unit in the amount of \$189,290.
2. Council accept the quote from Tracserv Pty Ltd for an Isuzu FVZ1400 truck in the amount of \$131,477. (Ryan/Neill)

**286/2011 RESOLVED** that as a matter of urgency Council express to Essential Energy its extreme concern at the inconsistencies and variations in some Bogan Shire Council residents 'electricity accounts. Council also requests that Essential Energy provide a complete and open explanation as to why the inconsistencies have arisen.

Of concern also to residents is how long this problem has existed and that it is apparent that only those customers who have complained have had their accounts investigated.

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Council has reservations as to the accuracy of the Essential Energy metering system and requests Essential Energy fully account to residents how the charges have been arrived at. **(Dutton/Neill)**

**287/2011 INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting move into open Council. **(Douglas/Griffiths)**

**288/2011 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 prejudice the maintenance of law. **(Douglas/Hampstead)**

**289/2011 INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting move into open Council. **(Griffiths/Dutton)**

## **COMMITTEE MEETING MINUTES**

### **1 BOGAN SHIRE COUNCIL TRAFFIC COMMITTEE MEETING**

**290/2011 RESOLVED** that the report be received and noted, and that Council write to the RTA of its safety concern of the cleared vegetation being left in the table drains. **(Hampstead/Ryan)**

**291/2011 RESOLVED** that the Acting Manager of Engineering Service prepare a report to the Traffic Committee Meeting, of Council's request that traffic calming devices being installed at the corner of Derribong and Wambiana Streets and Flashman Avenue for pedestrian safety. **(Ryan/Douglas)**

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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
24/03/2011	89/2011	Library	Install suitable electronic doors in conjunction with installation of disabled access.	H & B	<b>UPDATE:</b> <b>Electronic doors installed with the disabled ramp access to be completed by late October/November 2011.</b>
28/07/2011	227/2011	Library	Investigate an upgrade to the toilets & costing.	H & B	<b>Inspection undertaken, estimates being developed. Report to October 2011 Council meeting.</b>
23/08/2007 25/02/2010 22/07/2010	500/2007 371/2007 370/2007 20/2010 244/2010	Housing Residential & Aged Care Accommodation  Aged Care Facility	Feasibility of developing Council owned land, subdivide, establish further aged care accommodation.  Nyngan Community Homes Committee to meet with Council.	Mayor / GM	Manager of Environmental Services to provide a report on suitable land to commence this project.  <b>UPDATE:</b> <b>Meetings have been held with the Community homes Committee to advance the project.</b>

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					<p><b>Approach Yarrabin if interested in the Management of the Community Homes.</b></p> <p><b>AGM has held discussions with Yarrabin.</b></p>
25/02/2011	33/2011	LEP	Draft LEP be prepared for purpose of reclassifying public lands.	H & B	<p><b><u>UPDATE:</u></b></p> <p><b>Draft LEP waiting on flood gate letter review as to meet gateway criteria.</b></p> <p><b>Then referred to Dept of Planning for determination, then to be sent onto the Minister.</b></p>
24/01/2008 26/11/2009 25/02/2011	438/2008 466/2009	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><b><u>UPDATE:</u></b></p> <p><b>Application unsuccessful.</b></p> <p><b>Second application to be made for rounds two of funding.</b></p>
24/04/2008 16/12/2010	140/2008 421/2010	Main Street	Advertise preliminary street plans & seek community comment.	Eng	<p><b><u>UPDATE:</u></b></p> <p><b>Meeting held Monday 25<sup>th</sup> July 2011.</b></p> <p><b>Base plans of main street being prepared.</b></p>

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23/10/2008	447/2008	Residences- Pangee Street	Council to speak to residents.	H & B	<b><u>UPDATE:</u></b> <b>Demolition Orders issued 15/09/2011.</b>
25/02/2011 24/03/2011 28/04/2011	09/2009 467/2009 164/2010 384/2010 80/2011 114/2011	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.  <b><u>UPDATE:</u></b> <b>Mens Shed has acquired lease of both allotments at ambulance station.</b> <b>Letter sent to NSW Ambulance requesting lots 9 &amp; 10 be transferred to Council free of charge.</b> <b>Council has received Environmental Assessment.</b>  <b><u>UPDATE:</u></b> <b>Letter of Offer received from Ambulance Service. Council to seek further information from letter.</b>
25/11/2010	23/2009	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.  <b><u>UPDATE:</u></b> <b>No change.</b>



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26/02/2009 24/09/2009 16/12/2010	41/2009 398/2009 395/2010	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	<b><u>UPDATE:</u></b> <b>Owner met GM and Mayor. Council is awaiting new DA with recommendations from meeting.</b>
26/11/09	460/2009 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	Mark Coulton has been contacted to organise a meeting with Ministers Burke & Crean.  A meeting held with State Water Office who received a copy of quote from Irritek.  <b><u>UPDATE:</u></b> Combined deputation with Cobar Shire Council to meet with Minister Katrina Hodgkinson.
17/12/09	531/2009	Mitchell Highway	Letter to RTA CEO & Minister re condition of Highway between Nyngan and Nevertire. Council not accepting explanation from RTA CEO.	Mayor	<b><u>UPDATE:</u></b> <b>A 2kms section near Mullengudgery partly constructed.</b>
	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. <b><u>UPDATE:</u></b> <b>Letter sent to Office of NSW Water. Unsatisfactory response received. Further letter to be sent.</b>

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22/07/2010	236/2010	Tritton Mines	Council write to Tritton Mines asking for photos for the displays in the Museum and inquire about the introduction of mine tours.	GM	Mines waiting on photos to be created in high definition. <b><u>UPDATE:</u></b> <b>Photographs yet to be received.</b>
23/09/2010	289/2010	Houses – Flashman Avenue	Organise meeting to discuss designs.	H & B	<b><u>UPDATE:</u></b> <b>Tendering process is underway.</b>
23/09/2010	295 & 296/2010 383/2010	Ambulance Services	Make further representations to the NSW Ambulance regarding patient transfers & unavailability of ambulances.	Mayor	Letter sent to the Operational Manager with same concerns.
25/02/2011	55/2011		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.		<b><u>UPDATE:</u></b> <b>Waiting on response from Council representation to the Parliamentary Secretary for Regional Health.</b>
28/04/2011	127/2011		Letter to the Coroner concerning the recent incident on the Mitchell Highway.		<b>Response to Council’s letter to Coroner – Precis June 2011. Ongoing.</b>
28/10/2010	331 & 332/2010	Palais Theatre	Investigate making the outdoor area a venue for community use.	H & B	<b><u>UPDATE:</u></b> <b>Plan of Management currently being developed.</b>
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.	Eng	<b><u>UPDATE:</u></b> <b>Highway between Coolabah and Brewarrina to be opened Nov/Dec 2011.</b>

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22/02/2011	25/2011	Showground	Obtain quote for upgrade of showers & urinals.	H & B	<b><u>UPDATE:</u></b> <b>Works in progress to be completed Sept/ October 2011.</b>
25/02/2011	43/2011	RFS	Letter to BSC Bush Fire Captains meeting recommending BS join the other three Councils to become members of the North West Zone.	Mayor	<b><u>UPDATE:</u></b> <b>Letter sent.</b>
25/02/2011		Clean Up Australia Day	Postponed to a later date.	CDO	<b><u>UPDATE:</u></b> <b>To be raised at the Western Division Meeting in October 2011.</b>
24/03/2011	83/2011	Cinema	Investigate the recommencement of movies.	CDO	Community Development Officer to look into having the SRC and Bourke Police involved in trying to recommence the movies.  Cr Douglas to speak to the schools regarding Council's intention to try to recommence the movies, stress behaviour at the movies.  <b><u>UPDATE:</u></b> <b>On Hold – pending result of Management Plan for Palais Theatre.</b>

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24/03/2011	83/2011	Youth Worker	Support employment of a part time Youth Worker at the NHS.	CDO	<b>UPDATE:</b> CDO to contact NHS.
23/06/2011	199/2011	Skate Park	Obtain a quote for placing a skin on the square ramp in O'Reilly Park; Investigate laying concrete strips in Lions Park; Investigate extending the ramp in O'Reilly Park.	Eng	<b>UPDATE:</b> <b>Ramp upgrade options to be investigated.</b>
28/07/2011	227/2011	Library	Investigate an upgrade to the toilets & costing.	H & B	<b>UPDATE:</b> Inspection undertaken, estimates being developed. Report to October Council Meeting.
25/08/2011	251/2011	RV Friendly Town	Investigate Nyngan becoming an RV Friendly Town	CSO	<b>UPDATE:</b> <b>Application sent.</b>

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**292/2011 RESOLVED** that Council make application to reapply for funding for the Swimming Pool to install the sleeve section only. Council to also approach other funding sources, such as Tritton Mine, State Government, Council loan funds to secure grants for improvements to the Swimming Pool. (McLaughlin/Douglas)

**293/2011 RESOLVED** that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. (Ryan/Neill)

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

### **1 BANK RECONCILIATION**

**294/2011 RESOLVED** That the report be received and noted. (Ryan/Griffiths)

### **2 INVESTMENTS**

**295/2011 RESOLVED** that the report be received and noted. (Ryan/Neill)

### **3 SUMMARY OF RATE COLLECTIONS**

**296/2011 RESOLVED** that the report be received and noted. (Douglas/Ryan)

### **4 REFERRAL OF 2010/2011 FINANCIAL REPORTS FOR AUDIT**

**297/2011 RESOLVED** that the financial reports be referred for audit. (Dutton/Hampstead)

### **5 LOCAL GOVERNMENT FINANCIAL ASSISTANT GRANT [FAG]**

**298/2011 RESOLVED** that the report be received and noted. (Douglas/Griffiths)

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**6 BANK SIGNATURES FOR COUNCIL BANK ACCOUNT**

Revised list of approved employees:

Derek Francis	General Manager [Replacing Michael Brady – removed on resignation]
Theresa Haley	Manager – Corporate Services
Jo Yeomans	Assistant Finance Officer
Tara McDermott	IT Officer
Cathy Ellison	PA to General Manager

With the addition of the Finance Manager, when appointed.

**299/2011 RESOLVED** that the recommended change in bank authorised signatures be approved. All payments must have either the signature of Manager – Corporate Services or Finance Manager as the first approval. **(Hampstead/Dutton)**

**Other Matters**

**300/2011 RESOLVED** that acknowledgement and commendation be extended to the Acting Manager of Engineering Services and the appropriate staff on the construction of the Yarrandale Road for an excellent job. Appreciation also is extended to the staff concerned with the organisation of the day. **(Griffiths/Dutton)**

**301/2011 RESOLVED** that a letter be sent to the Tritton Mine seeking their interest in commencing / conducting tourism tours of the mines, educational access for the schools and community and local groups' tours. **(Douglas/McLaughlin)**

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

### **1 DEVELOPMENT APPLICATIONS**

**302/2011 RESOLVED** that the report be received and noted. **(Ryan/Hampstead)**

### **2 NYNGAN MEMORIAL POOL – SUN SHADE STRUCTURE**

**303/2011 RESOLVED** that:-

1. The report be received and noted. **(Ryan/Hampstead)**
2. Additional funds of up to \$10,000 be funded to cover the extra financial implications. **(Ryan/Hampstead)**

### **3 IMPLEMENTATION OF THE NYNGAN RECYCLING SERVICE**

**304/2011 RESOLVED** that the report be received and noted. **(Douglas/Neill)**

## **PRECIS OF CORRESPONDENCE**

### **1 LEW LAING**

**305/2011 RESOLVED** that the report be received and noted. **(Ryan/Neill)**

### **2 INLAND NSW REGIONAL TOURISM ORGANISATION**

**306/2011 RESOLVED** that Council consider membership in next year's budget after the organisation has commenced and the brochures published. **(Ryan/Hampstead) carried**

### **3 GOVERNMENT WEEKLY CIRCULARS**

**307/2011 RESOLVED** that the Local Government Weekly Circulars be noted. **(Hampstead/Dutton)**

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**4 WESTERN STUDIO OF PERFORMING ARTS – NYNGAN AND COBAR**

**308/2011 RESOLVED** that Council provide \$2,000.00 as requested to enable the Western Studio of Performing Arts to hold dance workshops for the students in the September School Holidays and throughout the weeks leading to December, subject to Council being provided with a breakdown of the costs. **(Dutton/Griffiths)**

**GRANTS AND FUNDING – LOCAL GOVERNMENT WEEKLYS**

**309/2011 RESOLVED** that the following information be referred to Yarrabin Outreach Inc:-

- a. NSW Review of Early Childhood Education Funding;
- b. Supported Accommodation Funding; and
- c. Funding for RPL and training of Mature Workers. **(Dutton/ McLaughlin)**

**310/2011 RESOLVED** that the Manager of Environmental Services investigate Restart NSW Funding for the Swimming Pool. **(Dutton/McLaughlin)**

**311/2011 RESOLVED** that the Acting Manager of Engineering Services evaluate the offer from Low Carbon Australia. **(Dutton/McLaughlin)**

**312/2011 RESOLVED** that Council continue with membership of the Murrumbidgee Darling Association. **(Dutton/Neill)**

**313/2011 RESOLVED** that Council provide tables, chairs and shade shelter to the CWA free of charge to be use at the Rose Garden Day, at Davidson Park on 14<sup>th</sup> October 2011. **(Griffith/Neill)**

Sergeant Tony Wood now attended Meeting.

**Council moved into the closed and Confidential Section of the meeting.**





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**314/2011 RESOLVED** that Council and the Show Society make a joint approach to the NSW Police Band to perform at the Nyngan Show in 2012. If they are able to attend, offer to assist with accommodation expenses to be shared between Council and the Show Society.  
**(Ryan/Dutton)**

There being no further business the meeting closed at 12.35pm

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

.....  
**GENERAL MANAGER**

.....  
**MAYOR**

