

BOGAN SHIRE COUNCIL

Minutes

22 November 2012

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

Also present were Mr Derek Francis (General Manager), Mr Tim Riley (Manager of Environmental Services), Mr Graeme Bourke (Acting Manager of Engineering Services) and Mrs CJ Ellison.

<u>347/2012</u> APOLOGY: RESOLVED that the apology for the absence received from Councillor Neill be received and he be granted leave of absence from the meeting. (Hampstead/Griffiths)

Declaration of Interest: Nil

<u>348/2012</u> RESOLVED that the Minutes of the Ordinary Meeting of Council held on 25 October 2012, copies of which have been circularised to Councillors be taken as read and confirmed with the following amendment:-

Resolution No: 337/2012 Nyngan Memorial Swimming Pool to include:-

That a progressive repair program over four years be commenced in the 2013/14 off season to the tiled floor commencing at the shallow end. **(Ryan/Deacon)**

Business Arising from the Minutes

Community Based Heritage Study for Bogan Shire:

<u>349/2012</u> RESOLVED that Council write to all private property owners advising that their property has been listed in the heritage study and that they should advise Council if they wish to remain listed. If they do not wish to remain listed, or do not respond to the letter, the property is to be removed from the list. Council staff to recommend what community sites are to be listed as heritage, with a report back to the March 2013 Council meeting. **(Ryan/McLaughlin)**



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

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
1	23/08/2007 25/02/2010 22/07/2010		Housing Residential & Aged Care Accommodation	Feasibility of developing Council owned land, subdivide, establish further aged care accommodation.	Mayor / GM	Meetings have been held with the Community Homes Committee and Yarrabin to advance the project.
	24/05/2012	126/2012	Aged Care Facility	Call & arrange a public meeting to access the need for aged care/self contained retirement facilities. Invite other communities; Invite Kevin Humphries; Invite an Independent Chairperson; Involve Nyngan Pensioner Association.	CDO	Arrangements for public meeting proceeding in consultation with Mick Glennie Committee. Awaiting confirmation of date from Kevin Humphries.



Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
						Invitations sent to Cobar, Warren and Gilgandra Shires to participate.
						Co-ordinating dates between Kevin Humphries and Community Homes Committee. Positive responses received to invitations.
						Preparation under way for an application to be made for a loan interest subsidy under the local infrastructure renewal scheme for possible construction of self- contained retirement facilities.
2	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.



Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
						Mens Shed has acquired lease of both allotments at ambulance station.
						Council has approached Dept Health to have lot 9 transferred free of charge and offer to purchase lot 10 in its present condition for \$22,500. Department of Health has recommended to Government Asset Management Committee (GAMC) to accept Council's offer. Matter referred back to the Dept Lands by GAMC for recommendation. Dept of Lands has requested that Council buy Lots 9 & 10 at market
						value.



Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
						Letter sent to Minister Humphries requesting assistance to resolve this matter. Response received from Minister Humphries indicating the matter has been taken up with Health & Local Government Ministers. GM followed up with State Property Authority who has advised that the Crown Lands Office will not reconsider their position on the market value of the Lot 9.



Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
						The Department of Health has advised that they are writing to the Minister administering the Crown Lands Act for consent to the transfer of Lot 9 at no cost. Awaiting Treasury approval for transfer of Lot 9 at no cost.
3	26/11/09	460/2009 223/2010	APC	Contact Fed Govt to ensure \$12m remains. Try and obtain more Government funding to complete the piping of the APC project.	GM	Letter sent to Federal Govt asking for confirmation. (Sept 2012) Combined deputation with Cobar Shire Council to meet with Minister Katrina Hodgkinson. Cobar Shire Mayor & GM have agreed to meeting. Meeting request sent to Minister.



Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
	27/09/2012	283/2012		Approach Cobar Shire Council to join in request to Irritek to quote on consultation fees to prepare submission for funding of piping of APC from RDAF.		Follow-up request for meeting sent to Minister. Advised Cobar Shire Council of proposed action. RDAF funding is not appropriate (Max.\$15m). Other grant opportunities being explored. Proposals to be invited from suitable consultants for preparation of grant submission.
4	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. Draft Management Plan for Palais Theatre now in place.



Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
5	25/05/2012	116/2012	APC	A formal agreement be sought & entered into with CWB covering all aspects of the APC operation.	GM	In progress. Project meeting with Solicitors held 15 October 2012. Awaiting fee proposal from Solicitors.
6	24/05/2012	123/2012	Vacant Block – Cnr Nymagee /Mitchell Streets	Asked John Holland to meet with Council ASAP to work towards some agreement concerning the block.	Dev & Env Services	Email sent to John Holland identifying certain properties/leases to be considered to be taken over by Council. Still awaiting response. Mayor following up.
7	24/05/2012 28/06/2012 23/08/2012	124/2012 158/2012 241/2012	Parking – Heavy Vehicles outside Outback Motel.	Install "No Parking to Heavy Vehicles" signs on the northern side & from the position of the proposed third blister on the southern side.	Eng	RMS to advise appropriate sign type and wording for that location. Council place "No Parking Heavy Vehicles" sign in decided locations. RMS will not approve installation of above signs.



Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
	27/09/2012	281/2012		Proceed to install the 45 degree angle parking.		 Have now agreed to allow 45 degree angle parking. 45 degree angle parking signs installed and line marking carried out – Monday 22 October 2012. RMS now offering to fund kerb blisters if completed before January.
8	28/06/2012 27/09/2012	149/2012 282/2012	Flashman Ave Houses	Houses be sold at public auction, reserve price to be set by the Mayor & GM. Council go ahead with driveways, landscaping and associated site works prior to sale.	Mayor/GM	Contract awarded, work to commence mid November 2012.
9	28/06/2012	150/2012	Oxley Street Subdivision	 Land bound by Derrybong, Oxley & Dandaloo Streets be subdivided. The resulting four 20mm x 45mm blocks be sold for current market value. 	Dev & Env Services	Program established for development to proceed. Further report to Council upon Flashman Ave dwellings being sold.



Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
				3. Council approve the development of 4 x 2 br villas (stage 2) at a cost of \$550,000.		
10	28/06/2012	161/2012	Lawlor Street Subdivision	Advertise the sale of the industrial blocks subdivision. Mayor & GM to determine the price per square metre.	Mayor/GM	Awaiting advice on appropriate selling price. Investigating cost of installing services.
11	28/06/2012	179/2012	Dog Pound	Construction of the new dog pound in the location closer to the main road in the airport complex.	Dev & Env Services	Programmed in 2012/13 works program.
12	26/07/2012	193/2012	Transfer of Land – Nymagee St 5,7 & 9	Make an offer to accept land at nil cost. Should the offer be accepted, Council seek EOI to demolish the subject dwelling & associated structures including removal of excessive vegetation.	Dev & Env Services	Transfer underway for 7 & 9 Nymagee St. Owner 5 Nymagee St has agreed to transfer property to Council at nil cost.



Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
13	26/07/2012	205/2012	Relocation of items from workshop	Investigate locating Cobb & Co Coach, bullock wagon and jail onto the platform at Railway Station.	GM/Dev & Env Services	Report back to Council December 2012 meeting.
14	23/08/2012	255/2012	Community Based Heritage Study	Take action to have the inaccuracies and listing of properties attended to.	Dev & Env Services	Report March 2013 Council Meeting.
15	27/09/2012	278/2012	Local Government Elections	Arrange meeting with Minister of LG & DLG to discuss recent elections.	Mayor	Minister announced Inquiry. Defer meeting until panel is formed.
16	27/09/2012	289/2012	Heritage Park – Gates, Signal & Walkway	Taking into account community feedback, proceed to establish trees in the area according to plans. Subject to project proceeding, Council considers making application to Geographical names Board to name area "Heritage Park".	GM/ Eng	 \$1000 contribution from the Garden Club and \$800 donation from Senior Citizens to be used towards the purchase and planting of trees as stage 1 of the project. David Moir providing detailed design for location of path and trees.



Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
17	27/09/2012	300/2012	Proposed Council Waste Management Facility	Council concerns about excessive conditions on small rural tips be taken up at Western Division & conveyed to the Minster for Environment.	Mayor/Dev & Env Services	To Western Division Conference February 2013.
18	27/09/2012	309/2012	Mitchell Highway	Extend invitation to Peter Dearden RMS to address Council concerning excessive maintenance on Highway.	GM	Peter Dearden & Phil Standen are available to meet with Council on Thursday 20 December 2012 at 11.30am. This meeting is to be confirmed with Council.
19	25/10/2012	313/2012	Long Day Care Centre	Seek information from other similar size towns on the viability & charges. Investigate what funding is available to set up a centre.	GM	In progress.
20	25/10/2012	315/2012	Local heritage Sites	When new VIC commences signpost heritage sites with heritage colour and erect sign with the history of each location.	Eng	Pending launch of new VIC.



Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
21	25/10/2012	337/2012	Swimming Pool	Carry out work in current season – erection of shade sail; remove unsafe umbrellas; and provision for bench seating. Report to Council on other required upgrades. Commence tile repair program over four years in the 2013/14 off season. Review hours of supervision after Christmas 2012.	Dev & Env Services	Quotations received, awaiting budget review.
22	25/10/2012	341/2012	Local Land Services	Submission to Dept of Primary Industries with concerns about the Services delivering the services provided by the LHPA, CMA and DPI.	Mayor	In preparation. Mayor is a member of the Local Land Services Reference Panel.



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

<u>350/2012</u> **RESOLVED** that the report relating to the Monthly Checklist be received and those items marked as "Completed" be removed from the checklist. (Dutton / Hampstead)

<u>351/2012</u> **RESOLVED** that Council set a date for a public meeting to assess the need for aged care/self contained retirement facilities in Nyngan, and to elect a committee to work with Council on this matter. Invite Councillor Rex Wilson, Mayor of Warren to chair the meeting. **(Griffiths/McLaughlin)**

352/2012 RESOLVED that Council:-

- 1. Assess the viability and cost of off river storage as the first stage of a project to reduce water losses associated with the APC and Nyngan Weir Pool system. Piping of the Channel is to be considered as stage 2 of the project at a later date.
- 2. Not proceed with an application for this project under round 4 of the RDAF grant.
- 3. Inform Cobar Shire Council of these decisions. (Ryan/McLaughlin)

<u>353/2012</u> **RESOLVED** that Council investigate mobile cinema services from the Bourke Police and Macquarie RiverSmart. (Douglas/Hampstead)

<u>354/2012</u> RESOLVED that Council continue with the line marking in Nymagee Street (Outback Motel) and not install blisters. Request the RMS to go ahead with their proposal for the intersection of Derrybong/Wambiana/Flashman Avenue at the Mick Glennie Hostel. **(Ryan/Griffiths)**

<u>355/2012</u> **RESOLVED** that Council defer laying of the lawn at the Flashman Avenue houses until occupancy. (Ryan/Douglas)

<u>356/2012</u> RESOLVED that Council seek a valuation of the residence at Tottenham Road. (Hampstead/Griffiths)

<u>357/2012</u> **RESOLVED** that Council allocate \$20,000 from available funds for the commencement as soon as possible of work in Heritage Park. (**Ryan/Griffiths**)



<u>358/2012</u> **RESOLVED** that Council approves the construction of the shade sails and seating at the Swimming Pool. (Douglas/Deacon)

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

1 BANK RECONCILIATION

<u>359/2012</u> RESOLVED that the bank reconciliation report be received and noted. (Hampstead/Griffiths)

2 INVESTMENTS

<u>360/2012</u> RESOLVED that the Investments Report be received and noted. (Deacon/Ryan)

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

<u>361/2012</u> **RESOLVED** that the rates collections report be received and noted. (Hampstead/Griffiths)

4 LIBRARY REPORT

<u>362/2012</u> **RESOLVED** that the library report be received and noted. (Hampstead/Dutton)

5 BOGAN BUSH MOBILE REPORT

<u>363/2012</u> **RESOLVED** that the Bogan Bush MobileReport be received and noted. (Hampstead/Griffiths)

6 BOGAN SHIRE COUNCIL POLICY – AP 002

Payment of Expenses and Provisions of Facilities to the Mayor and Councillors



364/2012 RESOLVED that

- 1. Council approve the Draft Policy AP002 Payment of Expenses and provisions of Facilitates to the Mayor and Councillor for public exhibition.
- 2. Council gives public notice of the intention to adopt this policy in accordance with the provisions of the Local Government Act 1993. (Douglas/Ryan)

7 ANNUAL FINANCIAL REPORTS

This item was deferred until the Special Meeting of Council.

8 ANNUAL REPORT 2011/2012

<u>365/2012</u> **RESOLVED** that the report be received and noted and appreciation be extended to staff for their work on the Annual Report. **(Ryan/Hampstead)** Carried unanimously

9 BUDGET REVIEW SEPTEMBER 2012

<u>366/2012</u> That the 2012/13 budget adjustments detailed in appendix 3 to the Manager - Corporate Services budget review report, resulting in a reduced cash flow surplus of \$437,390 be approved. (Hampstead/Griffiths)

Noted:- Appendix 2 Income Statement needs to be corrected with:-

General Fund: budget revised figure \$10,027

Waste Fund: budget revised figure \$5,236

Total cash flow movement: budget revised figure -\$437,390



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

1 OPERATIONAL REPORT

<u>367/2012</u> **RESOLVED** that the Operational Report be received and noted. (Ryan/Griffiths)

<u>368/2012</u> **RESOLVED** that Council investigate various options available to improve the Nyngan Centenary Fountain, including placing mesh over the water and a surveillance camera, with costings. **(McLaughlin/Griffiths)**

<u>369/2012</u> **RESOLVED** that Council proceed with the shade sail over the playground area in O'Reilly Park and do other maintenance improvements, including fencing, taking into consideration the Lions Club donation. (Hampstead/McLaughlin)

<u>370/2012</u> **RESOLVED** that subject to the availability of grant funding Council proceed with a shade sail over the skate park. (Hampstead/McLaughlin)

Councillors to look at the Davidson Park playground equipment after lunch.

2 FLOOD PLAIN STUDY

<u>371/2012</u> **RESOLVED** that Council allocates a further \$10,000 towards the study to incorporate determining flood levels close to town along the Mitchell Highway, West Bogan Road, Moonagee Road, Canonbar Road, and Old Warren Road. **(Dutton/Griffiths)**

NOTICE OF THE MOTION – December 2012 Council Meeting. Renaming of Boundary Street to George Buist Street.



MANAGER OF CORPORATE SERVICES REPORT ITEM 7

9 ANNUAL FINANCIAL REPORTS

<u>372/2012</u> **RESOLVED** that the Financial Reports and Auditor's Report for the period ending 30 June 2012 be adopted. **(McLaughlin/Ryan)** Unaminous

<u>373/2012</u> **RESOLVED** that Council move into a Special Meeting to present the audited Financial Reports and Auditors' Report for the year ending 30 June 2012 to the public, in accordance with Section 418(3) of the Local Government Act 1993. **(McLaughlin/Ryan)**

At 12 noon the Ordinary Meeting of Council was suspended and a Special Meeting opened to present the audited Financial Reports and Auditor's Report for year ending 30 June 2012 to the public, in accordance with section 418(3) of the Local Government Act 1993.

<u>374/2012</u> **RESOLVED** that the Financial Report and Auditor's Report for the year ending 30 June 2012 be presented to the public, in accordance with Section 418(3) of the Local Government Act 1993. (McLaughlin/Ryan)

<u>375/2012</u> **RESOLVED** that the Special Meeting close and reopen the Ordinary Meeting of Council. (McLaughlin/Ryan)



Council returned to the Acting Manager of Engineering Services Report

3 TRAFFIC COMMITTEE MEETING

New Pre School Development

376/2012 RESOLVED that Council endorse the following:-

- Pangee Lane between Moonagee and Mudal Streets be sealed and made one way, with traffic entering from Moonagee St and exiting in Mudal Street.
- Small buses only to use the drop off zone within the premises, no cars or large buses to use this area.
- Angle parking will be in Moonagee Street south of the Laneway.
- No stopping in front of the building to the lane in Moongee Street.
- Large buses are to use the lane to drop off and exiting via Mudal Street.
- The current 40km zone sign in Moonagee Street may need to be relocated from its current position to allow for parking.
- A "No Stopping" sign be located in Pangee Street in an appropriate location to allow for adequate site distance.
- No additional warning signs required at this stage as drop off and pick up will be off street. (Hampstead/Douglas)

Oval Place

<u>377/2012</u> **RESOLVED** that Council as a temporary solution lay crusher dust at the western end of Oval Place and refer the sealing of same to next year's estimates. (Ryan/Griffiths)



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

1 DEVELOPMENT APPLICATIONS

378/2012 RESOLVED that the report be received and noted. (Ryan/Deacon)

2 RANGERS – COMPANION ANIMAL AUDIT PROGRAM

<u>379/2012</u> **RESOLVED** that Council notes the Ranger's comments regarding the positive attitude of the community during the audit program. (Ryan/McLaughlin)

3 FOOD SHOP INSPECTIONS

<u>380/2012</u> RESOLVED that the report be received and noted. (Griffiths/Deacon)

4 WASTE MANAGEMENT - VILLAGE WASTE DEPOT OPERATIONS

<u>381/2012</u> **RESOLVED** that every effort be made to ensure that an effective and cost efficient waste disposal operation within EPA Guidelines is maintained at all the villages (Dutton/Griffiths)



PRECIS OF CORRESPONDENCE

1 GOVERNMENT WEEKLY CIRCULARS

<u>382/2012</u> RESOLVED that the Local Government Weekly Circulars be noted. (Griffiths/Douglas)

2 CLOSE THE GAP

<u>383/2012</u> **RESOLVED** that Council cooperate with the Local Aboriginal Lands Council should they wish Council's support or assistance for the event. (Ryan/Hampstead)

3 NEIL AND DAWN ELDER

384/2012 RESOLVED that the thank you letter be noted. (Ryan/Griffiths)

4 NYNGAN NAIDOC COMMITTEE

385/2012 RESOLVED that the thank you letter be noted. (Ryan/Douglas)

5 SHIRES ASSOCIATION OF NSW

<u>386/2012</u> **RESOLVED** that the correspondence received from the Shires Association regarding resolution 73 sponsored by Council – State Government Transport Plan be received. **(Hampstead/Dutton)**

6 SHIRES ASSOCIATION OF NSW

<u>387/2012</u> **RESOLVED** that the correspondence received from the Shires Association of NSW regarding resolution 42 sponsored by Council – Mining Royalties be received. (Hampstead/Dutton)

7 DIVISION OF LOCAL GOVERNMENT

<u>388/2012</u> RESOLVED that Circular No. 12-41 regarding Snapshot of NSW Councils – Comparative Information on NSW Local Government Councils 2010/11 be noted. (Ryan/Griffiths)



8 FAR WEST ACADEMY OF SPORT

<u>389/2012</u> RESOLVED that Councillor Douglas attend the fourth annual "Athlete of the Year' Awards on Sunday 25 November 2012 in Warren. (McLaughlin/Griffiths)

9 AUSTRALIAN RED CROSS

<u>390/2012</u> **RESOLVED** that the Nyngan Community Hub Coordinator be advised that Council is interested in working with the Hub to develop these ideas in consultation with the community. Council extends an invitation to the Coordinator to address Council regarding the proposals for the project. **(Ryan/McLaughlin)**

10 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

<u>391/2012</u> **RESOLVED** that Council make a submission at the appropriate time on consitutional recognition to the Parliamentary Committee established by the Federal Parliament. **(Dutton/Ryan)**

11 THE HON SIMON CREAN MP

<u>392/2012</u> **RESOLVED** that the correspondence received from Minister Crean in reply to Council's letter concerning Financial Assistance Grants (FAGs) allocations for 2012-13 be noted. **(Ryan/Dutton)**

12 LGSA

<u>393/2012</u> **RESOLVED** that the correspondence received from the LGSA concerning One Association be noted. **(Ryan/Hampstead)**

13 MINISTER FOR VETERANS' AFFAIRS

<u>394/2012</u> **RESOLVED** that the information received from the Minister for Veterans Affairs announcing the start of the public consultation process to inform the Government's planning for Anzac Day at Gallipoli in 2015 be noted.

Council supports the Centenary Services and notes that this event coincides with Council's twenty five years anniversary of the Nyngan Flood. (Hampstead/Dutton)

14 DEPARTMENT OF SUSTAINABILITY, ENVIRONMENT, WATER, POPULATION AND COMMUNITIES

Piping of the Albert Priest Channel - This item had been dealt with in the Checklist.



GRANTS AND FUNDING

LG Weekly 43/12 – 26 October 2012

Grants Available for Drug and Alcohol-Free Events

Indent 2013 Partnership Grants applications are open. Grants may cover events costs, provided that the events are all ages, drug and alcohol-free and created by young people, for young people.

LG Weekly 44/12 – 2 November 2012

Rounds 3 and 4 of Regional Development Australia Fund

Round 3 and 4 of the Regional Development Australia Fund (RDAF) are now open for expressions of interest.

LG Weekly 45/12 – 9 November 2012

Age-Friendly Community Grants Closing Soon

The grants are open to all NSW Councils and cover planning and implementing changes to meet the needs of an ageing population.

<u>395/2012</u> **RESOLVED** that Council pursue the above grants. (Griffiths/McLaughlin)

The Manager of Corporate Services, Theresa Haley was thanked for her contributions to Council during her employment with Council and wished all the best in her future endeavours.

There being no further business the meeting closed at 1.00pm.

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

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GENERAL MANAGER

MAYOR



NOTES