



# **BOGAN SHIRE COUNCIL**

## **Minutes**

**26<sup>th</sup> July 2012**





**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers  
on 26<sup>th</sup> July 2012 at 9.30am**

**PRESENT:** Councillors RL Donald (in the chair), JE Hampstead OAM, JL Douglas, LH Dutton, HJ Griffiths, AM Kennedy, EM McLaughlin, GRJ Neill and KM Ryan.

Also present were Mr Derek Francis (General Manager), Ms Theresa Haley (Manager of Corporate Services), Mr Graeme Bourke (Acting Manager of Engineering Services) and Mrs CJ Ellison.

**DECLARATION OF PECUNIARY INTEREST:** Nil

**197/2012 RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 28<sup>th</sup> June 2012, copies of which has been circularised to Councillors be taken as read and confirmed. **(Kennedy/Griffiths)**

Business Arising from the Minutes:

Nil

**The following resolutions arose from decisions made in the Closed and Confidential Section of the Meeting held on 26<sup>th</sup> July 2012.**

**188/2012 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 personnel matters concerning particular individuals (other than Councillors). **(Griffiths/Dutton)**

**189/2012 RESOLVED** that the General Manager's overall performance rating was deemed to be more than satisfactory. **(Hampstead/Dutton)**  
**Carried Unanimously**

**190/2012 INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting move into open Council. **(Ryan/Hampstead)**

**191/2012 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 commercial information of confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. **(Hampstead/Dutton)**



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**192/2012 RESOLVED** that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 28<sup>th</sup> June 2012, copies of which have been circularised to Councillors be taken as read and confirmed. **(Hampstead/Kennedy)**

**193/2012 RESOLVED** that

1. Council make an offer to the owner to accept the land at nil cost.
2. Should this offer be accepted Council take charge of the subject parcel of land and seek expressions of interest to demolish the subject dwelling and associated structures including the removal of all excessive vegetation. **(Ryan/Douglas)**

**194/2012 RESOLVED** that Council accept the tender of Westrac for a Caterpillar 140M grader in the amount of \$401,500 with a trade in of plant No. 531 in the amount of \$192,500 giving a change over cost to council of \$190,000. **(Dutton/Douglas)**

**LEASE OF COBB & CO WORKSHOP AT COUNCIL WORKS DEPOT**

**195/2012 RESOLVED** that

1. Council calls for Expression of Interest from people who may wish to lease the Cobb & Co Workshop.
2. The General Manager prepares a report based on Expressions of Interest received for consideration by Council, taking into account appropriate rental, suitability of the premises and storage options for relocation of items currently stored in the workshops. **(Dutton/Griffiths)**

**196/2012 INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting move into open Council. **(Douglas/Kennedy)**



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At 10.15am, Mr Rob Avard and Ms Robyn Harris from the Nyngan Ag Expo addressed Council regarding the 20<sup>th</sup> Ag Expo being held on Saturday 4<sup>th</sup> August 2012.

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

Mrs Donna Pumpa now addressed Council regarding the preparations for the Emirates Melbourne Cup Tour visiting Nyngan on Sunday 9<sup>th</sup> September 2012.

Councillors Donald and McLaughlin left the meeting to attend a funeral.

Deputy Mayor Jim Hampstead now took the chair.

## **RESCISSION MOTION**

Rescission Motion 182/2012 of the Council Meeting 28<sup>th</sup> June 2012 was presented to Council.

**182/2012 RESOLVED** that Council bring the existing concrete Starting Blocks into a reasonable presentation by:-

- Raising the existing leading edge by 50mm;
- finishing with the required angle, of 9<sup>0</sup> – 10<sup>0</sup> degrees with the non-slip surface finish as to be a minimum of 700mm above the water level and minimum width of platform of 600mm; and
- then installing a continual step to the rear of the existing Concrete Starting Blocks, for access and safety reasons. **(Douglas/Griffiths)**

**198/2012 RESOLVED** that Council rescind Motion 182/2012 of the 28<sup>th</sup> June 2012 Council meeting. **(Douglas/Griffiths) Carried**

**199/2012 RESOLVED** that Council approves option 2 presented by the Manger of Environmental Services at the Council Meeting of 28<sup>th</sup> June 2012 being removal of the entire concrete starting block structure and the purchase and installation of 7 new prefabricated starting blocks. **(Douglas/Griffiths) Carried Unanimously**



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**COMMITTEE MEETING REPORT**

**1 MUSEUM**

**200/2012 RESOLVED** that the report be received and noted. **(Kennedy/Ryan)**



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**REPORTS TO ORDINARY MEETING OF COUNCIL – GENERAL MANAGER’S REPORT**

**1 CHECKLIST**

Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
<b>1</b>	23/08/2007 25/02/2010 22/07/2010	500/2007 371/2007 370/2007 20/2010	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 assess 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.



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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
<b>2</b>	23/10/2008	447/2008	Residences- Pangee Street	Council to speak to residents.	MEvS	<p>John Holland tender process completed. Selection of tender now underway for demolition work on street.</p> <p>Demolition approved on 16th July 2012 by Transport NSW – Country Rail Division for John Holland to proceed.</p> <p>Nymagee Street sites have been identified as privately owned. Demolition Notices issued.</p> <p>Report to 26<sup>th</sup> July 2012 Council Meeting.</p>
<b>3</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.





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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
						<p>Mens Shed has acquired lease of both allotments at ambulance station.</p> <p>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.</p> <p>Department of Health has recommended to Government Asset Management Committee (GAMC) to accept Council's offer.</p> <p>Matter referred back to the Dept Lands by GAMC for recommendation. Dept of Lands has requested that Council buy Lots 9 &amp; 10 at market value.</p>



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						<p>Letter sent to Minister Humphries requesting assistance to resolve this matter.</p> <p>Response received from Minister Humphries indicating the matter has been taken up with Health &amp; Local Government Minister.</p>
<b>4</b>	26/11/09	460/2009 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>	<p>GM</p> <p>Mayor</p>	<p>Mark Coulton has been contacted to organise a meeting with Ministers Burke &amp; Crean.</p> <p>A meeting held with State Water Office who received a copy of quote from Irritek. Combined deputation with Cobar Shire Council to meet with Minister Katrina Hodgkinson.</p>



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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
						Cobar Shire Mayor & GM have agreed to meeting. Meeting request sent to Minister. Follow-up request for meeting sent to Minister.
<b>5</b>	24/03/2011	83/2011	Cinema	Investigate the recommencement of movies.	CDO	<p>Community Development Officer to look into having the SRC and Bourke Police involved in trying to recommence the movies.</p> <p>Cr Douglas to speak to the schools regarding Council's intention to try to recommence the movies, stress behaviour at the movies.</p> <p>On Hold – pending result of Management Plan for Palais Theatre.</p>



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<b>6</b>	27/10/2011	318/2011	Upper & Lower Weir Users	Circularise Weir User' submission to Councillors. Council delegates to meet to discuss submission & agree on Council's position whether to support it or not.	ENG	Mayor, Deputy Mayor, General Manager and Engineer attended community consultation meeting arranged by NSW Office of Water on 12 April 2012. Office of Water has forwarded Draft Water Sharing Plan to the Minister. Mayor & GM met with Kevin Humphries & Weir Users regarding this matter.
<b>7</b>	27/10/2011	335/2011	Companion Animal Policy	Prepare a draft Companion Animal Policy – report back to Council, incorporating public feedback & recommendations.	GM/ MEvS	General Manager's report refers. Action Plan has been developed and implementation is progressing.  This will be followed by concentrated contract ranger activities in the very near future.



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						Community education process commenced.  Community education has been undertaken.
<b>8</b>	24/11/2011	366/2011	Agronomist in Nyngan	Letter to the Department of Primary Industries asking to have the agronomist returned to Nyngan.	Mayor	Letter sent. No response received. Mayor & GM raised this matter with Kevin Humphries.
<b>9</b>	24/11/2011	375/2011	State Property Authority (SPA) DOCS building	Council agrees in principle to transfer Lot 32 (DOCS) to SPA on the condition that funding is provided to establish the Access Centre.  Negotiation further with SPA for a contribution to relocate BBM.  Request SPA to facilitate the transfer of trusteeship for the former Ambulance Station (Lot 9).	GM	Letter sent to SPA advising of the four items.  Awaiting response from SPA on Departmental approval for their proposal alterations.



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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
				Council agrees to grant right of way to SPA to all vehicular access to the rear of Lot 32.		
<b>10</b>	24/11/2011	376/2011	Bogan Bush Mobile	Explore suitable options for relocation. Prepare a report with an estimate of costs and recommended funding sources for preferred options.	MCS/MEvS	Report to December 2011 Council Meeting. Pending progress with item 9.
<b>11</b>	29/03/2012	067/2012	Debt Recovery Policy	MCS – review & report on changes to the existing debt recovery policy /procedures. Recommendations for dealing with long term debt.	MCS	Draft Policy prepared for Management Review.  Report to July 2012 Council Meeting.
<b>12</b>	26/04/2012		Senior Citizens Room	Paint Senior Citizens Room	MEvS	Program for 2012/13.
<b>13</b>	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.



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<b>14</b>	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.	MEvS	Waiting on meeting with John Holland representatives.  Still waiting on meeting.
<b>15</b>	24/05/2012 28/06/2012	124/2012 158/2012	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	Advice to be sought from Traffic Committee on sign type and wording.
<b>16</b>	24/05/2012	133/2012	Funding for Community Arts.	Inform three schools & WSPA of the availability of funds.	MCS	Grant application guidelines being drafted for Council approval.  Report to August 2012 Council Meeting.
<b>17</b>	24/05/2012	143/2012	Railway Signal Post.	Erect in an appropriate manner & location near the heritage railway crossing.	Eng	Site to be selected in consultation with Museum Committee.



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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
<b>18</b>	28/06/2012	149/2012	Flashman Ave Houses	Houses be sold at public auction, reserve price to be set by the Mayor & GM.	Mayor/GM	Valuations have been arranged.
<b>19</b>	28/06/2012	150/2012	Oxley Street Subdivision	<ol style="list-style-type: none"> <li>1. Land bound by Derrybong, Oxley &amp; Dandaloo Streets be subdivided.</li> <li>2. The resulting four 20mm x 45mm blocks be sold for current market value.</li> <li>3. Council approve the development of 4 x 2 br villas (stage 2) at a cost of \$550,000.</li> </ol>	ENvS	Program established for development to proceed in near future.
<b>20</b>	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.
<b>21</b>	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.	MEvS	Approved by June 2012 Council Meeting. Programmed later in 2012 works program.





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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
<b>22</b>	28/06/2012	181/2012 182/2012 183/2012	Swimming Pool	1. Council agree in principle to the upgrade of the pool, including relining. 2. Staff investigate costs and prepare a detailed report on what works needs to be done for consideration by Council. 3. Bring the existing concrete starting blocks to a reasonable presentation. 4. Purchase a new diving board.	MEvS	Report to October 2012 Council meeting on program of works.
<b>23</b>	28/06/2012	185/2012	Water Carts	A report be presented to Council on the merits of purchasing a water cart.	Eng	Report to August 2012 Council Meeting.



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**201/2012 RESOLVED** that Council undertake site levelling at the two new houses in Flashman Avenue to improve the presentation of the houses prior to sale.  
**(Neill/Douglas)**

**202/2012 RESOLVED** that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.  
**(Ryan/Neill)**

## **2 LOCAL GOVERNMENT ELECTIONS – CARETAKER PROVISIONS**

**203/2012 RESOLVED** that the report be received and noted. **(Ryan/Douglas)**

## **3 LOCAL GOVERNMENT INDEPENDENT REVIEW PANEL**

**204/2012 RESOLVED** that:-

1. This report be received and noted.
2. Council considers relevant points for inclusion in both the region-focused and the five-minute viewpoint presentations to the Panel.
3. Council identifies local community members who may be interested in representing the Bogan Shire in discussions with the Panel.  
**(Neill/Griffiths)**

Councillors to advise the General Manager on relevant points to be included in the presentation.

Council advertise for local community members who may be interested in representing the Bogan Shire in discussions with the Panel.

**205/2012 RESOLVED** that the General Manager investigate locating the Cobb & Co Coach, bullock waggon and jail onto the platform at the Railway Station to become part of the Museum. **(Ryan/Dutton) Carried**



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

**1 BANK RECONCILIATION**

**206/2012 RESOLVED** that the bank reconciliation report be received and noted.  
(Ryan/Griffiths)

**207/2012 RESOLVED** that when the accounts are completed for the end of 2012 any surplus money be placed in reserve for swimming pool improvements and main street beautification. **(Ryan/Douglas) Carried Unaminously**

**2 INVESTMENTS**

**208/2012 RESOLVED** that the investments report be received and noted.  
(Ryan/Neill)

**3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION**

**209/2012 RESOLVED** that the rates collections report be received and noted.  
(Neill/Kennedy)

**4 BOGAN SHIRE COUNCIL POLICY – DEBT RECOVERY**

**FIN001 Debt Recovery Policy**

**210/2012 RESOLVED** that the draft FIN001 Debt Recovery Policy be advertised for public comment for a period of 28 days. **(Ryan/Dutton)**

**5 BOGAN SHIRE COUNCIL POLICY – WORK HEALTH AND SAFETY**

**WHS001 Work Health & Safety Policy**

**211/2012 RESOLVED** that the amended Bogan Shire Council Policy WHS001 – Work Health & Safety Policy be adopted. **(Griffiths/Neill) Carried**



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Councillors Donald and McLaughlin returned to the meeting.

Mayor Donald now took the Chair.

## **6 COUNCIL SIGNAGE**

### **Signs as Remote Supervision**

#### **212/2012 RESOLVED that:**

1. Council note the “Signs as Remote Supervision” process.
2. Council adopts signage for the Nyngan Showground in line with the following policies:-
  - The consumption of alcohol at this facility is permitted during licensed event only;
  - No smoking within 10 metres of buildings;
  - No glass;
  - No fires unless authorised during events;
  - Event organisers are to designate areas for fires.

Sign not to include “No dogs” and “No trailbikes”. **(Hampstead/Griffiths)**

## **7 LIBRARY REPORT**

**213/2012 RESOLVED** that the library report be received and noted.  
**(Ryan/Kennedy)**

## **8 2012-2013 COUNTRY LIBRARIES FUND GRANT**

**214/2012 RESOLVED** that Council support the 2012-2013 Country Libraries Fund Grant application and approve the “in kind” contribution from Council for labour to move furniture to enable the refurbishment of the library. The application to include details on what Council works have already been carried out, including costs and photographs. **(Douglas/Griffiths)**



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Financial Assistance Grants

**215/2012 RESOLVED** that the letter concerning the FAGs be further investigated by the Shires Associations. **(Ryan/Dutton)**

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

**1 AMENDED CEMETERY FEES AND CHARGES**

**216/2012 RESOLVED** that the below amendments to the 2012/13 cemetery fees and charges be adopted and advertised. **(Ryan/Neill)**

1. Fixing of Inscribed Bronze Plaque (Standard) - Actual Cost (Excluding on-cost).

Change to:-

Fixing of Inscribed Bronze Plaque - Actual Cost (Excluding on-cost).  
Minimum Cost \$495.00.

2. Additional Inscription on Bronze Plaque (on plate fixed to original plaque) - \$235.00.

Change to:-

Additional Inscription on Bronze Plaque (on plate fixed to original plaque) - \$245.00

3. Additional Fee (Weekend Funerals) - \$420.00.

Change to:-

Additional Fee (Weekend and Public Holiday Funerals) - \$400.00.

4. Detachable Plaque - \$210.00

Change to:-

Detachable Plaque - \$245.00.

5. To be included in the Cemetery Fees and Charges:-
  - Reservation Fee Refundable
  - No Reservations in the Lawn Cemetery.



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## REPORTS TO ORDINARY MEETING OF COUNCIL – WORKS MANAGER

Works Manager Alister Quarmby now attended the meeting.

**217/2012 RESOLVED** that both the Civil Works and Roads Reports be received and noted. **(Hampstead/Ryan)**

Mr Quarmby now left the meeting.

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

Environmental Health and Building Inspector Mr Dean Woods now attended the meeting.

### 1 DEVELOPMENT APPLICATIONS

**218/2012 RESOLVED** that the report be received and noted.  
**(Dutton/Hampstead)**

### 2 WASTE –RECYCLING COLLECTION DATA

**219/2012 RESOLVED** that the report be received and noted.  
**(Griffiths/Hampstead)**

Mr Woods now left the meeting.

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**PRECIS OF CORRESPONDENCE**

**1 JOHN HOARE**

**220/2012 RESOLVED** that the report be received and noted. **(Ryan/Neill)**

**2 STATE EMERGENCY SERVICES IN NSW**

**221/2012 RESOLVED** that the report be received and noted. **(Ryan/Kennedy)**

**3 GOVERNMENT WEEKLY CIRCULARS**

**222/2012 RESOLVED** That the Local Government Weekly Circulars be noted.  
**(Griffiths/ Dutton)**

**223/2012 RESOLVED** that Council donate \$800.00 to the “The Shed Boxing Club” towards the cost of holding an amateur boxing night in Nyngan.  
**(Hampstead/Neill)**

**224/2015 RESOLVED** that Council provide a photograph of the Cenotaph and \$100 to the RSL of Australia (Queensland Branch) Currumbin Palm Beach Sub Branch RSL to produce a collage to commemorate the 100<sup>th</sup> year of the landing at Gallipoli Anzac 2015. **(Ryan/Hampstead)**

There being no further business the meeting closed at 12.30pm.

Mrs Liz Wynne, former SES Local Controller joined Councillors for lunch.

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

.....  
**GENERAL MANAGER**

.....  
**MAYOR**

