



BOGAN SHIRE COUNCIL

Minutes

24 October 2013



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 24 October 2013**

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

Also present was Mr Derek Francis (General Manager).

417/2013 APOLOGY: RESOLVED that the apology received from Councillor E McLaughlin be received and she be granted leave of absence from this meeting.
(Griffiths/Douglas)

Declaration of Interest – Nil

418/2013 EXCLUSION OF PRESS AND PUBLIC: RESOLVED that Council move into a closed section of Council with the public excluded, in accordance with the Local Government Act 1993, Clause 10A (2) (a) because information provided and discussed involves personnel matters concerning particular individuals other than Councillors.
(Dutton/Hampstead)

419/2013 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into open Council. **(Deacon/Griffiths)**

Senior staff now attended the meeting.

Mr Luke Taberner (Manager Corporate Services), Mr Alister Quarmby (Acting Manager Engineering Services), Mr Timothy Riley (Manager Development and Environmental Services) and Mrs Rosalind George.

420/2013 RESOLVED that the Minutes of the Closed and Confidential Meeting of Council held on 26 September 2013, copies of which have been circularised to Councillors be taken as read and confirmed with the following amendment:

421/2013 RESOLVED that the report be received and noted and further resolve to report to a future meeting on alterations for the removal of recycling material **(Griffiths/Douglas)**



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 24 October 2013**

COMMITTEE MEETING MINUTES

1 NYNGAN MUSEUM

422/2013 RESOLVED that the Nyngan Museum Committee minutes be noted.
(Deacon/Neill)

REPORTS TO ORDINARY MEETING OF COUNCIL – MAYOR’S REPORT

1 LG NSW CONFERENCE

423/2013 RESOLVED that the LG NSW Conference Report be noted. **(Douglas/Griffiths)**

2 WATER MAINTENANCE GRADING

424/2013 RESOLVED that Council consider a plan to increase the availability of water along our Shire gravel roads in next year’s Budget. **(Douglas/Hampstead)**

10.20am Mrs. Jenny Griffiths & Ms. Jacqui Chapman addressed the Meeting regarding the Services at the Nyngan Health Service.

Meeting adjourned for morning tea at 11am

Council resumed at 11.15am

425/2013 RESOLVED that Council support an information meeting with the Health Service Manager in attendance, to inform the public of the services available at Nyngan Health Service and that local clubs such as Rotary, VIEW and CWA advocate the meeting.
(Douglas/Deacon)

426/2013 RESOLVED that Clr Ryan be nominated as Bogan Shire Council’s representative on the Nyngan Solar Plant Community Consultative Committee. **(Dutton/Douglas)**



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 24 October 2013**

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

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	23/08/2007 25/02/2010 22/07/2010	500/2007 371/2007 370/2007 020/2010	Housing Residential & Aged Care Accommodation	Feasibility of developing Council owned land, subdivide, establish further aged care accommodation.	Mayor / GM	Concept plans for “Pound Paddock” units adopted. UPDATE: Preparation of full architectural plans & specifications underway.
	22/08/2013	338/2013		<ul style="list-style-type: none"> • There be 6 mixed units – 3 difference designs & roof tops. • DA be lodged first week September 2013. • Progress tender document. • Show interested persons concept plan. • Council commence stage 1 – sewer main along Oxley Street. • Issue media release. • Display plans in old bakery. • Call for EOI. 	MDES	UPDATE: <ul style="list-style-type: none"> • Concept DA finalised • Media release and plans display completed by 27/09/2013. Still seeking access to Bakery. • Sewer & Stormwater design completed. • Construction drawings submitted • Preliminary qualities & costing estimates underway • Development of administrative arrangements underway.



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 24 October 2013**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
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.	GM	NSW Health agreed to acquisition. UPDATE: Internal Renovations works completed.
	25/05/2013	211/2013		Council acquire by compulsory acquisition Lots 9 & 10.		UPDATE: Solicitors have advised acquisition subject to 90 day Native Title waiting period. Acquisition and lease to NSW Police by end 2013.
3	26/11/09	460/09	APC	Try and obtain more Government funding to complete the piping of the APC project.	GM	Pending completion of CPE Business Case, expected November 2013.
	22/11/2012	352/2012		Mark Coulton be advised by email and asked to confirm if previous Gov't commitment of \$12M funding is still current.		UPDATE: COMPLETED



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 24 October 2013**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
4	24/03/2011	83/2011	Cinema	Investigate the recommencement of movies.	CDO/ Clr Douglas	Community Development Officer to look into having the SRC & Bourke Police involved in trying to recommence the movies.
	22/11/2012	353/2011		Investigate mobile cinema service from Bourke Police & Macquarie RiverSmart.	CDO/ Clr Douglas	Cr Douglas to speak to the schools regarding Council's intention to try to recommence the movies. Stress behaviour at the movies.
5	25/05/2012	116/2012	APC	A formal agreement be sought & entered into with CWB & irrigators covering all aspects of the APC operation.	GM	UPDATE: Discussions with Cobar Water Board and Irrigators currently under way. Draft agreement amended for consideration by Council at November meeting.
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.	MDES	UPDATE: Still waiting for outcome from application made to John Holland Rail for Lease of site (former BP Service Station). JHR considering clean up of site prior to lease approval.



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 24 October 2013**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
7	28/06/2012	150/2012	Oxley Street Subdivision	1. Land bound by Derrybong, Oxley & Dandaloo Streets be subdivided. 2. The resulting four 20m x 45m blocks be sold for current market value. 3. Council approve the development of 4 x 2 br villas (stage 2) at a cost of \$550,000.	MDES	UPDATE: AAA Project floor plans & elevations to be used for staff housing project. Preliminary site plans being prepared for costing and consideration. Project on hold pending completion of Stage 1 of AAA Project
8	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.	MDES	UPDATE: Programmed for construction Oct/Nov 2013 in conjunction with Hangar Upgrade works. Operational by early 2014.
9	26/07/2012	193/2012	Transfer of Land – Nymagee St 5,7 & 9	Council seek EOI to demolish the subject dwelling & associated structures including removal of excessive vegetation.	MDES	Transfer Completed. Once Asbestos Licence received demolition and general clean-up will proceed.
10	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 accreditation of new VIC.



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 24 October 2013**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
11	22/11/2013	358/2012	Swimming Pool	Commence tile repair program over four years in the 2013/14 off season.	MDES	UPDATE: Floor tiles in shallow end replaced. COMPLETED
	13/12/2012	419/2012		Filtration plant room & associated structure.		UPDATE: Non-friable asbestos training completed by staff. Licence application to WorkCover submitted mid Oct. Asbestos removal to filtration plant room likely in Feb/March 2014.
12	28/02/2013	044/2013	Airport Hangars	<p>1. Stage 1 to be commenced without delay and an amount of \$39,700 be provided in the second budget review to meet these costs.</p> <p>4. A new licence document be developed for any future licence agreements for a 25 year period with a 5 year extension.</p>	MDES	UPDATE: Fencing and water service completed, Dr Heggie's Hangar removed. Gravel access roadway, taxiway construction program for completion by Oct/Nov. Current License being reviewed by legal advisors for future License users. Report to Nov meeting.



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 24 October 2013**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
				7. The Nyngan Airport Management Plan be amended to reflect these changes and requirements of this report.		Further discussion with CASA and Engineering Dept. staff required with amended document to be referred to Council.
13	13/12/2012 28/03/2013	418/2012 098/2012	Davidson Park Revitalisation Program	Council remove the entire playground, equipment, associated ground cover, fencing & park-bench seating with shelter. Establish paving pathways to the mural.	MDES	UPDATE: Vandalised / unsafe play equipment removed. Entire area to be removed following establishment of new playground.
	25/07/2013	310/2013		New playground area to be located on the south eastern side of the existing toilet blocks structure.		UPDATE: Site works for new playground programmed for Nov / Dec.
14	13/12/2012	420/2012	Western NSW Medicare Local	GM to follow up discussion with CEO.	GM	UPDATE: Committee established by Medicare Local to discuss primary health care in Nyngan is no longer meeting. Council to continue discussions locally. COMPLETED



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 24 October 2013**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
				Urgently contact Medicare Local and communicate to them that the current contracts should be continued and processed ASAP		COMPLETED
15	3/04/2013	18/2013	Western Rivers Veterinary Group	Council authorises GM to co-operate with Vets to establish the facility in Lawler Street.	GM	UPDATE: Further site visit conducted, now awaiting DA application from Vets.
	25/07/2013	298/013		General Manager negotiates an interest free loan, should vets wish to purchase land.		
16	28/02/2013	043/2013	Waste Management – Village Waste Depot Operations	Program of Works for Hermidale & Girilambone be commenced immediately.	MDES	UPDATE: Hermidale: completed. Girilambone: fencing underway, construction of access road programmed as soon as possible. Fencing of access road complete. Clean-up, cell extension and rehabilitation of the exhausted cell to commence 22/10/2013 Enviro Hygienist engaged for report for clean-up programme.



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 24 October 2013**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
				Coolabah works be programmed for early 2013/14.		Coolabah: Contractor engaged to commence.
17	26/06/2013	258/2013	Traffic Committee Recommendations – Pre School Parking	<p>Relocating the bus parking to the southern side of the lane.</p> <p>RMS to re-examine the intersection design.</p> <p>Fence Pre-School boundary between lane and parking area and around the corner to the staff vehicle entrance.</p> <p>Western end of fence to be a pool type to allow adequate sight distance from the lane.</p> <p>Staff only in parking area.</p> <p>Blister on the western side of Moonagee St for “Give Way” sign to be considered.</p> <p>Relocate the 40km school zone sign to the northern side of the lane.</p> <p>Signed consent from the Pre-School that the children</p>		<p>UPDATE: Letter sent to Yarrabin informing them of Council’s decision. Work on fence is expected to commence 21/10/2013.</p> <p>Estimate to relocate signs provided to RMS.</p>



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 24 October 2013**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
				<p>are always escorted into the building by staff or parents.</p> <p>Keep the proposed refuge island and make a no left turn for road trains from Pangee St into Moonagee St.</p> <p>Consider making lane one way at a later time if required.</p>		
18	23/04/2013	124/2013	Insurance	<p>Council seek clarification from the Insurance Council of Aus re: the availability of discounts or other provision on insurance pricing for towns protected against floods and whether flood insurance is mandatory.</p>	GM	<p>Insurance Council has requested flood study information.</p> <p>Information on levy submitted, flood study not expected to be complete until January 2014.</p>
19	23/04/2013	124/2013	VIC	<p>1. VIC be opened for a minimum of 20 hours/week.</p> <p>2. A part-time VIC position be created within the General Manager's Department, funded from the VIC "rent" budget already provided (\$12,000)</p>	GM	<p>UPDATE: Museum Committee advised of Council decision.</p> <p>Article for Nyngan Observer drafted to advise community – call for volunteers.</p>



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 24 October 2013**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
				<p>3. VIC be staffed by the VIC officer for 10 hours per week, including four hours on Saturdays and four hours on Sundays.</p> <p>4. Museum volunteers, by agreement, provide visitor information to customers during times when the VIC is closed.</p> <p>5. Council calls for expression of interest from volunteers willing to staff the VIC during times when the VIC Officer is not on duty.</p> <p>6. General Manager allocates times to volunteers.</p>		Recruitment to start early November.
20	26/09/2013	396/2013	Front to Kerb Parking	Report to Traffic Committee with proposed front to kerb parking locations, highlighting areas that require formal line marking.	MES	Traffic Committee to meet in November 2013.

427/2013 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Griffiths/Neill)**

2 PECUNIARY INTEREST REGISTER

428/2013 RESOLVED that the Pecuniary Interest Register be noted. **(Ryan/Hampstead)**

3 SHOW DAY

429/2013 RESOLVED that Council apply to the Minister for Finance and Services for the declaration, under the Public Holidays Act 2010, of a local public holiday for the Bogan Shire Council Local Government area from 12 noon on Monday 19th May 2014.
(Hampstead/Ryan)

4 DECEMBER/JANUARY RECESS

430/2013 RESOLVED that:

1. Council goes into recess from 20 December 2013 until 31 January 2014 and consequently does not have an ordinary meeting during January 2014.
2. Pursuant to and subject to the limitations of Section 377 of the Local Government Act, Council grants authority to the Mayor, Deputy Mayor and General Manager with councillors to be contacted if practical, to make decisions on behalf of Council during this recess period.
3. Any such decisions are to be reported to the Council at its first meeting in 2014.

(Ryan/Neill)

5 CHRISTMAS – NEW YEAR OFFICE CLOSURE

431/2013 RESOLVED that in addition to the public holidays over the Christmas / New Year period, Council closes the Shire Offices on the 27th, 30th and 31st of December 2013 and advises the community accordingly. **(Ryan/Dutton)**

6 DELIVERY PROGRAM

432/2013 RESOLVED that the Report be noted and a Council review of the Delivery Program be done before next financial year to make it more concise.

(Ryan/Douglas)

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

1 BANK RECONCILIATION

433/2013 RESOLVED that the Bank Reconciliation Report be received and noted.

(Hampstead/Dutton)

2 INVESTMENTS

434/2013 RESOLVED that the Investments Report be received and noted. **(Deacon/Neill)**

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

435/2013 RESOLVED that the Rates Collection Report be received and noted.

(Dutton/Griffiths)

4 FIRST QUARTER BUDGET REVIEW

436/2013 RESOLVED that the recommended budget changes, totalling (\$95,284) resulting in a total budget of \$2,328,651 be adopted. Council commend staff on work done to present such a comprehensive report. **(Ryan/Douglas)**

Clr Neill left the meeting at 12.35pm

Council adjourned for lunch at 12.40pm

Council resumed at 2pm

5 ADOPTION OF 2012/13 ANNUAL STATEMENTS

437/2013 RESOLVED That :

1. The amended Annual Financial Statements as presented for the year ended 30 June 2013 be adopted.
2. The Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer be authorised to sign the necessary Financial Statements.
3. The Amended Annual Financial Statements for the year ended 30 June 2013 be referred to Council's Auditor for Audit.
4. Council hereby delegate to the General Manager authority, upon receipt of the Auditor's report of the Council, to:
 - a) Forward a copy to the Division of Local Government and Australian Bureau of Statistics.
 - b) Arrange for the public notice of the Council Meeting for presentation to the public, in the required format be placed in the Nyngan Observer.
 - c) Arrange for the Council's audited financial reports and a copy of the Auditor's Report to be made available for public inspection on Council's web site and in printed format at the Council Chambers and Nyngan Library.
 - d) List the audited financial reports and Auditor's Reports on the Agenda for the ordinary meeting scheduled for 28 November 2013 for presentation to the public.

(Ryan/Dutton)

6 LIBRARY REPORT

438/2013 RESOLVED that the Library report be received and noted.

(Hampstead/Douglas)

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

1 OPERATIONAL REPORT

439/2013 RESOLVED that the Operational Report be received and noted.

(Griffiths/Dutton)

2 SURVEY AND PURCHASE OF BACKHOUSES ROAD

440/2013 RESOLVED that Council acknowledges receipt of the unsigned letter from Don and Ian Hamblin and that the General Manager responds with a request that they supply relevant supporting correspondence to Council. **(Hampstead/Ryan)**

441/2013 RESOLVED that should Council agree to this request it be at the applicant's cost as there is no provision in Council's budget for this expenditure.
(Ryan/Griffiths)

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

1 DEVELOPMENT APPLICATIONS

442/2013 RESOLVED that the report be received and noted. **(Deacon/Griffiths)**

2 OPERATIONAL REPORT – PARKS & GARDENS

443/2013 RESOLVED that the report be received and noted. **(Ryan/Hampstead)**

3 OPERATIONAL REPORT – NOXIOUS WEEDS OFFICER

444/2013 RESOLVED that the report be received and noted. **(Ryan/Hampstead)**

PRECIS OF CORRESPONDENCE

1 CEO REGIONAL DEVELOPMENT AUSTRALIA ORANA NSW – ADVERTISING AT DUBBO AIRPORT

445/2013 RESOLVED that the correspondence from Felicity Taylor-Edwards, CEO Regional Development Australia Orana NSW be received and noted.
(Ryan/Douglas)

2 NSW FAIR TRADING – MEDIA RELEASE – NYNGAN BUSINESS MAKES THE FINAL CUT

446/2013 RESOLVED that the correspondence from Fair Trading regarding the Bogan Lolly Shop's shortlisting in NSW Fair Trading's state-wide I Love My Local Business competition be received and noted and a letter of congratulations be forwarded to the owner. **(Dutton/Douglas)**

3 NSW GOVERNMENT – MINISTER’S AWARDS FOR WOMEN IN LOCAL GOVERNMENT

447/2013 RESOLVED that the Ministerial Circular calling for nominations for the 2014 Ministers’ Awards for Women in Local Government be received and noted and that Cllr Elaine McLaughlin be nominated for her long service to Bogan Shire Council including the position of Mayor. **(Hampstead/Dutton)**

4 CEO REGIONAL DEVELOPMENT AUSTRALIA ORANA NSW – ORANA REGION ECONOMIC PROFILE

448/2013 RESOLVED that the correspondence received from Regional Development Australia Orana NSW (Orana Region Economic Profile) be received and noted. **(Ryan/Hampstead)**

5 NYNGAN LALC - NAIDOC COMMITTEE - LETTER AND CERTIFICATE OF APPRECIATION

449/2013 RESOLVED that the correspondence from Nyngan NAIDOC Committee and Community Members be received and noted. **(Hampstead/Griffiths)**

6 NYNGAN COBAR WATER SECURITY - WORKSHOP OUTCOMES

450/2013 RESOLVED that correspondence received from CPE Associates Pty Ltd be received and noted. **(Ryan/Dutton)**

7 MR ROGER BELL – SHIRE ROADS

451/2013 RESOLVED that the correspondence from Mr Roger Bell expressing concerns about the condition of Shire roads and Council’s maintenance and construction program be received and noted and that in his reply, the General Manager advises Mr Bell that, having considered this matter, Council is satisfied with the productivity and work standards of its roads staff. **(Hampstead/Ryan)**

GRANTS AND FUNDING – LOCAL GOVERNMENT WEEKLY CIRCULARS

452/2013 RESOLVED that the Local Government Circulars be noted and that the Sport and recreation facility grant be pursued. **(Griffiths/Ryan)**

453/2013 RESOLVED that the December 2013 Council meeting be held on Thursday 19 December 2013 with the Christmas party to follow at the RSL Civic Club. **(Griffiths/Deacon)**



There being no further business the Meeting closed at 2.55 pm

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

.....

GENERAL MANAGER

.....

MAYOR