



# **BOGAN SHIRE COUNCIL**

## **Minutes**

**28 February 2013**

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers  
on 28 February 2013 at 8.30am**

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

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

**Declaration of Interest:** Nil

**010/2013 RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 13 December 2012, copies of which have been circularised to Councillors be taken as read and confirmed.

Business arising from the Minutes: Nil

The following resolutions arose from decisions made in the Closed and Confidential Section of the meeting on 28 February 2013.

**001/2013 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, Section 10A (2) (d) as commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. **(Hampstead/Neill)**

**002/2013 RESOLVED** that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 13 December 2012, copies of which have been circularised to Councillors be taken as read and confirmed. **(Griffiths/Deacon)**

**003/2013 INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting moved into open Council. **(Griffiths/Dutton)**

**004/2013 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, Section 10A (2) (d) as commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. **(Dutton/Douglas)**

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**005/2013 RESOLVED** that:-

1. The proposal be accepted from CPE Associates to prepare a business case and grant application for the construction of capital works to reduce water losses in the Nyngan and Cobar water supply system including the Nyngan Weir Pools and Albert Priest Channel in scope of the consultancy.

2. This decision is subject to:

- a) CPE Associates presenting their proposal to the Cobar Water Board, as it was presented to Bogan Shire Council, and
- b) Bogan Shire Council receiving formal confirmation from Cobar Water Board that they will contribute 68.6% of the total cost of the CPE Associates consultancy. **(Ryan/Neill)**

**006/2013 INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting moved into open Council. **(Griffiths/Dutton)**

**007/2013 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, Section 10A (2) (d) as commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. **(Dutton/Douglas)**

**008/2013 RESOLVED** that Council offer to the Western Rivers Veterinary Group the following for use as a veterinary service in Nyngan:-

- Council Depot in Pangee Street; or
- Land on Council's industrial estate; and
- Offer free rental on either site for 12 months with an option to purchase or rent thereafter. **(Hampstead / Griffiths)**

**009/2013 INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting moved into open Council. **(Griffiths/Dutton)**

Mr Graham Kellett now addressed Council to discuss the budget review.

Item 4 –of the Corporate Services Department Budget Review December 2012 was now dealt with.

## COMMITTEE MEETING REPORTS

### 1. MUSEUM

**011/2013** RESOLVED that the Minutes of the Museum Meeting held on Wednesday 5 December 2012 be received and noted. **(Hampstead/Neill)**

## REPORTS TO ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

### 1. NATURAL DISASTER RELIEF PAYMENTS

**012/2013** RESOLVED that Council endorse the Natural Disaster Relief Payments to the Red Cross Appeal in Tasmania and the Mayor's Bushfire Appeal in Coonabarabran. **(Deacon/ Douglas)**

### 2. CEMETERY

**013/2013** RESOLVED that Council endorse the General Manager's response to the correspondence received from a resident of Cobar with her concerns about the condition of the cemetery. **(Ryan/McLaughlin)**

It was **MOVED** that Council remove the tree on the left hand side of the Anglican section entrance. **(McLaughlin/Ryan)**

An **AMENDMENT** was **MOVED** that Councillors inspect the tree before the next Council meeting with a decision to be made at the meeting on 28 March 2013. **(Ryan/Neill)**

The **AMENDMENT** was **PUT to Council and became the MOTION.**

**014/2013** RESOLVED that Councillors inspect the tree before the next Council meeting with a decision to be made at the meeting on 28 March 2013. **(Ryan/Neill)**

**015/2013** RESOLVED that Council's current maintenance program for the cemetery remain in place. **(Ryan/Griffiths)**

**016/2013** RESOLVED that Council officers inspect the cemetery concerning the rabbit problem. **(McLaughlin/Dutton)**

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At 9.40am Mr Peter Dearden, Regional Manager, Western Region, and Mr Phil Standen, Asset Manager RMS Parkes, addressed Council concerning the Mitchell Highway.

Council is to receive a letter from the RMS outlining their plan for 2013/14, which includes a provision of \$1m for Mitchell Highway maintenance.

Council now adjourned for morning tea and Mr Mike Brearley and Mr Cary Reynolds of CPA Associates addressed Council after morning tea.

Council then returned to the Closed and Confidential Section of the Meeting.

Council returned to Open Council.

**3. STOCK AND DOMESTIC WATER FLOW DOWNSTREAM OF THE BRIDGE**

**017/2013 RESOLVED** that the report be received for information and note the efforts currently being made to secure a 'stock and domestic' flow to the 22 landholders between the bridge and Gunningbar Creek. **(Neill/Douglas)**

**Other matters:-**

Western Division Conference – Solar Energy Proposal – report to March Council Meeting.

**Dates:-**

Roads Tour – Tuesday 7 May 2013

Village Tour – Thursday 11 April 2013

April Council Meeting – Tuesday 23 April 2013

Mayor Donald now left the meeting and Deputy Mayor Hampstead took the Chair.

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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
1	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	Affordable Accommodation for the Aged Community Committee established.  Three Committee Meetings have been held.  Loan interest subsidy application made for possible construction of units.

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Item No.	Date	Minute No	Matter	Action Required	Responsible 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.	Mayor	<p>Council write to Health Minister asking to acquire station at no cost to be used for community purposes.</p> <p>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.</p> <p>Matter referred back to the Dept Lands by GAMC for recommendation.</p>

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
						<p>Dept of Lands has requested that Council buy Lots 9 &amp; 10 at market value.</p> <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 Ministers.</p> <p>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.</p>



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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
						Crown Lands has advised that Deputy Premier has consented to Council's acquisition of Lot 9 at nil cost. Now awaiting endorsement from the Treasurer.
3	26/11/09  27/09/2012	460/2009  283/2012	APC	Try and obtain more Government funding to complete the piping of the APC project.  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.	GM	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. Follow-up request for meeting sent to Minister.  RDAF funding is not appropriate (Max.\$15m). Other grant opportunities being explored. Proposals to be invited from suitable consultants for preparation of grant submission.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
	22/11/2012	352/2012		Assess viability & cost of off river storage as first stage of project.	Eng	Initial meeting held with Cobar Shire and CPE & Associates on 3/12/12 to discuss options for a funding proposal.  Proposal included with Business Paper.
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.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
	22/11/2012	353/2012		Investigate mobile cinema service from Bourke Police & Macquarie RiverSmart.	CDO/ Clr Douglas	BCTBG has submitted an application to the Royal Agricultural Society for funding to purchase a mobile cinema. Successful applications will be notified end of March.
5	25/05/2012	116/2012	APC	A formal agreement be sought & entered into with CWB covering all aspects of the APC operation.	GM	Project meeting with Solicitors held 15 October 2012.  Draft Agreement completed.
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	Formal request sent still awaiting response. Confirmation Bill Brecht from John Holland unable to attend February meeting but should be in Nyngan in May/June.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
						Third email sent 13/2/2013 to John Holland identifying certain properties/leases to be considered to be taken over by Council.
<b>7</b>	24/05/2012 28/06/2012 23/08/2012	124/2012 158/2012 241/2012	Parking – Heavy Vehicles outside Outback Motel.		Eng	RMS now offering to fund kerb blisters if completed before January.
<b>8</b>	28/06/2012  27/09/2012  22/11/2012  13/12/2012	149/2012  282/2012  355/2012  407/2012	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.  Delay laying of lawn until occupancy.  Advertise for public auction sale:- 41a Flashman Avenue Lot 7, Tottenham Road.	Mayor/GM       D&ES	Completion of driveways, site levelling, fences erected. Turf to be layed upon auction of dwellings.       Agents appointed. Auction estimated for late March.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
9	28/06/2012	150/2012	Oxley Street Subdivision	<p>1. Land bound by Derrybong, Oxley &amp; Dandaloo Streets be subdivided.</p> <p>2. The resulting four 20mm x 45mm blocks be sold for current market value.</p> <p>3. Council approve the development of 4 x 2 br villas (stage 2) at a cost of \$550,000.</p>	Dev & Env Services	<p>Program established for development to proceed.</p> <p>Further report to Council upon Flashman Ave dwellings being sold.</p>
10	28/06/2012	161/2012	Lawlor Street Subdivision	<p>Advertise the sale of the industrial blocks subdivision. Mayor &amp; GM to determine the price per square metre.</p>	Mayor/GM	<p>Awaiting advice on appropriate selling price.</p> <p>Investigating cost of installing services.</p> <p>Selling price established, to be advertised in the new year.</p>
11	28/06/2012	179/2012	Dog Pound	<p>Construction of the new dog pound in the location closer to the main road in the airport complex.</p>	Dev & Env Services	<p>Programmed in 2012/13 works program.</p>

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
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 now completed for 5, 7 & 9 Nymagee St to Council. 5 Nymagee St is generally vacant land. Quotes to be sought for the removal of asbestos material to 7 & 9 Nymagee St. Possible training building for NSW Fire & Rescue to burn subject dwellings.
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	Email received 8/1/2013 from John Holland Rail declining request for placement of nominated items on platform due to WHS issues.
	13/12/2012	408/2012				13/2/2013 email to John Holland seeking attendance to Council meeting as Council is now only considers relocating the coach & wagon.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
						<p>Invite John Holland to February 2013 Council meeting &amp; to inspect site.</p> <p>Bill Brecht from John Holland will be in Nyngan in May or June, date to be confirmed.</p>
14	23/08/2012  22/11/2012	255/2012  349/2012	Community Based Heritage Study	<p>Take action to have the inaccuracies and listing of properties attended to.</p> <p>Council write to all private property owners advising their property has been listed in the heritage study &amp; that they should advise Council if they wish to remain listed. If they do not respond, the property is removed from the list. Council staff to recommend what community sites are to be listed.</p>	Dev & Env Services	Report April 2013 Council Meeting.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
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.  Submission sent to Parliamentary Inquiry with a request to meet with the Committee.
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 Garden Club & \$800 donation from Senior Citizens to be used towards the purchase and planting of trees as stage 1 of the project.  Detailed plan has been provided.  Work commenced. Completion of stage 1 expected April 2013. (Tree planting in June)



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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
17	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	Discussed at Nyngan Community Action Group. Approach to be made to Cobar Family Day care. GM to provide verbal update at meeting.
18	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.
19	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.	Dev & Env Services	Bench seating installed early January 2013.  4 unsafe umbrella's have been removed
	22/11/2012	358/2012		Review hours of supervision after Christmas 2012.		Hours of operation in progress. Diving board now open and well received by children.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
	13/12/2012	419/2012		<p>Council approves the construction of shade sails &amp; seating.</p> <p>1. Progressive works program to filtration plant room &amp; associated structure be undertaken as programmed.</p> <p>2. Further report to Council at April 2013 Council meeting for proposed work to change rooms.</p> <p>3. Provision be made at second budget review 2012/13 to include item listed for this financial year.</p>		<p>Shade Sails installed after Australia Day and well received by patrons</p> <p>All other M&amp;R works programmed for off-season.</p>
20	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.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
21	22/11/2012	354/2012	Intersection of Derrybong/Wambiana Streets/Flashman Avenue	Request RMS to go ahead with their proposal.	Eng	Survey plans sent to RMS for design considerations.  Design not to proceed if intersection remains a road train route. Refer report February 2013 Business Paper.
22	22/11/2012	368/2012	Centenary Fountain	Investigate various options available to improve the fountain, including placing mesh over the water & a surveillance camera, with costings.	Dev & Env	P&G Staff to inspect Fountain daily.  Costings of surveillance cameras being considered.
23	22/11/2012	370/2012	Skate Park	Subject to availability of grant funding Council proceed with a shade sail over the Skate Park.	Dev & Env	Grant funding application completed and forwarded.
24	13/12/2012	400/2012	Airport Hangars	1.Provides for in principle expansion of hangar leases.  2.Further report regarding cost of site preparation & recovery of cost.	Dev & Env	Report to February 2013 Meeting.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
				3.Ensure air ambulance has access at any time to airport.		
25	13/12/2012	404/2012	Renaming of Streets	Advertise: - 1. Council considering renaming of Boundary Street to George Buist Drive. 2. Ask for comments & submissions from community of other historical names for consideration when naming/renaming streets & roads in future.	Eng	Report to February 2013 meeting.
26	13/12/2012	414/2012	Sister City Relationship with New Zealand	General Manager & Mrs White contact the LG area in NZ with a proposal to commence a sister city relationship.	GM	Meeting to be arranged with Mrs White.
27	13/12/2012	418/2012	Davidson Park Revitalisation Program	1.Make secure existing vehicle access gate located on eastern boundary to restrict unauthorised vehicle entry.	Dev &Env	Minor M&R works completed.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
				2. Improve pedestrian access advance to same gate. Other items to be costed and report to February 2013 Council meeting.		Program of works in progress, should be completed by February meeting. Report to March 2013 Council Meeting.
<b>28</b>	13/12/2012	420/2012	Western NSW Medicare Local	GM to have follow up discussion with CEO.	GM	Meeting arranged for 1 March 2013.

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Mayor Donald now returned to the meeting and took the Chair.

**018/2013 RESOLVED** that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.  
**(Hampstead/Ryan)**

**2. STRAITS TRITTON MINES COMMUNITY CONSULTATIVE COMMITTEE**

**019/2013 RESOLVED** that:-

1. This report be received and noted.
2. The General Manager be Council’s representative on the Committee.  
**(Ryan/McLaughlin)**

Ms Di Brooks Nyngan Community Hub Co-coordinator, Red Cross now addressed Council concerning the proposed Community Arts Project.

Council adjourned for lunch at 12.35pm and were joined by John and Roslyn Miller.

Councillor Douglas now left the meeting.

Council resumed at 2.00pm and Mr Doug Landfear and Mr Nigel Bean from AGL addressed Council and presented a presentation on the proposed wind farms.

Council now dealt with the Manager of Development and Environmental Services’ Report.

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**3. COST OF SEPTEMBER 2012 LOCAL GOVERNMENT ELECTIONS**

**020/2013 RESOLVED** that the report be received and noted and prior to payment, a letter be sent to the Electoral Commission asking for an explanation for the amounts on the invoice under \$20.00. **(Ryan/Hampstead)**

**4. 2013/14 RURAL FIRE FIGHTING FUND ESTIMATES**

**021/2013 RESOLVED** that Council delays authorisation of the Estimates and invites John Cook to discuss same in detail with the General Manager and other Councillors, at the next Council Meeting or another suitable date. **(Ryan/Griffiths)**

**5. AFFORDABLE ACCOMMODATION FOR THE AGED**

**022/2013 RESOLVED** that:-

1. This report be received and noted.
2. Council appoints two Councillors as representatives on the Nyngan Affordable Accommodation for the Aged Committee. **(Ryan/Neill)**

**023/2013 RESOLVED** that Councillors Griffiths and Hampstead, with Councillor Ryan as alternate, be Council's representatives on the Affordable Accommodation for the Aged Committee. **(Dutton/Neill)**

The Committee's recommendation to Bogan Shire Council is:

1. To begin with the establishment of 2 bedroom independent living units on the "pound paddock", purchased off the plan in the same manner that Cooee Lodge operates.
2. To consider the establishment of rental units for aged pensioners at a later stage when some revenue has been generated unless other funding such as Government grants is available.
3. To continue to pursue funding opportunities such as grants for the establishment of rental units for aged pensioners.

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**024/2013 RESOLVED** that Council adopt in principle the three items listed in the recommendations of the Affordable Accommodation for the Aged Committee subject to the preparation of concept plans and obtaining costs and estimates for the construction of units on the 'pound paddock' for further consideration by Council, with Council funding any expenditure for the plans. **(Hampstead/Neill)**

Councillor McLaughlin now the left the meeting, 3.15pm.

**6. EXERCISE EQUIPMENT**

**025/2013 RESOLVED** that this report be received and noted. **(Griffiths/Dutton)**

**7. 2013/14 INTEGRATED PLAN AND BUDGET**

<b>Council Meeting Date</b>	<b>Action</b>
<b>28 February (Ordinary Meeting)</b>	<ul style="list-style-type: none"> <li>• <b>Approve Community Strategic Plan for public exhibition.</b></li> </ul>
<b>28 March (Ordinary Meeting)</b>	<ul style="list-style-type: none"> <li>• <b>Endorse / Adopt Community Strategic Plan.</b></li> <li>• <b>Approve Delivery Program for public exhibition.</b></li> </ul>
<b>1 May (Proposed Extraordinary Meeting)</b>	<ul style="list-style-type: none"> <li>• <b>Adopt Long Term Financial Plan</b></li> <li>• <b>Approve Operating Plan and Budget for public exhibition.</b></li> </ul>
<b>23 May (Ordinary Meeting)</b>	<ul style="list-style-type: none"> <li>• <b>Adopt Delivery Program.</b></li> </ul>
<b>27 June (Ordinary Meeting)</b>	<ul style="list-style-type: none"> <li>• <b>Adopt Operating Plan and Budget.</b></li> </ul>

**026/2013 RESOLVED** that:-

1. This report be received and noted.
2. That Council's existing Community Strategic Plan be placed on exhibition at the Council Chambers and advertised for public comment. **(Ryan/Hampstead)**



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**8. BOGAN SHIRE COUNCIL POLICY – AP002**

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

**027/2013 RESOLVED** that Council adopt Policy AP002 – Payment of Expenses and Provisions of Facilities to the Mayor and Councillors. **(Griffiths/Deacon)**

**9. MODEL CODE OF CONDUCT**

**028/2013 RESOLVED** that:-

1. Council adopt the Model Code of Conduct for Local Councils in NSW – March 2013, and the Procedures for the Administration of the Model Code of Conduct – March 2013.
2. Council consider, in conjunction with other OROC Member Councils, a panel of conduct reviewers to be appointed. **(Ryan/Griffiths)**

**10. VISITOR INFORMATION CENTRE**

**029/2013** That this report be received and noted. (Neill/Deacon)

**Other Matters:-**

**030/2013 RESOLVED** that Council waive the 2012/13 general rates for the Hermidale CWA Hall. **(Ryan/Griffiths)**

**031/2013 RESOLVED** that the front office at the Town Hall be rented at a cost of \$25.00 per week to Family and Community Services. **(Hampstead/Deacon)**

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**REPORTS TO ORDINARY MEETING OF COUNCIL - CORPORATE SERVICES  
DEPARTMENT**

**1 BANK RECONCILIATION**

**032/2013 RESOLVED** that the bank reconciliation report be received and noted.  
(Ryan/Dutton)

**2 INVESTMENTS**

**033/2013 RESOLVED** that the Investments Report be received and noted.  
(Neill/Deacon)

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

**034/2013 RESOLVED** that the rates collections report be received and noted.  
(Hampstead/Dutton)

**This item was discussed earlier in the meeting with Mr Graham Kellett.**

**4 BUDGET REVIEW DECEMBER 2012**

**035/20123 RESOLVED** that the 2012/13 budget variations totalling \$207,016 as per the attached budget summary be approved. **(Ryan/Hampstead)**  
Staff were thanked for their work with the budget.

Mr Kellett now left the meeting.

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**5 LIBRARY REPORT**

**036/2013 RESOLVED that:-**

1. The Library report be received and noted.
2. Council introduces a \$30 deposit for all new members who wish to borrow DVDs, refundable when they leave, provided all DVDs are returned and outstanding fines paid.
3. \$2,150 be provided to Extended Scope to the Spydus Software Licence and Managed Services.
4. \$3,000 from the \$16,000 Grant Funding be put towards the North Western Library's ebook grant "Put an E in Rural" project from last year as only partial funding was received. **(Ryan/Griffiths)**



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

**1 OPERATIONAL REPORT**

**037/2013 RESOLVED** that the Operational Report be received and noted.  
(Hampstead/Neill)

**2 B DOUBLE AND ROAD TRAIN ROUTES**

**038/2013 RESOLVED** that Council defer this report until the next Council meeting  
when a few more route options for consideration will be available. (Ryan/Dutton)

**3 RENAMING OF BOUNDARY STREET**

**039/2013 RESOLVED** that Boundary Street not be renamed and the name of  
'George Buist Drive' be available for future naming or renaming of new roads.  
(Hampstead/Ryan)

**4 TENDER FOR SUPPLY AND DELIVERY OF BULK BITUMEN EMULSION**

**040/2013 RESOLVED** that Council endorses the recommendation of Regional  
Procurement for the supply of bulk emulsion to Bogan Shire Council at \$0.931 per  
litre. (Dutton/Griffiths)

## **5 REQUEST FOR TOWN WATER CONNECTION ON MOONAGEE ROAD**

### **041/2013 RESOLVED that:-**

1. The requested water service connection for Karen Haydon be approved in accordance with Council's policy on the condition that the enclosed tank is installed on the property before the water service is provided.
2. That the landholder be responsible for all costs to install the service.  
**(Dutton/Neill)**

The Manager of Development and Environmental Services report was dealt with earlier in the meeting.

## **REPORTS TO ORDINARY MEETING OF COUNCIL – MANAGER OF DEVELOPMENT AND ENVIRONMENT SERVICES REPORT**

### **1 DEVELOPMENT APPLICATIONS**

#### **042/2013 RESOLVED that the report be received and noted. **(Griffiths/Dutton)****

Cr Neill declared an interest in the following item.

### **2 WASTE MANAGEMENT – VILLAGE WASTE DEPOT OPERATIONS**

#### **043/2013 RESOLVED that:-**

1. The program of works for Hermidale and Girilambone be commenced immediately, and then Coolabah works be programmed for early 2013/2014 financial year.
2. Costs incurred for the proposed program of works for Hermidale and Girilambone be provided for in the second budget review. **(Ryan/Dutton)**

### 3 NYNGAN AIRPORT – PROPOSED DEVELOPMENT OF HANGAR LEASE AREA

#### **044/2013 RESOLVED** that:-

- 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.
- 2) Stage 2 be provided within the 2013/2014 estimates.
- 3) Any future development for a hangar licence being received by Council prior to the 2013/2014 budget be undertaken based on cost recovery as mention within this report.
- 4) A new licence document be developed for any future licence agreements for a 25 year period with a 5 year extension.
- 5) All future licence agreements be made where the licence holder shall use the hangar plots for sole purpose for aircraft storage and or repairs of their own private use.
- 6) Council DCP be amended to reflect the standards of construction for future hangars and associated requirements and further report to be referred to Council to its March meeting.
- 7) The Nyngan Airport Management Plan be amended to reflect these changes and requirements of this report. **(Deacon/ Griffiths)**

#### **4 WASTE MANAGEMENT FACILITY – CROWN LAND ACQUISITION COLANE ROAD, NYNGAN**

##### **045/2013 RESOLVED that:-**

1. Council undertake the following listed actions:-

- 1a. Council acquire by compulsory acquisition the whole of the land contained in Lot 107 DP 822472 and Lot 108 DP1182342 known as Nyngan Waste Management Facility Colane Road Nyngan NSW 2825 as shown in attached plan. (Plan of Acquisition of Lot 107 in D.P.822472 and Lot 108 in DP1182342).
- 1b. That a right of carriageway 30 metres wide within Lot 107 in DP822472 has to be created to benefit Lot 108 in DP1182342.
- 1c. The Acquisition Land be acquired pursuant to Section 187 of the Local Government Act 1993 and the Land Acquisition (Just Terms Compensation) Act 1991 for the public purpose of waste disposal.
- 1d. Council further determine the values of the Acquisition Land as provided by the Valuation Services Department, Land and Property Management provided that the value includes all interests including those of the Crown, Native Title and Leaseholds (if any) (hereafter called the Land Acquisition Value).
- 1e. The Acquisition Land Value be paid upon completion of the acquisition, of the Acquisition Land, to Land and Property Management Authority on behalf of the Crown in full and final payment of all those interests including the rights of the Crown pursuant to Section 104 of the Native Title Act 1994 (NSW) and Section 54 (2) of the Land Acquisition (Just Terms Compensation) Act 1991.
- 1f. The survey plans of the acquisition of Lot 107 DP822472 and part Lot 7301 DP1161404, be signed under the Common Seal of the Council.
- 1g. The Acquisition Land be acquired as operational land pursuant to the provisions of Section 31 of the Local Government Act 1993 for the purpose of expanding the Nyngan Waste Management Facility.
- 1h. Council acquire land from the Department of Land and Property Management Authority and obtain permission from the Minister of Local Government and the Governor to acquire the land pursuant to Section 187 of the Local Government Act 1993 and the Land Acquisition (Just Terms Compensation) Act 1991 for the public purpose of waste disposal.

2. Council acquire land from the Department of Land and Property Management Authority and obtain permission from the Minister of Local Government to acquire the land pursuant to Section 187 of the Local Government Act 1993 and the Land Acquisition (Just Terms Compensation) Act 1991 for the public purpose of waste disposal. **(Hampstead/Neill)**

## **5 NATIVE FISH STOCKING PROGRAM**

### **046/2013 RESOLVED** that:-

1. The report be received and noted.
2. Council give consideration in the forthcoming 2013/2014 budget for the fish restocking program, after the carp muster has been held. **(Griffiths/Deacon)**

Other matters:-

**047/2013 RESOLVED** that Council engage a planning consultant to consider rezoning of lands outside the township of Nyngan for possible rezoning for smaller rural type of holdings. **(Ryan/Hampstead)**

Mr Riley now left the meeting.



## **PRECIS OF CORRESPONDENCE**

### **1 NYNGAN PUBLIC SCHOOL**

**048/2013 RESOLVED** that the report be received and noted. **(Ryan/Neill)**

### **2 NYNGAN EASTER RUGBY LEAGUE CHALLENGE COMMITTEE**

**049/2013 RESOLVED** that the report be received and noted and Council continues to support the Nyngan Easter Rugby League Challenge in 2013. **(Hampstead/Deacon)**

### **3 THE HON GLADYS BEREJIKLIAN MP**

**Minister for Transport**

**050/2013 RESOLVED** that the report be received and noted. **(Griffiths/Neill)**

### **4 MELISSA MEDLICOTT – AUSTRALIA DAY AMBASSADOR 2013**

**051/2013 RESOLVED** that the report be received and noted. **(Hampstead/Deacon)**

### **5 JAMES WHITE**

**052/2013 RESOLVED** that the report be received and noted. **(Hampstead/Deacon)**

### **6 GLAD ELDRIDGE**

**053/2013 RESOLVED** that the report be received and noted. **(Hampstead/Dutton)**

### **7 WESTERN STUDIO OF PERFORMING ARTS NYNGAN**

**054/2013 RESOLVED** that Council donate \$1000, being \$100 per dancer to participate in the dance trip to England and France. **(Ryan/Griffiths)**



**8 THE MAYOR OF THE SHIRE OF BREWARRINA**

**055/2013 RESOLVED** that Council congratulate Brewarrina Shire Council on their Sesquicentenary Celebrations and advise Bogan Shire will be represented at some of the celebrations. **(Deacon/Neill)**

**9 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION**

**056/2013 RESOLVED** that the report be received. **(Hampstead/Dutton)**

**10 PAULETTE URQUHART**

**057/2013 RESOLVED** that an appropriate response be sent by the Engineer. **(Ryan/Deacon)**

**11 REGIONAL DEVELOPMENT AUSTRALIA ORANA NSW**

**058/2013 RESOLVED** that the report be received and noted. **(Griffiths/Deacon)**

**12 JUDY AND ROY DAVIS**

**059/2013 RESOLVED** that the report be received and noted. **(Griffiths/Deacon)**

**13 NYNGAN RUGBY UNION CLUB**

**060/2013 RESOLVED** that the report be received. **(Ryan/Hampstead)**

**14 GOVERNMENT WEEKLY CIRCULARS**

**061/2013 RESOLVED** that the Local Government Weekly Circulars be noted. **(Deacon/Dutton)**

There being no further business the meeting closed at 4.30pm.

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

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**GENERAL MANAGER**

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**MAYOR**

