



BOGAN SHIRE COUNCIL

Minutes

26 June 2014

**Minutes of Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 26 June 2014 at 9.30am**

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

Deputy Mayor JE Hampstead OAM took the chair.

Also present were Mr Derek Francis (General Manager), Mr Graeme Bourke (Manager of Engineering Services) Mr Timothy Riley (Manager of Development and Environmental Services), Mr Luke Taberner (Manager of Corporate Services) and Mrs Cathy Ellison.

Declaration of Interest: Nil

201/2014 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 22 May 2014, copies of which have been circularised to Councillors be taken as read and confirmed. **(Griffiths/Deacon)**

Business arising from the Minutes: Nil

The following resolutions arose from decisions made in the Closed and Confidential Section of the meeting on 26 June 2014:-

192/2014 APOLOGIES: RESOLVED that the apologies received from Councillors RL Donald and LH Dutton be received and they be granted leave of absence from both meetings. **(Ryan/Griffiths)**

193/2014 RESOLVED that the Minutes of the Closed and Confidential Meeting of Council held on 22 May 2014, copies of which have been circularised to Councillors be taken as read and confirmed. **(Neill/Griffiths)**

194/2014 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 disclosed involves personal matters concerning particular individuals (other than Councillors). **(Ryan/Douglas)**

195/2014 RESOLVED that Council inform debtor 56.01 that unless missed payments are made good within seven days, Council's debt arrangement will be cancelled and further collection action taken. **(Neill/Deacon)**

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196/2014 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) (d) (i) because commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. **(Ryan/Douglas)**

197/2014 RESOLVED that Council waive the water charge for the Nyngan Sewerage Effluent Reuse Scheme and pays half the electricity account in recognition of Council's responsibility to remove effluent, until the Scheme's infrastructure cost is repaid. (30/6/2016) **(Ryan/Neill)**

198/2014 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) (c) because information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. **(Ryan/Douglas)**

199/2014 RESOLVED that:-

1. The report be received.
2. The General Manager pursue options for obtaining funding for the construction of a new medical centre and advises facilities at the hospital are available short term. **(Ryan/Douglas)**

200/2014 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into open Council. **(Griffiths/McLaughlin)**

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MEETINGS' MINUTES

1 OROC BOARD MEETING

202/2014 **RESOLVED** that the Minutes of the OROC Board Meeting held at Warrumbungle Shire Council on Friday 23 May 2014 be noted. **(Ryan/McLaughlin)**

2 BOGAN SHIRE COUNCIL and NYNGAN RSL SUB-BRANCH

203/2014 **RESOLVED** that the notes from the meeting between Bogan Shire Council and Nyngan RSL Sub-branch concerning the centenary of Anzac held at Bogan Shire Council Chambers on 3 June 2014 be noted. **(McLaughlin/Douglas)**

REPORT TO ORDINARY MEETING OF COUNCIL – DEPUTY MAYOR'S MINUTE

1 DUCK CREEK RACES

204/2014 **RESOLVED** that Council erect appropriate Alcohol Free Zone signs for forty-eight (48) hours in the areas of the Nyngan Showground and Nyngan Racecourse that are not contained within the fencing erected by the organisers of the Duck Creek Picnic Races on Saturday 28 June 2014. **(Ryan/Griffiths)**

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

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	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	JHR require clean-up of site prior to lease approval.
	19/12/2013	507/2013		Approach John Holland to beautify site of former BP Service Station.		Old BP Service Station has been fenced for works to commence in the removal of the underground tanks. Works should be completed by end of June 2014.
2	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.	MDES	Defer any action for the present time.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
				3. Council approve the development of 4 x 2 br villas (stage 2) at a cost of \$550,000.		
3	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	Concrete slab poured, external drainage to be started by the early July. Kennels should be completed by late October including fencing ready for operations depending on staff availability.
4	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	Subject to staffing levels works should commence in late August/Sept 2014.
5	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.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
6	22/05/2014	181/2014	Swimming Pool	<p>Filtration plant room & associated structure.</p> <p>Report to August Council meeting detailing what works have been completed & what is outstanding.</p> <p>A final report to November Council meeting detailing final costs of all works & proposed future redevelopment works for 2015/16.</p>	MDES	<p>Pool Filtration plantroom works:-</p> <ul style="list-style-type: none"> ➤ asbestos removed, ➤ plantroom demolished due to frame failure, ➤ external drainage works completed by end June, ➤ concrete slab to be poured by end of June, ➤ frame, roof truss & associated material ordered.
7	13/12/2012 28/03/2013	418/2012 098/2012	Davidson Park Revitalisation Program	<p>Council remove the entire playground, equipment, associated ground cover, fencing & park-bench seating with shelter.</p> <p>Establish paving pathways to the mural.</p>	MDES	<p>Park bench seating & shelter still in position, to be removed by mid July 2014 subject to staff levels.</p>

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
	27/03/2014	065/2014		New playground area to be located in the centre of the Park.		Site works for new playground programmed for mid 2014. Playground items received. Minor site works commenced with expected date of completion of playground to be late August 2014. Minor site works continuing to be undertaken, waiting for staff availability.
8	3/04/2013	18/2013	Western Rivers Veterinary Group	Council authorises GM to co-operate with Vets to establish the facility in Lawler Street.	ENG	Contracts exchanged – Council to complete agreed site works. Expected date of completion 31 May 2014. Delayed due to rain. To be completed 23 June 2014.
9	28/02/2013	043/2013	Waste Management – Village Waste Depot Operations	Program of Works for Hermidale & Girilambone be commenced immediately.	MDES	Girilambone: Completed with exception of asbestos. Asbestos clean-up programmed for late July 2014.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
10	26/06/2013	258/2013	Traffic Committee Recommendations Pre School Parking	RMS to re-examine the intersection design including: <ul style="list-style-type: none"> Installing blister on the western side of Moonagee St for "Give Way" sign. Pre-School to confirm: <ul style="list-style-type: none"> Signed confirmation that children are always escorted into the building by staff or parents. 	ENG	Engineering preparing design options and estimates for 2014/2015. Advised that the policy was under review and expected to be completed in February 2014. Confirmation not yet received.
11	23/04/2013	124/2013	Insurance	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.	ENG	Insurance Council has requested flood study information. Consultant has completed initial flood modelling and now finalising data. To be completed 30 June.

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12	28/11/2013	461/2013	Showground Arena Irrigation	Investigate defects in the Showground Arena irrigation system and report back to Council on remedial measures.	ENG	Existing system inspected with estimates for improvements being prepared by supplier.
	22/05/2014	175/2014		Showground Watering System be upgraded in conjunction with the completion of the cemetery raw water system.		Work to commence end on August 2014.
13	27/03/2014	067/2014	Skate Park	Shade Sail Cover over the Skate Park.	MDES	Awaiting budget adoption.
14	19/12/2013	532/2013	Rezoning of Rural Land Outside the Nyngan Township	Report on estimated cost be provided to February 2014 Council meeting prior to progressing with the proposal.	MDES	Planning proposal lodged with the NSW Department of Planning and Infrastructure. Planning proposal still being assessed.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
15	27/02/2014	006/2014	Medical Services	Pursue & make enquiries into using the Nyngan Multipurpose Service Centre & waiting rooms to attract an additional Medical Officer with VMO rights.	GM	Ongoing discussion with Nyngan MPS. Meeting scheduled for 15 July 2014 with senior management of NSW Western LHD.
16	27/03/2014	057/2014	Water Tanker	GM investigates the option of purchasing a second hand truck with dog trailer already set up as a water taker.	GM	New truck ordered with delivery in July. Existing truck to have water tanks fitted when new truck arrives.
17	27/03/2014	066/2014	Heritage Park	Order & plant a grove of trees surrounding the sandstone blocks & plant Lone Pine tree.	ENG	Trees to be planted in August.
18	27/03/2014	068/2014	Mitchell Highway	Planting of trees along eastern entrances into town in conjunction with National tree Day.	MDES	Native species ordered. Arrangements being made with schools and Garden Club.
19	22/05/2014	164/2014	Show Day	In conjunction with five schools in BS, approach Minister for Education to revert back to full day for schools.	GM	Correspondence received from schools included in Précis. Further follow-up required.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
20	22/05/2014	182/2014	Teamster Rest Area	Cobb & Co Coach & Bullock Wagon location – confirm quotations and budget allowing progress without delay.	MSES	Teamster Rest Shed: <ul style="list-style-type: none"> ➤ Architectural & structural shed designs completed, ➤ shed supplier selected, ➤ shed ordered for supply & erection by late July/August ➤ external cladding material selected and purchased, ➤ projected completion of entire project by late September 2014.

205/2014 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Neill/Griffiths)**

Council adjourned for morning tea at 10.30am and resumed at 10.55am.

2 APPLICATIONS FOR FINANCIAL ASSISTANCE – COMMUNITY ARTS AND CULTURE FUND

206/2014 RESOLVED that subject to them providing a suitable financial statement of expenditure, the Nyngan High School be granted \$4,000 funding for the event/s of their choice and the Western Studio of Performing Art \$2,000 funding, from Council’s Community Arts and Culture Fund in 2014/15. **(Neill/Griffiths)**

207/2014 RESOLVED that \$10,000 be marked as restricted cash for the Community Arts and Culture Fund in the 2013/14 Financial Statements. **(Ryan/Douglas)**

3 COUNCILLOR AND MAYORAL FEES

208/2014 RESOLVED that Council adopt the following Annual Fees payable, noting that Councillor fees are the minimum payable. **(Ryan/McLaughlin)**

	Councillor Fee	Mayor Fee	Total Fee
Councillors	\$8,130	-	\$8,130
Deputy Mayor	\$8,130	\$3,328	\$11,458
Mayor	\$8,130	\$13,314	\$21,444

4 TOURIST INFORMATION BAYS

209/2014 RESOLVED that:-

1. The Tourist Information Bay project be included in the 2014/15 capital budget, reflecting \$54,000 expenditure and \$27,000 revenue.
2. On commencement of the project, Council advises owners / apparent owners of existing highway signage on public land that the existing signs are to be removed by Council and may be replaced by signs on the Information Bays.
3. An annual fee be levied on all advertisers in addition to the initial cost of the signage. **(Ryan/Douglas)**

5 PANGEE STREET BEAUTIFICATION PHASE 2

210/2014 RESOLVED that there be parallel parking outside IGA, due to the close proximity to the main intersection off the Highway. **(Douglas/Ryan)**

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Mrs Nichole Jenkins, Director, Bogan Bush Mobile now attended the meeting.

Council discussed item 8 of the Manager, Corporate Services Report.

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

1 BANK RECONCILIATION

211/2014 RESOLVED that the bank reconciliation report be received and noted.
(Ryan/Douglas)

2 INVESTMENTS

212/2014 RESOLVED that the Investments Report be received and noted.
(Griffiths/Neill)

213/2014 RESOLVED that the rates collections report be received and noted and
staff be congratulated on their work. **(Neill/Deacon)**

4 DIVESTING RADIO TOWER LICENCES

214/2014 RESOLVED that:-

1. Council agree to transfer the Girilambone site licence to the NSW Police.
2. Council agree to transfer the Babinda site licence to NSW Police if they are in agreeance. **(Ryan/Douglas)**

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5 RATES ON NYNGAN SOLAR POWER STATION

215/2014 RESOLVED that:-

1. Council requests the NSW Government to support the establishment of a compulsory rate in Lieu Agreement for the Nyngan Solar Power Station with the necessary legislative amendments to the Local Government Act.
2. Council lobby the NSW Government to amend the Local Government Act to enable establishment of a separate rating category for Renewable Energy Developments.
3. Manager, Corporate Services pursue a review into the restructure of the rates' categories in preparation for the 2015/16 budget. **(Ryan/Neill)**

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**6 2014/18 DELIVERY PROGRAM AND 2014/2015 OPERATIONAL PLAN
AND BUDGET**

216/2014 RESOLVED that:-

1. The Draft 2014-2015 Operational Plan and Budget and Draft 2014-18 Delivery Program be adopted with the amendments detailed below:-

- a. Nyngan Local Aboriginal Land Council -

1. Strategy	2. Existing	3. Amendment
4. 1.1.1	5. <i>None</i>	6. Provide publicity and facilities for Nyngan NAIDOC week events.
7. 3.3.2	8. Support Nyngan Aboriginal Land Council in the development of a natural lagoon area immediately downstream of the recreation weir on the Bogan River.	9. Support Nyngan Aboriginal Community in the development of a natural lagoon area immediately downstream of the recreation weir on the Bogan River.
10.5.2.2	11. Work with Nyngan LALC on their proposal for a recreational / educational centre.	12. <i>Delete - (Project has been shelved)</i>

- b. \$2,000 to be provided for beefwood trees alongside the airport fence;
- c. \$5,000 to be provided for random staff drug and alcohol testing;
- d. \$5,000 to be provided for administrative functions in the respect of fire safety audits; and
- e. \$27,000 (net) to be provided for Tourist Information Bays.

2. Council will pursue the recovery of the 2015/16 rates catch-up of \$38,000 in that year, on the understanding that rate-pegging will be removed by then.
(Ryan/Griffiths)

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7 2014-2024 LONG TERM FINANCIAL PLAN

217/2014 RESOLVED that the Long Term Financial Plan, 2014-2024, be adopted. (Ryan/McLaughlin)

8 NYNGAN CHILD CARE NEEDS

218/2014 RESOLVED that Council:-

1. Support, in principle, the introduction of Long Day Care in Nyngan.
2. Submit an application to the Dept. of Education – Childcare Office to fund a feasibility study into the provision of Long Day-care in Nyngan based at the current Bogan Bush Mobile premises at 20 Dandaloo Street.
3. Request the Manager, Corporate Services to present to Council a report setting out the cost of providing a Long Day Care service, should Council agree to auspice it, together with any revenue that might be used to offset costs. (Douglas/Ryan)

Mrs Jenkins left the meeting after this report was discussed.

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

1 DEVELOPMENT APPLICATIONS

219/2014 RESOLVED that the report be received and noted. **(Ryan/Douglas)**

2 OPERATIONAL REPORT – PARKS AND GARDENS

220/2014 RESOLVED that report be received and noted. **(Ryan/McLaughlin)**

3 OPERATIONAL REPORT – NOXIOUS WEEDS OFFICER

221/2014 RESOLVED that the report be received and noted. **(Neill/Douglas)**

4 DEVELOPMENT APPLICATION

222/2014 RESOLVED that:-

1. The report be received and noted.
 2. The Development is approved by Council, subject to the following conditions:-
 - 2.1 The applicant submits a Traffic Management Plan (TMP) to Council's satisfaction prior to operations commencing; and
 - 2.2 The applicant submits a plan to Council's satisfaction on measures to address anti-social behaviour and other issues raised by NSW Police.
- (Ryan/Douglas)**

Mr Riley now left the meeting.

Council adjourned for lunch at 12.35pm and resumed at 1.40pm.

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

1 OPERATIONAL REPORT

223/2014 RESOLVED that the Operational Report be received and noted.
(Griffiths/Deacon)

2 TRAFFIC COMMITTEE MEETING RECOMMENDATIONS

224/2014 RESOLVED that Council adopt the following recommendations of the
Traffic Committee:-

1. Parallel parking be implemented adjacent to the Pre-School between Pangee Street and the lane to improve the safety of stationary vehicles.
2. Front to kerb parking be implemented in Nymagee Street at the Outback Motor Inn and the Aussie Hotel subject to the street width meeting the Australian Standards. **(McLaughlin/Neill)**

3 O'NEILL'S ROAD IMPROVEMENTS

225/2014 RESOLVED that:-

1. Council requests a 50% contribution from the two affected landowners towards the estimated cost of improvements in recognition that they have some responsibilities in this matter.
2. Provision be made in the 2014/15 Roads to Recovery Program for this project. **(Ryan/Neill)**

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PRECIS OF CORRESPONDENCE

1 ISABELLE RICHARDSON

226/2014 RESOLVED that Council staff conduct a traffic count into Oval Place.
(Ryan/Neill)

2 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

227/2014 RESOLVED that the Mayor and General Manager or their delegate attend the Local Government NSW Annual Conference to be held in Coffs Harbour, October 2014. (Ryan/Douglas)

3 AUSTRALIAN GOVERNMENT DEPARTMENT OF COMMUNICATIONS

228/2014 RESOLVED that the correspondence received from the Australian Government Department of Communications be noted. (Ryan/Deacon)

4 MINISTER FOR INFRASTRUCTURE AND REGIONAL DEVELOPMENT

229/2014 RESOLVED that the correspondence received from the Minister for Infrastructure and Regional Development The Hon Warren Truss MP advising of some of the decisions in the 2014 Federal Budget effecting Local Government be received. (Douglas/Neill)

5 NYNGAN LIBRARY MURAL

230/2014 RESOLVED that Council does not support the display of the mural, as presented to Council, at the library. (McLaughlin/Neill)

6 GIRILAMBONE COMMUNITY ASSOCIATION

231/2014 RESOLVED that:-

1. Mr Paul Campion, Liquidator of the Girilambone RSL be notified that Council on behalf of the Girilambone Community Association, accepts his condition placed on the transfer of funds regarding playground softfall.
2. The Girilambone Park improvements proceed using available village funds. **(Griffiths/Douglas)**

7 AURELIA METALS LTD

232/2014 RESOLVED that:-

1. Council objects to the proposal by Aurelia Metals Ltd for the haulage of ore from the mine to the Hermidale rail siding on the conditions presented in their letter dated 16 June 2014; and
2. Council requires Aurelia Metals Ltd to provide 6 maintenance grades per year and make a contribution towards resheeting the road prior to commencing haulage. **(Douglas/McLaughlin)**

8 OROC

233/2014 RESOLVED that the correspondence received from OROC concerning NeatStreets and Essential Energy be received. **(McLaughlin/Deacon)**

9 NSW GOVERNMENT TRANSPORT ROADS & MARITIME SERVICES

234/2014 RESOLVED that Council charge \$70 per permit issued to heavy vehicle operations for journeys within our Local Government Area. **(Neil/Douglas)**

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10 SHOW DAY

235/2014 RESOLVED that Council request a full day public holiday for the Annual Shows. (Ryan/ McLaughlin)

11 WEEKLY CIRCULARS

236/2014 RESOLVED that the Local Government Weekly Circulars be noted. (Griffiths/Deacon)

There being no further business the meeting closed at 2.45pm.

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

.....
GENERAL MANAGER

.....
MAYOR

