



BOGAN SHIRE COUNCIL

Minutes

26 September 2014



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 26 September 2014 at 8.30am**

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

Also present were Mr Derek Francis (General Manager) and Mrs Cathy Ellison.

The General Manager took the Chair.

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

1 ELECTION OF MAYOR AND DEPUTY MAYOR

Mayor: The General Manager called for nominations for the office of Mayor. A nomination from Councillor Donald was received.

328/2014 As there were no further nominations, Councillor Donald was declared elected to the office of Mayor for 2014/15.

Deputy Mayor: The General Manager called for nominations for the office of Deputy Mayor. A nomination from Councillor Hampstead OAM was received.

329/2014 As there were no further nominations, Councillor Hampstead OAM was declared elected to the office of Deputy Mayor for 2014/15.

Mr Francis and Mrs Ellison now left the meeting.

Mayor Donald took the Chair and moved into the Closed and Confidential Section of the meeting.

330/2014 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, section 10A(2)(a) because information provided and discussed involves personnel matters concerning particular individuals other than Councillors. **(Griffiths/Dutton)**

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Also present were Mr Derek Francis (General Manager) Mr Graeme Bourke (Manager of Engineering Services) Mr Dean Woods (Environmental Health and Building Inspector), Mr Luke Taberner (Manager of Corporate Services) and Mrs Cathy Ellison.

Declaration of Interest: Nil

Remembrance: Mr Dennis Nash

335/2014 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 28 August 2014, copies of which have been circularised to Councillors be taken as read and confirmed. **(Deacon/Griffiths)**

Business arising from the Minutes:

- Museum:

336/2014 RESOLVED that:

1. a luncheon, with the unveiling of a plaque be held in honour of Glad Eldridge at the Museum. (Proposed date: 23 October 2014)
2. Council to continue to pay Mrs Eldridge an honorarium. **(Douglas/Neill)**

- Insurance:- Sports Players

337/2014 RESOLVED that an urgent letter be sent to Insurance Council of Australia regarding insurance benefits payable to injured sports players. **(McLaughlin/Douglas)**

Council adjourned for morning tea at 9.50am and resumed at 10.15am.

Councillor Hampstead OAM now left the meeting.

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Mr Siva Varathan, Senior Natural Resources Officer (Floodplain Management – North West Region, Regional Operations Group now addressed Council regarding the Bogan River at Nyngan Flood Study.

338/2014 RESOLVED that Council adopt the Bogan River at Nyngan Flood Study September 2014. **(McLaughlin/Neill)**

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

331/2014 RESOLVED that Council rates the General Manager's performance over the last 12 months as 4 plus - more than satisfactory. **(Ryan/Griffiths)**
Unanimous

332/2014 RESOLVED that the General Manager's contract be renewed for a period of five years from 29 September 2014 and that the Mayor and Deputy Mayor be delegated the authority to negotiate and sign the contract on behalf of Council. **(Dutton/Douglas) Unanimous**

333/2014 RESOLVED that the Minutes of the Closed and Confidential Meeting of Council held on 28 August 2014, copies of which have been circularised to Councillors be taken as read and confirmed. **(Griffiths/Douglas)**

334/2014 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Deacon/Griffiths)**



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Other matters:

339/2014 RESOLVED that an appreciation letter be sent to the former Minister for Local Government, Mr Don Page for his contribution to Local Government as Minister.
(Griffiths/Dutton)

340/2014 RESOLVED that the Deputy Mayor, Councillor Jim Hampstead OAM attend the LGNSW Annual Conference in place of the Mayor, Councillor Donald.
(Douglas/Griffiths)

COMMITTEE MEETING MINUTES

341/2014 RESOLVED that the Minutes of the the Nyngan Museum Meeting held on Wednesday 6 August 2014 be received. **(Griffiths/Deacon)**

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REPORT TO THE 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.		Verbal confirmation received from John Holland Rail that a lease document will be forwarded to Council in coming weeks.
2	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	Works progressing, design of kennels completed and to be manufactured by BSC. Kennels should be completed by late October including fencing ready for operations depending on staff availability.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
3	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	Works scheduled for May 2015 – hot weather not suitable for wearing asbestos protective clothing.
4	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. Accreditation will be sought in time for 2015 'holiday season'.
5	22/05/2014	181/2014	Swimming Pool	Filtration plant room & associated structure. A final report to November Council meeting detailing final costs of all works & proposed future redevelopment works for 2015/16.	MDES	Pool to be prepared for public opening by October. General pool M&R program progressing. All external works to filtration plantroom, including new shade sail poles installed, new coloured concrete surrounds poured, doors and roof capping should all be completed prior to opening. Pool Manager advised. Minor internal works expected to be outstanding.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
6	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	New fencing to be installed by end of September, soft-fall material now at Depot. Entire playground area to be completed by second week of October.
	27/03/2014	065/2014		New playground area to be located in the centre of the Park.		Original Park seats to be reinstalled by end of September by BSC staff.
7	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 disposal program. Issues with WorkCover requirements final clean-up, specialised equipment required. Efforts to resolve are still progressing. Suitable equipment located, awaiting quote.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
8	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. 	ENG	Engineering preparing design options and estimates for consideration during 2014/2015. Proposal and Estimate sent to RMS.
9	23/04/2013	124/2013	Flood 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. Nyngan Flood Study completed. Report refers.
10	22/05/2014	175/2014	Showground Arena Irrigation	Showground Watering System be upgraded in conjunction with the completion of the cemetery raw water system.	ENG	Mid State Equestrian Club event on September 20 & 21. Postpone work until October 2014.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
11	27/03/2014	067/2014	Skate Park	Shade Sail Cover over the Skate Park.	MDES	Contractor on site late Sept to erect poles. Shade Sails to be measured and made to order and installed by late Oct /early Nov.
12	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.
13	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	Follow-up discussions held with Senior Management of NSW Western LHD. Verbal report at meeting;
	26/06/2014	199/2014		GM pursue options for obtaining funding for the construction of a new medical centre.		

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
14	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 September in conjunction with Pangee Street redevelopment.
15	22/05/2014	182/2014	Teamster Rest Area	Cobb & Co Coach & Bullock Wagon location – confirm quotations and budget allowing progress without delay.	MDES	Redesign completed with additional amendments to drawings needed. Quotations received within budget. Project expected completion by November 2014 depending on staff availability. DA submitted and being assessed. Project to start mid-October.
16	22/06/2014	209/2014	Tourist Information Bay	On commencement of project, Council advise owners/apparent owners of existing highway signage that existing signs to be removed & may be replaced by signs on the Information Bays. Council charge an annual fee and an initial fee.	GM	Information supplied to AGL – awaiting response on sponsorship.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
17	28/08/2014	302/2014	Nyngan Child Care	Council proceed with the application for funding a study into the viability of providing a childcare service in Nyngan.	MCS	Application submitted.
18	28/08/2014	308/2014	Oval Place	Construct a length of 270 metres of road from Terangion Street to Larsen's Depot.	ENG	To be programmed.
19	24/07/2014	248/2014	RMS Directional Signage into Nyngan	Refer to Traffic Committee & then to RMS.	ENG	Report refers.
20	24/07/2014	279/2014	Dialysis Services at Nyngan Hospital	Send a firm letter to the Health Minister, Local Member & Dubbo Health District stating urgent need for expansion of the services.	GM	Letter sent, discussion held with LHD – dialysis services currently under review throughout district. Awaiting response.
21	28/08/2014	297/2014	Lease of Council Road	Council applies to Crown Land to close unformed road which passes through Lot 43 DP752899.	GM	Process underway.



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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
22	28/08/2014	317/2014	Nyngan Airport	Investigate supplying aviation fuel & providing a refuelling service.	ENG	Dr Heggie advised.

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342/2014 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.
(Griffiths/Dutton)

2 NYNGAN DENTAL INVOICE

343/2014 RESOLVED that:-

1. The invoice from BK Med & Dent Pty Ltd be paid.
2. Dr Heggie be requested to make arrangements for equipment repairs and maintenance through Council officers so that Council’s procurement procedures can be followed and any invoices issued to Council.
(Neill/Deacon)

Councillor Dutton wished his dissent recorded.

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3 FIT FOR THE FUTURE

344/2014 RESOLVED:-

1. That Bogan Shire Council supports the OROC Expression of Interest application to the Office of Local Government as a pilot group for a Joint Organisation under the “Fit for the Future” program noting that the role of such Orana Joint Organisation would include:
 - Intergovernmental relations
 - Regional advocacy
 - Regional planning
 - Regional purchasing
 - Lower Macquarie Water Utilities Alliance
 - Regional interest groups
 - Shared services

2. That the Mayor and General Manager participate in discussions with the Office of Local Government on the model for rural Councils to help Bogan Shire Council decide if this is an option for this Council, alongside of becoming part of a Joint Organisation.

3. That Council makes every effort to prepare its “Fit for the Future” submission before the State Elections in March and holds a community meeting to discuss the submission. **(Deacon/Griffiths) Unanimous**

345/2014 RESOLVED that Council reaffirms its position that Bogan Shire Council is financially sound and wishes to retain its independence as a major part of our “Fit for the Future” program. Council believes it has the overwhelming support of its community in retaining its current structure and functions. **(Dutton/Douglas)**

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

1 BANK RECONCILIATION

346/2014 RESOLVED that the Bank Reconciliation Report be received and noted.
(Douglas/Griffiths)

2 INVESTMENTS

347/2014 RESOLVED that the Investments Report be received and noted.
(Dutton/Neill)

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

348/2014 RESOLVED that the Rates Collections Report be received and noted.
(Griffiths/Neill)

4 FINANCIAL ASSISTANCE TO COMMUNITY SERVICE ORGANISATIONS

349/2014 RESOLVED that Council not agree to the request from Scouts Australia to give approval in principle from Bogan Shire Council, to have all applicable Council rates waived to their maximum. (Douglas/Neill)

350/2014 RESOLVED that Council provide financial assistance to The Nyngan Lodge Oxley to the value of \$984.00, which represents the general rate levied.
(Dutton/Griffiths)

351/2014 RESOLVED that Council provide financial assistance to Nyngan Girl Guides to the value of \$1,686.00, which represents the general rates and services levied. (Douglas/Deacon)

352/2014 RESOLVED that Council provide financial assistance to Hermidale CWA to the value of \$140, which represents the general rate levied.
(Deacon/Griffiths)

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5 ADOPTION OF 2013/14 DRAFT ANNUAL STATEMENTS

353/2014 RESOLVED that:-

1. The Draft Annual Financial Statements for the year ended 30 June 2014 be adopted by the Council and referred for Audit.
2. The Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer be authorised to sign the necessary Financial Statements.
3. Council's audited financial reports and a copy of the Auditor's Reports be made available for public inspection on Council's web page and in printed format at the Council Chambers and Library.
4. Council commend staff involved on a very good financial report.
(Neill/Mclaughlin)

Council adjourned for lunch at 12.30pm and resumed at 1.30pm.

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

1 OPERATIONAL REPORT

354/2014 RESOLVED that the Operational Report be received and noted.
(Neill/Douglas)

2 TRAFFIC COMMITTEE MEETING RECOMMENDATIONS

355/2014 RESOLVED that the Traffic Committee Meeting Recommendations Report
be received and noted. (Deacon/Dutton)

3 NYNGAN FLOOD STUDY

This item was dealt with earlier in the meeting.

4 RMS HIGHWAY DIRECTIONAL SIGNAGE THROUGH NYNGAN

356/2014 RESOLVED that further signage through Nyngan be investigated.
(Douglas/Neill)

Other matters:

357/2014 RESOLVED that:-

1. Council trial parallel parking at the Post Office for postal trucks between the Fire Station and Post Office.
2. Parking at the Outback Motel – remain same.
3. Parking at Australian Hotel – be referred to the next Traffic Committee Meeting in November 2014. (Dutton/Deacon)

358/2014 RESOLVED that Council participate in the Grain Harvest Management Scheme on all Shire roads and allow vehicles 5% over the general mass limit as in the previous year. (Neill/Dutton)

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

1 DEVELOPMENT APPLICATIONS

359/2014 RESOLVED that the Development Applications Report be received and noted. **(Dutton/Griffiths)**

2 OPERATIONAL REPORT – PARKS AND GARDENS TEAM

360/2014 RESOLVED that the Operational Report – Parks and Gardens be received and noted. **(Griffiths/McLaughlin)**

3 DES003 - KEEPING OF ANIMALS POLICY

361/2014 RESOLVED that the report be received and noted and the proposed changes adopted. **(Griffiths/Deacon)**

4 NYNGAN WASTE MANAGEMENT AND RESOURCE FACILITY

362/2014 RESOLVED that:-

1. The report be received and noted.
2. A cost analysis be presented to Council to compare costs of providing additional staff to man the Nyngan Waste Management and Resource Facility against awarding a contract to an external party. The analysis would also include key conditions of such a contract. **(McLaughlin/Neill)**

5 FIRE SAFETY AUDIT PROGRAM – PROGRESS REPORT

363/2014 RESOLVED that:-

1. The report be received and noted.
2. A further report be presented to Council at its March 2015 meeting on the progress of compliance with the Fire Safety Audit Program. **(McLaughlin/Dutton)**

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Other matters:

Official opening of the new plant room and storage room at the pool – proposed date 23 October 2014, invite Swimming Club members, staff involved in the construction of the building. Councillor Douglas to confirm date.

PRECIS OF CORRESPONDENCE

1 GLAD ELDRIDGE

364/2014 RESOLVED that Glad Eldridge's resignation as Coordinator of the Nyngan Museum be received. **(Deacon/Douglas)**

2 NATURE CONSERVATION COUNCIL

365/2014 RESOLVED that the correspondence received from the Nature Conservation Council be received and no further action taken. **(Dutton/Griffiths)**

3 CONCERT PIANIST - USA

366/2014 RESOLVED that Council invite Roman Rudnytsky, (Concert Pianist from the USA) to perform a recital in Nyngan as part of his Australia tour next year. **(McLaughlin/Griffiths)**

4 CLIMATE CHANGE THREATS TO COASTAL COUNCILS

367/2014 RESOLVED that the correspondence received from the Mayor of Wollongong concerning climate change threats to coastal Councils be noted. **(Dutton/Douglas)**

5 NYNGAN AMATEUR SWIMMING CLUB

368/2014 RESOLVED that discussions be held with the Nyngan Amateur Swimming Club regarding the establishment of a Section 355 Committee. **(Griffiths/Neill)**

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6 THE COBAR WATER BOARD

369/2014 RESOLVED that Council obtain a quotation for expert legal advice regarding this matter. **(McLaughlin/Douglas)**

7 PEACOCKES SOLICITORS

370/2014 RESOLVED that the correspondence received from Peacockes Solicitors regarding the Nyngan Truck parking area in Nymagee Street be noted. **(Douglas/McLaughlin)**

8 WEEKLY CIRCULARS

3712014 RESOLVED that the Local Government Weekly Circulars be noted. **(Griffiths/Neill)**

Councillor McLaughlin left the meeting at 2.40pm.

Other matters:

372/2014 RESOLVED that Council endorses the decision of the Hermidale Combined Sports Ground Committee regarding the use of Hermidale village funds for 2014/15. **(Douglas/Deacon)**

373/2014 RESOLVED that the request received from Karen Holmes to reserve a plot in the lawn cemetery next to her father be approved as this is at the end of the row. **(Douglas/Dutton)**

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

