



BOGAN SHIRE COUNCIL

Minutes

28 August 2014



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 28 August 2014 at 9.30am**



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

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

Council adjourned for morning tea at 10.30am and resumed at 11.15am.

After morning tea, Councillors inspected the new filtration plant room and store room at the Nyngan Swimming Pool.

292/2014 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 24 July 2014, copies of which have been circularised to Councillors be taken as read and confirmed with the following amendments: **(Douglas/Neill)**

Amendments:-

Resolution 273/2014 to reads as follows:-

273/2014 RESOLVED that Council agrees to the request to close the intersection, accepts the invitation to morning tea and advises the Land Council that their request to lay a wreath needs to be referred to the local Sub-Branch of the RSL.

Resolution 251/2014 to read as follows:-

251/2014 RESOLVED that Council waive the hiring fee for the Cobb & Co Coach for the Carter wedding in September 2014 in recognition of assistance they provide to Council with transporting the coach to various events.



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The following resolutions arose from decisions made in the Closed and Confidential Section of the meeting on 28 August 2014:-

281/2014 APOLOGIES: RESOLVED that the apologies received from Councillors JE Hampstead OAM and LH Dutton be received and they be granted leave of absence from both meetings. **(Ryan/Griffiths)**

282/2014 RESOLVED that the Minutes of the Closed and Confidential Meeting of Council held on 24 July 2014, copies of which have been circularised to Councillors be taken as read and confirmed. **(Ryan/Deacon)**

283/2014 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. **(Deacon/Douglas)**

284/2014 RESOLVED that Council express confidence in the actions of the Manager of Development and Environmental Services at the Nyngan Airport. **(Deacon/Neill) (Unanimous)**

285/2014 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) (c) because information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting business. **(Deacon/Douglas)**

286/2014 RESOLVED that if or when the opportunity arises new leases and arrangements be negotiated with our doctors and dentist. **(Ryan/Douglas)**

287/2014 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 d) (i) because commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. **(Deacon/Douglas)**

288/2014 RESOLVED that Council accepts NSW Public Works proposal for the project management and design of the Nyngan Cobar Water Security Project subject to satisfactory funding arrangements being made with the NSW Government. **(Ryan/Neill)**



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289/2014 RESOLVED that Council accepts NSW Urban Water Services Pty. Ltd. proposal to undertake water supply system modelling for the Nyngan Cobar Water Security Project subject to satisfactory funding arrangements being made with the NSW Government. **(Neill/Deacon)**

290/2014 RESOLVED that the tenders for the hire of plant for the period to 30 June 2015 be accepted as submitted to form a panel of contracts, subject to the plant and operators meeting Council's requirements, with the contractor being selected from time to time in the best interests of Council. **(Ryan/McLaughlin)**

291/2014 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(McLaughlin/Ryan)**

Other Matters:

293/2014 RESOLVED that upon Mrs Glad Eldridge's retirement as Co-ordinator of the Nyngan Museum a dinner be held in recognition of Glad's contribution to the Museum and she be made a Patron of the Nyngan Museum. This dinner will be open to community members to attend. **(Griffiths/Douglas)**

COMMITTEE MEETING MINUTES

1 STRAIT TRITTON MINES - COMMUNITY CONSULTATIVE COMMITTEE MEETING

294/02014 RESOLVED that the Minutes of the Straits Tritton Mines, Community Consultative Committee Meeting held on 18 February 2014 be received. **(Neill/Deacon)**



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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. Report to August Council meeting detailing what works have been completed & what is outstanding.	MDES	Pool to be prepared for public opening by October. MDES Report to Council refers.



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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
				A final report to November Council meeting detailing final costs of all works & proposed future redevelopment works for 2015/16.		
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	MDES Report to Council refers.
	27/03/2014	065/2014		New playground area to be located in the centre of the Park.		
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.

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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. 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 consideration during 2014/2015. Advised that the policy was under review and expected to be completed in February 2014. Confirmation not yet received. Follow up letter send August 2014.
9	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. Draft Study received. OEH reviewing second draft before approval. Expected to be completed by early September.



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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.
11	27/03/2014	067/2014	Skate Park	Shade Sail Cover over the Skate Park.	MDES	Installation still on schedule for August/September 2014 with other minor works.
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	Meeting with Senior Management of NSW Western LHD held on 15 July 2014.



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	26/06/2014	199/2014		GM pursue options for obtaining funding for the construction of a new medical centre.		Verbal report at meeting.
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.	MSES	Redesign completed with additional amendments to drawings needed. Quotations received within budget. Project expected completion by November 2014 depending on staff availability.



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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.
17	22/06/2014	218/2014	Nyngan Child Care	Council submits an application to Dept of Education to fund feasibility study into provision of Long Day Care in Nyngan. Manager to present to Council report setting out 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.	MCS	Survey completed. Council to apply for funding for detailed feasibility study.



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18	22/06/2014	226/2014	Oval Place	Conduct traffic count.	ENG	Engineering Report refers.
19	24/07/2014	248/2014	RMS Directional Signage into Nyngan	Refer to Traffic Committee & then to RMS	MCS	Traffic Committee meeting set for 27 August 2014.
20	24/07/2014	265/2014	Nyngan Cemetery Cremation Plots	Council to receive more information on precast concrete slabs at grass level & photos from the Lawn Cemetery at Warren.	ENG	Engineering Report refers.
21	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.



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295/2014 RESOLVED that the report relating to the Monthly Checklist be received. **(Douglas/Neill)**

2 TRUCK PARKING AREA – NYMAGEE STREET

296/2014 RESOLVED Peacocks Solicitors be advised that:-

1. Council has no immediate intention of selling the Nyngan truck parking area in Nymagee Street and is not prepared to allow the right of first refusal to the future owners of the Nyngan Truck Stop.
2. Council may consider calling for public tenders for the development of the site in the future on a lease or licence basis. **(McLaughlin/Griffiths)**

3 LEASE OF COUNCIL ROAD

297/2014 RESOLVED that Council applies to Crown Land to close Council's unformed road which passes through Lot 43 DP 752899. **(Ryan/Neill)**

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

1 BANK RECONCILIATION

298/2014 RESOLVED that the Bank Reconciliation Report be received and noted.
(Ryan/Douglas)

2 INVESTMENTS

299/2014 RESOLVED that the Investments Report be received and noted.
(Ryan/Deacon)

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

300/2014 RESOLVED that:-

1. the Rates Collections Report be received and noted.
2. An additional clause be added to FIN001 Policy – Debt Recovery

Once half of the outstanding balance is paid and satisfactory arrangements have been made to pay the balance, application can be made to the General Manager for the removal of the restrictor. (Ryan/Douglas)

4 2013/14 BUDGET PERFORMANCE AND CARRYOVERS

301/2014 RESOLVED that:-

1. Council note the report on actual compared to Budget for the year ended 30 June 2014.
2. Unspent budget amounts from the 2013/14 financial year, be approved for carryover to the 2014/15 financial year to enable completion of these projects.
3. The Manager Corporate Services and Staff involved be congratulated on a very thorough report demonstrating a very good understanding of Council's financial position and its finances. **(Ryan/Neill)**

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5 COUNCIL RUN CHILDCARE SERVICE IN NYNGAN

302/2014 RESOLVED that Council proceed with the application for funding a study into the viability of providing a childcare service in Nyngan.
(Douglas/Griffiths)

6 INTEREST ON OVERDUE DEBTOR ACCOUNTS

303/2014 RESOLVED that Council charge interest on overdue accounts at the rate specified by the Local Government Act (currently 8.5%). **(Ryan/Neill)**

Council adjourned for lunch and 12.35pm and resumed at 1.45pm.

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

1 OPERATIONAL REPORT

304/2014 RESOLVED that the Operational Report be received and noted.
(Neill/Douglas)

2 NYNGAN CEMETERY CREMATION PLOTS

305/2014 RESOLVED that:-

1. Type 3 Headstone be constructed for cremation plots at the Nyngan Cemetery, being a full length concrete slab 600mm wide with individual precast concrete headstones fixed on top of the slab. The slab has an opening with a PVC pipe inserted below the concrete for the containment of ashes. The headstone can be removed later for the interment of other family members.
1. The cost for interment in a cremation plot for the 2014/15 financial year be \$480. (Ryan/Griffiths)

3 HERITAGE PARK ENTRANCE FEATURE

306/2014 RESOLVED that the existing ballast remains in Heritage Park as a landscape feature and be reviewed if there becomes an issue with vandalism.
(Griffiths/Deacon)

4 O'NEILL'S ROAD IMPROVEMENTS

307/2014 RESOLVED that Council allocate \$10,000 from the 2014/15 Roads to Recovery Program for the improvement of the stock grid on O'Neill's Road with a \$2,000 contribution from Mr Taylor and \$1,000 contribution from Mr Moody.
(Ryan/Neill)

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5 OVAL PLACE CONSTRUCTION

308/2014 RESOLVED that Council construct a length of 270 metres of road from Terangion Street to Larsen's Depot, to be funded from the 2014/2015 Roads to Recovery Program. **(Ryan/Neill)**

Works Program tabled for Council's information.

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

1 DEVELOPMENT APPLICATIONS

309/2014 RESOLVED that the Development Applications Report be received and noted. **(Griffiths/Douglas)**

2 OPERATIONAL REPORT – PARKS AND GARDENS TEAM

310/2014 RESOLVED that the Operational Report – Parks and Gardens Team be received and noted. **(Griffiths/Neill)**

**3 NYNGAN & DISTRICT MEMORIAL SWIMMING POOL COMPLEX –
REVITISATION PROGRAM PROGRESS REPORT**

311/2014 RESOLVED that:-

1. The report be received and noted and Manager of Development and Environmental Services and staff be congratulated on the work at the pool.
2. A follow up report be presented to Council at its November 2014 meeting presenting the final costs and proposed future redevelopment works for the 2015/2016 and beyond for the Nyngan Memorial Pool. **(Neill/Griffiths)**

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4 DAVIDSON PARK - REVITALISATION PROGRESS REPORT

312/2014 RESOLVED that:-

1. The report be received and noted.
2. Council gives consideration to the forward program of works in its 2015/16 budget. **(Douglas/Neill)**

5 VANGES PARK – REVITALISATION PROGRESS REPORT

313/2014 RESOLVED that the Vanges Park – Revitalisation Progress Report be received and noted. **(Neill/ Deacon)**

6 PROPOSED HIGHWAY SERVICE CENTRE – MITCHELL HIGHWAY

314/2014 RESOLVED that:-

1. Council supports the project in principle and approves the following:-
 - 1) The Planning Proposal for the proposed rezoning of land bounded by the Mitchell Highway, the Great Western Railway Line and Hoskins Street Nyngan in accordance with Section 55 of the Environmental Planning and Assessment Act 1979. This includes amending the Land Zoning Map LZN_008A in Bogan Local Environmental Plan 2011 for the site and part of the Mitchell Highway from the existing zones (Zone SP2 Railway Infrastructure and/or Zone SP2 Classified Road) to proposed Zone B6 Enterprise Corridor as indicated in Section 7.4 of the Planning Proposal (or alternatively to Zone IN 1 General Industrial if Zone B6 is unacceptable).
 - 2) The preparation of any necessary mapping (or requests the Department of Planning and Environmental to prepare that mapping on Council's behalf) to demonstrate the proposed changes to the Land Zoning Map LZN_008A as indicated in Section 7.4 of the Planning Proposal.

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- 3) The submission of the Planning Proposal and any associated mapping to the Department of Planning and Environment for a Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979.
- 4) The deferment of the payment of the standard fees and charges for a Planning Proposal subject to receiving a positive Gateway Determination from the Department of Planning and Environmental that will allow the Proposal to proceed to community consultation.
- 5) That if the Gateway Determination is approved the Planning Proposal for community consultation under Section 57 of the Environmental Planning and Assessment Act 1979, then Council staff are to prepare for and conduct the public exhibition and consultation on the Planning Proposal in accordance with the Gateway Determination.
- 6) A request to the Department of Planning and Environment delegate to Council the plan making powers in accordance with Section 59 of the Environmental Planning and Assessment Act 1979. **(Ryan/Neill)**

Other matters:

315/2014 RESOLVED that:-

1. A report be presented to the next meeting regarding signage in Rotary Park.
2. The Rotary Club be advised Council is not in favour of placing bollards around the Cog due to the aesthetic impact this would have. **(Douglas/Neill)**

Draft EPA Licence for the Waste Depot has been received and to be reviewed by 15 September 2014.

316/2014 RESOLVED that the EPA be advised that Council wishes to open the Waste Depot on a Sunday. **(Ryan/Neill)**

317/2014 RESOLVED that Council recommence the investigations into supplying aviation fuel and providing a refuelling service at the airport. **(Neill/McLaughlin)**

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PRECIS OF CORRESPONDENCE

1 NYNGAN LEGACY

318/2014 RESOLVED that Council contribute \$100.00 to Nyngan Legacy.
(Ryan/Neill)

2 LYNETTE DUNN

Mrs Dunn be advised Council has placed recycling bins at Teamster Rest Area, Flood Memorial Park and Rotary Park. Bins will be placed at the depot shortly.

3 FAMILY AND COMMUNITY SERVICES – HOUSING NSW

319/2014 RESOLVED that correspondence received from Family and Community Services in reply to Council's letter regarding affordable housing options for older residents of Bogan Shire be received. (Ryan/Deacon)

4 NATURAL DISASTER RELIEF ARRANGEMENTS

320/2014 RESOLVED that the information concerning Natural Disaster Relief Arrangements be received. (Neill/Douglas)

5 OPERATION PILGRIMAGE GROUP

321/2014 RESOLVED that Council purchase the poster showing the 100 recipients of the Victoria Cross at a cost of \$100.00 and present it to the RSL Civic Club. (Ryan/Douglas)

6 LOCAL GOVERNMENT GRANTS COMMISSION

322/2014 RESOLVED that the correspondence received from the Local Government Grants Commission advising of approval of the Grants Commission's preliminary recommendations for the 2014-15 Finance Assistance Grants be received. (Ryan/Neill)

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7 MINISTER FOR PLANNING

323/2014 RESOLVED that the correspondence received from the Minister for Planning, The Hon. Pru Goward MP advising of the re-appoint of all State members and alternates of the Joint Regional Planning Panels for a period of 6 months up to 31 December 2014 be received. **(Ryan/Neill)**

8 NSW PUBLIC LIBRARY FUNDING CAMPAIGN

324/2014 RESOLVED that the information received from Robert Knight, Library Funding Campaign Committee on the update of the Campaign be received. **(Ryan/Neill)**

9 WEEKLY CIRCULARS

325/2014 RESOLVED that the Local Government Weekly Circulars be noted. **(Ryan/Neill)**

Other Matters:

326/2014 RESOLVED that Council not continue membership with the Murray Darling Association and not pay the membership fee. **(Ryan/Neill)**

327/2014 RESOLVED that Council writes to the Minister for Local Government requesting that the Government's response to the Independent Panel's Report be made public before the LGNSW Annual Conference. **(Ryan/Griffiths)**



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Other correspondence to be noted.

Thank you letter received from Peter Groegor for the excellent work done by the road crew on Doney’s road.

Letter from Clr Mathew Dickerson regarding sponsorship of the Mountain Bike Series.

Letter from the USU delegate advising of the proposed Picnic Date, and invitation to all Councillors and spouses to attend.

Thank you letter from the CWA Branch regarding ownership of the building.

Thank you letter from Bogan River Carp Muster.

Other matters:

Make urgent enquiries to the CRL regarding insurance benefits payable to injured players.

Make enquires regarding having the old fire engine transported from the RTA yard to a safer site.

GRANTS AND FUNDING

Boating Now – Funding for Safe and Accessible Waterways

Minister for Roads and Freight, the Hon Duncan Gay MLC, has announced funding to improve boating facilities across NSW – be investigated.

There being no further business the meeting closed at 3.20pm.

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

.....
GENERAL MANAGER

.....
MAYOR

