



BOGAN SHIRE COUNCIL

Minutes

27 March 2014



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 March 2014 at 9.30am**

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

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

Declaration of Interest: Nil

At 10.15am Mr Gary Mottau, Auditor addressed Council.

At 10.45am Council adjourned for morning tea.

At 11.00am Council resumed the meeting and moved into the Closed and Confidential Meeting.

Delegation to Tongling.

061/2014 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 27 February 2014, copies of which have been circularised to Councillors be taken as read and confirmed with the following amendments:-

Resolution 017/2014 to read as follow:-

017/2014 RESOLVED that Sunday 20 July 2014 be designated as Bogan Shire's Clean Up Australia Day 2014 campaign. **(Ryan/Deacon)**

Resolution 026/2014 to read as follow:-

026/2014 RESOLVED that Council adopt the Second Quarter Revised Budget for incorporating net changes totalling \$213,707.00 for 2013/2014, resulting in an overall cash deficit of \$2,881,424.00 for the year. It being noted that the current year's cash deficit is funded by surplus cash in the previous financial year which occurred because several grants were paid to Council in advance and because money wasn't spent on some projects that were budget for but not completed. Overall, Council has a balanced budget considering the effect of these previous year matters being \$14,000 better than budget year to date. **(Ryan/Douglas)**

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Resolution 027/2014 to read as follow:-

027/2014 RESOLVED that estimates be presented to Council outlining the costs of establishing an automatic watering system using raw water, as well as a raw water stand pipe on No. 1 Oval, O'Reilly Park and the pool grounds.
(Ryan/Hampstead) Carried

Business Arising from the Minutes:

Western Division – report on the recent Conference.

Front to Kerb Parking – commencing Monday 31 March 2014.

The following resolutions arose from decisions made in the Closed and Confidential Section of the meeting on 27 March 2014.

052/2014 RESOLVED that the apology received from Councillor WG Deacon be received and he be granted leave of absence from both meetings.
(Douglas/Hampstead)

053/2014 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 information provided and discussed involves commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. **(Griffiths/Dutton)**

054/2014 RESOLVED that the Minutes of the Closed and Confidential Meeting of Council held on 27 February 2014, copies of which have been circularised to Councillors be taken as read and confirmed with the following amendment:- **(Ryan/Neill)**

Resolution 006/2014 to read as follows:

006/2014 RESOLVED that Council actively pursue enquiries into attracting an additional medical officer with VMO rights and advise Doctors Chan and Brown of Council's intentions. Council also make enquiries into using the Nyngan Multipurpose Service Centre and waiting rooms for temporary accommodation for another doctor.
(Neill/McLaughlin)

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055/2014 RESOLVED that Council lease the portion of the bottom depot to the one applicant applying to lease the area.

Conditions of the lease to include:-

- A two year lease with an option to extend.
- Major repairs to the shed to be undertaken by the Lessee.
- Council clean up the major rubbish and clear away the chemical drums.
- The first year to be rent free, with the Lessee to carry out repairs to the satisfaction of Council. **(Hampstead/Ryan)**

056/2014 RESOLVED that

- 1 Council expresses in-principle support for the preparation of a Planning Proposal to amend the Bogan Local Environmental Plan 2011 to allow an application for a Highway Service Centre on railway land to the south side of the Mitchell Highway, subject to further consideration once the Proposal is submitted, consideration by the NSW Department of Planning & Infrastructure and determination by the Minister for Planning & Infrastructure.
- 2 In due course following receipt of a formal application:-
 - a. other owners of land similarly zoned along the Nyngan portion of the train line be advised of the application; and
 - b. previous owners of Lot 1, DP777957, Lot 2, DP777957 and Lot 1, DP 742739 be advised of the application and that Council does not intend to make any changes to the zoning of these lots. **(Ryan/Neill)**

057/2014 RESOLVED that

- 1 Council accept the tender of VCV Mack Trucks at a purchase price of \$180,000.
- 2 The General Manager investigates the option of purchasing a second hand truck with dog trailer already set up as a water tanker instead of the conversion of Council's existing truck and proceeds with whichever option is in the best interests of Council. **(Douglas/Griffiths)**

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058/2014 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into open Council. **(Griffiths/Dutton)**

059/2014 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 discussed involves personnel matters concerning particular individuals other than Councillors. **(Griffiths/Dutton)**

060/2014 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into open Council. **(Neill/Dutton)**

COMMITTEE MEETING MINUTES

1 SHOWGROUND USERS

062/2014 RESOLVED that the Minutes of the Showground Users Advisory Group Meeting held on Thursday 6 March 2014 be received and noted. **(Neill/Douglas)**

MAYORAL DISCUSSION:

Appeal for small child.

Senior Citizens Week.

063/2014 RESOLVED that a letter of congratulations be sent to the Nyngan High School Hospitality Class for the excellent catering provide at the Senior Citizens Morning Tea. **(Griffiths/Ryan)**

Date for Road Tour – Thursday 8 May 2014.

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

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	22/08/2013	338/2013	Housing Residential & Aged Care Accommodation	Construct first 6 units of “pound paddock” retirement village commencing in north west corner.	MDES	Pending report to April Council Meeting.
	19/12/2013	515/2013		Expressions of interest be invited via the Nyngan Observer for tradespeople who may be available to work on the project.		Pending report to April Council Meeting.
	27/02/2014	036/2014		Extend advertising program for further 2 months .Report to April Council Meeting.		Some publicity undertaken with more planned & recommended.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
2	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.		Email dated 7/1/2014 from John Holland Rail advising of their proposal to undertaken clean up works in 2014/2015 works program.
3	28/06/2012	150/2012	Oxley Street Subdivision	<ol style="list-style-type: none"> 1. Land bound by Derrybong, Oxley & Dandaloo Streets be subdivided. 2. The resulting four 20m x 45m blocks be sold for current market value. 3. Council approve the development of 4 x 2 br villas (stage 2) at a cost of \$550,000. 	MDES	Project on hold pending completion of Stage 1 of AAA Project.
4	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	On hold pending outcome of RSPCA recommendations. Minor site works commenced in readiness of proposed RSPCA requirements. No formal notification received to-date.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
5	26/07/2012	193/2012	Transfer of Land – Nymagee St 5,7 & 9	Council seek EOI to demolish the subject dwelling & associated structures including removal of excessive vegetation.	MDES	Transfer Completed. Once Asbestos Licence received demolition and general clean-up of site will proceed subject to budget review.
6	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.
7	13/12/2012	419/2012	Swimming Pool	Filtration plant room & associated structure.	MDES	Non-friable asbestos training completed by staff. Licence application to WorkCover submitted mid Oct 2013. Asbestos removal to filtration plant room planned for winter 2014.
8	28/02/2013	044/2013	Airport Hangars	The Nyngan Airport Management Plan be amended to reflect these changes.	MES	Amended document to be referred to Council Meeting May 2014.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
9	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	Vandalised / unsafe play equipment partly removed.
	25/07/2013	310/2013		New playground area to be located on the south eastern side of the existing toilet blocks structure.		Site works for new playground programmed for early 2014.
10	3/04/2013	18/2013	Western Rivers Veterinary Group	Council authorises GM to co-operate with Vets to establish the facility in Lawler Street.	GM	Contracts exchanged – Council to complete agreed site works.
	25/07/2013	298/013		General Manager negotiates an interest free loan, should vets wish to purchase land.		

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
11	28/02/2013	043/2013	Waste Management – Village Waste Depot Operations	<p>Program of Works for Hermidale & Girilambone be commenced immediately.</p> <p>Coolabah works be programmed for early 2013/14.</p>	MDES	<p>Hermidale: completed.</p> <p>Girilambone: Completed with exception of asbestos clean-up to be done once Council obtains licence.</p> <p>Coolabah: The existing site has been filled. The new cell has been completed and appropriately fenced. Currently waiting on the availability of a Council grader to complete the site.</p>
12	26/06/2013	258/2013	Traffic Committee Recommendations – Pre School Parking	<p>RMS to re-examine the intersection design including:</p> <ul style="list-style-type: none"> • Installing blister on the western side of Moonagee St for “Give Way” sign. 	Eng	<p>Council considering installing blister.</p>

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
	19/12/2013	530/2013		<p>Pre-School to confirm:</p> <ul style="list-style-type: none"> Signed confirmation that children are always escorted into the building by staff or parents. <p>That Council examine further speed reduction facilities in Pangee Street to improve safety and seek funding from RMS.</p>		<p>Confirmation not yet received.</p> <p>In progress.</p>
13	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.	GM	<p>Insurance Council has requested flood study information.</p> <p>Drainage structures survey data now collected and flood study expected to be completed in April.</p>
14	28/11/2013	461/2013	Showground Arena Irrigation	Investigate defects in the Showground Arena irrigation system and report back to Council on remedial measures.	MES	Existing system inspected with estimates for improvements being prepared by supplier. Report to April Council Meeting.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
15	28/11/2013	494/2013	Local Health Services	Research what services are to be cut and issue media release.	GM	Response waiting from Scott McLachlan, CEO, WNSWLHD.
16	28/11/2013	499/2013	Skate Park	Install additional appropriate signage at skate park ramps advising of potential hazards.	MDES	Appropriate signage has been ordered, delivery expected 28 February 2014 and will be installed prior to March Council Meeting.
17	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.
18	27/02/2014	003/2014	Bottom Depot	Advertise Council's intention to lease a portion of the "Bottom Depot" in Pangee Street.	GM	Advertised – no response as at 19/3/2014.
19	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	Verbal report at Council Meeting.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
20	27/02/2014	015/2014	APC Licence Holders	Council adopted Water Supply Contract for APC Licence Holders. Relevant groups to be advised.	Eng	To be advised by end of March 2014.

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064/2014 **RESOLVED** that Council call a public meeting to promote the Nyngan Retirement Village on Wednesday 23 April 2014 at 5.30pm at the Nyngan RSL Bowlers Bar. **(Ryan/Griffiths)**

065/2014 **RESOLVED** that Council install the new playground equipment in Davidson Park at the locality suggested by the Garden Club, being in the centre of the Park and not adjacent to the dental surgery and toilets on the eastern side. **(Ryan/Douglas)**

066/2014 **RESOLVED** that Council now order and plant a grove of trees (6) surrounding the sandstone blocks and plant a Lone Pine at Heritage Park in preparation for the Anzac day Centenary Commemoration 2015. **(Ryan/Dutton)**

067/2014 **RESOLVED** that Council consider in the Estimates a shade sail cover over the Skate Park. **(Ryan/Douglas)**

068/2014 **RESOLVED** that Council consider in the Estimates the planting of trees on the Mitchell Highway, eastern entrance into town in conjunction with National Tree Day. **(Ryan/Griffiths)**

069/2014 **RESOLVED** that the report relating to the Monthly Checklist be received and those items marked as "Completed" be removed from the checklist. **(Hampstead/Griffiths)**

2 WATER AND SEWERAGE CHARGES

070/2014 **RESOLVED** that the report on water and sewerage charges be received and noted with appreciation. **(Ryan/Neill)**

071/2014 **RESOLVED** that a report on the water usage/charges for the irrigated Council owned lot in Nyngan Street be presented at the April 2014 Council meeting. **(Ryan/Douglas)**

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3 REVISION OF COUNCIL POLICY AP004 TONGLING EXCHANGE

072/2014 RESOLVED that:-

1. Council adopt the revised AP004 Tongling Exchange Program and inform Nyngan High school of amendments.
2. Correspondence received from Mrs Nicole Hunt, Principal NHS be considered. **(Neill/Griffiths)**

4 INTEGRATED PLANNING AND REPORTING – DELIVERY PROGRAM

073/2014 RESOLVED that:-

1. The proposed amendments to the Delivery Program be noted.
2. Subject to the following amendments, the draft Delivery Program 2014-2018 be considered by Council at the April meeting for approval and exhibition. **(Neill/Douglas)**
 - a. 1.2.3 (iv) Consider installation of raw water irrigation systems in O'Reilly Park, Oval and Pool. (2015/16)
 - b. 1.3.1 (i) Work with the community, NSW Police and Government agencies to understand issues and lobby Government to address them. (All years)
 - c. 2.1.4 (i) Construct and seal a section of bitumen road as identified according to Council's priorities (All years)
 - d. 3.1.2 (iii) Work with the community to develop a Retirement Complex in Nyngan. (All years)
 - e. 3.3.1 (ii) Provide litter and recycling bins at BBQ areas in Council parks. (All years)

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- f. 3.5.3 (v) Commence planning for the construction of infrastructure to ensure security of Nyngan's water supply, subject to Government funding. (2014/15)
- g. 3.5.3 (v) Commence construction of infrastructure to ensure security of Nyngan's water supply, subject to Government funding. (2015/16)
- h. 5.1.1 (v) Investigate the preparation of an Economic Development Plan for Bogan Shire. (including a Rural Machinery Depot)

**5 SUBMISSION IN RESPONSE TO "REVITALISING LOCAL GOVERNMENT"
REPORT**

074/2014 RESOLVED that:-

1. Subject to amendments, the submission in response to the "Revitalising Local Government" Report be forwarded to the NSW Government as Council's response to the Report.
2. A copy of Council's response be forwarded to all NSW Cabinet Ministers.
(Douglas/Neill) Unanimous

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

1 BANK RECONCILIATION

075/2014 RESOLVED that the Bank Reconciliation Report be received and noted.
(Ryan/Griffiths)

2 INVESTMENTS

076/2014 RESOLVED that the Investments Report be received and noted.
(Ryan/McLaughlin)

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3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

077/2014 RESOLVED that the rates collections report be received and noted.
(Neill/McLaughlin)

Council adjourned for lunch at 12.30pm and resumed at 1.35pm.

During the lunch break Councillors inspected Davidson Park.

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

1 OPERATIONAL REPORT

078/2014 RESOLVED that the Operational Report be received and noted.
(Griffiths/Dutton)

079/2014 RESOLVED that Council go ahead with the installation of a raised centre median which is fully funded by RMS, in front of Murphy's Hardware store.
(Ryan/Hampstead)

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

1 DEVELOPMENT APPLICATIONS

080/2014 RESOLVED that the Development Applications report be received and noted. **(Hampstead/Griffiths)**

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2 OPERATIONAL REPORT – PARKS & GARDENS

081/2014 **RESOLVED** that the Operational Report – Parks & Gardens be received and noted. **(Ryan/Douglas)**

3 OPERATIONAL REPORT – NOXIOUS WEEDS OFFICER

082/2014 **RESOLVED** that the Operational Report – Noxious Weeds Officer be received and noted. **(Ryan/Dutton)**

PRECIS OF CORRESPONDENCE

1 UNITED SERVICES UNION

083/2014 **RESOLVED** that the United Services Union response to the Local Government Review Panel, *Revitalising Local Government* be received. **(Hampstead/McLaughlin)**

2 DEPARTMENT OF AGRICULTURE

084/2014 **RESOLVED** that the correspondence received from the Australian Government Department of Agriculture advising of the drought support for farmers be received. **(Dutton/Neill)**

3 MARK COUTON MP FEDERAL MEMBER FOR PARKES

085/2014 **RESOLVED** that the correspondence received from Mark Coultton MP regarding Council's application for the Anzac Centenary Local Grants Program be received. **(Neill/Griffiths)**

4 THE HON KATRINA HODGKINSON MP MINISTER FOR PRIMARY INDUSTRIES AND SMALL BUSINESS

086/2014 **RESOLVED** that the correspondence received from The Hon Katrina Hodgkinson MP Minister for Primary Industries and Small Business regarding the drought conditions and request for assistance be received. **(Neill/Griffiths)**

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5 THE HON MELINDA PAVEY MLC PARLIAMENTARY SECRETARY FOR REGIONAL HEALTH

087/2014 RESOLVED that the correspondence received from The Hon Melinda Pavey MLC Parliamentary Secretary for Regional Health concerning Nyngan Health Services be received. **(Ryan/Neill)**

6 RAMSAY’S HORSE TRANSPORT

088/2014 RESOLVED that the correspondence received from Ramsay’s Horse Transport be received and the staff involved with the showground facility be advised of the letter. **(Hampstead/Griffiths)**

7 ELECTORAL REDISTRIBUTION THOUGHT

089/2014 RESOLVED that the correspondence regarding Federal distributions be noted. **(Hampstead/Ryan)**

8 ANDREW COUCHMAN

090/2014 RESOLVED that according to Council’s existing Access Road Policy, Council can take no action with the request to assist in formalising access roads to the property of “Wirrilah”. **(Dutton/Hampstead)**

9 WEEKLY CIRCULARS

091/2014 RESOLVED that the Local Government Weekly Circulars be noted. **(Neill/Griffiths)**

There being no further business the meeting closed at 3.10pm.

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

.....
GENERAL MANAGER

.....
MAYOR

