



# **BOGAN SHIRE COUNCIL**

## **Minutes**

**25 February 2016**



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers  
on 25 February 2016 at 9.30am**

**PRESENT:** Councillors RL Donald OAM, JE Hampstead OAM, JL Douglas, HJ Griffiths, GRJ Neill and KM Ryan.

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

**DECLARATION OF INTEREST:** Councillors Hampstead OAM and Neill declared a non - pecuniary interest in the Precis item – Troy Richards – The Shed Boxing Club.

**004/2016 RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 17 December 2015, copies of which have been circularised to Councillors be taken as read and confirmed with the following amendment. **(Griffiths/Ryan)**

Minute 513/2015 should read:

**RESOLVED** that Council advises NSW Rural Fire Service that it will only accept 1.8% increase on the 2015/16 contributions for the 2016/17 year.  
(Ryan/Neill) Unanimous

Business arising from the Minutes: Nil

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the meeting on 25 February 2016.

**001/2016 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) as involving commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.  
**(Douglas/Griffiths)**

**002/2016 RESOLVED** that the Minutes of the Closed and Confidential Meeting of Council held on 17 December 2015, copies of which have been circularised to Councillors be taken as read and confirmed.  
**(Neill/Hampstead)**

**003/2016 INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting move into Open Council. **(Griffiths/Neill)**

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**COMMITTEE MEETING MINUTES**

**1 NYNGAN MUSEUM**

**005/2016 RESOLVED** that the Minutes of the Museum Committee Meeting held on Wednesday 2 December 2015 be received and noted. **(Ryan/Neill)**

**006/2016 RESOLVED** that the Kourt's Sign be removed and further consideration be given to a more suitable location. **(Ryan/Hampstead)**

Councillor EM McLaughlin now attended the meeting.

List of meetings which occurred during January and February 2016:-

- Local Land Services / Court House Closure / Solar Farm Opening / Jackson's Tank / Teleconference – Containers Deposit Scheme / Essential Energy/ Nyngan High School and Highway Patrol.

At 10.00am – Mrs Venetta Dutton CEO of the Nyngan Local Aboriginal Land Council gave an Acknowledgement of Country.

Mrs Joy Horton, Regional Operations Manager Greater Western NSW, Red Cross and Miss Katie White, Coordinator Nyngan Community Hub addressed Council on the recent and proposed activities of the Nyngan Community Hub.

At 10.15am – Mrs Nicole Griffiths Account Manager, Public Sector, Jardine Lloyd Thompson Pty Ltd addressed Council concerning Councillors and Officers Insurance.

Council adjourned for morning tea at 10.35am and resumed at 10.55am.

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

**1 CHECKLIST**

| Item No. | Date                     | Minute No            | Matter  | Action Required  | Officer     | Status  |
|----------|--------------------------|----------------------|---|--|-------------|---|
| 1        | 25/10/2012               | 315/2012             | <b>Local Heritage Sites</b>                               | When new VIC commences, signpost heritage sites with heritage colour and erect sign with the history of each location.                                       | <b>GM</b>   | VIC accreditation approved.<br><br>Design of signs underway.  |
| 2        | 13/12/2012<br>28/03/2013 | 418/2012<br>098/2013 | <b>Davidson Park Revitalisation Program</b>               | Council remove the entire playground, equipment, associated ground cover, fencing & park-bench seating with shelter. Establish paving pathways to the mural. | <b>MDES</b> | Most works completed. Due to completing priorities and need to incorporate Medical Centre planning, majority of remaining works to be reprogrammed to 4 <sup>th</sup> quarter 2015/2016.  |
| 3        | 19/12/2013               | 532/2013             | <b>Rezoning of Rural Land Outside the Nyngan Township</b> | Report on estimated cost be provided to February 2014 Council meeting prior to progressing with the proposal   | <b>MDES</b> | Deadline for completion of Planning Proposal is August 2016.<br>Following meeting with Council’s Flood Engineer contractor in February 2016 on the flooding issues, Planning Proposal is required to be modified and a further report to Council in March 2016. |

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|---|------------|----------|--|---|---------------------|---|
| 4 | 24/09/2015 | 342/2015 | <b>Teamster Rest Area</b>                              | Invite NHS to make suggestions for internal & external painting that the school could undertake.  | <b>MDES</b>         | Ongoing discussions progressing with NHS.   |
|   |            |          |  | Dump point be relocated to Flood Memorial Car Park.   | <b>MDES</b>         | Further report detailing options and costings to re-locate the dump point will be presented to Council.   |
| 5 | 22/06/2014 | 209/2014 | <b>Tourist Information Bay</b>                         | 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.<br>Council charge an annual fee and an initial fee. | <b>GM /<br/>ENG</b> | DA approved.<br><br>Sign construction commenced.<br><br>Earthworks delayed due to wet weather.<br><br>Bitumen sealing programmed for mid-February.  |
| 6 | 26/09/2014 | 362/2014 | <b>Nyngan Waste Management &amp; Resource Facility</b> | Cost analysis be presented to Council to compare costs of providing additional staff to man the facility against awarding a contract to an external party.  | <b>MDES</b>         | Due to significance of issues identified under the operational plan, report presented to Council February 2016 meeting following Council resolution 131/2015 to recruit a waste operator under a 12 month contract. |

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|   | 26/09/2014 | 363/2014 | <b>Fire Safety Audit Program</b>         | Further report on progress of compliance with Program.   | <b>MDES</b> | Fire Safety Audit Reports (FSARs) to all selected properties completed. Meetings held with several owners/Board of Directors. |
|   | 26/02/2015 | 033/2015 |  | Legal proceedings including the issuing of Notices and Orders to commence against the owner/occupier of any premises who fails to confirm their agreement to comply with the findings of the FSAR. |             | Efforts still being made to have owners upgrade building voluntary.   |
| 8 | 26/02/2015 | 024/2015 | <b>Bogan Shire Early Learning Centre</b> | Loan be raised for Council's contribution to the project.  | <b>MCCS</b> | Will be raised towards the end of 2015/16 financial year.   |
|   | 24/09/2015 | 337/2015 |  | Subject to checking the LG Act, Council proceed with constructing the project itself.  |             | <b>MDES</b>   |

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|---|------------|----------|--|--|-------------|--|
| 9 | 26/02/2015 | 042/2015 | <b>Chinese Portion –<br/>Nyngan Cemetery</b> | Repairs to the burner be carried out in the current year’s program.  | <b>MDES</b> | Three quotes received and preferred consultant to be selected based on budget and inclusions within quotation.                 |
|   | 25/06/2015 | 224/2015 |  | Other upgrading matters be considered in 2015/16 estimates.  |             | All quotes exceed budget allocation. Grant funding sought from Heritage Office for Emergency Works to the State Heritage Item. |
|   |            |          |  | A Heritage Conservation & Management Report be prepared by a selected Consultant within the allocated budget.    |             |  |
|   |            |          |  | Send a copy of the MDES report & recommendations from the Heritage Conservation & Management Report to Mr White. |             | Action pending completion of report.   |
|   |            |          |  | Send a letter to the Chinese Embassy with a copy of the Heritage Conservation & Management Report.               |             | Action pending completion of report.   |



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|----|------------|----------|--|---|-------------|--|
| 10 | 23/07/2015 | 269/2015 | <b>O'Reilly Park Toilet Facility Upgrade</b> | Upgrades to toilet facility, an access way, ramp and handrail.  | <b>MDES</b> | Works scheduled to commence start of March 2016.                                 |
| 11 | 24/09/2015 | 377/2015 | <b>Baby Change Tables</b>                    | Baby Change Tables be made available in O'Reilly Park & Davidson Park.  | <b>MDES</b> | Works scheduled to commence start of March 2016.                                 |
| 12 | 22/10/2015 | 406/2015 | <b>Maintenance Grading of Logans Road</b>    | Council, in consultation with affected property owners, develops & communicates a policy in regard to gates on public roads so as to comply with the provision of the Roads Act.  | <b>ENG</b>  | Report to March Council Meeting.   |
| 13 | 26/11/2015 | 436/2015 | <b>Showground</b>                            | Remove fence to the north of the Pavilion & repair trackside fence in that area.<br><br>Duck Creek be required to advise Council by end of March 2016 on what crowd control measure they plan to have in place for stage access at the annual race meeting. | <b>ENG</b>  | Scheduled for March 2016.<br><br>Duck Creek advised.<br>Response to be received. |

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|    |            |          |                         |  |             |   |
|----|------------|----------|-------------------------|--|-------------|---|
| 14 | 26/11/2015 | 440/2015 | <b>Show Day</b>         | Joint approach from Nyngan Combined Schools & Council be made to the Dept of Education for schools to have a full day holiday.   | <b>GM</b>   | Discussions held with schools, awaiting further feedback prior to sending letter. |
| 15 | 26/11/2015 | 441/2015 | <b>Lions Park</b>       | Council consults with community, including Local Aboriginal Land Council & Bogan Aboriginal Corporation & submits a Social Housing Community Improvement Fund Grant Application for recreational facilities in Lions Park. | <b>GM</b>   | Grant submitted.  |
| 16 | 26/11/2015 | 457/2015 | <b>Sports Insurance</b> | Council write to Minister for Sport & Minister for Health concerning inadequate reply to Council's enquiry on what local sports insurance fees are spent on.   | <b>MCCS</b> | Letters to be sent.   |

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| 17 | 26/11/2015 | 454/2015 | <b>Tree Risk Assessment – Town Streets</b> | <p>33 trees (excluding any figs) be progressively removed over the next 2 to 3 years and replanted with appropriate mature species, subject to the necessary budget being approved each year.</p> <p>Fig trees be selectively pruned / shaped, with bracing systems installed and stumps grinded, as appropriate by a qualified AQF Level 2 Arborist, subject to the necessary budget being approved each year.</p> <hr/> <p>Council have a qualified Arborist attend in 24 months to reassess those trees which have been retained.</p> | <b>MDES</b> |  |
|----|------------|----------|--|--|-------------|--|

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|    |            |          |                                   |   |             |   |
|----|------------|----------|-----------------------------------|---|-------------|---|
|    |            |          |                                   | <p>Manager Development &amp; Environmental Services prepares a street tree planting program, including a diagram of the assessed trees within the next 12 months, ensuring that appropriate mature replacement tree species are included within the future program for Council's consideration.</p> |             |   |
| 18 | 17/12/2015 | 500/2015 | <b>Service Station Demolition</b> | <p>Contact John Holland Rail &amp; Dept Planning &amp; Environment regarding zoning &amp; usage of land:- between RSL &amp; Hoskins Street Railway Crossing; &amp; between State Rail Offices &amp; Alamo Motel.</p>  | <b>MDES</b> | <p>The land located next to the RSL (forms part of the RSL title) is zoned B2 Local Centre and seniors housing or multi-dwellings are both permitted land uses in this zone.</p> <p>The land from the edge of the former RSL bowling green to Hoskins Street is zoned IN1 General Industrial and seniors housing and all forms of residential accommodation is not a permitted land use in this zone.</p> |

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|--|--|--|--|--|--|---|
|  |  |  |  |  |  | <p>The vacant land located between John Holland Rail and the Alamo / dwelling is zoned B2 Local Centre and seniors housing or multi-dwellings are both permitted land uses in this zone. Of this area up to the dwelling, only two small parcels (totalling approximately 2,472sqm) are currently legally owned by Council.</p> <p>The remainder up to John Holland appears to be rail land (unsurveyed and undefined land). On this basis, further dialogue would be required with John Holland.</p> |
|--|--|--|--|--|--|---|

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**007/2016 RESOLVED** that the cost/benefit of co-locating the Dental Surgery with the Medical Centre be deferred until after the Medical Centre becomes operational.  
**(Ryan/Neill)**

**008/2016 RESOLVED** that:-

1. Council investigate the cost and practicality of rezoning the area from the edge of the former RSL Bowling Green to Hoskins Street to allow aged care units for a rental scheme to be constructed on the site.
2. Council approach the RSL to support the construction of units.

**(Douglas/Griffiths)** Unanimous

**009/2016 RESOLVED** that the Manager of Corporate and Community Services be asked to do some financial modelling on the cost implications to Council and the community for an aged care unit development. **(Ryan/Douglas)**

**010/2016 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 FIT FOR THE FUTURE

*Summary:*

- *This report is to advise Council on the status to the NSW Government's Fit for the Future process.*
- *Bogan Shire Council was required to prepare a submission, by 30 June 2015, to the Minister for Local Government explaining how it is "Fit for the Future".*
- *Council's submission was assessed by IPART with Council found "Fit for the Future as a Rural Council" having met every one of the IPART benchmarks.*

**011/2016 RESOLVED** that the Fit for the Future Report be received and noted.  
**(Ryan/Neill)**

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### 3 IPART REVIEW

*Summary:*

- *This report is to present the draft recommendations and findings of the IPART Review of reporting and compliance burdens on Local Government and Council's draft submission in response.*

#### **012/2016 RESOLVED** that:-

1. Council notes the submission made by the Lower Macquarie Water Utilities Alliance.
2. The General Manager makes a submission in response to the IPART Review of Reporting and Compliance on Local Government based on information provided in his report. **(Hampstead/Griffiths)**

### 4 REVIEW OF LOCAL GOVERNMENT ACT

*Summary:*

- *This report is to notify Councillors that consultation for the first phase of the amendments to the Local Government Act has commenced.*
- *According to the NSW Government, "Proposed amendments will focus on reforms that provide much-needed support for Councils, allowing them to connect with their communities and build their capability".*

**013/2016 RESOLVED** that Council endorse the comments made in the draft response to the Fit for the Future Local Government Act Amendments, Phase 1, prepared jointly with other OROC Rural Councils. **(Ryan/Douglas)**

It was **MOVED** that Council continue to have 9 Councillors. **(Hampstead/Griffiths)**

An **AMENDMENT** was **MOVED** that Council canvass the community to reduce the Councillor number to 7. **(Ryan/Douglas)**

The **AMENDMENT** was **PUT** to Council and **LOST**.

**014/2016 RESOLVED** that Council continue to have 9 Councillors.  
**(Hampstead/Griffiths)**

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At 12.15 pm Council adjourned to allow the Mayor and General Manager to attend a Press Interview.

Deputy Mayor Councillor Hampstead now took the chair.

Councillor McLaughlin left the meeting.

The General Manager returned to the meeting.

**REPORT TO ORDINARY MEETING OF COUNCIL – MANAGER CORPORATE &  
COMMUNITY SERVICES**

**1 BANK RECONCILIATION**

**015/2016** **RESOLVED** that the Bank Reconciliation Report as at 31 January 2016 be received and noted. **(Ryan/Douglas)**

**2 INVESTMENTS DECEMBER 2015 AND JANUARY 2016**

**016/2016** **RESOLVED** that the Investments Reports December 2015 and January 2016 be received and noted. **(Ryan/Griffiths)**

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

**017/2016** **RESOLVED** that the Rates and Annual Charges Collection Report as at 31 January 2016 be received and noted. **(Douglas/Neill)**

Mayor Donald now returned to the chair.



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#### **4 LICENCE FOR THE USE OF THE WATERWORKS Paddock**

*Summary:*

- *Licence for the use of the Waterworks Paddock due to expire on 30 June 2016.*
- *The Paddock is Crown Land held in trust by a subsidiary of Council.*
- *Current licence holders wish to renew and have been suitable tenants.*

**018/2016 RESOLVED** that Council:-

1. Seek renewal of the licence agreement between the Nyngan Recreation and Water Supply (97917) Reserve Trust and John Anthony Hoy and Penelope Jill Hoy.
2. On-charge the licence holders for any legal and valuation fees if required.
3. Set the initial rental on the abovementioned lease at \$1,620, with all other provisions to be the same. **(Hampstead/Ryan)**

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## **5 SECOND QUARTER 2015/16 BUDGET REVIEW**

*Summary:*

- *Council remains in a sound financial position and is broadly on budget.*
- *Cash Balance is strong although decreasing as expected due to large capital projects currently being undertaken.*
- *Second quarter adjustments to the year-end position are a nett amount of \$119,823 unfavourable due to restricted funds associated with the Block Grant not being carried forward.*
- *Favourable adjustments to the Capital Budget due to funding Colane Road construction from R2R.*
- *The loan for the Early Learning Centre will need to be increased by \$270,000. Construction costs are broadly in line with advice given to Councillors at the September 2015 meeting.*
- *Modifications to the Medical Centre Site are \$60,000 over budget.*

**019/2016 RESOLVED** that Council:-

1. Note the report on Actual compared to budget for the quarter ended 31 December 2015 which shows Council is broadly on budget and in a sound financial position.
2. Adopt the Second Quarter Adjustments to the 2015/16 budget listed on the Budget Review Statement. **(Ryan/Hampstead)**

Councillor McLaughlin returned to meeting.

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## **6 MODEL CODE OF CONDUCT**

**020/2016 RESOLVED** that Council adopt the Model Code of Conduct for Local Councils in NSW – November 2015 with the following inclusion as an amendment:-

*Bogan Shire Council recognises that, particularly in a small country town like Nyngan, certain family relationships do exist between Councillors and Council staff. It is acknowledged that some interactions will take place between staff and Councillors as family members where Council-related business is discussed. However, this in no way detracts from the obligations that these Councillors and Council staff have under the Model Code, particularly in relation to Part 6 – Relationship between Council Officials. (Hampstead/Griffiths) Unanimous*

## **7 LIBRARY REPORT**

**021/2016 RESOLVED** that:-

1. The Library Report 1 October 2015 to 31 December 2015 be received and noted.
2. Council investigate the possibility of a mobile library. **(Griffiths/Douglas)**

Council adjourned for lunch at 12.30pm and resumed 1.40pm.

Councillors McLaughlin and Griffiths left the meeting.

Councillor Deacon now attended the meeting.

Mrs Nichole Jenkins, Director of Children's Services now attended the meeting.

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**8 BOGAN BUSH MOBILE REPORT TERM 4**

*Summary:*

- *Enrollments Stable.*
- *Coordinator has been appointed to the position of Director of Children's Services.*
- *Rani Dunn has been temporarily appointed as Coordinator for the BBM.*
- *Moving from a Budget Based Funding Model to a Childcare Funding Model.*
- *Concerns for the viability of the Service under the new funding model.*
- *Nyngan BBM sessions to cease as Early Learning Centre becomes operational.*

**022/2016 RESOLVED** that:-

1. The Bogan Bush Mobile Term 4 Report be received and noted.
2. Council ask the Director of Children's Services to prepare an email to send to the Federal Member, Mark Coulton MP to ensure the continuation of the Budget Based Funded Service to avoid the severe impact on the rural families.
3. Forward a copy of the correspondence to the other Children's Services in the Parkes Electorate. **(Hampstead/Douglas)**

Mrs Jenkins now left the meeting.

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

**1 OPERATIONAL REPORT**

**023/2016** RESOLVED that the Operational Report for the reporting period 7 December 2015 to 12 February 2016 be received and noted. **(Neill/Douglas)**

**2 ALBERT PRIEST CHANNEL PIPING PROJECT**

*Summary:*

- *This report is to advise Council that the Department of Primary Industries, Water has confirmed that \$100,000 funding is available to engage consultants to prepare a Business Case for the Albert Priest Channel Piping Project.*
- *The Manager of Engineering Services has requested proposals from both CPE & Associates (who undertook the previous work for Council on the water security) and NSW Public Works for the preparation of a Business Case.*
- *It is proposed to involve both Public Works and CPE and Associates in the process to achieve the best possible Business Case.*

**024/2016** RESOLVED that the Albert Priest Channel Piping Project Report be received and noted. **(Hampstead/Neill)**

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**3 NYNGAN SHOWGROUND AND RACECOURSE IMPROVEMENTS**

*Summary:*

- *This report is to advise Council of the requested improvements to the Nyngan Showground and Racecourse as discussed at the Showground Users Advisory Group Meeting.*
- *At the October 2015 Showground Users Advisory Group Meeting, Council was asked to consider various improvements to the facilities from all users. Council has allocated \$10,000 in this year’s budget for improvements at the showground and racecourse.*

**025/2016 RESOLVED** that provided the Jockey Club and Duck Creek Picnic Race Committee contribute ¼ each for the cost of race track improvements totalling \$14,500, Council proceed with the following improvements to the Racecourse.

Racecourse

|   |         |
|---|---------|
| Photo box renovations                         | \$1,000 |
| Track improvements (1100m)                    | \$8,000 |
| Relocate eastern fence and repair track fence | \$2,500 |
| Paint bar area                                | \$3,000 |

With the remaining \$2,750 Council proceed with the following improvements to the Showground.

Showground

- Paint Photography Room walls
- Upgrade entrance gate signage. **(Ryan/Hampstead)**



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

**1 DEVELOPMENT APPLICATIONS**

**026/2016 RESOLVED** that the Development Applications Report since the December 2015 Council Meeting be received and noted. **(Ryan/Deacon)**

**2 OPERATIONAL REPORT – PARKS AND GARDENS TEAM**

**027/2016 RESOLVED** that the Operational Report – Parks and Gardens Team - since the December 2015 Council Meeting be received and noted. **(Neill/ Hampstead)**

**3 OPERATIONAL REPORT - WEEDS**

**028/2016 RESOLVED** that the Operational Report – Weeds – since the December 2015 Council Meeting be received and noted and that Council approach the Local Land Service to have the Devil’s Claw Weed reclassified as a Noxious Weed. **(Ryan/Douglas)**

#### 4 NYNGAN BOWLING CLUB GREEN AND O'REILLY PARK TREES

*Summary:*

- *Council has been requested by the Nyngan Bowling Club to address a problem in regards to shoots occurring within the bowling green area suspected to be from the nearby trees within O'Reilly Park.*
- *It is understood that the Bowling Club has recently upgraded irrigation throughout the greens which is a contributing factor in the shoots now occurring in the club area as the roots seek more water.*
- *It is recommended that Council write to the Nyngan Bowling Club with suggestions in respect to management of the tree shoots within the land and failure to successfully manage the problem, Council consider in a future budget for removal of the trees subject to evidence from the Bowling Club that management options such as a root barrier have failed.*

**029/2016 RESOLVED** that:-

1. The report be received and noted.
2. Council write to the Nyngan Bowling Club with suggestions in respect to management of the tree shoots within the land.
3. Failing to successfully manage the problem, Council consider in a future budget for removal of the trees subject to evidence from the Bowling Club that management options such as a root barrier have failed. **(Douglas/Neill)**



## 5 NYNGAN CEMETERY AND CEMETERIES POLICY

*Summary:*

- *Following a number of operational concerns noted within the Cemeteries, an updated policy is provided for consideration and adoption by Council.*

### **030/2016 RESOLVED** that:-

1. The report be received and noted.
2. Council adopt the updated Cemeteries Policy, with the following amendments and the Policy is to be effective immediately. **(Ryan/Neill)**

#### **3.8 Permit for Burials**

3.8.1 Burials are not to take place unless an *Application for Burial Permit* has been received and approved by Council with a copy of the Policy provided to the applicant upon request.

A copy of the Policy is to be provided to the Funeral Director.

#### **3.18 Lawn Cemetery Sections and Plaques (Nyngan Cemetery)**

3.18.7 Council confer with the family prior to removing any items that do not comply with the provisions of 3.18.6 of the Policy and those deemed to be damaged, unsightly, likely to offend, or likely to be potentially harmful to the public or workers.

Councillor Griffiths returned to meeting.

## 6 BOGAN SHIRE EARLY LEARNING CENTRE – Monthly Report

*Summary:*

- *Monthly report on the construction status of the Bogan Shire Early Learning Centre. (BSELC)*

### **031/2016 RESOLVED** that:-

1. The Bogan Shire Early Learning Centre Report for the months of January and February 2016 be received and the staff involved be commended on the excellent work they have done at the Centre.
2. Council establish a date for the opening of the Centre and invite the Federal and Local Members to the opening. **(Deacon/Douglas)**

## 7 NYNGAN WASTE AND RESOURCE MANAGEMENT FACILITY (NWRMF)

*Summary:*

- *The report is provided to seek Council adoption of a waste voucher system, EFPOST payment system at the gate for existing waste charges and update Council on the measures to be implemented for the Nyngan Waste and Resource Management Facility over the coming months.*
- *The report also presents the findings of an onsite waste and traffic survey conducted by Council staff.*

### **032/2016 RESOLVED** that:-

1. The report be received and noted.
2. The Manager of Development and Environmental Services prepares a report to the March Council Meeting containing a detailed implementation plan for the proposed measures listed which includes proposed implementation dates and a communication / public strategy for consideration by Council prior to their implementation, including the use of cards and vouchers.  
**(Hampstead/Ryan)**

## PRECIS OF CORRESPONDENCE

### 1 CERTIFICATES OF APPRECIATION

**033/2016 RESOLVED** that the Certificates of Appreciation be received.  
**(Hampstead/Neill)**

### 2 THANK YOU TO COUNCIL

**034/2016 RESOLVED** that the “thank you” letters / notes to Council be received.  
**(Hampstead/Neill)**

### 3 AERIS RESOURCES

**035/2016 RESOLVED** that the correspondence received from Aeris Resources advising that with immediate effect, Straits Resources will be renamed Aeris Resources Limited be received. **(Griffiths/Douglas)**

**4 THE HON NIALL BLAIR MLC – MINISTER FOR PRIMARY INDUSTRIES,  
MINISTER FOR LANDS AND WATER**

**036/2016 RESOLVED** that the correspondence received from The Hon Niall Blair MLC, Minister for Primary Industries and Minister for Lands and Water in reply to Council's letter regarding Weeds Action Program funding for the 2015-2016 Central West WAP1520 Project be received. **(Ryan/Deacon)**

**5 THE HON PAUL TOOLE MP – MINISTER FOR LOCAL GOVERNMENT**

**037/2016 RESOLVED** that the correspondence received from the Minister for Local Government, The Hon Paul Toole MP concerning merger proposals for NSW Councils and Government announcements be received. **(Griffiths/Douglas)**

**6 OFFICE OF LOCAL GOVERNMENT**

**038/2016 RESOLVED** that the correspondence received from the Acting Chief Executive Office of Local Government advising that Council can dispense with the need to conduct a by-election to fill the casual vacancy created by the resignation of Councillor Dutton be received. **(Ryan/Griffiths)**

**7 NSW GOVERNMENT – LOCAL GOVERNMENT REMUNERATION  
TRIBUNAL**

**039/2016 RESOLVED** that the correspondence received from the Local Government Remuneration Tribunal advising it has commenced its review for the 2016 annual determination and that it will not call for general submissions from individual Councils as part of this annual review be received. **(Douglas/Deacon)**

**8 NYNGAN AG EXPO**

**040/2016 RESOLVED** that Council as in previous years continues to provide sponsorship in the form of free use of the showground facilities and other Council resources such as tables and chairs to the Nyngan Ag Expo. **(Ryan/Neill)**

## **9 THE RETURNED SERVICES LEAGUE OF AUSTRALIA – NEW SOUTH WALES BRANCH INCORPORATED**

It was noted that the President of the Nyngan Sub-Branch of the Returned Services League of Australia was not present at their December monthly meeting referred to in the correspondence.

It was **MOVED** that Council advise the Nyngan Sub-Branch of the Returned Services League of Australia that the Aboriginal flag will be flown on Anzac Day and Remembrance Day, alongside the Australian and NSW Flags and noting that there were aboriginal service people fighting alongside white service people.  
**(Ryan/Douglas)**

The **MOTION** was **PUT** to Council and **LOST**.

It was further **MOVED** that a letter be send to the Nyngan Sub-Branch of the Returned Services League of Australia advising Council will adhere to its usual procedure which is that no flags are flown on Public Holidays, and the Australian Flag will be flown for the period of the Anzac Day Service only.

The **MOTION** was **PUT** to Council and **CARRIED**.

### **041/2016 RESOLVED** that:-

1. A letter be sent to the Nyngan Sub-Branch of the Returned Services League of Australia advising Council will adhere to its usual procedure which is that no flags are flown on Public Holidays, and the Australian Flag will be flown for the period of the Anzac Day Service only.
2. On Remembrance Day, as it is not a Public Holiday but a normal Council business day, all three flags will be flown outside the Chambers.  
**(Hampstead/Griffiths)**

Councillor Douglas wished her dissent be recorded.

## **10 NYNGAN NIGHT CHURCH – PASTOR RICHARD MILLIGAN**

**042/2016 RESOLVED** that Pastor Richard Milligan, Nyngan Night Church be advised that Council will consider an application for the donation of rates for the Scouts Hall, if and when he gains tenure of the Hall. **(Ryan/Griffiths)**

**11 FAYE MCPHERSON**

**043/2016 RESOLVED** that Council supports Faye McPherson's letter to the Federal Minister for Agriculture, Mr Barnaby Joyce to slow down or stop the illegal poaching of sheep and goats. **(Ryan/Neill)**

**12 TROY RICHARDS – THE SHED BOXING CLUB**

**044/2016 RESOLVED** that Council approve the request for the use of the Town Hall and facilities, free of charge to hold a boxing night on Saturday 30 April 2016. A Bond is required prior to the event. **(Griffiths/Douglas)**

**13 CENTACARE**

**045/2016 RESOLVED** that CentaCare be permitted to use the Town Hall to run a Playgroup fortnightly on Thursdays and on alternate Tuesdays between 10.00am and 12 noon. **(Ryan/Griffiths)**

**14 MINISTER FOR REGIONAL DEVELOPMENT- RESOURCES FOR REGIONS PROGRAM**

**046/2016 RESOLVED** that:-

1. Council contact Cobar Shire Council to enquire if they are reapplying for funding the remaining unsealed 9 kms section of the Whitbarrow Way, Hermidale /Nymagee Road, Resources for Regions Program.
2. If, Cobar Shire Council is reapplying for the Resources for Regions Program, Council submit an Expression of Interest for the funding for Aged Care Accommodation, Resources for Regions Program.
3. If, Cobar Shire Council is not reapplying for funding, Council then proceed to submit an Expression of Interest for both Aged Care Accommodation and the remaining unsealed 9 kms section of the Whitbarrow Way, Hermidale/Nymagee Road Resources for Regions Program. **(Ryan/Douglas)**

## **15 NYNGAN LOCAL ABORIGINAL LAND COUNCIL**

**047/2016** RESOLVED that an Annual Pruning and Community Clean –Up, requested by the Nyngan Local Aboriginal Land Council be referred to the Manager, Development and Environment to be considered as part of the changes to the way the Waste Facility is managed. **(Ryan/Hampstead)**

**048/2016** RESOLVED that Council support in principle the Nyngan Local Aboriginal Land Council's grant to assist in vegetating the area along the Bogan River and the new cycle way. Council now requires further information on how and where the vegetation will be planted and how it will be maintained. **(Douglas/Ryan)**

## **16 NYNGAN RSL EASTER RUGBY LEAGUE CHALLENGE COMMITTEE**

**049/2016** RESOLVED that Council continues support for Nyngan RSL Easter Rugby League Challenge Committee and make available facilities and equipment as listed in their request free of charge. **(Griffiths/Ryan)**

## **17 WEEKLY CIRCULARS**

**050/2016** RESOLVED that the Local Government Weekly Circulars 49/15 to 50/15 and 01/16 to 06/16 be noted. **(Ryan/Griffiths)**

**051/2016** RESOLVED that Council deal with the late item of correspondence. **(Griffiths/Hampstead)**

**052/2016** RESOLVED that Council place a full page advertisement in the Nyngan Show Book as offered by the Nyngan Show Society. **(Ryan/Neill)**

## **GRANTS AND FUNDING**

**053/2016** RESOLVED that the Grants and Funding Report be received. **(Hampstead/Neill)**

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers  
on 25 February 2016 at 9.30am**

Other Matters

Council has received donations of \$400 from the Nyngan Garden Club and \$5,000 from the Show Society towards the installation of the Liberty Swing.

Dates for meetings

|                    |                                  |
|--------------------|----------------------------------|
| Council Meeting    | Thursday 24 March 2016 at 9.30am |
| Village Meeting    | Thursday 14 April 2016           |
| Estimates Workshop | Thursday 21 April 2016 at 9.30am |
| Council Meeting    | Thursday 28 April 2016 at 9.30am |
| Roads Tour         | Thursday 5 May 2016              |
| Estimates Meeting  | Thursday 12 May 2016             |
| Council Meeting    | Thursday 26 May 2016             |

There being no further business the meeting closed at 3.50pm.

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

.....  
**GENERAL MANAGER**

.....  
**MAYOR**

