



BOGAN SHIRE COUNCIL

Minutes

15th December 2011

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on Thursday 15th December 2011 at 8.30am**

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

Also present were Mr Derek Francis (General Manager), Ms Theresa Haley (Manager of Corporate Services), Mr Tim Riley (Manager of Environmental Services), Mr Mike Ryan (Acting Manager of Engineering Services) and Mrs CJ Ellison.

398/2011 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 24th November 2011, copies of which has been circularised to Councillors be taken as read and confirmed with the following amendment to Minute 373/2011 to read as follows:
(Ryan/Neill)

DECEMBER / JANUARY RECESS

373/2011 RESOLVED that Council not have a Ordinary Meeting during the month of January 2012 and, pursuant to and subject to the limitations of Section 377 of the Local Government Act, grant authority to the Mayor, Deputy Mayor and General Manager, with Councillors to be contacted if required, to make decisions on behalf of Council during the Christmas / New Year recess being 16th December 2011 to 31st January 2012. Any such decisions are to be reported to the Council at its first meeting in 2012. **(Ryan/McLaughlin)**

DECLARATION OF PECUNIARY INTEREST: Nil

The following resolutions arose from decisions made in the Closed and Confidential Section of the Meeting held on 15th December 2011.

394/2011 EXCLUSION OF PRESS AND PUBLIC: RESOLVED that the Committee move into a closed and confidential section of the Council Meeting because information provided and discussed involves matters concerning particular individuals other than Councillors. **(Griffiths/Douglas)**

395/2011 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 24th November 2011, copies of which has been circularised to Councillors be taken as read and confirmed.
(Hampstead/Ryan)



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396/2011 RESOLVED that Council accept the tender of Conplant Pty Ltd for the supply of an Amman model AP240T3 pneumatic tyred roller in the amount of \$134,880. **(Hampstead/Neill)**

397/2011 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Douglas/Neill)**

MAYORAL REPORT

1 ONE ASSOCIATION

399/2011 RESOLVED that the report be received and noted. **(Douglas/Dutton)**

400/2011 RESOLVED that the Mayor, Deputy Mayor, General Manager, and Councillors Griffiths and Dutton attended the Western Division Conference being held in Broken Hill on 26th, 27th and 28th February 2012. **(Ryan/Kennedy)**

401/2012 RESOLVED that the Mayor, Deputy Mayor, General Manager, and Councillors Douglas, Ryan and McLaughlin attended the C Division Conference being held in Wellington on the 19th March 2012. **(Griffiths/Kennedy)**

GENERAL MANAGER'S REPORT

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
1	24/03/2011	89/2011	Library	Install suitable electronic doors in conjunction with installation of disabled access.	MEvS	Disabled ramp access installed mid January 2012 to be completed by end of January 2012.
2	23/08/2007 25/02/2010 22/07/2010	500/2007 371/2007 370/2007 20/2010 244/2010	Housing Residential & Aged Care Accommodation Aged Care Facility	Feasibility of developing Council owned land, subdivide, establish further aged care accommodation. Nyngan Community Homes Committee to meet with Council.	Mayor / GM	Meetings have been held with the Community Homes Committee to advance the project. Mayor & GM facilitated a meeting with Community Homes & Yarrabin who will now work together towards an agreement on the management of the Community homes. GM attended meeting of Community Homes to discuss proposal. Verbal report at the December 2011 Council meeting.

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3	25/02/2011	33/2011	LEP	Draft LEP be prepared for purpose of reclassifying public lands.	MEvS	Draft LEP received back from Dept of Planning & returned for referral to Minister for gazetting by Christmas.
4	24/04/2008 16/12/2010	140/2008 421/2010	Main Street	Advertise preliminary street plans & seek community comment.	MES	Base plans of main street being prepared.
5	23/10/2008	447/2008	Residences- Pangee Street	Council to speak to residents.	MEvS	ARTC advised to undertake demolition work as a matter of urgency.
6	25/02/2011 24/03/2011 28/04/2011	09/2009 467/2009 164/2010 384/2010 80/2011 114/2011	Ambulance Station	Council express interest in acquiring the former ambulance station premises.	Mayor	<p>Council write to Health Minister asking to acquire station at no cost to be used for community purposes.</p> <p>Mens Shed has acquired lease of both allotments at ambulance station.</p> <p>Council has approached Dept Health to have lot 9 transferred free of charge and offer to purchase lot 10 in its present condition for \$22,500.</p> <p>Follow up has been done with Dept of Health. Response expected before Christmas.</p>

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
7	26/11/09	460/2009 223/2010	APC	<p>Letters to surrounding Councils advising of EOI to improve water delivery.</p> <p>Contact Fed Govt to ensure \$12m remains.</p> <p>Try and obtain more Government funding to complete the piping of the APC project.</p>	GM Mayor	<p>Mark Coulton has been contacted to organise a meeting with Ministers Burke & Crean.</p> <p>A meeting held with State Water Office who received a copy of quote from Irritek. Combined deputation with Cobar Shire Council to meet with Minister Katrina Hodgkinson. Cobar Shire Mayor & GM have agreed to meeting. Meeting request sent to Minister.</p>
8		171/2010	Lower Weir User	Council write to user asking for documentation regarding water entitlement & advise Council is further investigating matter.	GM	<p>Letter sent. Documentation received. Refer to State Water.</p> <p>Letter sent to Office of NSW Water. Unsatisfactory response received. Further letter to be sent by Flashman & Chalker.</p>

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9	22/07/2010	236/2010	Tritton Mines	Council write to Tritton Mines asking for photos for the displays in the Museum.	GM	Mines waiting on photos to be created in high definition. Photographs yet to be received. Followed up with GM of Tritton Mines October 2011.
10	28/10/2010	331 & 332/2010	Palais Theatre	Investigate making the outdoor area a venue for community use.	MES	Plan of Management currently being developed.
11	22/02/2011	25/2011	Showground	Obtain quote for upgrade of showers & urinals.	MEvS	Works in progress, to be completed ASAP but no later than 31 st March 2012.
12	24/03/2011	83/2011	Cinema	Investigate the recommencement of movies.	CDO	Community Development Officer to look into having the SRC and Bourke Police involved in trying to recommence the movies. Cr Douglas to speak to the schools regarding Council's intention to try to recommence the movies, stress behaviour at the movies. On Hold – pending result of Management Plan for Palais Theatre.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
13	27/10/2011	318/2011	Upper & Lower Weir Users	Circularise Weir User' submission to Councillors. Council delegates to meet to discuss submission & agree on Council's position whether to support it or not.	ENG	<p>The Office of Water has sought Council's comments in relation to a submission from irrigators requesting retention of existing drawdown provisions in the licence for the top weir. The Office was informed that the security of town water supplies was Council's primary responsibility but Council was willing to assist irrigators by administering their licence conditions as part of Council's reporting requirements to the Office of Water.</p> <p>As a general comment it was advised that Council would support the irrigators requests as long as Council's water entitlements were protected and operation of the system was not compromised.</p>

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
14	27/10/2011	335/2011	Companion Animal Policy	<p>Seek public comment on issues relating to care & management of companion animals in BS.</p> <p>Prepare a draft Companion Animal Policy – report back to Council, incorporating public feedback & recommendations.</p>	<p>GM</p> <p>GM/ MEvS</p>	<p>Issue highlighted in Mayor's Column.</p> <p>Feedback questionnaire distributed to residents with notice in newspaper.</p>
15	27/10/2011	351/2011	MGB Replacement	<p>Community consultation be undertaken.</p> <p>Report to December Council meeting based on costs & outcome from community consultation.</p>	MEvS	<p>Community consultation commenced.</p> <p>Report to February 2012 Council Meeting.</p>
16	27/10/2011	323/2011	Essential Energy	<p>That the Mayor approach Essential Energy on the following matters:-</p> <ul style="list-style-type: none"> • Comment on Hermidale meeting. • Review of accounts. • Publish in media the situation. • Concern about restricting. 	Mayor	<p>Meeting held with new Regional General Manager.</p> <p>Further action pending response by new Regional General Manager.</p> <p>Public meeting scheduled for 13/12/2011.</p>

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
17	24/11/2011	366/2011	Agronomist in Nyngan	Letter to the Department of Primary Industries asking to have the agronomist returned to Nyngan.	Mayor	Letter sent.
18	24/11/2011	370/2011	Visitor Information Centre	Prepare cost estimates for establishment of VIC at the Museum in the old ticketing & waiting room.	GM	MEvS met with Museum Committee 7/12/11 to discuss options.
19	24/11/2011	375/2011	State Property Authority (SPA) DOCS building	<p>Council agrees in principle to transfer Lot 32 (DOCS) to SPA on the condition that funding is provided to establish the Access Centre.</p> <p>Negotiation further with SPA for a contribution to relocate BBM.</p> <p>Request SPA to facilitate the transfer of trusteeship for the former Ambulance Station (Lot 9).</p> <p>Council agrees to grant right of way to SPA to all vehicular access to the rear of Lot 32.</p>	GM	Letter sent to SPA advising of the four items.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
20	24/11/2011	376/2011	Bogan Bush Mobile	Explore suitable options for relocation. Prepare a report with an estimate of costs and recommended funding sources for preferred options.	MCS/MEvS	Report to December 2011 Council Meeting.
21	24/11/2011	378/2011	Palais Theatre	Prepare a licence agreement. Provide a report on the Theatre's compliance with essential fire services requirements with an estimate to rectify them.	GM MEvS	In progress. In progress.



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402/2011 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Dutton/Douglas)**

**2 INTEGRATED PLANNING AND REPORTING FRAMEWORK
TIMETABLE FOR 2011/2012**

403/2011 RESOLVED that Council note the Bogan Shire Council Integrated Planning and Reporting Framework timetable for 2011/2012 and that Councillors promote the workshop date within the community. **(Ryan/Douglas)**

3 FAR WEST ACADEMY OF SPORT – TRANSITION TO INDEPENDENCE

404/2011 RESOLVED

That Council writes to the Minister for Sport and Recreation, with a copy to the Minister for Western NSW:-

1. Expressing concern that the Minister had agreed to the transition of the Far West Academy of Sport without consultation with Council; and
2. Stating that Council wishes to be assured that the NSW Sport and Recreation Division will provide ongoing, adequate financial support to the Far West Academy of Sport so that it can continue to provide a much-needed and valued service to the community.
3. Council liaises with Warren Shire Council regarding this matter and the format of the correspondence to the Minister. **(Neill/Douglas)**

3 BIODIVERSITY GRANT FUND

405/2011 RESOLVED that Council supports an application, with the assistance of Central West Councils Salinity and Water Quality Alliance, for a Biodiversity Fund Grant for the establishment and restoration of native wetland and waterway habitats in the vicinity of the recreational weir, Frank Smith Oval and Hoskins Street Level Crossing. **(Ryan/Dutton)**

MANAGER OF CORPORATE SERVICES' REPORT

1 BANK RECONCILIATION

406/2011 RESOLVED that the report be received and noted. (Douglas/Dutton)

2 INVESTMENTS

407/2011 RESOLVED that the report be received and noted. (Ryan/McLaughlin)

3 SUMMARY OF RATE COLLECTIONS

408/2011 RESOLVED that the report be received and noted. (Neill / Kennedy)

4 TRAVEL ALLOWANCE FOR MEALS “Per Diem” (Elective Members & Staff)

409/2011 RESOLVED that:-

1. Council adopt the Australian Taxation Office daily meal allowances, as amended from time to time, for both Councillors and Staff, with the applicable rates to be rounded down to the nearest dollar.
2. It be noted that the current rates for Country and City travel are: -

Country Travel		City Travel	
Breakfast	\$20.00	Breakfast	\$22.00
Lunch	\$23.00	Lunch	\$25.00
Dinner	\$40.00	Dinner	\$44.00
Total	\$83.00	Total	\$91.00

(Ryan/Neill)

5 2011-2012 COUNTRY LIBRARIES FUND GRANT

410/2011 RESOLVED that Council support the 2011-2012 Country Libraries Fund Grant application and approve the “in kind” contribution of \$10,000 for labour to remove stock and shelving / furniture to enable the refurbishment of the library. (McLaughlin/Griffiths) **Unanimous**



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6. WORK HEALTH & SAFETY (WHS) ACT 2011

411/2011 RESOLVED that:-

1. Council take note of the forthcoming changes in the new Work Health & Safety (WHS) Act 2011 and the affect on Council, its officers and workers in the event that these practices are not followed.
2. The General Manager and Manager – Corporate Services investigate the full impact of the changes to the Work Health & Safety (WHS) Act 2011 for Bogan Shire Council and report back to Council. **(Neill/Ryan)**

WORKS MANAGER'S REPORT

1 CIVIL WORKS

2 ROADS

412/2011 RESOLVED that the Works Manager's Report be received and noted.
(Hampstead/Griffiths)

413/2011 RESOLVED that Council acknowledge the significant effort and excellent performance of the staff involved in preparations for the Arthur Hall VC Way Dedication, as well as the positive way they conducted themselves on the day. **(Hampstead/Dutton)**

MANAGER OF ENVIRONMENTAL SERVICES REPORT

1 DEVELOPMENT APPLICATIONS

414/2011 RESOLVED that the report be received and noted. (**Hampstead/Dutton**)

2 WASTE –RECYCLING COLLECTION TRIAL PERIOD

415/2011 RESOLVED that the report be received and noted. (**Kennedy/Douglas**)

3 BOGAN BUSH MOBILE

416/2011 RESOLVED that the report be received and Council endorses the relocation of the Bogan Bush Mobile to another area of the Town Hall. (**Ryan/McLaughlin**)

PRECIS OF CORRESPONDENCE

1 DEPARTMENT OF LOCAL GOVERNMENT CIRCULAR

417/2011 RESOLVED that Council make a submission stating Council has no objection to Councillors holding dual roles. (**Ryan/McLaughlin**)

2 LONG DAY CARE

418/2011 RESOLVED that Council write to Yarrabin Outreach, with a copy to Tritton Mines expressing concern about the age range for attendance at the Centre, which could only be 0 to 3 years and the limited opening hours.

Council to investigate other day care hours and approach NSW Family Day Care to promote carers in Bogan Shire. (**Hampstead/Douglas**)

3 GOVERNMENT WEEKLY CIRCULARS

419/2011 RESOLVED that the Local Government Weekly Circulars be noted. (**Dutton/Kennedy**)

GRANTS AND FUNDING – LOCAL GOVERNMENT WEEKLYS

Healthy ageing grants

The Australian Department of Health and Ageing has announced grants under the *Aged Care Service Improvement and Healthy Ageing Grants Fund*.

420/2011 RESOLVED that Council refer this grant to the Community Development Officer to pursue the grant for exercise equipment in the park. (Douglas/Kennedy)

Other Matters

TENNIS CLUB

421/2011 RESOLVED that Council pay the accounts mentioned by Mrs Cathy Lewis in her correspondence totalling \$903.00 as well as any other Tennis Club accounts she has personally paid for. An invitation be extended to Mrs Cathy Lewis to address the February 2012 Council Meeting. (Ryan/McLaughlin)

THANK YOU LETTERS

Council has received two thank you letters:-

1. The Nyngan Swimming Club for the shade shelters; and
2. The Western studio of Performing Arts for assistance with the Palais Theatre.

No 15 MIDDLE SCHOOL TONGLING CITY

422/2011 RESOLVED that Council extend an invitation to No 15 Middle School Tongling City to visit Bogan Shire in late May 2012, with a reciprocal visit from Bogan Shire students to Tongling City in October 2012. Council is to indicate in the correspondence that future visits are to be carried out biennially between both countries. (McLaughlin/Hampstead)

423/2011 RESOLVED that Council formulate policy guidelines in relation to funding, interviews, programs and all other aspects for planning future delegations. (Ryan/Neill)



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There being no further business the meeting closed at 11.50am.

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

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GENERAL MANAGER

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MAYOR

