



BOGAN SHIRE COUNCIL

Minutes

29th March 2012



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 29th March 2012 at 9.30am**

PRESENT: Councillors JE Hampstead OAM (in the chair) JL Douglas, LH Dutton, HJ Griffiths, AM Kennedy, EM McLaughlin, GRJ Neill and KM Ryan.

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

049/2012 APOLOGY: RESOLVED that the apology for the absence received from Mayor Donald be received and he be granted leave of absence from the meeting. **(Griffiths/Kennedy)**

Mayor Donald makes the fourth Thursday of the month available to attend Council meetings, but was unavailable to attend the fifth Thursday of the month, (Council meeting was put forward one week) due to a prior commitment.

DECLARATION OF PECUNIARY INTEREST: Nil

050/2012 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 23rd February 2012, copies of which has been circularised to Councillors be taken as read and confirmed. **(Ryan/Griffiths)**

Business Arising from the Minutes:

Nil

051/2012 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 23rd February 2012, copies of which has been circularised to Councillors be taken as read and confirmed. **(Ryan/Kennedy)**

Business Arising from the Minutes:

Nil

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REPORTS TO ORDINARY MEETING OF COUNCIL – MAYOR

1 MOTIONS

Motions from the Western Division and C Division Conferences.

052/2012 RESOLVED that the report be received and noted.
(McLaughlin/Kennedy)

Delegates at the Western Division Conference – Broken Hill:-

The Mayor in his role as President of the Shires Association.

Councillors Griffiths, Dutton, and Hampstead OAM and the General Manager.

Delegates at the C Division Conference – Wellington:-

The Mayor in his role as President of the Shires Association.

Councillors Ryan, McLaughlin, Douglas and Hampstead OAM and the General Manager.

2 CALOUNDRA – DEDICATION OF HELICOPTER

053/2012 RESOLVED that the report be received and noted.
(McLaughlin/Kennedy)

3 ONE ASSOCIATION

054/2012 RESOLVED that the report be received and noted.
(McLaughlin/Kennedy)

4 LGSA – LOCAL GOVERNMENT REVIEW PANEL

055/2012 RESOLVED that the report be received and noted.
(McLaughlin/Kennedy)

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

1 CHECKLIST

| Item No. | Date | Minute No | Matter | Action Required | Responsible Officer | Status |
|----------|--|---|---|---|---------------------|--|
| 1 | 23/08/2007 25/02/2010 22/07/2010 | 500/2007 371/2007 370/2007 20/2010 | Housing Residential & Aged Care Accommodation | Feasibility of developing Council owned land, subdivide, establish further aged care accommodation. | Mayor / GM | Meetings have been held with the Community Homes Committee to advance the project. |
| | | 244/2010 | Aged Care Facility | Nyngan Community Homes Committee to meet with Council. | | 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. Meeting with Community Homes scheduled for April 2012 after Mick Glennie Committee Meeting. |

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| 2 | 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. Landscape architect to provide a presentation at the April 2012 Council meeting. |
| 3 | 23/10/2008 | 447/2008 | Residences- Pangee Street | Council to speak to residents. | MEvS | John Holland Pty Ltd advised to undertake demolition work as a matter of urgency. Awaiting response from John Holland P/L – verbal report at Council Meeting 29 th March 2012. |
| 4 | 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 | Council write to Health Minister asking to acquire station at no cost to be used for community purposes. Mens Shed has acquired lease of both allotments at ambulance station. |

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| | | | | | | <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. Follow up has been done with Dept of Health. Response expected before Christmas.</p> <p>Department of Health has recommended to Government Asset Management Committee (GAMC) to accept Council's offer.</p> |
| 5 | 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> | GM Mayor | Mark Coulton has been contacted to organise a meeting with Ministers Burke & Crean. |

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| | | | | Try and obtain more Government funding to complete the piping of the APC project. | | <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> <p>Follow-up request for meeting sent to Minister.</p> |
| 6 | | 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> <p>Advised by Flashman unlikely to achieve a result. Recommended no further action.</p> |

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| 7 | 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. Currently in draft form. |
| 8 | 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. |
| 9 | 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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| 10 | 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 | 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. |

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| | | | | | | 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. |
| 11 | 27/10/2011 | 335/2011 | Companion Animal Policy | Prepare a draft Companion Animal Policy – report back to Council, incorporating public feedback & recommendations. | GM/ MEvS | <p>General Manager's report refers. Action Plan has been developed and implementation started. Community education process commenced.</p> <p>Keeping of Animals Policy – Manager of Environmental Services report refers. Companion Animal Policy April 2012 Council Meeting.</p> |

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| 12 | 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. |
| 13 | 24/11/2011 23/02/2012 | 370/2011 003/2012 | Visitor Information Centre | Prepare cost estimates for establishment of VIC at the Museum in the old ticketing & waiting room. | GM | GM met with Nyngan LALC regarding their proposal. Museum Committee to hold meeting – Council to be advised by meeting date if old ticketing room is acceptable to committee as VIC. |
| 14 | 24/11/2011 | 375/2011 | State Property Authority (SPA) DOCS building | Council agrees in principle to transfer Lot 32 (DOCS) to SPA on the condition that funding is provided to establish the Access Centre. Negotiation further with SPA for a contribution to relocate BBM. | GM | Letter sent to SPA advising of the four items. Awaiting response from SPA on Departmental approval for their proposal alterations. |

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| | | | | Request SPA to facilitate the transfer of trusteeship for the former Ambulance Station (Lot 9). Council agrees to grant right of way to SPA to all vehicular access to the rear of Lot 32. | | |
| 15 | 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. Pending progress with item 16. |
| 16 | 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. Draft Agreement discussed with Angie White. Only waiting on 2 outdoor exit lights. |

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| 17 | 15/12/2011 | 405/2011 | Biodiversity Grant Fund | Council support an application for the establishment & restoration of native wetland & waterways in the vicinity of the recreational weir, Frank Smith Oval & Hoskins Street Level Crossing. | GM | Application sent, awaiting outcome. |
| 18 | 15/12/2011 | 418/2011 | Long Day Care | Council write to Yarrabin Outreach, copy to Tritton Mines expressing concern about the age and opening hours. Investigate other day care hours. | GM | Update to be provided at the Council meeting March 2012. Family Day Care operators have flexible hours for long day care. Community funded long day care centre in Cobar operates 8.00am to 5.30pm. Requests for advice on operating a family day care can be referred to NSW Family Day Care Association. www.nswfdc.org.au . 1800157818 |

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| 19 | 23/02/2012 | 018/2012 | Fingerlings | Council investigate having the fingerlings placed back into the river. | ENvS | Progressing, order placed. |
| 20 | 23/02/2012 | 026/2012 | Community Strategic Plan (CSP) | During the exhibition period of the CSP Council call a public meeting to provide the community with an opportunity to discuss the draft Plan. | GM | Date to be confirmed. |

056/2012 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Ryan/Neill)**

2 WESTERN DIVISION CONFERENCE

057/2012 RESOLVED that the report be received and noted. **(Griffiths/Dutton)**

3 C DIVISION CONFERENCE

058/2012 RESOLVED that the report be received and noted. **(McLaughlin/Douglas)**

Discussion

- Roads Tour – Monday 23rd April 2012.
- Consideration of draft Delivery Program, Operating Plan and Budget (Estimates Meeting) – Monday 21st May 2012.
- Consideration of submissions and adoption of Delivery Program, Operating Plan and Budget – Monday 25th June 2012.
- Peter Dutton Memorial

059/2012 RESOLVED that Council write to both:-

Nyngan Show Society advising of current position; and

NSW Geographical Names Board seeking information if the Showground Arena can be named after a person and if this advice could be expedited before the Show date. **(Ryan/McLaughlin)**

- Yarrabin Outreach - Fundraiser Nyngan to Cobar Walk
- Tony McGrane – CSU Scholarship

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It was **MOVED** that Council donate \$200 to Yarrabin Outreach and \$400 to the Tony McGrane Scholarship. **(McLaughlin/)**

An **AMENDMENT** was **MOVED** that Council donate \$300 to Yarrabin Outreach and \$300 to the Tony McGrane Scholarship. **(Ryan/Griffiths)**

The **AMENDMENT** became the **MOTION**.

060/2012 RESOLVED that Council donate \$300 to Yarrabin Outreach and \$300 to the Tony McGrane Scholarship. **(Ryan/Griffiths)**

061/2012 RESOLVED that Councillors Ryan, McLaughlin, Dutton, Griffiths and Neill and the General Manager attend the Annual Shires Conference. **(Douglas/Kennedy)**

Mrs Kathy Lewis now addressed Council regarding the current position of the Nyngan Tennis Club.

Council adjourned for morning tea at 10.30am and resumed at 10.50am.

4 COMMUNITY STRATEGIC PLAN

062/2012 RESOLVED that the draft 2012/2026 Community Strategic Plan be considered and approved for public exhibition. **(Dutton/Ryan)**

It **WAS** moved that item 5.1.6 (Developing Our Economy) - Investigate opportunities to support the villages of Girilambone, Coolabah and Hermidale be deleted. **(Ryan/McLaughlin)**

It was **PUT** to Council and **LOST**.

063/2012 RESOLVED that item 5.1.6 (Developing Our Economy) read – Investigate opportunities to support the township of Nyngan and the villages of Girilambone, Coolabah and Hermidale. **(McLaughlin/Ryan)**



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The Manager of Corporate Services now attended the meeting.

REPORTS TO ORDINARY MEETING OF COUNCIL - MANAGER OF CORPORATE SERVICES' REPORT

1 BANK RECONCILIATION

064/2012 RESOLVED that the bank reconciliation report be received and noted.
(Neill/Griffiths)

2 INVESTMENTS

065/2012 RESOLVED that the investments report be received and noted.
(Ryan/Douglas)

3 SUMMARY OF RATE COLLECTIONS

066/2012 RESOLVED that the rates collections report be received and noted.
(Ryan/Neill)

4 FINANCIAL RATIOS

067/2012 RESOLVED that:-

1. This report be received and noted: and
2. The Manager, Corporate Services review and report on changes to Council's existing debt recovery policy / procedures and other remedial actions incorporating recommendations for dealing with long-term debt. **(Douglas/Griffiths)**

The Manager of Corporate Services now left the meeting.



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The Works Manager now attended the meeting.

WORKS MANAGER'S REPORT

068/2012 RESOLVED that the Civil Works and Roads Reports be received and noted.
(McLaughlin/Douglas)

The Works Manager now left the meeting.

REPORTS TO ORDINARY MEETING OF COUNCIL – MANAGER OF ENVIRONMENTAL SERVICES REPORT

1 DEVELOPMENT APPLICATIONS

069/2012 RESOLVED that the report be received and noted. (Ryan/Neill)

2 DRAFT - KEEPING OF ANIMALS POLICY - ORDERS

070/2012 RESOLVED that the draft Keeping of Animals Policy – Orders be approved for public exhibition and comment as required by Section 160 of the Local Government Act 1993. (Ryan/McLaughlin)

3 BUSINESS WITHIN RESIDENTIAL AREAS

071/2012 RESOLVED that a notice be placed in the Nyngan Observer to state “that businesses that operate within residential areas should minimise the impact of their operations in respect to hours of operation, including traffic movements, noise, lighting and any possible pollution impacts in accordance with the various NSW Statutory Legislation requirements and government agencies/authorities directives”. (Neill/ McLaughlin)

4 WASTE MANAGEMENT FACILITY - NYNGAN

072/2012 RESOLVED that:-

1. All practical operational items undertaken to-date as to address those issues raised within the Minuted dated 28/2/2012 be noted;
2. Council consider the merits of restricting opening and closing times;
3. Council notes works currently under way to revamp the extension of the existing pit; and
4. Notification via a notice being placed in the Council Column over the forthcoming months be undertaken to advise residents of the situation and what steps Council is taking to address the situation including the opening and closing times until further notice. (Dutton/Griffiths)

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5 WASTE –RECYCLING COLLECTION DATA

073/2012 RESOLVED that the report be received and noted. **(McLaughlin/Kennedy)**

6 DRAFT - BOGAN SHIRE COUNCIL DEVELOPMENT CONTROL PLAN 2012

074/2012 RESOLVED that:-

1. The report be received and noted;
2. Public consultation be undertaken including exhibition of the draft document and open information sessions; and
3. A further report be referred to Council representing the results of the community consultation program and to seek Council endorsement of the final draft Bogan Shire Development Control Plan 2012. **(Ryan/Neill)**

PRECIS OF CORRESPONDENCE

1 THE HON. GRAHAM ANNESLEY MP

Minister for Sport and Recreation

075/2012 RESOLVED that the report be received and noted. **(Ryan/Griffiths)**

2 GOVERNMENT WEEKLY CIRCULARS

076/2012 RESOLVED that the Local Government Weekly Circulars be noted.
(Ryan/Kennedy)



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QUESTION ON NOTICE

Cr EM McLaughlin

Next meeting – 26th April 2012

Council discuss the 'fly in fly out' aspect of the mining industry.

There being no further business the meeting closed at 12.45pm.

These Minutes were confirmed by resolution at a meeting held on 26th April 2012 and were signed as a true record.

.....
GENERAL MANAGER

.....
MAYOR

