



BOGAN SHIRE COUNCIL

Minutes

23rd August 2012



**Minutes of the Ordinary Meeting of Council held in the Council Chambers on
23rd August 2012 at 9.30am**

PRESENT: Councillors RL Donald (in the chair), JE Hampstead OAM, LH Dutton, HJ Griffiths, AM Kennedy, 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 Graeme Bourke (Acting Manager of Engineering Services) and Mrs CJ Ellison.

Prior to the commencement of the meeting, Cr Kennedy was thanked for her contribution to Council during the last four years as a Councillor.

Council now dealt with the Mayoral Minute.

DECLARATION OF PECUNIARY INTEREST: Nil

236/2012 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 26th July 2012, copies of which has been circularised to Councillors be taken as read and confirmed. **(Ryan/Neill)**

Business Arising from the Minutes: Nil

237/2012 RESOLVED that the Minutes of the Extraordinary Meeting of Council held on 7th August 2012, copies of which has been circularised to Councillors be taken as read and confirmed. **(Ryan/Neill)**

Business Arising from the Minutes: Nil

The following resolutions arose from decisions made in the Closed and Confidential Section of the Meeting held on 23rd August 2012.

230/2012 APOLOGIES: RESOLVED that the apologies for the absence received from Councillor Douglas and Councillor McLaughlin be received and they be granted leave of absence from both meetings. **(Griffiths/Neill)**



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231/2012 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 personnel matters concerning particular individuals (other than Councillors). **(Kennedy/Neill)**

232/2012 RESOLVED that the Minutes of the Closed and Confidential Meeting of Council held on 26th July 2012, copies of which has been circularised to Councillors be taken as read and confirmed. **(Ryan/Griffiths)**

233/2012 RESOLVED that Mr Richards be informed that Council supports, in principle, his endeavours with the Boxing Shed and invites him to discuss the grant arrangements with the General Manager.
(Hampstead/Ryan)

234/2012 RESOLVED that the General Manager negotiates a draft lease agreement for the old Cobb & Co Workshops at the Council Works Depot with John and Penny Hoy for consideration by Council. **(Ryan/Dutton)**

235/2012 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Hampstead/Dutton)**

REPORT TO THE ORDINARY MEETING OF COUNCIL – MAYOR

1 SHIRES ASSOCIATION OF NSW

Motion 16: Hospitals

238/2012 RESOLVED that Council send a strong letter to Western NSW Local Health District advising of receipt of the NSW Ministry of Health Policy's regarding same gender accommodation and pointing out that Council has evidence of the same gender sharing wards. A copy of the letter be forwarded to the Minister for Health. **(Hampstead/Dutton)**

Motion 57 – Bogan and Western Division – National Drought Policy

The Mayor advised a letter from the Shires Association has been forwarded to John Cobb, Minister for Calare.



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2 ONE ASSOCIATION

239/2012 RESOLVED that the report be received and noted.
(Kennedy/ Griffiths)

Mayor Donald now left the meeting, and Deputy Mayor Jim Hampstead took the Chair.



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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 and Yarrabin to advance the project.
	24/05/2012	126/2012	Aged Care Facility	Call & arrange a public meeting to assess the need for aged care/self contained retirement facilities. Invite other communities; Invite Kevin Humphries; Invite an Independent Chairperson; Involve Nyngan Pensioner Association.	CDO	Arrangements for public meeting proceeding in consultation with Mick Glennie Committee. Awaiting confirmation of date from Kevin Humphries. Invitations sent to Cobar, Warren and Gilgandra Shires to participate.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
2	23/10/2008	447/2008	Residences- Pangee Street	Council to speak to residents.	MEvS	<p>Demolition approved on 16th July 2012 by Transport NSW – Country Rail Division for John Holland to proceed.</p> <p>However, latest email 10/8/2012 relates to advice of merger of three (3) Government Departments: RTA, Country Rail Infrastructure Authority and Maritime Services on 1/7/2012 now called Transport for NSW – TfNSW.</p> <p>Further advice to be received in near future due to delays caused by merger of the three Gov departments.</p> <p>Nymagee Street sites have been identified as privately owned. Demolition Notices issued.</p>

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
						<p>Owners seeking legal advice based on LEP zoning.</p> <p>Verbal report to Council at August meeting</p>
3	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>

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
						<p>Department of Health has recommended to Government Asset Management Committee (GAMC) to accept Council's offer.</p> <p>Matter referred back to the Dept Lands by GAMC for recommendation. Dept of Lands has requested that Council buy Lots 9 & 10 at market value.</p> <p>Letter sent to Minister Humphries requesting assistance to resolve this matter. Response received from Minister Humphries indicating the matter has been taken up with Health & Local Government Ministers.</p>

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						<p>GM followed up with State Property Authority who has advised that the Crown Lands Office will not reconsider their position on the market value of the Lot 9.</p> <p>The Department of Health has advised that they are writing to the Minister administering the Crown Lands Act for consent to the transfer of Lot 9 at no cost.</p>
4	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	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.	Mayor	<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.</p> <p>Cobar Shire Mayor & GM have agreed to meeting. Meeting request sent to Minister.</p> <p>Follow-up request for meeting sent to Minister.</p>
5	24/03/2011	83/2011	Cinema	Investigate the recommencement of movies.	CDO	<p>Community Development Officer to look into having the SRC and Bourke Police involved in trying to recommence the movies.</p> <p>Cr Douglas to speak to the schools regarding Council's intention to try to recommence the movies, stress behaviour at the movies.</p>

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						On Hold – pending result of Management Plan for Palais Theatre. Draft Management Plan expected to be completed for September 2012 Council meeting.
6	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	Mayor, Deputy Mayor, General Manager and Engineer attended community consultation meeting arranged by NSW Office of Water on 12 April 2012. Office of Water has forwarded Draft Water Sharing Plan to the Minister. Mayor & GM met with Kevin Humphries & Weir Users regarding this matter.

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7	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. No response received. Mayor & GM raised this matter with Kevin Humphries. Follow up letter to Katrina Hodgkinson, Minister for Primary Industries Monday 13 August 2012.
8	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. 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.	GM	Letter sent to SPA advising of the four items. Awaiting response from SPA on Departmental approval for their proposal alterations. GM contacted SPA who has advised that the project has funding and will be proceeding. Meeting with GM scheduled for Monday 20 August 2012.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
9	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 9. Verbal report at Council Meeting August 2012. GM met with Bush Mobile representatives to discuss.
10	29/03/2012 26/07/2012	067/2012 210/2012	Debt Recovery Policy	MCS – review & report on changes to the existing debt recovery policy /procedures. Recommendations for dealing with long term debt. Advertise for public comment.	MCS	Draft Policy prepared for Management Review. Report to July 2012 Council Meeting. To be advertised from 22 nd August 2012 and report to September 2012 Council Meeting.
11	26/04/2012		Senior Citizens Room	Paint Senior Citizens Room	MEvS	Program for 2012/13. Works programmed for first quarter.

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12	25/05/2012	116/2012	APC	A formal agreement be sought & entered into with CWB covering all aspects of the APC operation.	GM	In progress.
13	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.	MEvS	Still waiting for meeting with John Holland representatives.
14	24/05/2012 28/06/2012	124/2012 158/2012	Parking – Heavy Vehicles outside Outback Motel.	Install “No Parking to Heavy Vehicles” signs on the northern side & from the position of the proposed third blister on the southern side.	Eng	RMS to advise appropriate sign type and wording for that location.
15	24/05/2012	143/2012	Railway Signal Post.	Erect in an appropriate manner & location near the heritage railway crossing.	Eng	Site to be selected in consultation with Museum Committee. Advice obtained from David Moir (Landscape Architect). Verbal update from GM at August 2012 Council Meeting.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
16	28/06/2012	149/2012	Flashman Ave Houses	Houses be sold at public auction, reserve price to be set by the Mayor & GM.	Mayor/GM	Valuations have been arranged. Valuations obtained. Quotations being sought for driveways, landscaping and associated site works.
17	28/06/2012	150/2012	Oxley Street Subdivision	1. Land bound by Derrybong, Oxley & Dandaloo Streets be subdivided. 2. The resulting four 20mm x 45mm 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.	ENvS	Program established for development to proceed in near future. Further report to Council upon Flashman Ave dwellings being sold.
18	28/06/2012	161/2012	Lawlor Street Subdivision	Advertise the sale of the industrial blocks subdivision. Mayor & GM to determine the price per square metre.	Mayor/GM	Awaiting advice on appropriate selling price.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
19	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.	MEvS	Programmed in 2012/13 works program.
20	28/06/2012	181/2012	Swimming Pool	1. Council agree in principle to the upgrade of the pool, including relining. 2. Staff investigate costs and prepare a detailed report on what works needs to be done for consideration by Council.	MEvS	Structural Engineer engaged for report on structural stability and suitability for possible upgrade works.
	28/06/2012	183/2012		1. Purchase a new diving board.		Diving Board arrangements still progressing.
	26/07/2012	199/2012		1. Remove entire concrete starting block, purchase & install 7 new prefabricated starting blocks.		Now seeking costing on Board from different overseas suppliers. Program to proceed once suitable price is confirmed. Original concrete blocks removed and new platform/plinth pored ready for tiling by 16 th August.

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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
						New Starting Blocks with entire project finished by the end of the August 2012.
21	28/06/2012	185/2012	Water Carts	A report be presented to Council on the merits of purchasing a water cart.	Eng	Report to September 2012 Council meeting.
22	26/07/2012	193/2012	Transfer of Land – Nymagee St	Make an offer to accept land at nil cost. Should the offer be accepted, Council seek EOI to demolish the subject dwelling & associated structures including removal of excessive vegetation.	ENvS	Letter to Owner outlining Council decision. Owner advised Council will be seeking legal advice. Owner of other property 9 Nymagee St, now seeking legal advice on disposal option.
23	26/07/2012	201/2012	New Houses – Flashman Avenue	Undertake site levelling	MEvS	Minor site works in progress with further site works planned for the sale of dwellings.

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24	26/07/2012	205/2012	Relocation of items from workshop	Investigate locating Cobb & Co Coach, bullock wagon and jail onto the platform at Railway Station.	GM	Verbal report at August 2012 Council Meeting.
25	26/07/2012	212/2012	Signs as Remote Supervision	Install new signage at Showground.	MCS/WHS	WHS obtaining quotes for signage in accordance with Council's Resolution.
26	26/07/2012	215/2012	FAGs	To be further investigated by the Shires Association.	Mayor	Shires Association issued media release.



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240/2012 RESOLVED, that Council established the Bogan Bush Mobile in the building currently used by Yarrabin for the Nyngan Pre-School. This is to take place when Yarrabin relocates the Pre-School to new premises. **(Ryan/Neill)**
Carried Unanimously.

241/2012 RESOLVED that Council place a “No Parking Heavy Vehicles” sign in the locations decided at the June Council meeting. **(Ryan/Neill)**

242/2012 RESOLVED that Council support the letter forwarded from the Shires Association to the Australian Minister for Local Government concerning the overpayment of the Financial Assistance Grants in 2011/12, by forwarding a letter to the Minister indicating the amount to be withdrawn has been advised and the effect it will have on our community programs. **(Dutton/Ryan)**

243/2012 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.
(Griffiths/Kennedy)

At 10.30am Council now adjourned for morning tea and resumed at 11.50am.

Mr Chris McCulloch, Project Support Officer and Mr Rob McCutcheon, Board Member of the Central West Catchment Management Authority now attended the meeting and presented a presentation to Council.



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2 COMPANION ANIMALS POLICY – DOG OFF-LEASH AREA

244/2012 RESOLVED that

1. Council confirms the area bounded by the levee bank behind the Council depot, the Bogan River and Moonagee Road as the dog off-leash area for Bogan Shire Council.
2. The General Manager publicises the dog off-leash area in the Nyngan Observer as well as the responsibilities of owners / handlers with dogs in public places. **(Ryan/Neill)**

3 REQUEST FOR DONATION / SPONSORSHIP

245/2012 RESOLVED that Council makes a donation of \$500 towards the cost St Joseph's Arts and Crafts exhibition from the Community Arts fund. **(Ryan/Griffiths)**

4 NYNGAN TOWN CENTRE REDEVELOPMENT

246/2012 That this report be received and noted. **(Dutton/Griffiths)**

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 23rd August 2012**

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

1 BANK RECONCILIATION

247/2012 RESOLVED that the bank reconciliation report be received and noted.
(Ryan/Neill)

2 INVESTMENTS

248/2012 RESOLVED that the investments report be received and noted.
(Neill/Kennedy)

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

249/2012 RESOLVED that:-

1. the rates collections report be received and noted; and
2. the figures presented in the report to Council be changed to reflect Council's Resolution 226/2012 on 7th August 2012. **(Ryan/Dutton)**

4 MANAGEMENT PLAN QUARTERLY REVIEW JUNE 2012

250/2012 RESOLVED that the Management Plan Quarterly Review for June 2012 report be received and noted with the following amendment:-

1.2.1 Financial Management:-

Outcome to read - Annual accounts in draft form to be presented to Council prior to Audit on 24th September 2012. **(Ryan/Griffiths)**

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

1 TENDER FOR BITUMEN SEALING SERVICES

251/2012 RESOLVED that the report be noted. **(Ryan/Dutton)**

General Manager's Note: Council is now in caretaker mode.

REPORTS TO ORDINARY MEETING OF COUNCIL – WORKS MANAGER

1 CIVIL WORKS

2 ROADS

252/2012 RESOLVED that both the Civil Works and Roads reports be received and noted. **(Neill/Dutton)**

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

1 DEVELOPMENT APPLICATIONS

253/2012 RESOLVED that the report be received and noted. **(Ryan/Kennedy)**

2 REPORT WASTE –RECYCLING COLLECTION DATA

254/2012 RESOLVED that the report be received and noted. **(Ryan/Griffiths)**

3 COMMUNITY BASED HERITAGE STUDY FOR BOGAN SHIRE

255/2012 RESOLVED that the report be noted and the Manager of Environmental Services take action to have the inaccuracies in the report attended to. **(Ryan/Neill)**

PRECIS OF CORRESPONDENCE

1 UNITED SERVICES UNION

256/2012 RESOLVED that Council approve Friday 28th September 2012 as the Annual Picnic Day and the showground and facilities be provided free of charge for the picnic. (Ryan/Griffiths)

2 SPECIAL DISCLOSURE OF PECUNIARY INTERESTS FORM

257/2012 RESOLVED that the report be received and noted. (Ryan/Neill)

3 CSU UNIVERSITY – TONY McGRANE MEMORIAL SCHOLARSHIP

258/2012 RESOLVED that Council not continue sponsorship to the Tony McGrane Scholarship and not attend the briefing. (Ryan/Dutton)

4 SES

259/2012 RESOLVED that the report be received and noted. (Neill/Kennedy)

5 LANE COVE COUNCIL

260/2012 RESOLVED that Council not support Lane Cove advertising only by electronic method and continue to support both methods of advertising, being electronic and newspapers. (Ryan/Griffiths)

6 GOVERNMENT WEEKLY CIRCULARS

261/2012 RESOLVED that the Local Government Weekly Circulars be noted. (Kennedy /Neill)

Discussion:

262/2012 RESOLVED that Council donate \$1000 to support the Bogan Day Out. (Neill/Ryan)

263/2012 RESOLVED that the Manager of Environmental Services approach State Planning to review the existing usage and zoning issues of the railway corridor through Nyngan. (Dutton/Ryan)



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There being no further business the meeting closed at 12.25pm.

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

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GENERAL MANAGER

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MAYOR

