



BOGAN SHIRE COUNCIL

Minutes

22 May 2014

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 22 May 2014 at 9.30am**

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

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

Declaration of Interest: Councillor Neill – item 3 – Manager Engineering Services’s Report.

157/2014 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 22 April 2014, copies of which have been circularised to Councillors be taken as read and confirmed. **(Griffiths/Ryan)**

Business arising from the Minutes:

- 105/2014 – 2014/2015 Rural Fire Fighting Fund Estimates

158/2014 RESOLVED that the General Manager defer signing off on the Rural Fire Fighting Estimates, until Council has discussed the tanker replacement program with the RFS. **(Douglas/Neill)**

159/2014 RESOLVED that Council seek an urgent meeting with RFS regarding the fire at the Nyngan tip, Saturday 17 May 2014, and subsequent actions. Councillors are welcome to attend this meeting. **(Douglas/Neill)**

160/2014 RESOLVED that the Minutes of the Extraordinary Meeting of Council (Estimates) held on 1 May 2014, copies of which have been circularised to Councillors be taken as read and confirmed. **(Ryan/Neill)**

Business arising from the Minutes:

Nil

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The following resolutions arose from decisions made in the Closed and Confidential Section of the meeting on 22 May 2014:-

150/2014 EXCLUSION OF PRESS AND PUBLIC: RESOLVED that Council move into a closed section of Council with the public excluded, in accordance with the Local Government Act 1993, Clause 10A (2) (d) because information provided that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. **(Neill/Griffiths)**

151/2014 RESOLVED that the Minutes of the Closed and Confidential Meeting of Council held on 24 April 2014, copies of which have been circularised to Councillors be taken as read and confirmed. **(Hampstead/Neill)**

152/2014 RESOLVED that following receipt of the General Manager's Report into the cost of setting up the retirement village units and taking into consideration the recent Federal Government's announcement regarding cuts to FAG Grants, Council acting in a financially responsible manner, will not proceed with the project at this time. Council will continue to advertise and promote the complex in the future. **(Ryan/Hampstead) Unanimous**

153/2014 RESOLVED that Council make enquiries into extra parking in Pangee Street. **(Neill/Griffiths)**

154/2014 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into open Council. **(Dutton/McLaughlin)**

155/2014 EXCLUSION OF PRESS AND PUBLIC: RESOLVED that Council move into a closed section of Council with the public excluded, in accordance with the Local Government Act 1993, Clause 10A (2) (e) because information that would, if disclosed, prejudice the maintenance of law. **(Douglas/Dutton)**

156/2014 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into open Council. **(Griffiths/Neill)**

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COMMITTEE MEETING MINUTES

1 MUSEUM

161/2014 RESOLVED that the Minutes of the Museum Meeting held on Wednesday 2 April 2014 be received and noted. **(Griffiths/Douglas)**

REPORTS TO ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

1 SIGNS ON SHIRE BOUNDARY

162/2014 RESOLVED that the signs on the side of the road at the Shire boundary near Mullengudgery on the Mitchell Highway, the boundary on the Barrier Highway and Mitchell Highway on the road to Bourke be updated and one placed at the Shire boundary on the Tottenham Road to read as follows:

Welcome to Bogan Shire

Comfortable Country Living in the Great Outback

Enjoy your visit to Nyngan

Population 2,900

Area 14,500 sq kms

(Griffiths/Ryan)

2 ANZAC DAY 2015

163/2014 RESOLVED that Council call a meeting of the Sub-Branch, RSL Executive and Council to commence what is necessary to carry out the Anzac Day Centenary Program and discuss the transfer of Anzac Day organisation to Council. **(Ryan/Deacon)**

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Other Matters:

Nyngan Show

164/2014 RESOLVED that in conjunction with the five schools in Bogan Shire, Council approach the Minister for Education to revert back to the previous arrangements where schools are closed for a full day for the Nyngan Show.
(Dutton/Douglas)

Council adjourned for morning tea and resumed at 11.00am.

During recess Councillors visited the library.

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

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	22/08/2013	338/2013	Retirement Village	Construct first 6 units of “pound paddock” retirement village commencing in north west corner.	MDES	Pending report to May Council Meeting.
	19/12/2013	515/2013		Expressions of interest be invited via the Nyngan Observer for tradespeople who may be available to work on the project.		Pending report to May Council Meeting.
	24/04/2014	099/2014		Proceed with building three x two bedroom units, subject to a report to May Council Meeting detailing financial implications & what has been spent to date on project.		Confidential Report to May 2014 Meeting.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
2	24/05/2012	123/2012	Vacant Block – Cnr Nymagee /Mitchell Streets	Asked John Holland to meet with Council ASAP to work towards some agreement concerning the block.	MDES	JHR require clean-up of site prior to lease approval.
	19/12/2013	507/2013		Approach John Holland to beautify site of former BP Service Station.		Email dated 7/1/2014 from John Holland Rail advising of their proposal to undertaken clean up works in 2014/2015 works program. JHR confirmed work to be completed by 30 June 2014.
3	28/06/2012	150/2012	Oxley Street Subdivision	<ol style="list-style-type: none"> 1. Land bound by Derrybong, Oxley & Dandaloo Streets be subdivided. 2. The resulting four 20m x 45m blocks be sold for current market value. 3. Council approve the development of 4 x 2 br villas (stage 2) at a cost of \$550,000. 	MDES	<p>Project on hold pending completion of Stage 1 of Nyngan Retirement Village.</p> <p>Defer any action for the present time.</p>

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
4	28/06/2012	179/2012	Dog Pound	Construction of the new dog pound in the location closer to the main road in the airport complex.	MDES	Minor site works commenced in readiness of proposed RSPCA requirements. No formal notification received to-date. Contractor to commence slab work based on draft RSPCA document within three weeks.
5	26/07/2012	193/2012	Transfer of Land – Nymagee St 5,7 & 9	Council seek EOI to demolish the subject dwelling & associated structures including removal of excessive vegetation.	MDES	Transfer Completed. Asbestos Licence received. Works programmed for mid 2014. Subject to staffing levels works should commence in late August/Sept 2014.
6	25/10/2012	315/2012	Local Heritage Sites	When new VIC commences signpost heritage sites with heritage colour and erect sign with the history of each location.	ENG	Pending accreditation of new VIC.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
7	13/12/2012	419/2012	Swimming Pool	Filtration plant room & associated structure.	MDES	Asbestos Licence granted. Asbestos removal to filtration plant room planned for winter 2014. Preliminary works already commenced with asbestos removal program to commence early June 2014.
8	13/12/2012 28/03/2013	418/2012 098/2012	Davidson Park Revitalisation Program	Council remove the entire playground, equipment, associated ground cover, fencing & park-bench seating with shelter. Establish paving pathways to the mural.	MDES	Park bench seating & shelter still in position, to be removed by mid July 2014 subject to staff levels.
	27/03/2014	065/2014		New playground area to be located in the centre of the Park.		Site works for new playground programmed for mid 2014. Playground items received. Minor site works commenced with expected date of completion of playground to be late August 2014.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
9	3/04/2013	18/2013	Western Rivers Veterinary Group	Council authorises GM to co-operate with Vets to establish the facility in Lawler Street.	Eng	Contracts exchanged – Council to complete agreed site works. Expected date of completion 31 May 2014.
10	28/02/2013	043/2013	Waste Management – Village Waste Depot Operations	Program of Works for Hermidale & Girilambone be commenced immediately.	MDES	Girilambone: Completed with exception of asbestos clean-up to be done once Council obtains licence. Asbestos clean-up programmed for late July 2014.
11	26/06/2013	258/2013	Traffic Committee Recommendations – Pre School Parking	RMS to re-examine the intersection design including: <ul style="list-style-type: none"> • Installing blister on the western side of Moonagee St for “Give Way” sign. Pre-School to confirm: <ul style="list-style-type: none"> • Signed confirmation that children are always escorted into the building by staff or parents. 	ENG	Engineering preparing design options and estimates for 2014/2015. Advised that the policy was under review and expected to be completed in February 2014. Confirmation not yet received.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
12	23/04/2013	124/2013	Insurance	Council seek clarification from the Insurance Council of Aus re: the availability of discounts or other provision on insurance pricing for towns protected against floods and whether flood insurance is mandatory.	Eng	Insurance Council has requested flood study information. Consultant has completed initial flood modelling and now finalising data. To be completed 30 June.
13	28/11/2013	461/2013	Showground Arena Irrigation	Investigate defects in the Showground Arena irrigation system and report back to Council on remedial measures.	ENG	Existing system inspected with estimates for improvements being prepared by supplier. Report in May 2014 Business Paper.
14	27/03/2014	067/2014	Skate Park	Shade Sail Cover over the Skate Park.	MDES	To be erected by August/Sept in conjunction with Pool project.
15	19/12/2013	532/2013	Rezoning of Rural Land Outside the Nyngan Township	Report on estimated cost be provided to February 2014 Council meeting prior to progressing with the proposal.	MDES	Planning proposal lodged with the NSW Department of Planning and Infrastructure. Planning proposal still being assessed. Verbal report at Council Meeting.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
16	27/02/2014	006/2014	Medical Services	Pursue & make enquiries into using the Nyngan Multipurpose Service Centre & waiting rooms to attract an additional Medical Officer with VMO rights.	GM	Verbal report at Council Meeting.
17	27/03/2014	057/2014	Water Tanker	GM investigates the option of purchasing a second hand truck with dog trailer already set up as a water taker.	GM	Option of purchasing tanks to be fitted to Council's truck & trailer being pursued. New truck ordered with delivery in July. Existing truck to have water tanks fitted when new truck arrives.
18	27/03/2014	066/2014	Heritage Park	Order & plant a grove of trees surrounding the sandstone blocks & plant Lone Pine tree.	ENG	Trees to be planted in July.
19	27/03/2014	068/2014	Mitchell Highway	Planting of trees along eastern entrances into town in conjunction with National tree Day.	MDES	Species of trees still being confirmed.

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165/2014 RESOLVED that the General Manager approach NSW Department of Housing with supporting information and request that it consider building a block of units in Nyngan suitable for rental as aged accommodation and advise that Council will donate the land as its contribution. **(Ryan/McLaughlin)**

Notice of Motion – Council Meeting June 2014

Heritage Park - Consider trees and plaques.

Medical Services - General Manager - further pursue the option of obtaining a doctor, accommodation and surgery.

166/2014 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Ryan/Neill)**

Other Matters:

Fire Safety Notices

167/2014 RESOLVED that Council waive the fees to conduct the current round of Fire Safety Inspections as a service to the community. **(Hampstead/Deacon)**

Girilambone RSL

168/2014 RESOLVED that Council contact the RSL Head Office asking them to return any funds from the Girilambone RSL for Council to use within the Girilambone Community. **(Ryan/Deacon)**

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

1 BANK RECONCILIATION

169/2014 RESOLVED that the Bank Reconciliation Report be received and noted.
(Griffiths/Deacon)

2 INVESTMENTS

170/2014 RESOLVED that the Investments Report be received and noted.
(Ryan/Douglas)

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

171/2014 RESOLVED that the Rates Collections Report be received and noted,
and Staff be congratulated for their work. (Hampstead/Griffiths)

4 REVISION OF DEBT RECOVERY POLICY – FIN001

172/2014 RESOLVED that Council adopt the revised Debt Recovery Policy
FIN001 with the following amendments:- (Neill/Douglas)

1. The inclusion in the debt collection procedures for contacting people with overdue accounts by text message or phone prior to the debt being referred to the debt collector.
2. Changing of the order of steps in the procedure for collection of overdue rates and the inclusion of the issuing of a bankruptcy notice as one of the options for litigation prior to the final step of selling the property under section 713 of the Local Government Act.

5 THIRD QUARTER BUDGET REVIEW

173/2014 RESOLVED that Council adopt the Third Quarter Revised Budget for
2013/2014. (Ryan/Griffiths)

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

6 DIVESTING RADIO TOWER LICENCES

6.1 Recommendation

1. That Council agree to transfer the Girilambone site licence to the NSW Police.
2. That Council agree to transfer the Babinda site licence to NSW Police if they are in agreeance. (Ryan/Douglas)

This recommendation was deferred until Council established ownership of the towers.

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

1 OPERATIONAL REPORT

174/2014 RESOLVED that the Operational Report be received and noted.
(Neill/Douglas)

Council has received favourable comments for the preparation of show – to be passed onto staff.

2 NYNGAN SHOWGROUND ARENA WATERING

175/2014 RESOLVED that the showground arena watering system be upgraded in conjunction with the completion of the cemetery raw water system at an estimated cost of \$25,000, with \$15,000 funded from the 2013/14 cemetery raw water capital budget and \$10,000 from the showground grant. **(Neill/Ryan)**

Councillor Neill now left the room

3 OBSTRUCTION OF COUNCIL PUBLIC ROAD RESERVE

176/2014 RESOLVED that the owner be instructed to remove the fence.
(Hampstead/Ryan)

Councillor Neill now returned to meeting.

4 AERODROME OPERATIONS MANUAL

177/2014 RESOLVED that the following amendments to the Aerodrome Manual be adopted. **(Hampstead/Griffiths)**

Access to Aerodrome

Introduction

Nyngan Aerodrome is not rated as a security aerodrome by the CASA.

Council does comply with the CASA requirement that the operator of an aerodrome shall ensure that no person or thing can enter the movement area so as to endanger the safety of aircraft. Access from landside to airside of the aerodrome is strictly controlled.

Particulars of the procedures for preventing the unauthorised entry of persons, vehicles, equipment, plant or animals, or other things into the movement area including the following:

The aerodrome perimeter is fenced with ring lock fencing, steel posts and strainers where appropriate. There are two (2) strands of barbed wire along the top of the fence. There exists a ***“No Trespassing”***, ***“Stop vehicles must not proceed beyond this point”***, and ***“Authorised vehicles only”*** signs on the gate at the point of entry to the apron.

The access to the aerodrome is via the main gate located at the southern end of the apron, double gates between the hangers at the northern end of the apron, and single gate in Minore Lane stock route.

(a) The roles of the aerodrome operator, aircraft operators, aerodrome fixed base operators, and the CASA;

The aerodrome access gate is kept locked at all time. Vehicular access is available to selected organisations e.g. police, ambulance, fire brigade, and refuelling company. Vehicular and pedestrian access is restricted to the apron and aircraft parking areas.

A Lessee/Licensee of a hanger lot at the aerodrome will be issued with a key and authorized to access the airside of the perimeter fence with the Lessee/Licensee vehicle being restricted to the rear of all hanger lots. The Lessee/Licensee vehicles may be parked inside the hanger whilst aircraft is in use.

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Visitor parking shall be restricted to the designated parking area outside the perimeter fence. Contractor and other vehicles are not permitted into the hanger lots without the written approval of council and the Lessee/Licensee shall ensure that contractor vehicles or aircraft are not parked on the airside of the hanger and protruding onto the taxiway.

Other aerodrome fixed base operators can have vehicular access on a limited basis by application for an access key to Bogan Shire Council Engineering Office 0800 - 1630 hours.

Applicants are vetted by the aerodrome manager before any access key is issued. Individual aircraft operators do not have vehicular access to the aerodrome.

The aerodrome reporting officer monitors aerodrome vehicular and pedestrian and access and security whilst on duty.

RPT, charter and private aircraft operators are responsible for controlling access of passengers to and from aircraft boarding.

Other Matters:

Oval Place – advise the owner to write to Council as a submission to the Management Plan, to consider sealing the road.

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

1 DEVELOPMENT APPLICATIONS

178/2014 RESOLVED that the Development Application Report be received and noted. (Griffiths/Neill)

2 OPERATIONAL REPORT – PARKS AND GARDENS

179/2014 RESOLVED that the Operational Report – Parks and Gardens be received and noted. (Ryan/Deacon)

3 OPERATIONAL REPORT – NOXIOUS WEEDS OFFICER

180/2014 RESOLVED that the Operational Report – Noxious Weeds Officer be received and noted. (Douglas/McLaughlin)

4 NYNGAN & DISTRICT MEMORIAL SWIMMING POOL COMPLEX – PROPOSED REVITISATION PROGRAM REPORT

181/2014 RESOLVED that:-

1. The report be received and noted with all reference to Clubhouse be changed to Storage Area.
2. A following up report be presented to Council at its August Meeting detailing what works have been completed and what is outstanding prior to the commencement of the 2014/2015 swimming season and construction costs to-date.
3. A final report to be presented to Council at its November Meeting detailing the final costs of all works and proposed future redevelopment works proposal for 2015/2016 and beyond for the Nyngan & District Memorial Pool.
(Ryan/Hampstead)

5 COBB & CO COACH & BULLOCK WAGGON - TEAMSTER REST PLACEMENT PROPOSAL

182/2014 RESOLVED that confirmed quotations be obtained and budget allowing, work progress without delay. Project to be funded from current budget of \$120,000 with funds remaining to be allocated to the Swimming Pool storage area.
(Ryan/Neill)

PRECIS OF CORRESPONDENCE

1 2WEB OUTBACK RADIO

183/2014 RESOLVED that Council not accept the advertising offer from 2WEB for the period 2014/15. **(Hampstead/Ryan)**

2 COLLIN AND YVONNE PARDY

184/2014 RESOLVED that the correspondence received from Collin and Yvonne Pardy congratulating Council and staff on the Anzac March and Service be received. **(Deacon/Douglas)**

3 IMAG_NE

185/2014 RESOLVED that Council not support the proposal received from Emma Anna to showcase her sculpture *imag_ne* in Bogan Shire for a period of up to three months from late 2014-2016. **(Hampstead/Ryan)**

4 KEEP NSW BEAUTIFUL

186/2014 RESOLVED that Council not participate in Tidy Towns. **(Ryan/Hampstead)**

5 MINISTER FOR PRIMARY INDUSTRIES

187/2014 RESOLVED that the Minister be thanked for the financial assistance to Council of up to \$26,450 towards water cartage to Girilambone until 30 June 2014 or until normal supply is restored, whichever is the sooner. **(Neill/Deacon)**

6 DELEGATION OF POWERS FOR ROAD MANAGERS UNDER HVNL

Attached is a copy of an email received from Peter Wells, Director Safety & Compliance RMS regarding Delegation of Powers for Road Managers under the HVNL.

General Manager's Note: The Engineer will provide a verbal report at the meeting.

6.1 Recommendation: For Council's Consideration.

This item was deferred until the June 2014 Council Meeting.

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7 DENICE SIMPSON

188/2014 RESOLVED that Council support the “5000 Poppies” Campaign for the 100th Anniversary of the Anzac landing at Gallipoli in principle and refer to the 2015 Anzac Day Committee. **(Douglas/Neill)**

8 WEEKLY CIRCULARS

189/2014 RESOLVED that the Local Government Weekly Circulars be noted. **(Griffiths/Hampstead)**

Other Matters:

Nyngan Rugby Union Club:

190/2014 RESOLVED that permission be granted to the Nyngan Rugby Union Club to purchase and set up a 20 x 8 container on the southern end of the Club House to store training aids, barbecue and tables and chairs. The container is to be painted the same colour as the Clubhouse and Council advise the Club that it is not in a position to offer assistance with the installation. **(Neill/Hampstead)**

191/2014 RESOLVED that the correspondence advising of the State Community Service Award be received. **(Hampstead/Ryan)**

Mural at library.

Defer until Council June Meeting 2014.

There being no further business the meeting closed at 2.45pm.

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

