



BOGAN SHIRE COUNCIL

Minutes

23 October 2014

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 23 October 2014 at 9.00am**

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

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

Declaration of Interest: Nil

379/2014 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 26 September 2014, copies of which have been circularised to Councillors be taken as read and confirmed with the following amendment: **(Neill/Griffiths)**

Resolution 336/2014 - to read:-

336/2014 RESOLVED that a dinner be held and Glad Eldridge be presented with a plaque in her honour which will be located at the Museum. (Douglas/Neill)

Business Arising

380/2014 RESOLVED that the honorarium to be paid to the new Museum Coordinator remains the same as previously. **(Griffiths/Deacon)**

- Adoption of 2013/14 Draft Annual Statements

381/2014 RESOLVED that the following amendments to the adopted Annual Financial Statements be noted. **(Douglas/McLaughlin)**

\$000's	Draft Accts	Revised Accounts	Amount	Reason
Net Deficit	1,739	1,092	647	
<i>Due to the following changes</i>				
Depreciation	3,938	3,384	554	Primarily due to revised unit cost for the construction of rural roads. This reduced the replacement cost of these assets which consequently reduced annual depreciation.
Employee Costs	5,225	5,132	93	Due to the re-calculation of long service leave entitlements.

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- Parking at Australian Hotel – waiting on a decision from Traffic Meeting committee.
- Fit for the Future Program – Rural Council Model Workshop - Dubbo 5 November 2014.
- Swimming Pool – Discussions held for a Licence Agreement for the store room.

Discussion

LGNSW Conference.

382/2014 RESOLVED that Council write to LGNSW with concerns about the way the Conference was conducted. **(Hampstead/ McLaughlin)**

The following resolutions arose from decisions made in the Closed and Confidential Section of the meeting on 23 October 2014:-

374/2014 RESOLVED that the apology received from Councillor LH Dutton be received and he be granted leave of absence from both meetings. **(Griffiths/Neill)**

375/2014 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 section 10A (2) (c) because information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting business. **(Griffiths/Neill)**

376/2014 RESOLVED that the Minutes of the Closed and Confidential Meeting of Council held on 26 September 2014, copies of which have been circularised to Councillors be taken as read and confirmed. **(Hampstead/Griffiths)**

377/2014 RESOLVED that the Mayor and General Manager be authorised to negotiate the purchase of property in Pangee Street. **(Hampstead/Ryan)**

378/2014 INCLUSION OF PRESS AND PUBLIC: RESOLVED that Council move into open Council. **(Douglas/Neill)**



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COMMITTEE MEETING MINUTES

1 NYNGAN RACECOURSE / SHOWGROUND USERS ADVISORY GROUP MEETING

383/2014 RESOLVED that the Minutes of the Racecourse / Showground Users Advisory Group Meeting held at the Council Chambers on 9 October 2014 be received. **(Ryan/Douglas)**

2 NYNGAN MUSEUM

384/2014 RESOLVED that the Minutes of the Nyngan Museum Meeting held on Wednesday 17 September 2014 be received. **(Griffiths/Ryan)**

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MEETING OF COUNCIL – GENERAL MANAGER’S REPORT

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	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 has removed underground tanks mid-2014 prior to lease approval.
	19/12/2013	507/2013		Approach John Holland to beautify site of former BP Service Station.		Verbal confirmation received from John Holland Rail that a lease document will be forwarded to Council in coming weeks. Still awaiting lease document from JHR.
2	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	Works progressing, design of kennels completed and to be manufactured by BSC. Works program placed on hold until all other works are completed due to limited staff.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
3	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	Works scheduled for May 2015 – hot weather not suitable for wearing asbestos protective clothing.
4	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. Accreditation will be sought in time for 2015 'holiday season'.
5	22/05/2014	181/2014	Swimming Pool	Filtration plant room & associated structure. A final report to November Council meeting detailing final costs of all works & proposed future redevelopment works for 2015/16.	MDES	Pool to be prepared for public opening by October. General pool M&R program completed. 95% of all external works to filtration plant room completed. Shade sails installation expected by mid-November. Pool ready for 2014 swimming season. Minor internal works still outstanding but should be completed by mid-November.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
6	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	Removal completed. Paving subject to budget.
	27/03/2014	065/2014		New playground area to be located in the centre of the Park.		Two (2) matching park seats installed one near telephone box and other adjacent to playground. New fencing and soft-fall material installed in October. Entire playground area to be completed by early November. Relocated picnic table and shelter completed to new location. Depending on available budget, top-dressing and turf outstanding at present.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
7	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 disposal program. Issues with WorkCover requirements final clean-up, specialised equipment required. Efforts to resolve are still progressing. Suitable equipment located, waiting on contractor.
8	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. 	ENG	Engineering preparing design options and estimates for consideration during 2014/2015. Proposal and Estimate sent to RMS.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
9	23/04/2013	124/2013	Flood 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. Insurance Council advised that Council has adopted the Nyngan Flood Study. Continue to monitor.
10	22/05/2014	175/2014	Showground Arena Irrigation	Showground Watering System be upgraded in conjunction with the completion of the cemetery raw water system.	ENG	Mid-State Equestrian Club event on September 20 & 21. Postpone work until October 2014.
11	27/03/2014	067/2014	Skate Park	Shade Sail Cover over the Skate Park.	MDES	Contractor erected poles. Shade sails measured with installation expected by mid-November.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
12	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	<p>Planning proposal lodged with the NSW Department of Planning and Infrastructure.</p> <p>Gateway Determination was to proceed subject to variations outlined in the Gateway Determination conditions.</p>
13	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	Discussions with Senior Management of NSW Western LHD ongoing.
	26/06/2014	199/2014		GM pursue options for obtaining funding for the construction of a new medical centre.		

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
14	27/03/2014	066/2014	Heritage Park	Order & plant a grove of trees surrounding the sandstone blocks & plant Lone Pine tree.	ENG	Only 2 trees remain to be planted in October in conjunction with Pangee Street redevelopment.
15	22/05/2014	182/2014	Teamster Rest Area	Cobb & Co Coach & Bullock Wagon location – confirm quotations and budget allowing progress without delay.	MDES	Quotations received within budget for frame, cladding and roofing materials. DA submitted and being assessed. Project to start late-October but now expected completion date to be early December 2014 depending on staff and contractors.
16	22/06/2014	209/2014	Tourist Information Bay	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. Council charge an annual fee and an initial fee.	GM	Information supplied to AGL – awaiting response on sponsorship. Tritton Mines also approached for sponsorship.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
17	28/08/2014	302/2014	Nyngan Child Care	Council proceed with the application for funding a study into the viability of providing a childcare service in Nyngan.	MCS	Application submitted.
18	28/08/2014	308/2014	Oval Place	Construct a length of 270 metres of road from Terangion Street to Larsen's Depot.	ENG	To be programmed.
19	26/09/2014	356/2014	RMS Directional Signage into Nyngan	Refer to Traffic Committee & then to RMS.	ENG	Further signage be investigated.
20	24/07/2014	279/2014	Dialysis Services at Nyngan Hospital	Send a firm letter to the Health Minister, Local Member & Dubbo Health District stating urgent need for expansion of the services.	GM	Letter sent, discussion held with LHD – dialysis services currently under review throughout district. Response received - Precis October 2014.

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Item No.	Date	Minute No	Matter	Action Required	Officer	Status
21	28/08/2014	297/2014	Lease of Council Road	Council applies to Crown Land to close unformed road which passes through Lot 43 DP752899.	GM	Process underway.
22	28/08/2014	317/2014	Nyngan Airport	Investigate supplying aviation fuel & providing a refuelling service.	ENG	Dr Heggie advised.
23	26/09/2014	337/2017	Sports Insurance	Urgent letter be sent to Insurance Council of Australia re insurance benefits paid to injured players.	GM	Letter sent.
24	26/09/2014	362/2014	Nyngan Waste Management & Resource Facility	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.	MDES	Investigations under way.

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25	26/09/2014	363/2014	Fire Safety Audit Program	Further report on progress of compliance with Program.	MDES	Several commercial properties inspected with Fire Safety Audit Reports referred to owners for further consultation in coming weeks. Report to March 2015 Council Meeting on overall impact.

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385/2014 RESOLVED that Council request the Insurance Council of Australia to advise all insurance companies that Nyngan is not a flood prone town as it is protected by a levee bank as demonstrated by the Bogan Shire Council Flood Study. **(Ryan/Douglas)**

386/2014 RESOLVED that Council write to all the Shire Sporting Clubs' controlling bodies asking them to explain exactly what the premiums paid from the local Clubs are used for. **(Ryan/Douglas)**

387/2014 RESOLVED that Council:-

1. Write to the Minister for Health and the Local Member concerning the response Council received from the Western NSW Local Health District regarding the dialysis services at Nyngan.
2. Issue a Press Release stating what is happening with the dialysis services at Nyngan. **(Hampstead/Griffiths)**

388/2014 RESOLVED that the Manager Engineering Services Shire prepare a quote for consideration at the next Council meeting to replace the watering system at the showground arena using existing parts where possible. **(Hampstead/Ryan)**

389/2014 RESOLVED that the report relating to the Monthly Checklist be received. **(Ryan/Hampstead)**

2 PRECUNIARY INTEREST RETURNS

390/2014 RESOLVED that the Pecuniary Interest Register be received and noted. **(Ryan/Neill)**

3 DELIVERY PROGRAM

391/2014 RESOLVED that the report on the Delivery Program 2014/15 activities, with minor changes, as presented to Council be noted. **(Ryan/Deacon)**

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4 CHRISTMAS – NEW YEAR OFFICE CLOSURE

392/2014 RESOLVED that in addition to the public holidays over the Christmas / New Year period, Council closes the Shire Offices on the 29, 30 and 31 December 2014 and 2 January 2015 and advises the community accordingly. **(Hampstead/Griffiths)**

5 DECEMBER / JANUARY RECESS

393/2014 RESOLVED that:-

1. Council goes into recess from 19 December 2014 until 31 January 2015 and consequently does not have an ordinary meeting during January 2015.
2. Pursuant to and subject to the limitations of Section 377 of the Local Government Act, Council grants authority to the Mayor, Deputy Mayor and General Manager with Councillors to be contacted if practical, to make decisions on behalf of Council during this recess period.
3. Any such decisions are to be reported to the Council at its first meeting in 2015. **(Ryan/Hampstead)**

6 NYNGAN SHOW DAY

394/2014 RESOLVED that Council investigate whether a Local Event Day gives the right for Schools to close, if it does, request the Show Day be declared a Local Event Day. If the Schools are unable to close for a Local Event Day, the Show Day be requested to be declared a half day public holiday. **(Ryan/Deacon)**

REPORTS TO ORDINARY MEETING OF COUNCIL - CORPORATE SERVICES DEPARTMENT

1 BANK RECONCILIATION

395/2014 RESOLVED that the Bank Reconciliation report be received and noted.
(Douglas/Neill)

2 INVESTMENTS

396/2014 RESOLVED that the Investments Report be received and noted.
(Griffiths/Neill)

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

397/2014 RESOLVED that the Rates Collections Report be received and noted.
(Neill/McLaughlin)

4 REVISION OF PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE MAYOR AND COUNCILLORS POLICY – AP002

398/2014 RESOLVED that Council adopt the current Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy AP002 for a further 12 months. (Ryan/Griffiths)

5 REVISION OF COUNCIL'S INVESTMENT POLICY

399/2014 RESOLVED that Council adopt the current Investment Policy FIN002 for a further 12 months. (Ryan/Griffiths)

6 SECTION 713 SALE OF LAND FOR UNPAID RATES

400/2014 RESOLVED that:

1. The report be received and noted.
2. Council conduct the auction of properties for the recovery of unpaid rates and charges on Saturday 11 April 2015.
3. The General Manager be authorised to purchase any blocks that do not attract a bid. (Ryan/Deacon)



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At 11.00am, Council adjourned for morning tea and attended the opening of the refurbished Library. Council resumed at 12 noon.

401/2014 RESOLVED that a letter be forwarded to the Library staff commending them on a successful opening of the refurbished Library. **(Griffiths/Hampstead)**

Council now continued with the Manager Corporate Services' Report.

7 REQUEST FROM NYNGAN HOSPITAL FOR REDUCTION IN WATER AND SEWER CHARGES

402/2014 RESOLVED that Council not provide a subsidy to Western NSW Health for water usage or discharging to the sewerage system. **(Ryan/Neill)**

8 BOGAN BUSH MOBILE REPORT TERM 3

403/2014 RESOLVED that the Bogan Bush Mobile Report for Term 3 be received and noted. **(Douglas/Deacon)**

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

1 OPERATIONAL REPORT

404/2014 RESOLVED that the Operational Report for Engineering Services for the period 15 September 2014 to 10 October 2014 be received and noted. **(Hampstead/Neill)**

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

1 DEVELOPMENT APPLICATIONS

405/2014 RESOLVED that the Development Applications Report be received and noted. **(Hampstead/Douglas)**

At 12.15pm, the Mayor conducted an Australian Citizenship Ceremony for Mr Stuart Dedman.

406/2014 RESOLVED that Council write to the RFS and enquiry what the Service is doing to recruit adequate volunteers for the town brigade and why the service has not been able to respond to local call outs. eg Nyngan Waste Facility fire. **(Hampstead/Neill)**

2 OPERATIONAL REPORT – PARKS AND GARDENS TEAM

407/2014 RESOLVED that the Operational Report – Parks and Gardens be received and noted. **(Ryan/Neill)**

3 OPERATIONAL REPORT – NOXIOUS WEEDS OFFICER

408/2014 RESOLVED that the Operational Report – Noxious Weeds be received and noted. **(Hampstead/Douglas)**

4 POTENTIAL REZONING – PROGRESS REPORT

409/2014 RESOLVED that the Potential Rezoning – Progress Report be received and approval in principle not be given by Council. **(Hampstead/Neill)**

PRECIS OF CORRESPONDENCE

1 REGIONAL MARKETING PROJECT

410/2014 RESOLVED that Council not support the Regional Marketing Project and OROC be advised that in Council's opinion, no benefit to Nyngan would be gained by participating in the Project. **(Ryan/Hampstead)**

2 WESTERN NSW LOCAL HEALTH DISTRICT

This item had been dealt with earlier in the meeting.

3 NSW RURAL FIRE SERVICE

411/2014 RESOLVED that the NSW RFS correspondence concerning the 10/50 Vegetation Clearing Scheme be received. **(Ryan/Neill)**

4 MARK COULTON MP

412/2014 RESOLVED that the correspondence received from Mark Coulton MP advising the Australian Government has launched the National Stronger Regions Fund (NSRF) be received. **(Ryan/Griffiths)**

5 WEEKLY CIRCULARS

413/2014 RESOLVED that the Local Government Weekly Circulars be noted. **(McLaughlin/Deacon)**

6 TROY GRANT, MINISTER FOR HOSPITALITY, GAMING AND RACING AND MINISTER FOR THE ARTS

414/2014 RESOLVED that the correspondence received from Minister Troy Grant advising that the NSW Government has increased public library funding in the 2014/15 budget to help public libraries meet the needs of local communities be noted. Bogan Shire Council will receive a library subsidy payment of \$22,295 in 2014/15. **(Hampstead/Griffiths)**

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6 THE HON WARREN TRUSS MP DEPUTY PRIME MINISTER

415/2014 RESOLVED that the correspondence received from the Hon Warren Truss advising of Council's funding allocation under the Roads to Recovery Program from 1 July 2014 to 30 June 2019 be noted. Council's allocation for that period is \$3,744,965. **(Neill/Deacon)**

Other matters:

Correspondence received from Ian Hamblin re decommissioned fire trucks – report to the next Council Meeting.

December Council Meeting to be held on Thursday 18 December 2014.

There being no further business the meeting closed at 1.00pm.

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

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GENERAL MANAGER

.....
MAYOR

