



BOGAN SHIRE COUNCIL

MINUTES

28 March 2019

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 28 March 2019 at 9.30am**

PRESENT: Councillors RL Donald OAM, (in the Chair), VJ Boag, WG Deacon, JL Douglas, VJ Dutton, AJ Elias, GN Jackson, GRJ Neill and KM Ryan.

Also present were Mr Derek Francis (General Manager), Mr Graeme Bourke (Director Engineering Services) Mrs Stephanie Waterhouse (Director Finance and Corporate Services), Mr Tony Payne (Director Development and Environmental Services), Mrs Debb Wood (Director People and Community Services), Mrs Cathy Black (Senior Environmental Officer) and Mrs Cathy Ellison (Executive Assistant).

DECLARATION OF INTEREST: Nil

060/2019 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 28 February 2019, copies of which have been circularised to Councillors be taken as read and confirmed with the following amendment. **(Ryan/Deacon)**

Minute 009/2019 December/January Recess – Delegated Decision

Item No. 3 part b: - be

- a. That the daily amount supplied on any one occasion be limited to 30 kilolitres with a maximum per household of 30 kilolitres per week.

Business Arising: Nil

061/2019 RESOLVED that the Minutes of the Extraordinary Meeting of Council held on 14 March 2019, copies of which have been circularised to Councillors be taken as read and confirmed with the following amendment: **(Neill/Boag)**

To include in the Minutes:-

Councillor Dutton gave a Welcome to Country, prior to Mr Allan Yates, Consultant Workplace Solutions conducting training for the Model Code of Conduct for Local Councils in NSW.

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Business Arising:

- Nyngan to Gunningbar Creek Confluence Bogan River Association

062/2019 Recognising that it is important to maintain the level of water in the Recreation/Lower Weir for a number of purposes: tourism, the supply of raw water for stock and domestic users and to maintain habitat for the Olive Perchlet, Council **RESOLVED** that the General Manager engage, at no cost to Council, a consultant to carry out the necessary work to facilitate the following:-

1. Obtaining a 3,000 megalitre allocation for the Recreation/Lower Weir.
2. Changing the classification of the Recreation/Lower Weir to enable environmental and high security water to be put in the Weir.
3. Having a pipeline constructed from the Recreation/Lower Weir to the Bogan River Confluence with the Gunningbar Creek to enable the stock and domestic users to obtain their licence from the pipeline. **(Neill/Boag)**

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 28 March 2019.

054/2019 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 it is information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. **(Elias/Boag)**

055/2019 RESOLVED that the Minutes of the Closed and Confidential Section of the Extraordinary Meeting of Council held on 14 March 2019, copies of which have been circularised to Councillors be taken as read and confirmed. **(Ryan/Dutton)**

056/2019 RESOLVED that Council accept the quote from GA and JA Martin Building to carry out the required work for the Coolabah Hall. **(Jackson/Deacon)**

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057/2019 RESOLVED that Council accept the quote from Mal Donald Building to carry out the required work for Larkin Oval – Canteen Redevelopment, on condition that local tradespeople and labourers are used for the works and that local suppliers are used except where required components are not available locally. **(Douglas/Dutton) Unanimous**

058/2019 RESOLVED that with reference to Resolution 397/2018, Council's definition of "local business" is considered to include one owned by a ratepayer of Bogan Shire Council. **(Douglas/Dutton)**

059/2019 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Elias/Boag)**

COMMITTEE MEETING MINUTES

1 NYNGAN MUSEUM MEETING

063/2019 RESOLVED that the Minutes of the Nyngan Museum Committee Meeting held on 6 March 2019 at the Nyngan Museum be received and noted. **(Ryan/Deacon)**

2 ORANA JO BOARD MEETING

064/2019 RESOLVED that the Minutes of the Orana JO Board Meeting held on 4 March 2019 at the Warrumbungle Shire Council be received and noted. **(Neill/Dutton)**

Other matters:

065/2019 RESOLVED that Council send a *thank you* letter to Kevin Humphries in appreciation of his work with Bogan Shire Council during his time as the State Member for Barwon and invite the new State Member Roy Butler to visit Council. **(Neill/Dutton)**

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

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	27/10/2016	423/2016	Seniors Living Rental Units –	Consult with community to gauge interest in the project before making a decision on which location & how many units to build.	DDES	<p>Public Information Meeting 14 December 2016.</p> <p>Community expressed a preference for the Cobar/Dandaloo Streets site.</p> <p>Application under Stronger Country Communities successful.</p> <p>Project documentation ready to proceed to tender.</p> <p>Demolition programmed for July 2019.</p>

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2	28/09/2017	283/2017	Medical Centre	The General Manager in consultation with PHN proceeds to recruit & engage a second doctor for the BSMC.	GM	Recruitment agencies engaged to source locum / permanent second doctor. Second Locums secured until 31/12/2019.
3	21/12/2017	392/2017	Increase of train speed through Nyngan	Strong letter of concern & a request to address Council be sent to the relevant rail authorities & a copy to local member.	GM	Letter sent to Minister for Transport & Infrastructure, with copy to Kevin Humphries.
	21/06/2018	293/2018		Council seek further follow up from the responsible Minister, reiterating Council's safety concerns for pedestrians & road users due to the nature of the crossing & variation of speeds & that the best control measures would be to erect flashing lights at the Hoskins Street Crossing.	GM	406 Petitions received.

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4	21/06/2018	186/2018	Oatley Street Sewer Reticulation System	Council undertakes community consultation via survey to Oatley Streets residents concerning this request.	DES	In progress. Letters sent to residents 11 July 2018. 47 letters sent, 7 responded No, 9 Yes (2 depending on cost). Progressing with design and cost estimates for a full report to Council.
5	27/09/2018	290/2018	Fuel at Nyngan Airport	Council investigate if there are any fuel companies interested in supply fuel at the Nyngan Airport and Council Depot.	DES	Council's current fuel supplier preparing prices.
6	27/09/2018	294/2018	Nyngan / Cobar Water Security Project	Council pursue the necessary processes to secure funding for the construction of a second off-river storage & an allocation to fill the completed off-river storage.	DES	In Progress. Business Case has been completed and submitted. Business Case is being assessed.

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7	25/10/2018	340/2018	Palais Theatre	Following selection of options & places, detailed costings be obtained to facilitate a grant application for a new structure.	GM	Depends on outcome of Resolution 392/2018 below – Town Hall.
8	22/11/2018	405/2018	Rural Addressing – Renaming Tottenham Road to the Bogan Way	Council rename the road from Nyngan to the Shire Boundary “The Bogan Way”. Council advertise the name change & notify relevant agencies of the renaming of the road & advise residents along the Tottenham Road & reason why. Council rename the Nymagee to Condobolin Road the Balowra Road from the Cobar Shire Boundary to Bobadah, then Henry Parkes Way from Bobadah heading south towards Condobolin.	DES	In Progress.

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9	28/02/2019	005/2019	Delay of Post Mortems	Council forward a strong letter to the Post Mortem Centre in Newcastle & relevant Government Dept / Minister responsible, demanding the time taken for post-mortems be investigated & improved. Support from other regional towns through Orana JO be sought.	Mayor	Letter sent.
10	28/02/2019	007/2019	Moves to Regulate Angel Flight	Council contact relevant authorities with concerns of proposed CASA regulations for Angel Flight & express Council support that Angel Flight Services continues as has been.	Mayor	Letter sent.

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11	28/02/2019	021/2019	Drought Works	<p>The General Manager continues to pursue grant funding opportunities to meet the cost to improve water security for Girilambone & Hermidale.</p> <hr/> <p>Council strongly points out to the relevant authorities that paying for water tanks will save the NSW Government money in the medium to long term rather than paying for the carting of water to fill the overhead tanks.</p>	DES	Application submitted, awaiting response.
12	28/02/2019	047/2019	Plaque at Nyngan Airport Terminal for Bill Taylor	Council have a plaque made in recognition of Bill Taylor & his contribution to local aviation. Plaque to be placed outside the terminal. Final suggestions for wording on the plaque in consultation with local pilots & family.	DES	In progress.



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066/2019 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Ryan/Elias)**

Councillor Veneta Dutton gave a Welcome to Country.

At 10.00am, Charles de Beer, Building Designer, now addressed Council in regard to the Palais Theatre and a new Community Centre on the Town Hall site.

Mr de Beer was thanked for his address and presentation of plans.

Mr Zac Riley now attended the meeting and was thanked for his services for the past eleven years as Manager of the Nyngan Swimming Pool.

Council adjourned for Morning Tea at 10.30am and resumed at 10.50am.

Council now discussed item 5 of the General Manager's Report.

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5 NYNGAN REGIONAL CULTURAL CENTRE AND THEATRE

Summary:-

This report is for Council to give further consideration to the reconstruction of the Palais Theatre including draft plans for a new Community Centre on the Town Hall site.

067/2019 RESOLVED that Council accepts the plans for a new Nyngan Regional Cultural Centre and Theatre on the site of the existing Town Hall. **(Boag/Ryan)**

It was **MOVED** that Council demolish the Palais Theatre, with the costs to be provided from accumulated funds. **(Ryan/Neill)**

An **AMENDMENT** was **MOVED** that Council seek to demolish the Palais Theatre subject to a quote to be considered by Council to carry out the work. **(Douglas/Jackson)**

The **AMENDMENT** was **PUT** to Council and **LOST**.

068/2019 RESOLVED that Council demolish the Palais Theatre, with the costs to be provided from accumulated funds. **(Ryan/Neill)**

069/2019 RESOLVED that Council retain items from the Palais Theatre for use or for sale to the public. **(Douglas/Jackson)**

Council returned to item 2 of the General Manager's Report.

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2 BOGAN SHIRE COUNCIL DROUGHT APPEAL FUND

Summary:-

The purpose of this report is to brief Council on the status of the Bogan Shire Council Drought Appeal Fund.

070/2019 RESOLVED that:-

1. The Bogan Shire Council Drought Appeal Fund report be received and noted.
2. Council endorses the decision of the Bogan Shire Council Drought Appeal Fund Committee to provide assistance in the amount of \$8,650.00 for the period 22 November 2018 to 14 March 2019.
3. Council now close the Bogan Shire Council Drought Appeal Fund, and transfer the balance of \$5.00 to the general revenue. **(Ryan/Boag)**

3 ELECTRONIC REPORTING FOR COUNCIL BUSINESS PAPER

Summary:-

The purpose of this report is to address the options available to Council for electronic business papers, minutes, meetings and correspondence.

071/2019 RESOLVED that Council considers including an amount in the 2019/20 Budget for purchase of the iPads and additional software and sufficient funding for training. **(Ryan/Boag)**

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4 MODEL CODE OF MEETING PRACTICE

Summary:-

The purpose of this report is for Council to consider and adopt the Model Code of Meeting Practice.

072/2019 RESOLVED that Council approves the Model Code of Meeting Practice subject to amendments noted or public exhibition. **(Ryan/Douglas)**

6 SECTION 355 COMMITTEE – COOLABAH SCHOOL OF ARTS HALL

Summary:-

The purpose of this report is to recommend to Council to adopt the attached Delegation of Authority for the Coolabah School of Arts Hall Section 355 Management Committee, effective from 1 April 2019.

073/2019 RESOLVED that Council adopts the Delegation of Authority for the Coolabah School of Arts Hall Section 355 Management Committee, effective from 1 April 2019. **(Ryan/Deacon)**

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REPORT TO THE ORDINARY MEETING OF COUNCIL - DIRECTOR PEOPLE AND COMMUNITY SERVICES

1 VISITOR INFORMATION CENTRE OPERATIONAL REPORT

Summary:-

The purpose of this report is to provide information to Council on the operations of the Visitor Information Centre.

074/2019 RESOLVED that the Operational Report for the Visitor Information Centre be received and noted. **(Neill/Douglas)**

2 DEFIBRILLATOR GRANT

Summary:-

The purpose of this report is to provide information to Council on the NSW Government Local Sport Defibrillator Grant Program including the responses received from local sporting and community organisations as part of the community consultation process.

075/2019 RESOLVED that Council apply for three defibrillators under the NSW Government Local Sport Defibrillator Grant Program, to be located at:

- Larkin Oval for all users;
- Nyngan Swimming Pool First Aid Room; and
- Hermidale Showground. **(Jackson/Boag)**

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3 ARTS AND CULTURE FUNDING

Summary:-

The purpose of this report is to provide information to Council on the background and current arrangements regarding the funding of arts and culture within Bogan Shire and to determine future funding arrangements.

076/2019 RESOLVED that Council participate in membership of Outback Arts.
(Ryan/Douglas)

4 ELECTRIC VEHICLE CHARGING PROGRAM

Summary:-

The purpose of this report is to provide information to Council on a program to increase the number of electric vehicle charging ports along designated routes in regional NSW.

077/2019 RESOLVED that Council approves the submission of an expression of interest to the TfNSW Electric Vehicle Charging Program, at the General Manager's discretion. (Douglas/Neill)

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5 BOGAN SHIRE MEDICAL CENTRE

Summary:-

This report on the establishment and operations of the Bogan Shire Medical Centre has been compiled to record the background to the establishment and operation of a critically important piece of community infrastructure, the challenges encountered in the process as well as the successes of Bogan Shire Council in constructing and operating the Centre.

078/2019 RESOLVED that the Bogan Shire Medical Centre Report, be received and noted. (Ryan/Neill)

REPORT TO THE ORDINARY MEETING OF COUNCIL – DIRECTOR OF FINANCE AND CORPORATE SERVICES

1 INVESTMENTS FEBRUARY 2019

Summary:-

The report is to outline the performance of Council's Investment Portfolio for the month of February 2019.

At 28 February 2019 Council had \$11.45 million invested. There has been an increase of \$436,000 due to grant funds being received.

079/2019 RESOLVED that the Investments Report for February 2019 be received and noted. **(Jackson/Dutton)**

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

- The report is to provide a comparison of rate collections as at 28 February 2019, with the same period last year.*
- Total arrears have increased from \$551,116 as at 28 February 2018 to \$632,535 as at 28 February this year.*

080/2019 RESOLVED that the Rates and Annual Charges Collection Report for February 2019 be received and noted. **(Jackson/Deacon)**

3 MANAGING CROWN LANDS

Summary:-

The purpose of this report is for Council to adopt the classifications and categorisations of the Crown Land in the attached listing. Council is now responsible for the management of the majority of Crown Lands in Bogan Shire.

081/2019 RESOLVED that Council adopt the Classifications and Categories for each Reserve as listed. **(Ryan/Elias)**

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

1 OPERATIONAL REPORT

082/2019 RESOLVED that the Operational Report, including Civil Works, Community Facilities and Roads for the reporting period 18 February 2019 to 15 March 2019 be received and noted. **(Boag/Dutton)**

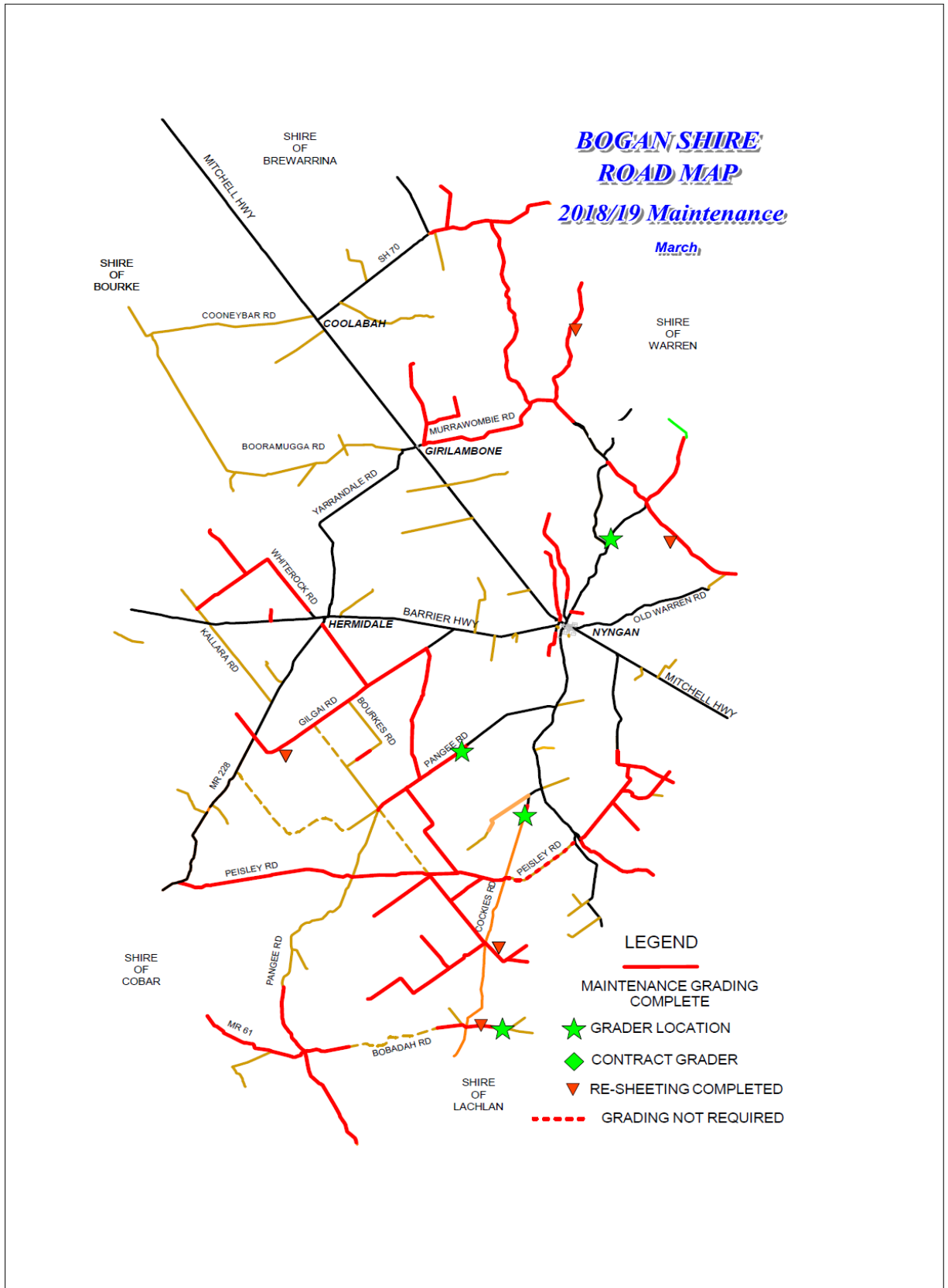
2 DROUGHT MANAGEMENT PLAN

Summary:-

The purpose of this report is to provide information to Council on the preparation of a Nyngan Cobar Drought Management Plan.

083/2019 RESOLVED that Council urgently request the Department of Industry – Water to investigate the availability, quality, and quantity of ground water to the east of Nyngan. **(Jackson/Neill)**

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

1 DEVELOPMENT APPLICATIONS

084/2019 RESOLVED that the Development Applications Report since 28 February 2019 be received and noted. (Neill/Ryan)

2 OPERATIONAL REPORTS

085/2019 RESOLVED that the Operational Report, since 28 February 2019, including Parks and Gardens Team and Noxious Weeds Officer be received and noted. (Boag/Deacon)

PRECIS OF CORRESPONDENCE

1 CAROLINE WALSH

086/2019 RESOLVED that the *Thank You* letter received from Caroline Walsh for Council's support of the Nyngan High School Tongling Delegation Tour 2018 be received and noted. (Ryan/Elias)

2 COOLABAH UNITED CITIZENS INC

087/2019 RESOLVED that no action be taken regarding the correspondence received from the Coolabah United Citizens Inc asking Council to release to the Corporation \$1000 from the village fund. (Ryan/Deacon)

3 SERVICE NSW

088/2019 RESOLVED that Council respond to Service NSW's request for two driver testing parking spaces in close proximity to the Service Centre and suggest that the rear of the building would be suitable for parking spaces for driver testing. (Neill/Ryan)

4 AUSTRALIAN FLOODPLAIN ASSOCIATION

089/2019 RESOLVED that Council become a member of the Australian Floodplain Association for 2019/2020. **(Ryan/Boag)**

5 NYNGAN RIVERSIDE TOURIST PARK

090/2019 RESOLVED that the correspondence received from Dione Carter, Nyngan Riverside Tourist Park regarding water issues with the Bogan River be received and noted, and Council pass on Resolution 062/2019. **(Ryan/Neill)**

6 2WEB OUTBACK RADIO

091/2019 RESOLVED that Council pay 2WEB Outback Radio $\frac{1}{4}$ of the Annual Package for this financial year and the full annual package deal of \$5,500, plus GST, be considered in the budget. **(Neill/Jackson)**

7 LOCAL GOVERNMENT NSW

092/2019 RESOLVED that the correspondence received from the President, Cllr Linda Scott, Local Government NSW regarding drought relief measures be received and noted. **(Ryan/Elias)**

8 WEEKLY CIRCULARS

093/2019 RESOLVED that Weekly Circulars dated 22 February 2019, 1 March 2019, 8 March 2019 and 15 March 2019 be noted. **(Ryan/Deacon)**

Council adjourned for lunch and concluded the meeting at 12.30pm.

Council presented Certificates of Appreciation to Kevin and Joan Jeffery (48 years) and Button and Dianne Powell (30 years) for their services in driving the school buses in our Shire.



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There being no further business the meeting closed at 12.30pm.

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

