



BOGAN SHIRE COUNCIL

Minutes

21 December 2017



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 21 December 2017 at 8.30am**

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 (Manager of Engineering Services), Mr Ty Robson (Manager Development and Environmental Services), Mrs Debb Wood (Manager People and Community Services), and Mrs Cathy Ellison. (Executive Assistant)

DECLARATION OF INTEREST: Nil

384/2017 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 23 November 2017, copies of which have been circularised to Councillors be taken as read and confirmed. **(Neill/Boag)**

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section

380/2017 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 23 November 2017, copies of which have been circularised to Councillors be taken as read and confirmed. **(Ryan/Boag)**

381/2017 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 (or proposes to conduct) business. **(Neill/Elias)**

382/2017 RESOLVED that:-

1. Council accept the tender of Hitachi for a ZW180-5 Front End Loader for the amount of \$239,000.
2. The General Manager be authorised to dispose of the Hitachi Loader (Plant 640) in the best interests of Council via trade in or a private offer. **(Ryan/Jackson)**

383/2017 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into Open Council. **(Dutton/Deacon)**



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385/2017 RESOLVED that Council deal with the late item of correspondence – Minutes of the Showground Users Advisory Group Meeting held on 20 November 2017. **(Ryan/Neill)**

386/2017 RESOLVED that the Minutes of the Showground Users Advisory Group Meeting held at the Bogan Shire Council Chambers on 20 November 2017 be received and noted. **(Elias/Douglas)**

COMMITTEE MEETING MINUTES

1 OROC BOARD MEETING

387/2017 RESOLVED that the Minutes of the OROC Board Meeting held at the NSW DPI – Trangie Agricultural Research Centre on Friday 1 December 2017 be received and noted. **(Neill/Dutton)**

NOTICE OF MOTION

388/2017 RESOLVED that leading up to the 2018 Estimates Meeting the General Manager be requested to table for discussion policies that have a direct bearing on our Estimates Meeting.

This will give Councillors and in particular the less experienced Councillors an opportunity to be more informed and have a better understanding of the policies and how decisions we make can affect the Bogan Shire community. **(Boag/Dutton)**

To be discussed at the Estimates Workshop: - Policies:-

- Transfer to plant fund;
- Vehicles;
- Rates;
- Water Charges;
- Waste Facility Charges; and
- Sale of Unpaid Rates.

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REPORT TO ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

1 JOINT ORGANISATIONS

389/2017 RESOLVED that Council agree in principle to become part of the Orana Joint Organisation, subject to further discussions with OROC Councils, with a decision to be made at the 22 February 2018 Council Meeting. **(Neill/Jackson)**

2 AUSTRALIA DAY NOMINATIONS

390/2017 RESOLVED that Council extend the closing date for Australia Day nominations until 5 January 2018. **(Ryan/Jackson)**

3 NSW LOCAL GOVERNMENT ANNUAL CONFERENCE

Held in Sydney 4 to 6 December 2017.

Attended by Mayor Ray Donald, Deputy Mayor Glen Neil, Councillors Victoria Boag and Veneta Dutton, and Manager of Engineering Services, Graeme Bourke.

391/2017 RESOLVED that the NSW Local Government Annual Conference Report be received and noted. **(Deacon/Elias)**

Other matters:

Trains now passing through Nyngan at a speed of 80kph.

392/2017 RESOLVED that Council send a strong letter of concern and a request to address Council on this matter to the relevant rail authorities, with a copy of the letter to the local member. **(Douglas/Neill)**

393/2017 RESOLVED that a report on a way to preserve the goods ramp located near the Mid State Shearing Shed Museum be considered at the Estimates Meeting. **(Ryan/Deacon)**



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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	13/12/2012 28/03/2013	418/2012 098/2013	Davidson Park Revitalisation Program	Establish paving pathways to the mural.	MDES	Work commenced, further works programmed for second quarter 2018.
2	26/09/2014	363/2014	Fire Safety Audit Program	Further report on progress of compliance with Program.	MDES	Fire Safety Audit Reports (FSARs) to all selected properties completed. Meetings held with several owners / Boards. Agreement on required works achieved with several owners / Boards.

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	26/02/2015	033/2015		Legal proceedings including the issuing of Notices and Orders to commence against the owner/occupier of any premises who fails to confirm their agreement to comply with the findings of the FSAR.		Efforts still being made to have owners upgrade building voluntary.
3	24/03/2016 15/12/2016	078/2016 485/2016	Bicentennial Wall & Ceramic Mural	The General Manager work with Peter Zanetti to undertake the necessary work to complete the reinstatement of the wall & mural.	GM	Community workshops held on Saturday 12 and Sunday 13 August 2017, with 20 people participating. Wall has been reconstructed with only minor works outstanding. Meeting held 5 December 2017 with Peter Zanetti. All tiles have been remade, glazing underway.



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4	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.	GM	<p>Public Information Meeting 14 December 2016.</p> <p>Community expressed a preference for the Cobar/Dandaloo Streets site.</p> <p>Grant application made under Resources for Regions Program.</p> <p>Application not successful.</p> <p>Building Better Regions Grant Program identified as a match for this project.</p> <p>Application submitted.</p>
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5	27/072017	236/2017	National Broadband & Network Design	Council raises it concern with the current footprint with the Minister for Communications & Arts & member for Parkes to ensure that our community is able to fully benefit from the fixed line NBN delivery.	MDES	<p>Early Learning Centre will receive Fixed Line NBN. No further changes provided to the footprint at this stage. Precs refers.</p> <p>Work to commence on NBN installation this week of two Nodes and all works are scheduled to be completed by March 2018.</p> <p>It has become apparent that NBN is not installing fixed wireless around Nyngan but intends providing a satellite service.</p>
	26/10/2017	334/2017		Council write to local Federal Member, Mark Coulton MP regarding Council's ongoing concern with the NBN roll out to Nyngan.		GM

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6	28/09/2017	301/2017	Neeroc Road Extension	Council seek clarification from Crown Lands for any exemptions available regarding vegetation management when transferring Crown Land for the purpose of constructing access roads.	MDES	Letter to Crown Lands Office sent. No response to date.
7	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	PHN engaged to undertake GP recruitment. Adverts for GP/VMO placed with Rural Doctors Network (RDN), PHN, Seek (online) and Medical Jobs (online).
	26/10/2017	312/2017		Council investigate alternatives to having VMO rights that would allow a doctor to visit patients and / or attend emergency services at the hospital.		Discussions commenced.



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8	23/11/2017	376/2017	Essential Energy - Trees	Council evaluate the condition of the recently trimmed trees under the power lines in Nyngan & determine whether any of these should be replaced by more suitable species, with a report to Council.	MDES	Report to be provided at the February 2018 meeting.
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394/2017 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist, with appreciation extended to the General Manager and Managers for progressing the checklist to under 10 items. **(Neill/Douglas)**

2 LIFE-SIZE BIG BOGANS

Summary:-

The purpose of this report is for Council to consider installing life-size Big Bogans at each of the Visitor Information Bays on the approaches to Nyngan.

395/2017 RESOLVED that to draw people’s attention to the information in the Visitor Information Bays, a life-size Big Bogan be installed at each of the Bays. In addition the right hand wing of the sign structure be lengthened and angled towards the road to make the information more immediately visible to passing motorists. Funds to be made available from the Information Bays Construction Budget. **(Ryan/Deacon)**

396/2017 RESOLVED that a report for advertising and signage for the location of the Big Bogan be presented to the February 2018 Council Meeting. **(Jackson/Douglas)**

3 COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT GUIDELINES

Summary:

This report is for Council to consider providing feedback on the proposed Councillor Induction and Professional Development Guidelines.

397/2017 RESOLVED that:-

1. A submission, written by the Mayor, Deputy Mayor and General Manager be made to the Office of Local Government concerning the proposed Councillor Induction and Professional Development Guidelines and note in particular dot point 4 of the Summary of Proposed Amendments being – *Mayor and Councillors must make all reasonable efforts to participate in the activities offered to them as part of an induction or ongoing professional development program.*
2. Council advises the OLG that Councillors are aware of all professional programs that are available, with a copy of Council's response to LGNSW.
(Ryan/Douglas)



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4 MODEL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS

Summary:

This report is for Council to consider providing feedback on the consultation draft of the Model Code of Meeting Practice.

398/2017 RESOLVED that the Consultation Draft of the Model Code of Meeting Practice Report be received and a submission written by the Mayor, Deputy Mayor and General Manager be made to the Office of Local Government. **(Neill/Ryan)**

Council adjourned for morning tea at 10.00am and resumed at 10.30am.

During the break Councillors inspected the new Council Garbage Truck.

REPORT TO THE ORDINARY MEETING OF COUNCIL – PEOPLE AND COMMUNITY SERVICES

1 ORANA ARTS INC. MEMBERSHIP 2018

Summary:

The purpose of this report is to present, for Council's consideration, an approach from the Executive Director of Orana Arts Inc. for Council to become a contributing member for one year, commencing January 2018.

399/2017 RESOLVED that Council become a contributing member of Orana Arts for one year commencing January 2018 at a cost of \$8,160 excl GST for membership. **(Ryan/Jackson)**

2 BOGAN BUSH MOBILE – TERM 3 REPORT

Summary:

The purpose of this report is to advise Council of the Term 3 activities of the Bogan Bush Mobile Service.

400/2017 RESOLVED that the Bogan Bush Mobile Report – Term 3 be received and noted. **(Neill/Ryan)**

3 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.

401/2017 RESOLVED that the Operational Report for the Visitor Information Centre be received and noted. **(Douglas/Boag)**

4 GRANTS AND FUNDING

Summary:

The purpose of this report is for Council's further consideration of grant funded projects for 2018.

402/2017 RESOLVED that Council applies for the following grants:-

- Stronger Country Communities
 1. Nyngan Swimming Pool – (suggested improvements – heating, change rooms, water play, playground equipment).
 2. Extension of Cycle Way. **(Ryan/Deacon)**
- Regional Cultural Funding
 1. Palais Theatre – (regional dance and entertainment facility).

It was **MOVED** that Council when applying for the grant for the Palais Theatre, a new location be near the Tennis Courts. **(Ryan/Neill)**

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

It was further **MOVED** that Council when applying for the grant for the Palais Theatre the cost of a new facility be included in the application, as well as the current location and either way if successful, the community be consulted. **(Douglas/Jackson)**

It was **PUT to COUNCIL** and **CARRIED**.

403/2017 RESOLVED that Council when applying for the grant for the Palais Theatre the cost of a new facility be included in the application, as well as the current location, and either way if successful, the community be consulted. **(Douglas/Jackson)**



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Grants to be considered at a later date:-

- *Growing Local Economies*
 1. *Main Street Shops Upgrades.*
 2. *Scandium Mine.*
 3. *Regional Training Centre.*
 4. *Showground Improvements.*
 5. *Airport refuelling facility.*

404/2017 RESOLVED that Council now deal with the Manager of People and Community Services Supplementary Report. **(Neill/Boag)**

5 LIBRARY AIR CONDITIONING

Summary:-

The purpose of this report is for Council to consider the replacement of the ducted air conditioner at the Bogan Shire Library.

405/2017 RESOLVED that Council purchases and installs a new ducted air conditioner system at the Library at a cost of \$38,835.00, with this amount to be funded via adjustment at the second budget review from the Major Development Fund. **(Ryan/Neill)**

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

1 BANK RECONCILIATION

Summary:-

The report is to present the reconciliation of Council's Cash Book, Bank Statements and Ledger Bank Account as at 30 November 2017.

406/2017 RESOLVED that the Bank Reconciliation Report as at 30 November 2017 be received and noted. **(Boag/Jackson)**

2 INVESTMENTS NOVEMBER 2017

Summary:-

The report is to outline the performance of Council's Investment Portfolio for the month of November 2017.

At 30 November 2017 Council had \$11 million invested. There has been a decrease of \$250,000 due to payments made for plant purchases and a large payment to the contractor for the Water Storage facility.

407/2017 RESOLVED that the Investments Report for November 2017 be received and noted. **(Jackson/Neill)**

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3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

- *The report is to provide a comparison of rate collections as at 30 November 2017, with the same period last year.*
- *Total arrears have increased from \$529,300 as at 30 November 2016 to \$652,647 as at 30 November this year.*

408/2017 RESOLVED that the Rates and Annual Charges Collection Report as at 30 November 2017 be received and noted. **(Dutton/Neill)**

4 REVISION OF COUNCIL'S INVESTMENT POLICY – FIN002

Summary:

- *The purpose of this report is to review Policy FIN002 Investment Policy.*
- *The Investment Policy is one of the most important Policies that Council has.*
- *It has a major effect on how Council invests ratepayers' money from a viewpoint of both risk and return.*
- *A requirement of the Policy is that it be reviewed at least once per year.*

409/2017 RESOLVED that Council re-adopt the current Investment Policy FIN002 for 12 months. **(Ryan/Jackson)**

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5 WRITE-OFF UNRECOVERABLE DEBT

Summary:

- The purpose of this report is to request Council to write-off some unrecoverable debts.
- Current circumstances make debt recovery for some debtors impractical.

410/2017 RESOLVED that Council writes off outstanding debtor accounts:-

- Debtor 590.01 Outstanding Account \$18.99 – Purchase of Water.
- Debtor 635.01 Outstanding Account \$180.00 – Slashing of Yard.

(Ryan/Jackson)

6 SECTION 713 SALE OF LAND FOR UNPAID RATES

Summary:

This report is to update Council on the progress of the proposed Sale of Land for Unpaid Rates and to complete some house keeping in respect of the sale.

411/2017 RESOLVED that:-

1. Council resolves to purchase any of the parcels of land up for sale under Section 713 of the Local Government Act, 1993 that fail to attract a bid or fail to reach the Reserve Price and further that the General Manager be authorised to bid on behalf of Council.
2. Council endorses the appointment of Landmark Real Estate to hold the auction for unpaid rates, and further that Council endorse the appointment of Lawlab to conduct the conveyancing of the sale of land for unpaid rates. **(Deacon/Neill)**

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7 CODE OF CONDUCT STATISTICS REPORT

Summary:

This report is to provide Council with the Statutory Annual Report on the Code of Conduct complaints received by Council for the period 1 September 2016 to 31 August 2017.

412/2017 RESOLVED that the Code of Conduct Statistics Report for 1 September 2016 to 31 August 2017 be noted. **(Ryan/Neill)**

8 REVISION OF DEBT RECOVERY POLICY FIN001

Summary:

This report is to revise and adopt Council's Debt Recovery Policy FIN001. The earlier version of this Policy was adopted on 25 August 2016.

413/2017 RESOLVED that Council adopt the revised Debt Recovery Policy FIN001 until December 2019. **(Neill/Ryan)**

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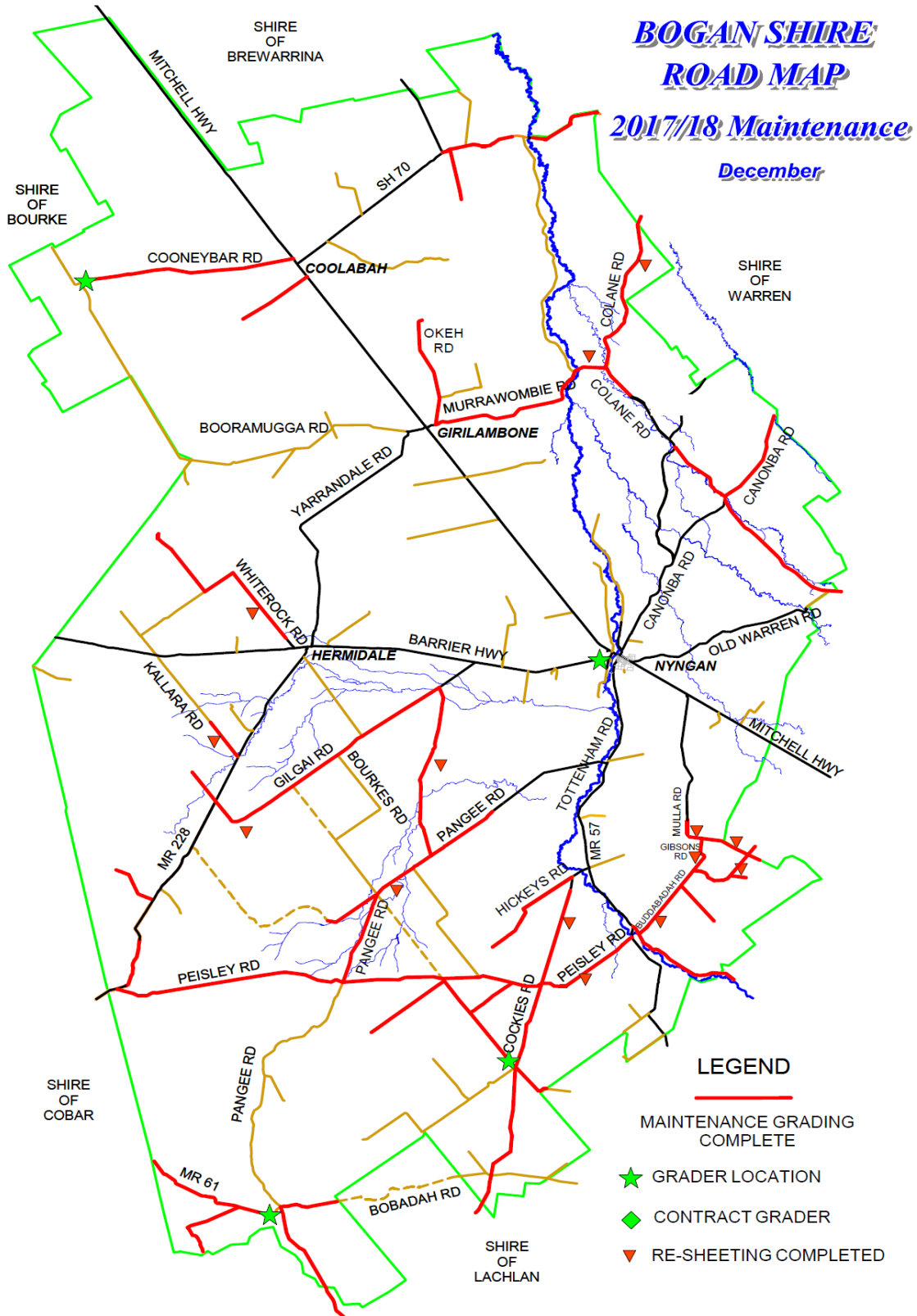
**REPORT TO THE ORDINARY MEETING OF COUNCIL – MANAGER OF
ENGINEERING SERVICES REPORT**

1 OPERATIONAL REPORT

414/2017 **RESOLVED** that the Operational Report for the reporting period 13 November 2017 to 7 December 2017, including Civil Works, Community Facilities and Roads be received and noted. **(Elias/Boag)**

Staff were commended on the excellent condition of Davidson Park for the Christmas Carols and the Mid State Shearing Shed area for the Christmas Markets.

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2 FIXING COUNTRY ROADS FUNDING CONTRIBUTION

Summary:-

The purpose of this report is for Council to consider allocating \$150,000 towards constructing and sealing the final 7 kms of the Hermidale – Nymagee Road from the current block grant funding.

415/2017 RESOLVED that Council allocates \$150,000 to match the RMS Repair Program funding as a contribution to the Fixing Country Roads Program to construct and seal 7kms of the Hermidale – Nymagee Road, with an additional contribution of \$75,000 to be received from Hera Mine. **(Ryan/Jackson)**

416/2017 RESOLVED that if funds permit, Council consider in next year's budget the sealing of 1km of Cockies Road. **(Ryan/Neill)**

3 GRID REMOVAL POLICY

Summary:-

The purpose of this report is for Council to consider updating the current Grid Removal Policy to bring into line with today's cost of fencing.

417/2017 RESOLVED that Council amend the Grid Removal Policy to read:-

Grid Removal Policy

Where the fencing of road reserves on Council roads is undertaken and the subsequent removal of grids has taken place to the satisfaction of Council, a subsidy of \$2,500 per kilometre or half the actual cost, whichever is the lesser, will be paid to the landholder subject to:-

- a) the maximum subsidy payable being \$12,000;
- b) where approval for the fencing subsidy is given, it is to be on the proviso that the work is carried out within 6 months of such approval, otherwise a new application be submitted;
- c) Should the budget allocation be expended, further applicants for the subsidy be requested to submit their application in the next financial year. **(Ryan/Neill)**

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4 COUNCIL ELECTRICITY CONTRACTS

Summary:-

The purpose of this report is to provide Council with information on Council's electricity bulk purchase arrangements and for Council to consider using solar power at the three administration offices.

418/2017 RESOLVED that:-

1. Council notes the information on electricity contracts.
2. Public tenders not be invited for the supply of electricity for Council's street lighting and other sites in accordance with Section 55(3)(i) of the Local Government Act, 1993 as it is considered that a satisfactory result would not be achieved by Council due to the extenuating circumstances that are created as a result of short term price fluctuations in the pricing for electricity with such price fluctuations resulting in tenderers not being able to be relied on to provide tenders which are fixed for a sufficient period of time to enable the normal tendering process to be completed by Council.
3. The General Manager be authorised to enter into a contract for the supply of electricity for street lighting and other Council sites.
4. The General Manager proceed with obtaining quotations for the installation of solar electricity infrastructure for the three administration offices, the Bogan Shire Medical Centre and the Early Learning Centre. **(Jackson/Douglas)**

REPORT TO THE ORDINARY MEETING OF COUNCIL – DEVELOPMENT AND ENVIRONMENTAL SERVICES

1 DEVELOPMENT APPLICATIONS

419/2017 RESOLVED that the Development Applications Report since the November's Council Meeting be received and noted. **(Boag/Neill)**

2 OPERATIONAL REPORTS

420/2017 RESOLVED that the Operational Reports including Parks and Garden Team and the Weeds Officer be received and noted. **(Jackson/Deacon)**

3 NEW CEMETERY ENTRANCE DESIGN

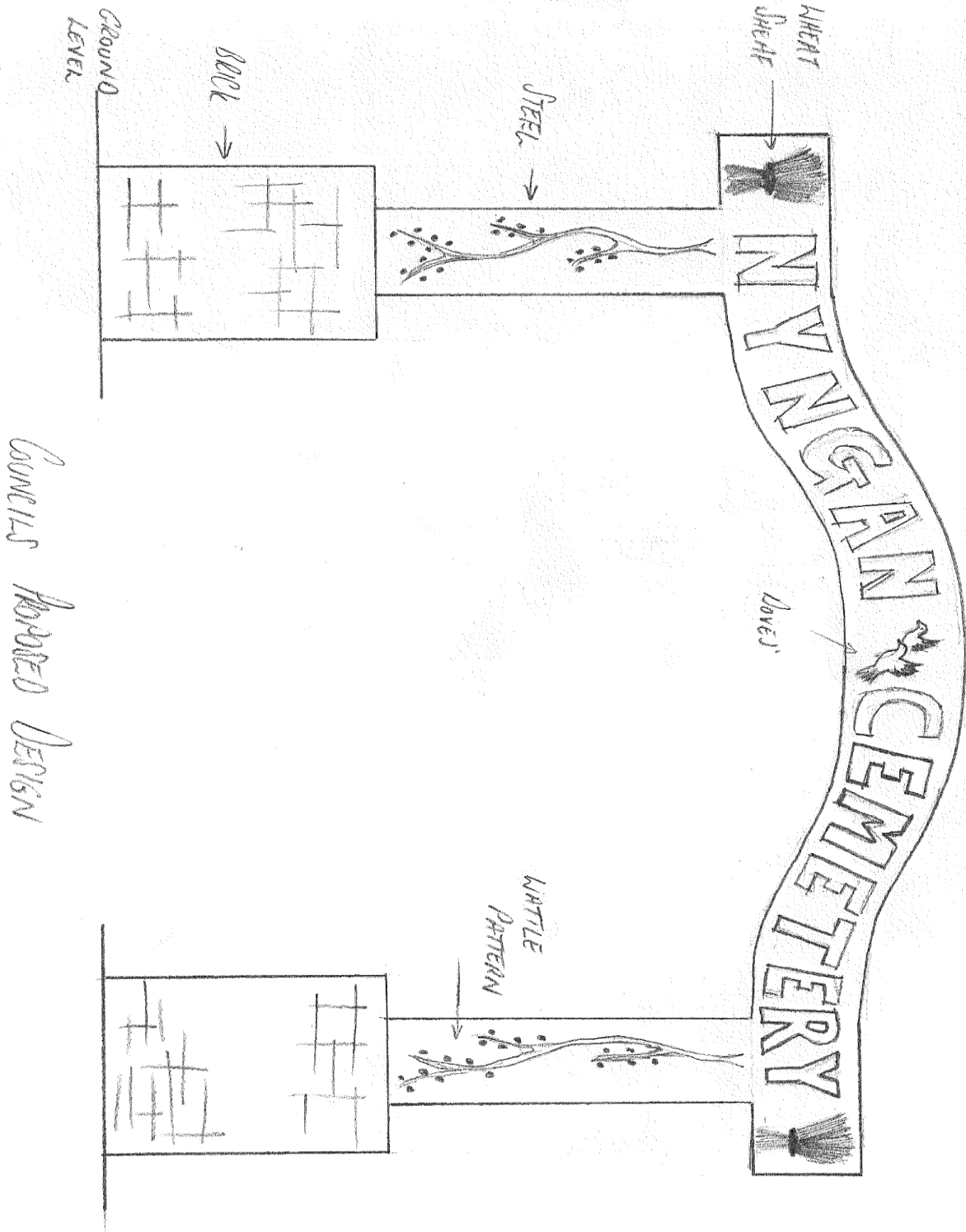
Summary:

The purpose of this report is for Council to approve the proposed design of the New Nyngan Cemetery Entrance following community consultation undertaken in accordance with resolution 229/2017 and 330/2017.

421/2017 RESOLVED that:-

1. The New Cemetery entrance Design Report be received and noted.
2. Council approve the design option presented within Attachment 3 (attached) of the report, with changes to the steel column on the right hand side to delete the wheat sheaf and replace with a cow's head and sheep's head.
3. Council acknowledge the two submissions received and advise of the new design. **(Douglas/ Deacon)**

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COUNCILS APPROVED DESIGN

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4 KEEPING OF ANIMALS POLICY - ORDERS

Summary:

- The purpose of this report is for Council to consider the Keeping of Animals Policy – Orders following Public Notification held during November 2017.
- For the 28 day notification period, no submissions were received in relation to the policy.

422/2017 RESOLVED that Council revoke the current Keeping of Animals Policy - Orders in the Bogan Shire and consider the keeping of animals on a case by case basis with respect to the nature of the complaint received. **(Ryan/Deacon)**

The Manager of Development and Environmental Services, Mr Ty Robson thanked Council for opportunity to work here over the last 2.5 years. Mr Robson has now resigned from Council.

PRECIS OF CORRESPONDENCE

1 OUTBACK ARTS

423/2017 RESOLVED that the email received from the Chairperson of Outback Arts advising Outback Arts would welcome any questions about its activities and its future programs be noted. (Neill/Jackson)

2 NYNGAN BAPTIST FELLOWSHIP

424/2017 RESOLVED that Council makes a donation to the Nyngan Baptist Fellowship of \$1,000.00. (Ryan/Neill)

3 THE HON DARREN CHESTER MP, MINISTER FOR INFRASTRUCTURE AND TRANSPORT

425/2017 RESOLVED that the copy of correspondence received from the Minister advising that he has issued a Statement of Expectations for the Roads to Recovery (R2R) Program be received and noted. (Ryan/Dutton)

4 THE HON JOHN BARILARO MP, DEPUTY PREMIER

426/2017 RESOLVED that the correspondence received from the Deputy Premier informing Council that the NSW Parliament recently passed the Local Government Amendment (Regional Joint Organisations) Bill 2017 be received and noted. (Boag/Dutton)

5 OFFICE OF LOCAL GOVERNMENT

427//2017 RESOLVED that the copy of correspondence received from the OLG advising Council of the legislation that allows Councils to voluntarily join new Joint Organisations (JOs) be received and noted. (Neill/Boag)

6 WEEKLY CIRCULARS

428/2017 RESOLVED that the Local Government Weekly Circulars 45/17 to 48/17 be noted. (Boag/Elias)



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Other matters:

Parks and Garden staff were commended on the excellent appearance of Centenary Park.

Safety concerns of wall in Pangee Street, opposite flats – corner of Pangee and Terangion Streets – to be referred to John Holland.

The General Manager provided Council with an update on the piping of the Albert Priest Channel.

There being no further business the meeting closed at 12 noon.

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

