



BOGAN SHIRE COUNCIL

Minutes

28 September 2017



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 28 September 2017 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 (Manager of Engineering Services), Miss Kayla Volker (Senior Development and Environmental Officer), Mrs Debb Wood (Manager People and Community Services), Mrs Stephanie Waterhouse (Manager Finance and Corporate Services), and Mrs Cathy Ellison (Executive Assistant).

DECLARATION OF INTEREST: Mayor Ray Donald – Neeroc Road and Deputy Mayor Glen Neill – Proposed Crown Road Closures.

277/2017 RESOLVED that the Minutes of the Meeting of Council held on 24 August 2017, copies of which have been circularised to Councillors be taken as read and confirmed. **(Neill/Ryan)**

Business Arising: - Nil.

278/2017 RESOLVED that the Minutes of the Extraordinary Meeting of Council held on 14 September 2017, copies of which have been circularised to Councillors be taken as read and confirmed. **(Neill/Dutton)**

Business Arising:-

The General Manager provided an update of the Water Meeting concerning the Albert Priest Channel held on 26 September 2017.



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The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 28 September 2017.

274/2017 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. **(Boag/Neill)**

275/2017 RESOLVED that the Nyngan Seniors Living Accommodation – Construction Estimate Report be received and noted. **(Douglas/Boag)**

276/2017 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into Open Council. **(Ryan/Elias)**

COMMITTEE MEETING MINUTES

1 OROC BOARD MEETING

279/2017 RESOLVED that the Minutes of the OROC Board Meeting held at Mudgee on 4 August 2017 be received and noted. **(Elias/Deacon)**

Other matters:

Council request that in future the trees currently being lopped in town by Essential Energy contractors not be cut prior to the summer months.



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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.
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	25/02/2016	022/2016	Bogan Bush Mobile	Delegation is planned to meet with Minister.	GM	Meeting held 1 December 2016.
	15/12/2016	481/2016		Council works together with MCSA & other Councils in Parkes Electorate to formulate a combined response to the proposed BBF funding changes, expressing grave concerns that a valuable service to our rural families will be lost.		Council's response report sent to PwC, with a copy to Mark Coulton on 27 Jan 2017. Submission has been made to Senate Enquiry. BBM has been assured of ongoing funding but it is uncertain what form this will take. Awaiting follow up visit from consultants, PwC.

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						Council staff working on funding / operating model with PwC and Department of Education.
4	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.
5	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 & advise prospective tenants of what the highest rental payment will be & what they would receive for their payment.	GM	Public Information Meeting 14 December 2016. Community expressed a preference for the Cobar/Dandaloo site. A site plan is being prepared & will be costed & presented to Council for consideration at the April Council Meeting.



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	27/04/2017	109/2017		Council approve \$7,000 in the current year's budget to have the construction plans complied.		<p>A report be presented to Council detailing the estimated cost of the development once the construction plans have been received and quantified.</p> <p>Grant application made under Resources for Regions Program. Building Better Regions Grant Program identified as a match for this project. Round 2 expected in November 2017.</p> <p>Refer to Council Confidential Report.</p>
6	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	Reply received from Mark Coulton MP advising he has contacted NBN & the Minister for Regional Communications on Council's behalf. The Minister for Regional Communications will investigate this matter and report back.

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7	24/08/2017	262/2017	Neeroc Road Extension	Council agree to the construction & clearing of the Neeroc Road extension at an estimated cost of \$50,000 provided AGL agree to pay all costs associated with the construction including the cost of transferring the Crown Road section to Council ownership & 3kms of fencing alongside Lot 38.	ENG	Due to recent changes in legislation relating to native vegetation removal there will be the need for an ecological assessment on the 3 kms of road to determine if threatened species of fauna are located there. Precis September 2017 refers.
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Bogan Bush Mobile:-

280/2017 RESOLVED that the decision on which funding/operating model to adopt for the Bogan Bush Mobile be delegated to the Mayor and General Manager should a decision be required before the next Ordinary Meeting of Council. **(Boag/Dutton)**

281/2017 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.
(Elias/Jackson)

2 BOGAN SHIRE MEDICAL CENTRE

Summary:-

The purpose of this report is to:-

- *Seek direction from Council regarding the requirement for Medical Centre doctors to have Visiting Medical Officer (VMO) rights; and*
- *Seek Council's approval for the appointment of a second doctor for the Medical Centre.*

282/2017 RESOLVED that the General Manager, in consultation with the PHN, proceeds to recruit and engage a second doctor for the Bogan Shire Medical Centre.
(Ryan/Jackson)

283/2017 RESOLVED Council confirms that it is a requirement that all Bogan Shire Medical Centre GPs have VMO rights. **(Neill/Ryan) Unanimous**

At 10.00am the Mayor conducted a Citizenship Ceremony for Mrs Gurpreet Kaur.

At 10.05am Mr Will Carter addressed Council concerning the construction of Neeroc Road.

Council adjourned for morning tea at 10.40am and resumed at 11.00am.



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

1 AUSTRALIA DAY 2018 NOMINATIONS AND AWARDS

Summary:-

The purpose of this report is to request Council to review the Australia Day Award categories, nomination form, guidelines and voting system.

284/2017 RESOLVED that:-

1. Council presents Awards to all meritorious nominees.
2. The process for assessing nominations takes place at or before the December Council Meeting. **(Ryan/Dutton)**

285/2017 RESOLVED that Council advertises for two community members to be part of the Committee to evaluate the merit of nominations. **(Douglas/Boag)**

2 BOGAN BUSH MOBILE – TERM 2 REPORT

Summary:-

The purpose of this report is to advise Council on the Term 2 activities of the Bogan Bush Mobile Service.

286/2017 RESOLVED that the Bogan Bush Mobile Report Term 2, 2017 be received and noted. **(Ryan/Jackson)**

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.

287/2017 RESOLVED that the Operational Report for the Visitor Information Centre be received and noted. **(Neill/Douglas)**

The Manager of People and Community Services advised Council that the Early Learning Centre is now operating at 75% capacity.

REPORT TO THE ORDINARY MEETING OF COUNCIL – 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 31 August 2017.

288/2017 RESOLVED that the Bank Reconciliation Report as at 31 August 2017 be received and noted. **(Douglas/Ryan)**

2 INVESTMENTS August 2017

Summary:-

- The report is to outline the performance of Council's Investment Portfolio for the month of August 2017.
- At 31 August 2017 Council had \$12.4 million invested. There has been an increase of \$518,000 to Council's investments since the July 2017 report due to 1st Quarter Payment of the Financial Assistance Grant of \$487,472 and the Quarterly Roads to Recovery Payment of \$152,990. Council has also paid the first progress claim for the Nyngan Water Storage of \$125,000.

289/2017 RESOLVED that the Investments Report as at 31 August 2017 be received and noted. **(Neill / Jaskson)**

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

The report is to provide a comparison of rate collections as at 31 August, 2017, with the same period last year.

Total arrears have increased from \$439,251 at 31 August 2016 to \$510,417 as at 31 August this year.

290/2017 RESOLVED that the Rates and Annual Charges Collection Report as at 31 August 2017 be received and noted. **(Deacon/Boag)**

4 ADOPTION OF THE 2016/2017 DRAFT ANNUAL STATEMENTS

Summary:-

- *Statutory Accounts for 2016/2017 must be adopted and referred to audit under Section 413 of the Local Government Act.*
- *Audit will occur on 21 and 22 September 2017.*
- *Consolidated Accounting Surplus of \$4,402,000.*
- *Surplus of \$4,534,000 in General Fund due mainly to advance payment of 2017/2018 Financial Assistance Grant of \$1.9 million and \$390,000 in R2R Funds. In addition to this \$977,000 R2R funding is included in operating result and the expenditure being capitalised.*
- *Consolidated unrestricted cash reserves of \$2,444,000.*

291/2017 RESOLVED that:-

1. Council notes the preparation of its Financial Reports (Annual Financial Statements) for the year ended 30 June 2017 are underway and upon completion they will be referred for audit in accordance with the requirements of Section 413 (1) of the Act.
2. Council authorises the Mayor, Deputy Mayor, General Manager and Manager Finance and Corporate Services to sign the relevant Statements in accordance with Section 413 (2) (c) of the Act at the conclusion of the external audit.
3. Council delegates to the General Manager authority to fix a date at which the Audited Financial Reports, together with the Auditor's Reports are to be presented to the public.
4. Council delegates to the General Manager authority to determine the 'authorised for issue' date as required by Accounting Standard AASB 110.
5. Council notes it is in a sound financial position and commends staff for their work. **(Ryan/Neill)**



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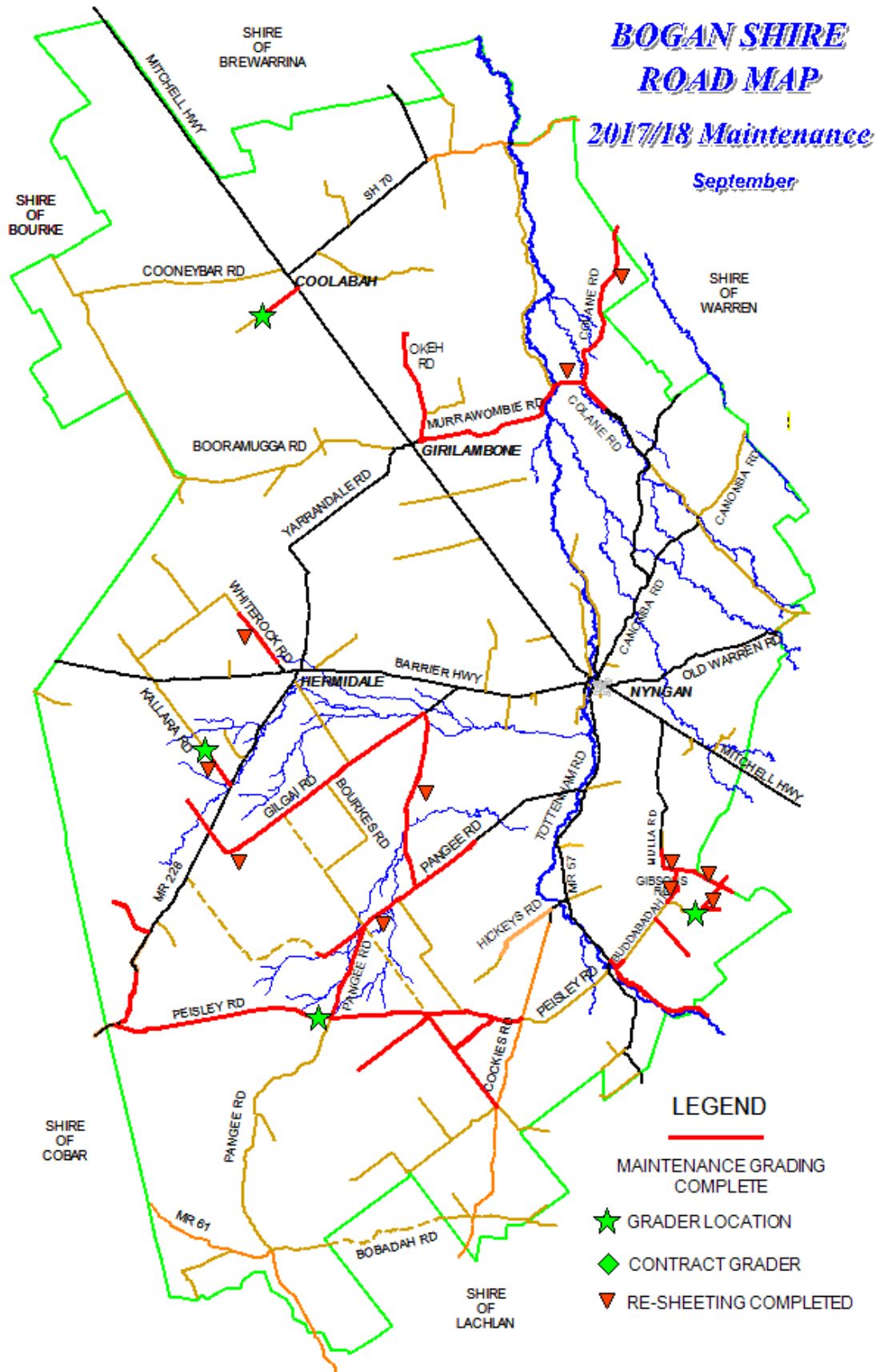
Note 6, plus a list of Council's Internal and External Restrictions be presented to the next Council Meeting.

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

1 OPERATIONAL REPORT

292/2017 **RESOLVED** that the Operational Report, including Civil Works, Community Facilities and Roads for the reporting period 14 August 2017 to 15 September 2017 be received and noted. **(Neill/Ryan)**

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2 TRAFFIC COMMITTEE MEETING RECOMMENDATIONS

Summary:-

The purpose of this report is to present the discussions of the Traffic Committee Meeting held on Wednesday 23 August 2017 and for Council to consider their recommendations.

293/2017 RESOLVED that the Traffic Committee Meeting Recommendations Report be received and noted. **(Ryan/Neill)**

294/2017 RESOLVED that Council investigate purchasing the parking area opposite the Nyngan Truck and Travel Service Station. **(Ryan/Neill)**

Councillor Neill declared an interest and left the room.

3 PROPOSED CROWN ROAD CLOSURES

Summary:-

The purpose of this report is for Council to consider the proposed road closings under consideration by the Minister for Lands and Forestry.

295/2017 RESOLVED that Council objects to the closure of Fergusons Road for the full length of Lot 5 DP751346. **(Ryan/Dutton)**

Councillor Neill returned to the room.

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

1 DEVELOPMENT APPLICATIONS

296/2017 RESOLVED that the Development Applications Report since the August 2017 Council Meeting be received and noted. **(Boag/Deacon)**

2 OPERATIONAL REPORTS

297/2017 RESOLVED that the Operational Report, including Parks and Garden and Noxious Weeds since the August 2017 Council meeting be received and noted. **(Elias/Boag)**

3 ACQUISITION OF RAILWAY LAND – PANGEE STRET NYNGAN

Summary:-

The purpose of this report is for Council to confirm if they wish to proceed with the purchase of railway lands in Pangee Street for community use.

298/2017 RESOLVED that Council not proceed to accept the purchase price of \$75,000 and wait for the land to be sold via a public auction process. **(Ryan/Boag)**

4 NEW CEMETERY ENTRANCE DESIGN PROPOSAL

Summary:-

This report is submitted for Council to consider a proposed design for the new entrance to the Nyngan Cemetery.

299/2017 RESOLVED that general specifications for the design of the cemetery entrance be presented to Council prior to advertising for community comment on design options. **(Douglas/Dutton)**

PRECIS OF CORRESPONDENCE

1 AUSTRALIAN FLOODPLAIN ASSOCIATION

300/2017 RESOLVED that Council join the Australian Floodplain Association with a full membership of \$50.00 for 2017/2018. **(Ryan/Douglas)**

Mayor Donald declared an interest in the following item and left the room.

Deputy Mayor Neill now took the Chair.

2 WILLIAM CARTER

301/2017 RESOLVED that Council withdraw its objection to the closure of Crown Land between Lot 36 and Lot 37 DP752891 and the transfer of the road reserve to Mr William Carter on condition that Council is provided with a copy of the proposed easement conditions to determine whether they appear reasonable. All costs associated with this process are Mr Carter's responsibility. **(Ryan/Douglas)**
Unanimous

Mayor Donald returned to room and took the Chair.

302/2017 RESOLVED that Council seek clarification from Crown Lands for any exemptions available regarding vegetation management when transferring Crown Land for the purpose of constructing access roads. **(Jackson/Douglas)**

3 BOBADAH HALL

303/2017 RESOLVED that Council fund the cost of the plaque \$1,543.00 request received from the Bobadah Hall and Cemetery Committee. **(Jackson/Douglas)**

4 BOBADAH HALL

304/2017 RESOLVED that Council contribute 50%, being \$4,400 to the Bobadah Hall Committee for the purchase of septic toilets, and that Council offer assistance to the Committee with any future grant applications they wish to submit. **(Ryan/Deacon)**



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5 WEEKLY CIRCULARS

305/2017 RESOLVED that the Local Government Weekly Circulars 32/17 to 36/17 be noted. **(Neill/Boag)**

Late items:

306/2017 RESOLVED that Council deal with the late items of correspondence, including the letter received from Will Carter concerning Neeroc Road, previously mentioned. **(Douglas/Neill)**

307/2017 RESOLVED that Council support the Warren Rotary Club request by funding the three nights' accommodation for members travelling with the MHERV Van. **(Ryan/Douglas)**

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

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

NOTES
