



BOGAN SHIRE COUNCIL

Minutes

29 September 2016

**Minutes of Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 29 September 2016 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), Mr Ty Robson (Acting Manager of Development and Environmental Services), Mrs Stephanie Waterhouse (Finance Manager) and Mrs Cathy Ellison.

DECLARATION OF INTEREST: Cllr Boag – Traffic Committee Meeting Minutes – School Bus Stop on Mitchell Highway at Priors Road.

366/2016 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 25 August 2016, copies of which have been circularised to Councillors be taken as read and confirmed. **(Ryan/Neill)**

Business arising:

- Dinner for Councillor Elaine McLaughlin – date to be confirmed.
- Upgrading Nyngan Aerodrome Terminal Building – works yet to be commenced.
- Street Tree Planting Program and Updated Tree Preservation Policy – explained to new Councillors.
- Proposed Location of Dog Off Leash Area – Councillors advised of area.

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting 29 September 2016.

362/2016 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) (i) because information provided and discussed involves commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. **(Neill/Dutton)**

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363/2016 RESOLVED that the Minutes of the Closed and Confidential Meeting of Council held on 25 August 2016, copies of which have been circularised to Councillors be taken as read and confirmed. **(Ryan/Neill)**

364/2016 RESOLVED that in accordance with Section 55 of the *Local Government Act 1993*, Chill-Rite Air-Conditioning and Refrigeration be deemed the successful tenderer and awarded the Contract of Works for the Bogan Shire Council Mechanical Services in the amount of \$163,600 (ex GST). **(Douglas/Neill)**

365/2016 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into Open Council. **(Boag/Deacon)**

COMMITTEE MEETING MINUTES

1 MUSEUM COMMITTEE MEETING

367/2016 RESOLVED that the Minutes of the Museum Committee Meeting held in the Museum on 3 August 2016 be received and noted. **(Neill/Deacon)**

368/2016 RESOLVED that the Minutes of the Museum Committee Meeting held in the Museum on 7 September 2016 be received and noted. **(Boag/ Dutton)**

REPORT TO ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

1 COUNCIL PRIORITIES

The start of this new term of Council is a good opportunity for all Councillors to put forward the new things, projects and priorities they believe should be considered for us to undertake in this term.

The General Manager will prepare a high-level analysis of where we currently stand in relation to these matters for further discussion at the October meeting.

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Projects and Priorities listed by Councillors include:-

- Operation of the Medical Centre;
- Provide Aged Care Rental Accommodation / Units;
- Upgrade of Shire Roads, including completion of Hermidale/Nymagee Road;
- Promote tourism more;
- Visitors Information Centre – more signage / flag at Railway Station to advertise VIC;
- Improvement to appearance of town entrances;
- Retirement Village (as previously proposed) – interested persons can view new staff housing for plan;
- Address condition of overgrown yards – vacant and residential blocks;
- Improved lighting at Larkin Oval;
- Provisions for refuelling facilities at the airport;
- Make use of empty shop fronts in Pangee Street – other businesses or schools may wish to use vacant shops for advertising;
- Combat illegal drug use in the community;
- Develop a Youth Centre / Sports Complex;
- More seating in Pangee Street for the elderly;
- Shop Locally Policy and communicate to the community;
- Investigate ways to encourage more businesses to open in town; and
- Increase community awareness (including community and sporting groups) of available grants.

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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	To be completed in conjunction with Landscaping of Medical Centre and reinstatement of mural wall.
2	24/09/2015	342/2015	Teamster Rest Area	Invite NHS to make suggestions for internal & external painting that the school could undertake. Dump point be relocated to Flood Memorial Car Park.	MDES	Contact made with NHS, works still scheduled to commence in October 2016. Yet to be scheduled.
3	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	Signage installed. Process of engagement with existing sign owners to be commenced.

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4	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.
	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.		Agreement on required works achieved with several owners / Boards. Efforts still being made to have owners upgrade building voluntary.
5	26/11/2015	440/2015	Show Day	Joint approach from Nyngan Combined Schools & Council be made to the Dept of Education for schools to have a full day holiday.	GM	Discussions held with Schools and Local Member, awaiting feedback prior to sending another letter.
6	26/11/2015	457/2015	Sports Insurance	Council write to Minister for Sport & Minister for Health concerning inadequate reply to Council's enquiry on what local sports insurance fees are spent on.	MPC	Ongoing.

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	23/06/16	245/2016		Council forward a copy of the Manager of Corporate Services letter to the Minister of Sport to the Minister for Finance, Services & Property & the Department of Fair Trading.		Letters to Minister for Finance, Services & Property & Dept of Fair Trading sent. Dept of Fair Trading has advised that Council should refer this matter to the Australian Competition and Consumer Commission (ACCC). Letter from ACCC in Precis.
7	24/03/2016	056/2016	Aged Care Accommodation Retirement Village	Council do some financial modelling on the cost implications to Council & the community for an aged care unit development.	MFIN	Consultant briefed to undertake modelling. Report to October Council Meeting.
8	25/02/2016	022/2016	Bogan Bush Mobile	Delegation is planned to meet with Minister.	GM	Awaiting notification from Mark Coulton regarding suitable date.
9	24/03/2016	058/2016	Dob in a Dealer Campaign	Make available at a number of locations in town, boxes that people can anonymously leave information, about: - suspected drug dealers & information about any dogs.	GM	To be done in liaison with Darling River Command Campaign.

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10	24/03/2016	078/2016	Bicentennial Wall & Ceramic Mural	Be reinstated.	MDES	<p>On-site meeting held with Insurance Representative.</p> <p>Around 70% of tiles on the damaged part of the wall are unbroken. However there is extensive old mortar adhering to them and all attempts at removing this have resulted in the tiles breaking.</p> <p>Unfortunately this is likely to mean having all the tiles remade.</p> <p>Quotations sent to Insurers concerned.</p>
11	28/04/2016	107/2016	Village Tour	Entrance Signs into villages be pursued in conjunction with the villages' communities. Costing to be part funded from village allocation & part funded by Council.	MENG	<p>Preliminary design commenced, expected to be presented to October Council meeting before consultation with village representatives in November.</p>

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12	26/05/2016	179/2016	NSW Container Deposit Scheme	Council investigate the establishment & operation of a CDS collection depot as more information is announced and the cost implications of this.	MDES	Currently taking submissions.
13	28/7/2016	268/2016	Duck Creek Races	General Manager request a meeting with Local Area Command to discuss Police presence at recent meeting and future meetings.	GM	To be discussed at upcoming Community Precinct Safety meeting scheduled for 14 October 2016.
14	25/8/2016	321/2016	Operational - Roads	A report be presented to Council on the proposed locations for <i>Roads Closed</i> signs.	ENG	In progress.



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Council adjourned for morning tea at 10.30am and resumed at 11.00am.

369/2016 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.
(Deacon/Douglas)

2 CHRISTMAS – NEW YEAR CLOSURE

Summary:

- *The purpose of this report is to obtain Council’s approval for the closure of Council offices over the Christmas/New Year holiday period.*
- *As a long-established practice in common with other Councils, Bogan Shire Council has closed its Council offices between Christmas and New Year.*
- *Following the past practice, this would mean that the Shire offices would be closed for what would otherwise be normal working days on Wednesday, Thursday and Friday 28, 29 and 30 December 2016.*

370/2016 RESOLVED that in addition to the public holidays over the Christmas / New Year period, Council closes the Shire Offices between Christmas and the New Year and advises the community accordingly. **(Ryan/Douglas)**

3 PECUNIARY INTEREST RETURNS

Summary:

Tabling of the Pecuniary Interest Register is a requirement under Section 450A of the Local Government Act.

371/2016 RESOLVED that the Pecuniary Interest Register be received and noted.
(Boag/Elias)

4 INTRODUCTION OF EMERGENCY SERVICES PROPERTY LEVY

Summary:

This report is to provide information to Councillors concerning the introduction of the NSW Government's Emergency Services Property Levy in 2017.

372/2016 RESOLVED that the Emergency Services Property Levy Report be received and noted. **(Neill/Douglas)**

5 COMMITTEE / ORGANISATION DELEGATES REPRESENTATIVES

Summary:

Following the election of a new Council it is appropriate to nominate delegates / representatives and alternates to represent Council on committees and at meetings with certain organisations.

The following Councillors are representatives for Sections 355 Committee of Council:-

Section 355 Committees:-		
Committee	Councillor	Alternate
Collerreina Hall Committee	Clr Ryan	Clr Donald
Hermidale Sports Ground Committee	Clr Neill	Clr Douglas
Nyngan Museum Management Committee	Clr Dutton	Clr Deacon

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The following Councillors represent Council on other Committees and Organisations:-

Other Committees:-		
Committee	Councillor / Delegate	Alternate
Bush Fire Management Committee	Clr Neill	Mgr Engineering
Rural Fire Service SLA Committee	Clr Boag	Clr Neill
Traffic Committee	Clr Ryan	Clr Elias
Local Emergency Management Officer / Committee Chairperson	General Manager	
Orana Regional Organisation of Council (OROC)	Mayor & General Manager	Clr Neill
Liquor Accord	Clr Ryan	Clr Douglas
NSW Police Community Safety Precinct Committee	All Councillors	
Local Government Community Advisory Group, Central West LLS Board	Clr Neill	Clr Boag
Community Action Group (Interagency)	Clr Jackson	Clr Douglas
Showground Users	Clr Ryan	Clr Boag
Western Joint Regional Planning Panel	Clr Ryan Mgrs – Engineering & Development & Environmental Services	
North West Library Association	Clr Deacon	Clr Jackson

373/2016 **RESOLVED** that Council adopt the nominated delegates for those committees. **(Ryan/Neill)**



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REPORT TO THE ORDINARY MEETING OF COUNCIL – COMMUNITY SERVICES

1 SIGNS AT OVALS AND PARKS

Summary:

The purpose of this report is to update Council on the progress of the investigation into the history of the people after which Larkin and Frank Smith Ovals and O'Reilly and Davidson Parks are named.

374/2016 RESOLVED that Council reallocates \$1,800 at the first budget review to complete this project. **(Boag/Jackson)**

2 AUSTRALIA DAY 2017 NOMINATIONS AND AWARDS

Summary:

The purpose of this report is to outline the information received from the Australia Day Council of New South Wales the process for Council to consider changes to the Australia Day 2017 nominations and awards.

375/2016 RESOLVED that Council present awards to all Meritorious Nominees.
(Ryan/Douglas) Carried

376/2016 RESOLVED that the nomination form stipulate only contributions in 2016 to the community for which the person is nominated. **(Douglas/Neill)** Carried

It was **MOVED** that a Committee, comprising the Mayor, Deputy Mayor, General Manager and Manager People and Culture evaluate the merit of nominations received.
(Ryan/Deacon)

An **AMENDMENT** was **MOVED** that a Committee comprising the Mayor, Deputy Mayor, General Manager, Manager People and Culture and two community members selected by Council, evaluate the merit of nominations received. **(Douglas/Jackson)**

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

377/2016 **RESOLVED** that a Committee comprising the Mayor, Deputy Mayor, General Manager, Manager People and Culture and two community members selected by Council, evaluate the merit of nominations received. **(Douglas/Jackson)**

3 1924 GARFORD FIRE ENGINE RESTORATION – REQUEST FOR RELEASE OF FUNDS AND ASSISTANCE

Summary:

The purpose of this report is for Council to consider the 1924 Garford Restoration Committee's request for the release of the \$7,605.12 held by Council on behalf of the former Nyngan Historical Society and for assistance with making applications for grants.

378/2016 **RESOLVED** that Council:

- 1 Provides Mr White with assistance in identify suitable grants.
- 2 Release funds of \$7,605.12 held by Council on behalf of the former Nyngan Historical Society provided that there is no objection from the Museum Committee, for the purpose of externally restoring the Garford Engine, but no funds be released to anyone without them supplying a detailed quote and purchase order for expenditure.
- 3 Writes to Mr White, informing him of Council's decisions. **(Ryan/Douglas)**



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4 BOGAN BUSH MOBILE – TERM 3 REPORT

Summary:

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

379/2016 RESOLVED that the Bogan Bush Mobile report be received and noted.
(Douglas/Elias)

The General Manager advised Councillors of Council's new Customer Request Management system now operating.

REPORT TO THE ORDINARY MEETING OF COUNCIL – 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 2016.

380/2016 RESOLVED that the Bank Reconciliation Report as at 31 August 2016 be received and noted. (Neill/Douglas)



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2 INVESTMENTS August 2016

Summary:

- *The report is to outline the performance of Council's Investment Portfolio for the month of August 2016.*
- *At 31 August 2016 Council had \$11million invested. There has been an increase of \$3.7million to Council's investments since the July 2016 report due to First Rates Instalment payment of \$1.1million, First Quarter FAGS of \$920,000 and the drawdown of the T-Corp Loan Facility of \$2.8million.*

381/2016 RESOLVED that the August 2016 Investments Report be received and noted. **(Ryan/Neill)**

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:

- The report is to provide a comparison of rate collections as at 31 August 2016 with the same period last year.
- Total arrears have decreased from \$328,362 at 31 August 2015 to \$288,493 as at 31 August this year.

382/2016 RESOLVED that the Rates and Annual Charges Collection Report as at 31 August 2016 be received and noted. **(Boag/Deacon)**

4 ADOPTION OF THE 2015/2016 DRAFT ANNUAL STATEMENTS

Summary:

- Statutory Accounts for 2015/2016 must be adopted and referred to Audit under Sect 413 of the LG Act.
- Audit will occur on 29 and 30 September 2016.
- Consolidated Accounting Surplus of \$2,236K.
- Surplus of \$1,804K in General Fund due mainly to R2R funding included in operating result and the expenditure being capitalized
- Consolidated cash reserves of \$8,412K.

383/2016 RESOLVED that:-

1. The Draft Annual Financial Statements for the year ended 30 June 2016 be adopted by the Council and referred for Audit.
2. The Mayor, Deputy Mayor, General Manager and responsible Accounting Officer be authorised to sign the necessary Financial Statements.
3. Council's audited financial reports and a copy of the Auditor's Reports be made available for public inspection on Council's web page and in printed format at the Council Chambers and Library. **(Ryan/Neill)**



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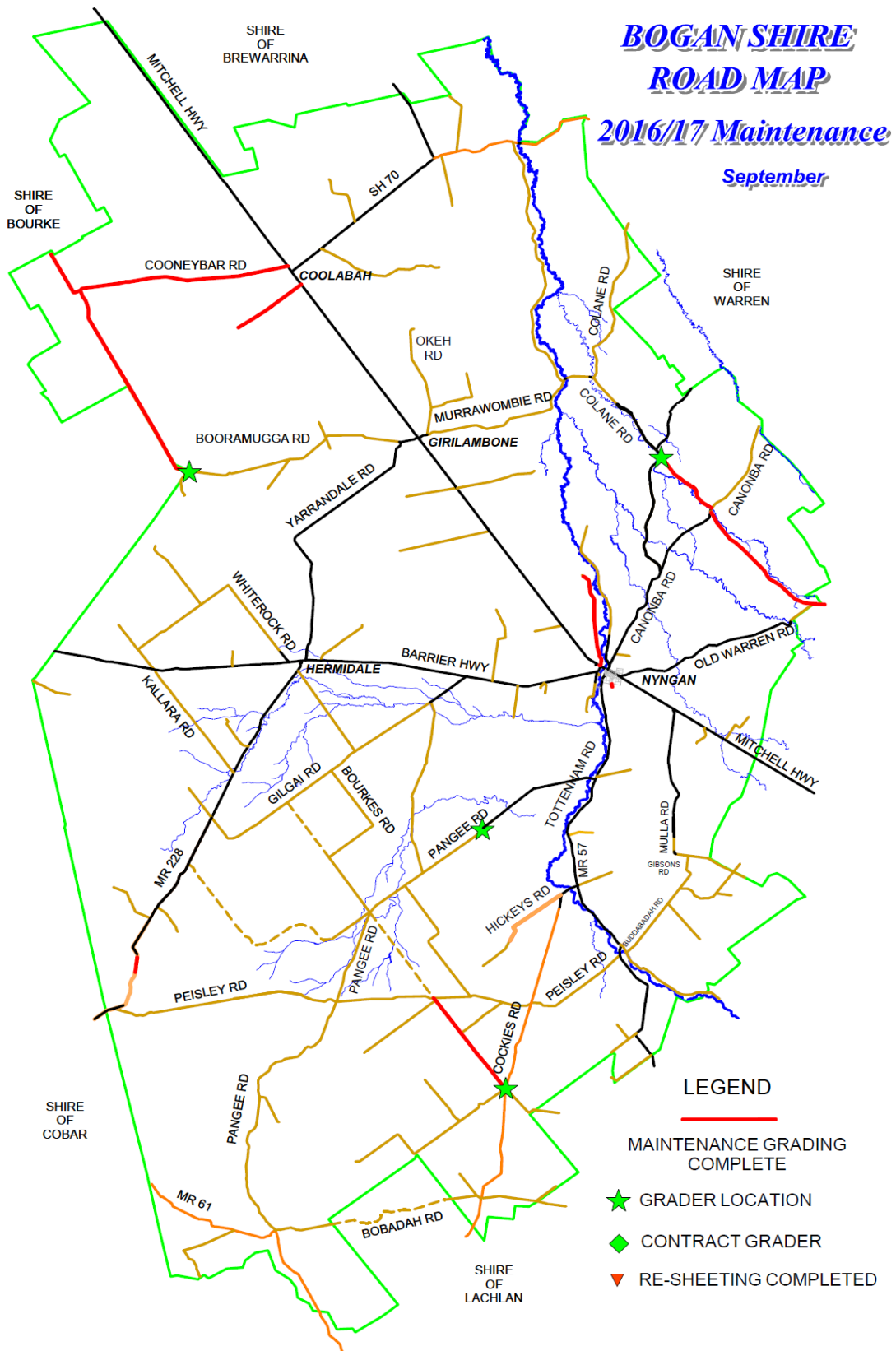
REPORT TO ORDINARY MEETING OF COUNCIL – ENGINEERING SERVICES

1 OPERATIONAL REPORT

384/2016 RESOLVED that the Operational Report for the reporting period 15 August 2016 to 9 September 2016, including Civil Works, Community Facilities and Roads be received and noted. **(Deacon/Ryan)**

Council adjourned for lunch at 12.30pm and resumed at 1.45pm.

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2 TRAFFIC COMMITTEE MEETING RECOMMENDATIONS

Summary:-

- *A Traffic Committee Meeting was held on Wednesday 17 August 2016.*
- *Issues discussed included school bus stops, 80km/hr speed zone on the Yarrandale Road, traffic concerns at the Primary School, signage at the Early Learning Centre and Post Office, property access to the Barrier Highway, and funding for an Active Transport Strategic Plan.*

- School Bus Stop on Tottenham Road South of Oatley Street - completed
- 80 km/hr Speed Zone on Yarrandale Road
- Traffic Safety Concerns at Nyngan Public School
- Early Learning Centre Pedestrian Warning Signs
- Parking restrictions at Nyngan Post Office
- Yarrandale Road Intersection with Barrier Highway
- Future Funding for Cycleways and Pedestrian Access Mobility

Clr Boag now declared an interest and left the room.

- School Bus Stop on Mitchell Highway at Priors Road

385/2016 RESOLVED that:-

1. Mother and Child Crossing signs be installed on the approaches to the Early Learning Centre to warn and slow down passing vehicles.
2. The existing mail loading zone signs remain at the Nyngan Post Office.
3. Every effort to be made to obtain funding to have a bus stop at Prior's Road and move the sign from Belah Creek. **(Neill/Ryan)**

Clr Boag now returned to the room.

3 NYNGAN AERODROME LEASE OF SHED

Summary:-

- *Fly Orana have requested to lease an existing shed at the Nyngan Aerodrome to store aviation fuel.*
- *It is recommended to lease the shed at \$200 per month.*

386/2016 RESOLVED that Council lease the aerodrome shed to Fly Orana at a rate of \$200 per month. **(Douglas/Boag)**

4 LEVEE BANK FLOOD GATE IMPROVEMENTS

Summary:

- *The levee flood gate seals have perished over the past 25 years and require replacement.*
- *Several other improvement works are proposed for the levee flood gates and pumps.*
- *It is recommended that \$35,000 in funding be allocated to improvement works at the first budget review.*

387/2016 RESOLVED that funding of \$35,000 for the above work be included in the first budget review. **(Ryan/Deacon)**

REPORT TO ORDINARY MEETING OF COUNCIL – DEVELOPMENT AND ENVIRONMENTAL SERVICES

1 DEVELOPMENT APPLICATIONS

388/2016 RESOLVED that the Development Applications Report since Council's August 2016 Meeting be received and noted. (Ryan/Dutton)

2 OPERATIONAL REPORTS

389/2016 RESOLVED that the Operational Report, including Parks and Gardens and Weeds since 25 August 2016 Council Meeting be received and noted. (Neill/Dutton)

PRECIS OF CORRESPONDENCE

1 LODGE OXLEY MASONIC CENTRE

390/2016 RESOLVED that the *thank you* letter received from the Lodge Oxley expressing their gratitude with regards to the rates be received. (Neill/Douglas)

2 ICARE WORKERS INSURANCE

The letter received from ICARE Workers Insurance who has responded on behalf of Council's letter to the Minister for Finance, Services and Property about the cost of insurance incurred by sporting participants be received.

3 AUSTRALIAN COMPETITION & CONSUMER COMMISSION

The letter received from the ACCC in reply to Council's letter concerning the excessive annual player insurance premiums be received.

391/2016 RESOLVED that Council write to the Country Rugby League and the association for netball and cricket and enquire to what happens to the balance of fees after insurance is paid. (Ryan/Jackson)

4 OFFICE OF LOCAL GOVERNMENT

392/2016 RESOLVED that the Office of Local Government Circular No 16-30 / 2 September 2016 regarding the Local Government Amendment (Governance and Planning) Act be received. **(Ryan/Douglas)**

5 WESTERN NSW LOCAL HEALTH DISTRICT

393/2016 RESOLVED that the letter received from the Western NSW Local Health District to Council's letter of 27 July 2016 regarding dialysis services in Nyngan be received. **(Ryan/Deacon)**

6 NYNGAN SHOW SOCIETY

394/2016 RESOLVED that the letter received from the Nyngan Show Society expressing their pleasure at the wonderful appearance of the Showground for their Annual Show, in particular the horsing area be received. **(Boag/Douglas)**

7 WEEKLY CIRCULARS

395/2016 RESOLVED that the Local Government Weekly Circulars 33/16 to 37/16 be noted. **(Douglas/Ryan)**

GRANTS AND FUNDING

NSW Seniors Festival Grants

Council has applied for a 2017 NSW Seniors Grant.

Liveable Communities Grants

Councils have until the end of September to apply for Liveable Community grants which aim to improve the quality of life for older people living in NSW.

Council investigate if seating for the elderly in the main street applies to this Grant.

Other Matters:

Condition and inspections of overgrown yards.



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There being no further business the meeting closed at 2.20pm.

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

