



BOGAN SHIRE COUNCIL

Minutes

28 February 2019



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

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

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

REMEMBRANCE: Mr Chris Elder and Mr Gregory Power.

001/2019 APOLOGIES: RESOLVED that apologies received from Councillors Donald OAM and Douglas be received and they be granted leave of absence from the meeting **(Jackson/Boag)**

DECLARATION OF INTEREST: Nil.

002/2019 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary meeting of Council held on 20 December 2018, copies of which have been circularised to Councillors be taken as read and confirmed. **(Ryan/Boag)**

BUSINESS ARISING – Nil

003/2019 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 20 December 2018, copies of which have been circularised to Councillors be taken as read and confirmed. **(Ryan/Dutton)**

BUSINESS ARISING:

- Water for Recreational Weir – General Manager having ongoing discussions with relevant authorities.



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- Nyngan District Cricket Association – Director of Development and Environmental Services reported on a meeting with the Association, Mayor, Deputy Mayor and General Manager held on 27 February 2019. The Association is preparing costings to present to Council to install a turf wicket including roller, irrigation and mower. The Association has interest from Cobar and Bourke as well as the High School for night games.

COMMITTEE MEETING MINUTES

1 NYNGAN MUSEUM MEETING

004/2019 RESOLVED that the Minutes of the Nyngan Museum Committee Meeting held on 6 February 2019 at the Nyngan Museum be received and noted. **(Dutton/Jackson)**

MAYORAL MINUTE TO THE ORDINARY MEETING OF COUNCIL

1 DELAY OF POST MORTEMS

005/2019 RESOLVED that Council forward a strong letter to the Post Mortem Centre in Newcastle, and relevant Government Department/Minister responsible, demanding the time taken for post mortems be investigated and improved. Support from other regional towns, through Orana Joint Organisation be sought. **(Jackson/Deacon)**

2 SENIORS RENTAL ACCOMMODATION

006/2019 RESOLVED that Council supports in principle, the construction of Seniors Living Units on the Palais Theatre site, subject to further investigations and discussions including the outcome of the redevelopment proposals for the Nyngan Town Hall. **(Ryan/Jackson)**



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3 MOVES TO REGULATE ANGEL FLIGHT

007/2019 RESOLVED that Council contact relevant authorities with concerns of proposed CASA regulations for Angel Flight, and express Council support that Angel Flight Service continues as it has been. **(Deacon/Jackson)**

4 PLAQUE AT NYNGAN AIRPORT TERMINAL FOR BILL TAYLOR

This item was deferred until later in the meeting.



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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>Awaiting asbestos test results to determine method of demolition.</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	Public petitions circulated. Mayor has requested a meeting with the Minister.

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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	291/2018	Q Fever Vaccination	Council make an urgent approach to the Federal & State members on behalf of the community to consider making the Q Fever Vaccination available on the PBS listing.	DPCS	Letter sent. Mayor met with Mark Coulton to discuss 13 November 2018. Response in Precis February 2019.

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7	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.
8	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.
	25/10/2018	341/2018		General Manager proceed with the engagement of an architect to further develop reconstruction options including the design development stage of the project for further consultation and consideration.	GM	Depends on outcome of Resolution 392/2018 below – Town Hall.

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9	22/11/2018	392/2018	Town Hall	Council's architect develop options around the Town Hall including tiered seating, dual purpose supper room & modern kitchen incorporated with an enclosed bar area in the function room, retain the front façade and offices.	GM	Architect briefed. Architect progressing design, expected to present to Council in March 2019.
10	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.

008/2019 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Ryan/Elias)**

At 10.05am Nyngan High School Students who visited Tongling No 15 Middle School in 2018, were welcomed to the Council Meeting. The group addressed Council, detailing their experiences and highlights of their visit. Nyngan High School Principal, Michel Gibson thanked Council for the opportunity for the students and expressed thanks to Cathy Ellison for the organisation of trip. Gifts from Tongling No 15 Middle School were presented to Council.

Clr Neill thanked the students for being excellent representatives of Bogan Shire.

At 10.15am Council adjourned for morning tea and resumed at 10.35am.

2 DECEMBER/JANUARY RECESS – DELEGATED DECISIONS

Summary:-

The purpose of this report is to advise Council of delegated decisions of the Mayor, Deputy Mayor and General Manager during the recent December / January recess.

009/2019 RESOLVED that the Delegated Decisions Report during the December 2018 and January 2019 recess be received and noted. **(Boag/Elias)**

3 MODEL CODE OF MEETING PRACTICE

Summary:-

The purpose of this report is to provide information to Council on the adoption of the Model Code of Meeting Practice.

010/2019 RESOLVED that the Model Code of Meeting Practice Report be received and noted. **(Ryan/Boag)**

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

1 LIBRARY REPORT

Summary:-

The purpose of this report is to provide Council with information both statistical and informative in regards to the Library's function.

011/2019 RESOLVED that the Library Report 28 February 2019 be received and noted. **(Jackson/Dutton)**

2 BOGAN SHIRE EARLY LEARNING CENTRE

Summary:-

The purpose of this report is to advise Council of the activities and statistics of the operation of the Bogan Shire Early Learning Centre.

012/2019 RESOLVED that the Early Learning Centre Report 28 February 2019 be received and noted. **(Elias/Dutton)**

3 BOGAN BUSH MOBILE – TERM 4 REPORT

Summary:

The purpose of this report is to advise Council on the Term 4, 2018 activities of the Bogan Bush Mobile service.

013/2019 RESOLVED that the Bogan Bush Mobile Report term 4, 2018 be received and noted. **(Jackson/Deacon)**

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

1 INVESTMENTS JANUARY 2019

Summary:-

- *The report is to outline the performance of Council's Investment Portfolio for the month of January 2019.*
- *At 31 January 2019 Council had \$11 million invested. There has been a decrease of \$2.6 million due to payments for the Water Storage Facility and funds have not yet been reimbursed on an outstanding claim for RMCC ordered works and the purchase of the Chlorine Booster for the Reticulation System in the capital budget with grant funds not yet in the bank.*

014/2019 RESOLVED that the Investments Report January 2019 be received and noted. **(Ryan/Boag)**

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

- *The report is to provide a comparison of rate collections as at 31 January 2019, with the same period last year.*
- *Total arrears have increased from \$388,024 as at the 31 January 2018 to \$421,692 as at 31 January this year.*

015/2019 RESOLVED that the Rates and Annual Charges Collection Report 31 January 2019 be received and noted. **(Jackson/Ryan)**

3 SECOND QUARTER 2018/19 BUDGET REVIEW

Summary:-

- Council remains in a sound financial position and is broadly on budget.
- Cash Balance is strong although decreasing as expected due to advance payments being expended.
- Second quarter adjustments to the year-end position are a net amount of \$ 0.

016/2019 RESOLVED that the Second Quarter 2018/19 Budget Review Report be received and noted.

017/2019 RESOLVED that Council adopts the budget amendments shown on the Budget Review Statement (Appendix A) for the 2018/2019 Operating and Capital Budgets. **(Ryan/Deacon)**

4 REVISION OF PROCUREMENT POLICY

Summary:-

The purpose of this report is to review policy FIN004 Procurement Policy. The policy was adopted in November 2016 and is due to be reviewed.

It was **MOVED** that for all quotations and tenders for the supply of goods, materials and / or services for Bogan Shire Council a price advantage is given to approved local suppliers where the resultant comparative price of the quotation does not exceed \$150,000. In the process of determining the successful supplier, a price advantage of 10% for amounts under \$5,000 and a price advantage of 5% for amounts between \$5001 and \$150,000 will be nominally deducted from the local supplier quotation for the purpose of price comparison only. **(Jackson/Deacon)**

An **AMENDMENT** was **MOVED** that the rate of 5 % remain. **(Ryan/)**

The Amendment lapsed for want of a seconder.

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

018/2019 RESOLVED that for all quotations and tenders for the supply of goods, materials and / or services for Bogan Shire Council a price advantage is given to approve local suppliers where the resultant comparative price of the quotation does not exceed \$150,000. In the process of determining the successful supplier, a price advantage of 10% for amounts under \$5,000 and a price advantage of 5% for amounts between \$5001 and \$150,000 will be nominally deducted from the local supplier quotation for the purpose of price comparison only. **(Jackson/Deacon)**

019/2019 RESOLVED that Council adopt the revised Procurement Policy FIN004, with the following amendment: -

that for all quotations and tenders for the supply of goods, materials and / or services for Bogan Shire Council a price advantage is given to approve local suppliers where the resultant comparative price of the quotation does not exceed \$150,000. In the process of determining the successful supplier, a price advantage of 10% for amounts under \$5,000 and a price advantage of 5% for amounts between \$5001 and \$150,000 will be nominally deducted from the local supplier quotation for the purpose of price comparison only.
(Dutton/Elias)

5 COLLECTION OF UNPAID RATES AND WATER CHARGES

Summary:-

The purpose of this report is to give Council an update on outstanding rates and to determine what Council's position will be in the coming months and years, due to the impact the drought is having, on not only the farming community, but those that live and work in the town and villages within Bogan Shire.

020/2019 RESOLVED that the Collection of Unpaid Rates and Water Charges Report be received and noted. **(Jackson/Boag)**

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

Councillor Neill thanked Council and staff for the recent works completed at Larkin Oval.

1 OPERATIONAL REPORT

021/2019 RESOLVED that the Operational Report, including Civil Works, Community Facilities for the reporting period 10 December 2018 to 15 February 2019 be received and noted. **(Elias/Deacon)**

2 DROUGHT WORKS

Summary:-

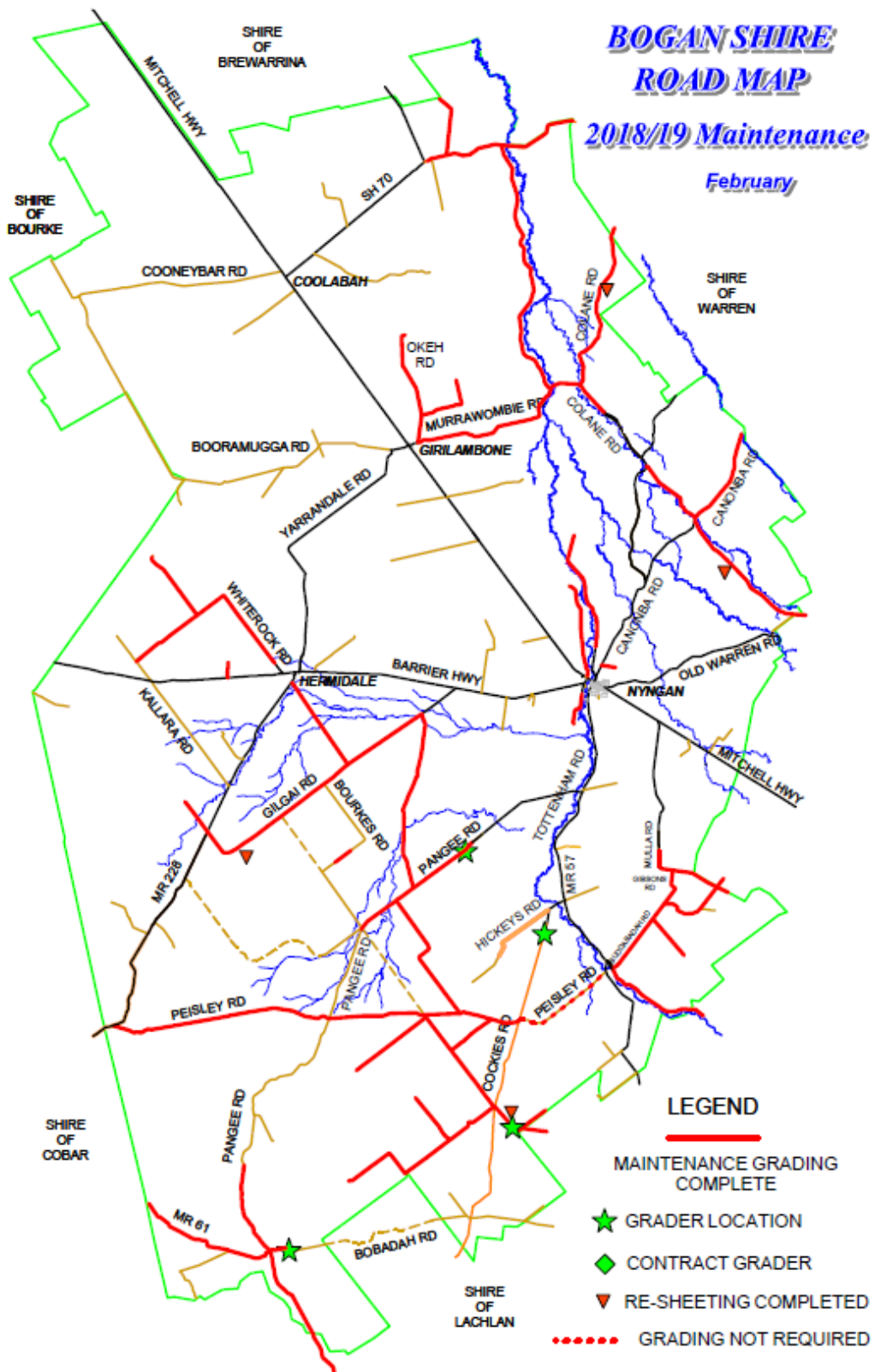
The purpose of this report is to advise Council of required works to improve water security for the villages of Girilambone and Coolabah and also make Council aware of attempts to obtain water to fill the new off-river storage at Nyngan.

022/2019 RESOLVED that:-

1. The General Manager continues to pursue grant funding opportunities to meet this cost.
2. In doing so 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.
3. Council makes provisions in the current budget for the de-silting of Wilga, Coolabah and Girilambone tanks pending approval of grant funding.
(Ryan/Dutton)

023/2019 RESOLVED that Council defer recommendation one - Council proceed, in the interests of time, with the purchase and installation of 22,500 litre tanks for each residential property in Coolabah and Girilambone that is currently linked to the water reticulation system and does not already have a suitable water tank on the property until further information concerning NSW funding is received.
(Ryan/Dutton)

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

1 DEVELOPMENT APPLICATIONS

024/2019 RESOLVED that the Development Applications Report since December 2018 received and noted. **(Jackson/Elias)**

2 OPERATIONAL REPORTS

025/2019 RESOLVED that the Operational Report including Parks and Gardens Team and Weeds Officer be received and noted. **(Ryan/Dutton)**

3 RECYCLING CONTAMINATION

Summary:-

The purpose of this report is to make Councillors aware of concerns regarding Bogan Shire's recycling contamination rate and to provide recommendations on how to address the issue.

026/2019 RESOLVED that the Recycling Contamination Report be received and noted and that green waste bins be purchased and distributed for collection as part of Council's existing waste service. **(Deacon/Elias)**

4 COMPACTOR AT NYNGAN WASTE FACILITY

Summary:-

The purpose of report is to advise Council of the purchase of a second-hand compactor for the Nyngan Waste Facility and to provide information on a stationary compactor which had previously been mentioned as an alternative to a wheeled machine.

027/2019 RESOLVED that the Compactor at the Nyngan Waste Facility Report be received and noted. **(Ryan/Elias)**

5 LEASE RENEWAL – COBB AND CO BUILDING AT COUNCIL DEPOT

Summary:-

This report is to advise Council of the expiration of the lease agreement with the tenants at the Cobb and Co building located at Council's Engineering Depot on the corner of Moonagee and Nymagee Streets, Nyngan.

028/2019 RESOLVED that the Cobb & Co building located at Council's Engineering Depot on the corner of Moonagee and Nymagee Streets, Nyngan be advertised for tenancy and the General Manager be delegated to authorise any prospective lease agreement as agreed between parties. **(Boag/Ryan)**

PRECIS OF CORRESPONDENCE

1 THE HON NIALL BLAIR MLC MINISTER FOR REGIONAL WATER

029/2019 RESOLVED that the correspondence received from the Hon Niall Blair MLC, Minister for Regional Water in response to Council's letter regarding funding opportunities for the construction of a stock and domestic service pipeline from Nyngan Weir Pool to the confluence of the Bogan River and Gunningbar Creek be received and noted. **(Deacon/Dutton)**

2 THE HON MICHAEL McCORMACK MP

030/2019 RESOLVED that the correspondence received from the Hon Michael McCormack, Deputy Prime Minister, Minister for Infrastructure, Transport and Regional Development advising of Council's funding allocation under the Roads to Recovery Program from 1 July 2019 to 30 June 2024 be received and noted. **(Ryan/Boag)**

3 SENATOR THE HON BRIDGET MCKENZIE

031/2019 RESOLVED that the copy of correspondence received from Senator the Hon Bridget McKenzie, Minister for Local Government and Decentralisation advising that funding has now been approved under the Drought Communities Program Extension (DCP Extension) to Bogan Shire for the following:

- Nyngan War Memorial Pool Façade and Amenities Refurbishment Project - \$115,000;
- Larkin Oval Canteen Redevelopment Project - \$350,000;
- Revitalising the Wye Pavilion Project - \$30,000; and
- Rejuvenation of Nyngan's Main Street Project - \$150,000

Be received and noted. **(Ryan/Boag)**

4 SENATOR THE HON BRIDGET MCKENZIE

032/2019 RESOLVED that the copy of correspondence received from Senator the Hon Bridget McKenzie, Minister for Local Government and Decentralisation advising that funding has now been approved under the Drought Communities Program Extension (DCP Extension) to Bogan Shire for the following:

- Water Play Zone for Nyngan Pool project - \$154,000;
- Revitalising Nyngan's Historical Assets project - \$31,000; and
- Renovation of the Coolabah Hall project - \$170,000

Be received and noted **(Ryan/Jackson)**

5 PETER PRIMROSE MLC

033/2019 RESOLVED that the copy of correspondence received from Peter Primrose MLC, Shadow Minister for Local Government advising of some of the initiatives that NSW Labor will implement to help reduce cost shifting should Labor form Government in March 2019 be received and noted. **(Elias/Deacon)**



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6 THE HON MARK COULTON MP

034/2019 RESOLVED that the correspondence received from the Hon Mark Coulton MP Federal Member for Parkes, together with a copy of correspondence forwarded to him from the Minister for Health concerning the Q Fever Vaccine be received and noted. **(Boag/Dutton)**

7 THE HON MARK COULTON MP

035/2019 RESOLVED that the correspondence received from the Hon Mark Coulton MP Federal Member for Parkes, advising people are eligible for the \$1000 vouchers available under the Drought Community Support Initiative be received and noted. **(Elias/Dutton)**

8 THE HON MARK COULTON MP

036/2019 RESOLVED that the copy of correspondence forwarded to The Hon Mark Coulton MP Federal Member for Parkes from the Minister for Local Government, Senator the Hon Bridget McKenzie concerning the four Shire Councils that responded to his electorate review whether the National Broadband Network (NBN) infrastructure corresponded with the demography of their Shire Councils, being Narrabri, Brewarrina, Narromine and Bogan be received and noted. **(Ryan/Boag)**

9 THE HON MARK COULTON MP

037/2019 RESOLVED that the correspondence received from the Hon Mark Coulton MP, Federal Member for Parkes, together with correspondence forwarded to him from The Hon David Littleproud MP, Minister for Agriculture and Water Resources regarding Farm Household Allowance (FHA) be received and noted. **(Elias/Jackson)**

10 NYNGAN AG EXPO

038/2019 RESOLVED that Council, as in previous years, advise the Nyngan Ag Expo that it continues to provide sponsorship in the form of free use of the showground and waives all costs associated with the setup of the event. **(Ryan/Boag)**



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11 OFFICE OF LOCAL GOVERNMENT

039/2019 RESOLVED that the copy of Local Government Circular No 18-46/18 December 2018 concerning the New Councillor Induction and Professional Development Requirements be received and noted. **(Jackson/Elias)**

12 ELECTORAL COMMISSION OF NSW

040/2019 RESOLVED that correspondence received from the Electoral Commission NSW advising Councils now have until 1 January 2020 to resolve to make a decision on the administration of their elections and enter into any arrangements with the NSWEC be received and noted. **(Jackson/Dutton)**

13 NYNGAN SHOW SOCIETY

041/2019 RESOLVED that Council, as in previous years, advise the Nyngan Show Society that it continues to provide sponsorship in the form of free use of the showground and waives all costs associated with the setup of the event. **(Ryan/Boag)**

14 PURCHASE OF WATER FOR SKI WEIR

042/2019 RESOLVED that correspondence received from Mr Max Jones, Essential Self Storage Nyngan, regarding Council's decision not to purchase water for Ski Weir be received and noted. **(Elias/Deacon)**

15 NYNGAN HARMONY DAY CELEBRATIONS

043/2019 RESOLVED that correspondence received from the Nyngan Public School advising of Harmony Day on 21 March 2019 be received and noted. **(Ryan/Deacon)**

16 RAHNI BODANSKI

044/2019 RESOLVED that correspondence received from Rahni Bodanski thanking Council for the Scholarship awarded to her to further her University Education be received and noted. **(Ryan/Dutton)**



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17 WEEKLY CIRCULARS

045/2019 RESOLVED that the Local Government Weekly Circulars 14 December 2018, 21 December 2018, 11 January 2019, 18 January 2019, 25 January 2019, 1 February, 2019, 8 February, 2019, and 15 February 2019 be noted. **(Jackson/Ryan)**

Other matters:

046/2019 RESOLVED that Council revisit exploring options of electronic Business Papers and correspondence for Councillors. **(Boag/Dutton)**

At 12.15pm Councillors and Staff now visited the Airport Terminal.

Item 4 of the Mayoral Minute was now discussed.

4 PLAQUE AT NYNGAN AIRPORT TERMINAL FOR BILL TAYLOR

047/2019 RESOLVED that Council have a plaque made in recognition of Bill Taylor and his contribution to local aviation. The plaque to be placed at the Nyngan Aerodrome, outside the terminal, facing the runway, on a plaque stand. Council to investigate having the existing three plaques in the terminal restored. Final suggestions for wording on plaque in consultation with local pilots and family. **(Deacon/Boag)**

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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DEPUTY MAYOR

