



BOGAN SHIRE COUNCIL

Minutes

20 December 2018

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 20 December 2018 at 8.30am**

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

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

DECLARATION OF INTEREST: Nil

425/2018 RESOLVED that the Minutes of the Ordinary Meeting of Council held of 22 November 2018, copies of which have been circularised to Councillors be taken as read and confirmed. **(Jackson/Neill)**

Business Arising: Nil

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 22 December 2018.

420/2018 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) (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. **(Douglas/Jackson)**

421/2018 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary meeting of Council held on 22 November 2018, copies of which have been circularised to Councillors be taken as read and confirmed with the following amendment:-

374/2018 Renewal of the General Manager's Contract. **(Ryan/Boag)**
Resolution was unanimous.

422/2018 RESOLVED that Council defer the decision to consider the tenders received for the supply of a Bitumen Patching Truck to next year's budget **(Neill/Jackson)**

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423/2018 RESOLVED that Council accept the tender of West Orange Motors for a Hino 700 SS Prime Mover for the cost of \$195,445.45. **(Douglas/Boag)**

424/2018 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into Open Council. **(Deacon/Ryan)**

COMMITTEE MEETING MINUTES

1 NYNGAN MUSEUM MEETING

426/2018 RESOLVED that the Minutes of the Nyngan Museum Committee Meetings held on 14 November 2018 and 5 December 2018 at the Nyngan Museum be received and noted. **(Jackson/Boag)**

MAYORAL MINUTE TO THE ORDINARY MEETING OF COUNCIL

1 PIONEER MEMORIAL PARK

427/2018 RESOLVED that Council advise Mr Carr that it feels no changes are required to Pioneer Memorial Park. **(Ryan/Neill)**

2 MACQUARIE HOME STAY

428/2018 RESOLVED that Council gives consideration, in next year's budget, to supporting Macquarie Home Stay in fitting out a room. **(Ryan/Boag)**

3 STATE AND FEDERAL GOVERNMENTS RATE RELIEF

429/2018 RESOLVED that Council approach both Governments for some form of rate relief. **(Deacon/Dutton)**

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

Mayor and Councillors

The following report is submitted for consideration:-

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.	GM	Public Information Meeting 14 December 2016. Community expressed a preference for the Cobar/Dandaloo Streets site. Building Better Regions Grant Program identified as a match for this project. Application under Stronger Country Communities successful. Awaiting return of funding Deed.

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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. Continuing to explore resourcing options with LHD.
3	21/12/2017	392/2017	Increase of train speed through Nyngan	Strong letter of concern & a request to address Council be send to the relevant rail authorities & a copy to local member.	GM	Letter sent to Minister for Transport & Infrastructure, with copy to Kevin Humphries. Minister has now forwarded the letter onto the Minister for Roads, Maritime and Freight, the Hon Melinda Pavey MP.
	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 &	MES	Further letter sent 12 July 2018. No response to date. Petition has been prepared for public input. Petition has been distributed

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				that the best control measures would be to erect flashing lights at the Hoskins Street Crossing.		
4	21/06/2018	186/2018	Oatley Street Sewer Reticulation System	Council undertakes community consultation via survey to Oatley Streets residents concerning this request.	MES	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.	MES	In Progress.

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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.	MPC	Letter sent. Mayor met with Mark Coulton to discuss 13 November 2018. Awaiting further response from Federal Government.
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.	MES	In Progress. Business Case has been completed and submitted.
	22/11/2018	390/2018		Council approach the relevant water authorities to establish priorities of off takes of natural flows in the Bogan river to fill the water storages south of Nyngan.	MES	In Progress.

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8	27/09/2018	312/2018	Wool Loading Ramp Repairs	Council approach John Holland to discuss maintenance of the disused wool loading ramp.	MES	Council has received an email from John Holland Rail advising the area is under a lease agreement with BSC, stating any maintenance work is the responsibility of Council.
9	27/09/2018	313/2018	Reuse of Larkin Oval Lighting	1.Call for EOI from local organisations wishing to use the lights. 2.Relocate two lights to Flood Memorial Carpark, provided it can be done within the existing budget. 3.Make a direct approach to schools if interested in using the lights.	MES	In Progress. No response to date.
	22/11/2018	391/2018		Light be installed at the main entrance to Larkin Oval.	MES	In Progress.

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10	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.	MDES	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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11	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. Proposal received for development of design for modification of existing Town Hall, kitchen & supper room to create a tiered theatre (approximately 300 seats), suitably sized function room, modernised commercial kitchen, outdoor area, public amenities and change rooms. Proposal fee is \$28,855 including Structural Engineer's report on Town Hall.
12	22/11/2018	405/2018	Rural Addressing – Renaming Tottenham Road to the Bogan Way	<p>Council rename the road from Nyngan to the Shire Boundary "The Bogan Way".</p> <hr/> <p>Council advertise the name change & notify relevant agencies of the renaming of the road & advise residents along the Tottenham Road & reason why.</p>	MES	In Progress

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				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.		
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430/2018 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.
(Elias/Deacon)

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.

431/2018 RESOLVED:-

1. That this report be received and noted.
2. That Council endorses the decision of the Bogan Shire Council Drought Appeal Fund Committee to provide assistance in the amount of \$3,500.00 for the period 12 November 2018 to 10 December 2018. **(Jackson/Dutton)**

3 ADMINISTRATION OF 2020 LOCAL GOVERNMENT ELECTIONS

Summary:-

- *Since 2012, Councils have been able to choose whether to conduct their own elections or to enter into arrangements with the NSW Electoral Commission.*
- *Most Councils have continued to have their elections conducted by the Commission.*

432/2018 RESOLVED that Council enter into an arrangement with the Electoral Commissioner, by contract or otherwise, for the Electoral Commissioner to administer Elections of the Council, 12 September 2020. **(Ryan/Boag)**

4 ORGANISATIONAL STRUCTURE

Summary:-

The purpose of this report is for consultation between the General Manager and Council on the organisational structure of Bogan Shire Council.

433/2018 RESOLVED that Council's Organisational Structure be amended to reflect the following changes to positions titles only:-

- Manager Development and Environmental Services to Director Development and Environmental Services.
- Manager Engineering Services to Director Engineering Services.
- Manager Finance and Corporate Services to Director Finance and Corporate Services.
- Manager People and Community Services to Director People and Community Services. **(Ryan/Elias)**

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

1 BOGAN SHIRE MEDICAL CENTRE

Summary:-

The purpose of this report is to provide information to Council on the operations and statistics of the Bogan Shire Medical Centre.

434/2018 RESOLVED that the Operational Report for mid-September 2018 to mid-December 2018 for the Bogan Shire Medical Centre be received and noted. **(Elias/Deacon)**

The Mayor commended those involved with the operation of the Medical Centre.

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

1 INVESTMENTS NOVEMBER 2018

Summary:-

- The report is to outline the performance of Council's Investment Portfolio for the month of November 2018.
- At 30 November 2018 Council had \$13.6 million invested. There has been an increase of \$1million due to receipt of RMCC, R2R and Quarterly FAG Grant funds, 2nd Instalment of Rates and Grant funds for Crown Land Management.

435/2018 RESOLVED that the Investments Report for the month of November 2018 be received and noted. **(Neill/Ryan)**

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

- *This report is to provide a comparison of rate collections as at 30 November 2018, with the same period last year.*
- *Total arrears have decreased from \$652,647 at 30 November 2017 to \$588,114 as at 30 November this year.*

436/2018 RESOLVED that the Rates and Annual Charges Collection Report as at 30 November 2018 be received and noted. **(Jackson/Neill)**

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3 REVISION OF COUNCIL'S INVESTMENT POLICY – FIN002

Summary:-

- *The purpose of this report is to review Policy FIN002 Investment Policy.*
- *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.*

437/2018 RESOLVED that Council adopt the current Investment Policy FIN002 for 36 months. **(Ryan/Jackson)**

4 EASY TO DO BUSINESS – SERVICE NSW

Summary:-

The purpose of this report is to provide background information and seek support to enter into an agreement with Service NSW for the Easy to do Business Program and to consider future business improvement initiatives.

438/2018 RESOLVED that Bogan Shire Council enters into an agreement with Service NSW for the Easy to Do Business Program. **(Douglas/Neill)**

At 9.30am Council adjourned for morning tea and resumed at 9.55am.

Mrs Mim Pateman and family, and Mrs Sharon Grimmond, Principal of St Joseph's School attended morning tea to acknowledge Mim's forty years of service to St Joseph's School.

5 COMMUNITY EVENTS AND EQUIPMENT HIRE

Summary:-

At its meeting on 22 November 2018 Council resolved to defer discussion on this item until the December meeting. This report is for Council to give the previous report further consideration. A copy of the previous report and Council's fees and charges is attached.

It was **MOVED** that:

1. Council does not charge for the hire or delivery of available equipment for funeral services.
2. Council define a community organisation as being a not-for-profit organisation including, but not limited to, churches, schools, registered charities, sporting bodies and hospitals.
3. Council define a bona fide community event as one run by a community organisation where it is clearly demonstrated that money raised from the event goes back into the community.
4. Council waives equipment hire fees for all bona fide community events run by community organisations.
5. Council requests all community event organisers to collect and return hired equipment themselves. If this is not possible, Council waives the delivery fee for all bona fide community events run by community organisations as long as the work performed by Council staff is done within normal operating hours.
6. If delivery and/or pickup of hired equipment for these events has to be done by Council staff outside normal working hours then the normal delivery fee of \$150 to be charged to cover the actual cost of delivery be charged. The event organisers are to be advised of this prior to delivery of the equipment.
(Douglas/Ryan)

Clr Ryan withdrew his support for the Motion.

The Motion lapsed for want of a seconder.

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It was further **MOVED** that:

1. Council does not charge for the hire or delivery of available equipment for funeral services.
2. Council define a community organisation as being a not-for-profit organisation including, but not limited to, churches, schools, registered charities, sporting bodies and hospitals.
3. Council define a bona fide community event as one run by a community organisation where it is clearly demonstrated that money raised from the event goes back into the community.
4. Council waives equipment hire fees for all bona fide community events run by community organisations.
5. Council requests all community event organisers to collect and return hired equipment themselves. If this is not possible, Council waives the delivery fee for all bona fide community events run by community organisations as long as the work performed by Council staff is done within normal operating hours.
6. If delivery and/or pickup of hired equipment for these events has to be done by Council staff outside normal working hours then a fee to cover the actual cost of delivery be charged. The event organisers are to be advised of this prior to delivery of the equipment. **(Neill/Deacon)**

It was **PUT** to Council and **CARRIED**

439/2018 RESOLVED that:

1. Council does not charge for the hire or delivery of available equipment for funeral services.
2. Council define a community organisation as being a not-for-profit organisation including, but not limited to, churches, schools, registered charities, sporting bodies and hospitals.
3. Council define a bona fide community event as one run by a community organisation where it is clearly demonstrated that money raised from the event goes back into the community.

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4. Council waives equipment hire fees for all bona fide community events run by community organisations.
5. Council requests all community event organisers to collect and return hired equipment themselves. If this is not possible, Council waives the delivery fee for all bona fide community events run by community organisations as long as the work performed by Council staff is done within normal operating hours.
6. If delivery and/or pickup of hired equipment for these events has to be done by Council staff outside normal working hours then a fee to cover the actual cost of delivery be charged. The event organisers are to be advised of this prior to delivery of the equipment. **(Neill/Deacon)**

6 ISSUES ARISING FROM COUNCIL'S SECTION 713 SALE OF LAND FOR UNPAID RATES

Summary:-

- *The purpose of this report is to update Council on a number of issues that arose from Council's previous sale of land for unpaid rates.*
- *Council now needs to resolve two of these issues and the third will be dealt with at Council's next sale of land.*

440/2018 RESOLVED that:

1. Council resolves to pay the arrears of rates on the Coolabah block for the period the Coolabah Rural Fire Service occupied the building and that interest charged during this period be written off as the charges would not have been made if Council was aware of the responsibility to pay the rates.
2. Council resolves to authorise the General Manger to seek a reasonable resolution to the sale or disposal of the shed erected on the Coolabah block in the best interests of Council.
3. Council resolves to authorise the General Manager to investigate what avenues are available to Council to rectify the position with assessments containing closed roads.
4. Council resolve to write off the amount of \$3090.86 on assessment 1020246 and \$595.55 on assessment 1024868 and both assessments be recategorised as Business Unknown until the issue can be addressed. **(Ryan/Jackson)**

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

Councillor Neill thanked Council staff for the improvements to Larkin Oval and for the lights at Memorial Park.

1 OPERATIONAL REPORT

441/2018 RESOLVED that the Operational Report, including Civil Works, Community Facilities and Roads for the reporting period 12 November 2018 to 7 December 2018 be received and noted. **(Neill/Jackson)**

2 JUNIOR LEAGUE OVAL WATERING SYSTEM

Summary:-

The purpose of this report is for Council to consider allocating \$30,000 for the replacement of the existing Junior Rugby League Oval watering system.

442/2018 RESOLVED that Council approach Junior Rugby League to contribute to the costs of installation of a watering system at the Junior Rugby League Oval. If a contribution is not forthcoming from the Junior League, funds be made available from savings in the Budget. **(Neill/Boag)**

3 TRAFFIC COMMITTEE MEETING RECOMMENDATIONS

Summary:-

The purpose of this report is to present the discussions of the Traffic Committee Meeting held on Wednesday 21 November 2018 and for Council to consider their recommendations.

443/2018 RESOLVED that the Traffic Committee Meeting Recommendations Report 21 November 2018 be received and noted. **(Neill/Dutton)**

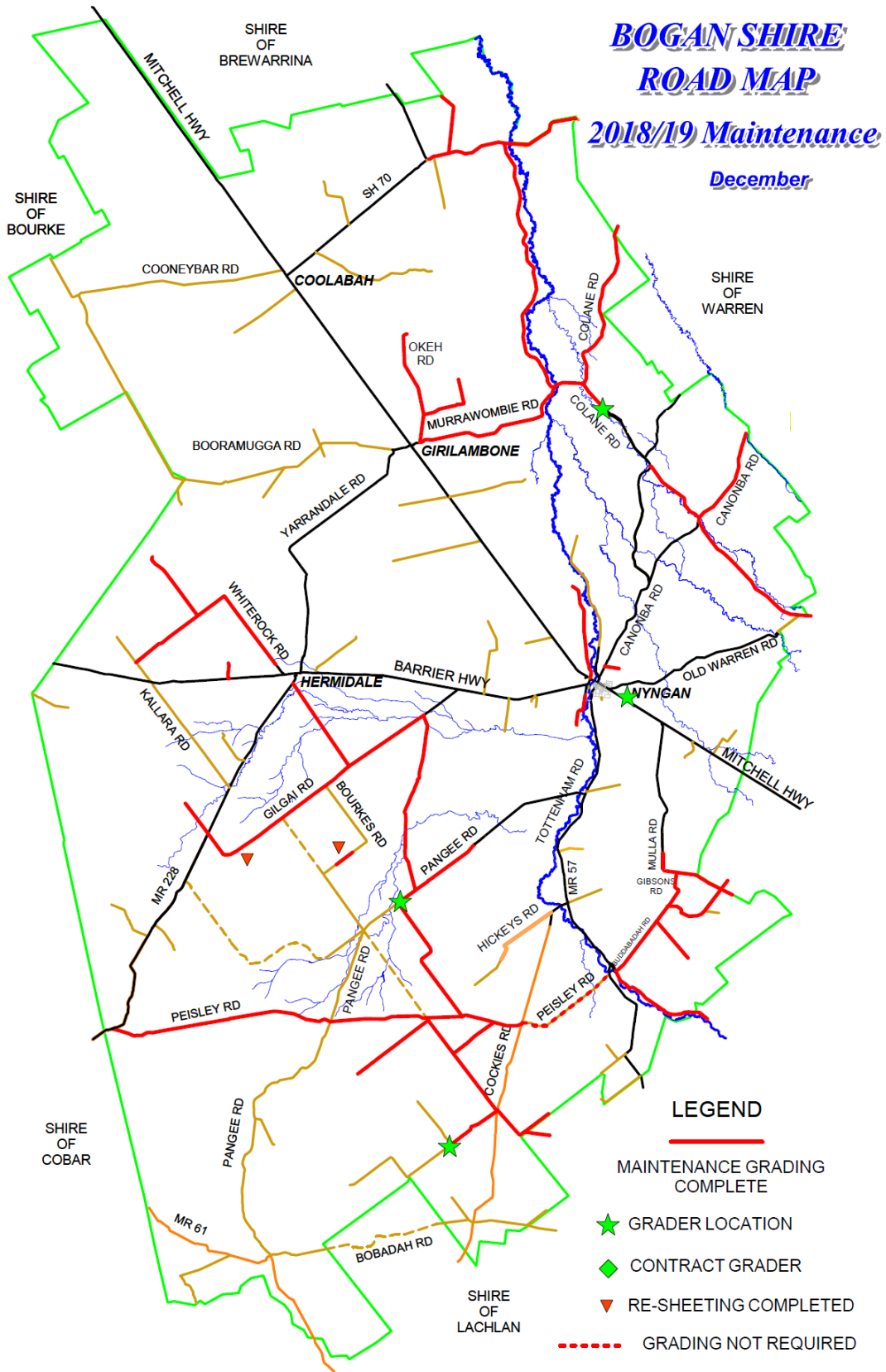
4 PURCHASE OF WATER FOR RECREATION WEIR

Summary:-

The purpose of this report is for Council to consider purchasing water, if available, to top up the Bogan River Recreation Weir.

444/2018 RESOLVED that Council approach Water NSW, to enquire if water is available for Environmental purposes. **(Ryan/Neill)**

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**REPORTS TO ORDINARY MEETING OF COUNCIL - MANAGER OF
DEVELOPMENT & ENVIRONMENTAL SERVICES REPORT**

1 DEVELOPMENT APPLICATIONS

445/2018 RESOLVED that the Development Applications Report since the November 2018 Council Meeting be received and noted. **(Neill/Boag)**

2 OPERATIONAL REPORTS

446/2018 RESOLVED that the Operational Report including Parks and Gardens Team and Weeds Officer be received and noted. **(Deacon/Elias)**

PRECIS OF CORRESPONDENCE

1 NYNGAN DISTRICT CRICKET ASSOCIATION

447/2018 RESOLVED that Council consults with Nyngan District Cricket Association to progress the installation of a turf wicket and that the Mayor, Deputy Mayor and General Manager be delegated to finalise arrangements with the Nyngan District Cricket Association. **(Jackson/Neill)**

2 COUNTRY MAYORS ASSOCIATION OF NEW SOUTH WALES

448/2018 RESOLVED that Tenterfield Shire be advised that when their study is completed and it shows positive benefits, Bogan Shire Council will consider a contribution. **(Ryan/Boag)**

3 OFFICE OF LOCAL GOVERNMENT CIRCULAR NO. 18-41

449/2018 RESOLVED that the copy of Local Government Circular No 18-41 Misuse of Council Resources – March 2019 State Election be received and noted. **(Ryan/Deacon)**

4 ORANA JOINT ORGANISATION OF COUNCILS

450/2018 RESOLVED that the copy of correspondence to the Executive Director Regional and RLU Group, Department of Premier and Cabinet received from Chairman Doug Batten, Orana Joint Organisations Councils outlining a number of concerns raised by members of the Orana Board at a strategic planning workshop conducted at Warren on 30 November 2018 be received and noted. **(Jackson/Elias)**

5 OFFICE OF SPORT

451/2018 RESOLVED that Council apply for a grant to purchase 4 Defibrillators for use within Bogan Shire Council. **(Jackson/Dutton)**

6 LGNSW

452/2018 RESOLVED that the Mayor and General Manager attend the LGNSW & Country Mayors meeting on 8 March 2018. **(Douglas/Neill)**

7 LOCAL GOVERNMENT REMUNERATION TRIBUNAL

453/2018 RESOLVED that the correspondence be received and noted. **(Neill/Boag)**

8 WEEKLY CIRCULARS

454/2018 RESOLVED that the Local Government Weekly Circulars be noted. **(Dutton/Elias)**

Clr Deacon thanked Council for the flowers in memory of his mother.



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There being no further business the Meeting closed 11.05am.

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

