



# **BOGAN SHIRE COUNCIL**

## **Minutes**

**23 November 2017**



**Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 23 November 2017 at 9.30am**

**PRESENT:** Councillors RL Donald OAM, (in the Chair) VJ Boag, WG Deacon, JL Douglas, VJ Dutton, 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), Mrs Stephanie Waterhouse (Manager Finance and Corporate Services), and Mrs Melissa Salter (Administration Officer).

**DECLARATION OF INTEREST:** Nil

**350/2017 RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 26 October 2017, copies of which have been circularised to Councillors be taken as read and confirmed with the following amendment. **(Douglas/Jackson)**

- Correct title of the History of the Railway Book should be - "Life Along the Railways West of Nevertire".

**Business Arising:**

- Bogan Shire Medical Centre

The General Manager advised Council that the Medical Centre has been in operation with a Locum shared with the Nyngan MPS. A new Locum will commence duties this week. The Mayor thanked the General Manager, Manager People and Community Services, and all Council staff involved for their efforts in ensuring the ongoing operation of the Medical Centre.

**351/2017 RESOLVED** that, in addition to the shared Locum, the General Manager be authorised to contract the services of a Locum to work at the Bogan Shire Medical Centre pending permanent recruitment. **(Ryan/Neill)**

**352/2017 RESOLVED** that the Minutes of the Extraordinary Meeting of Council held on 7 November 2017, copies of which have been circularised to Councillors be taken as read and confirmed. **(Douglas/Jackson)**

**Business Arising:** Nil

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The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting held on 23 November 2017.

**342/2017 APOLOGY: RESOLVED** that the apology received from Councillor AJ Elias be received and he be granted leave of absence from the both meetings. **(Ryan/Neill)**

**343/2017 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/Jackson)**

**344/2017 RESOLVED** that Council accept the tender of Hitachi for a John Deere 670 GP grader for the amount of \$345,600 **(Douglas/Jackson)**

**345/2017 RESOLVED** that the General Manager be authorised to dispose of the Volvo Grader in the best interests of Council via trade in or private offer. **(Douglas/Neil)**

**346/2017 RESOLVED** that:-

1. Council accepts the panel of six suppliers for the provision of road stabilising for the period 1 January 2018 to 31 December 2020. **(Neill/Ryan)**
2. A provision be allowed for a 12 month extension based on satisfactory supplier performance, which may take this contract through to 31 December 2021. **(Neill/Ryan)**

**347/2017 INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting moved into Open Council. **(Boag/Dutton)**

**348/2017 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) (e) because information that would, if disclosed, prejudice the maintenance of law. **(Neill/Deacon)**

**349/2017 INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting moved into Open Council. **(Dutton/Douglas)**

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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	<b>Davidson Park Revitalisation Program</b>	Establish paving pathways to the mural.	<b>MDES</b>	Work commenced.
2	26/09/2014	363/2014	<b>Fire Safety Audit Program</b>	Further report on progress of compliance with Program.	<b>MDES</b>	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	<b>Bogan Bush Mobile</b>	Delegation is planned to meet with Minister.	<b>GM</b>	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 local Federal Member Mark Coulton MP 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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						<p>Council staff working on funding / operating model with PwC and Department of Education.</p> <p>Report refers.</p>
4	24/03/2016 15/12/2016	078/2016 485/2016	<b>Bicentennial Wall &amp; Ceramic Mural</b>	The General Manager work with Peter Zanetti to undertake the necessary work to complete the reinstatement of the wall & mural.	<b>GM</b>	<p>Community workshops held on Saturday 12 and Sunday 13 August 2017, with 20 people participating.</p> <p>Wall has been reconstructed with only minor works outstanding.</p> <p>All tiles have been remade.</p>
5	27/10/2016	423/2016	<b>Seniors Living – Rental Units</b>	Consult with community to gauge interest in the project before making a decision on which location & how many units to build.	<b>GM</b>	<p>Public Information Meeting 14 December 2016.</p> <p>Community expressed a preference for the Cobar/Dandaloo Streets site.</p>

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				Advise prospective tenants of what the highest rental payment will be & what they would receive for their payment.		Grant application made under Resources for Regions Program.  Building Better Regions Grant Program identified as a match for this project. Round 2 now open.
6	27/072017	236/2017	<b>National Broadband &amp; Network Design</b>	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.	<b>MDES</b>	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.  Early Learning Centre will receive Fixed Line NBN. No further changes provided to the footprint at this stage. Precip refers.



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	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.	<b>GM</b>	Letter sent.
7	28/09/2017	301/2017	<b>Neeroc Road Extension</b>	Council seek clarification from Crown Lands for any exemptions available regarding vegetation management when transferring Crown Land for the purpose of constructing access roads.	<b>MDES</b>	Letter to Crown Lands Office sent.  No response to date.
8	28/09/2017	283/2017	<b>Medical Centre</b>	The General Manager in consultation with PHN proceeds to recruit & engage a second doctor for the BSMC.	<b>GM</b>	PHN engaged to undertake GP recruitment.  Adverts for GP/VMO placed with Rural Doctors Network (RDN), PHN, Seek (online) and Medical Jobs (online).

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	26/10/27	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.
9	28/09/2017	285/2017	<b>Australia Day Awards</b>	Council advertises for two community members to be part of the Committee to evaluate the merit of nominations.	<b>MP&amp;C</b>	Council advertised for two community members in the Council Column and via a Public Notice in the Nyngan Observer (4 October edition). Closing date for expressions of interest was Monday 16 October 2017.  No Expressions of Interest were received by the closing date.
	26/10/2017	313/2017		The Mayor, Deputy Mayor & General Manager approach two people from the community to be part of the Committee to evaluate the merit of nominations.		<b>GM</b>

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10	26/10/2017	330/2017	<b>New Cemetery Entrance Design Proposal</b>	Council seek community input into the design.	<b>MDES</b>	On public exhibition. Closes Friday 24 November 2017.
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**353/2017 RESOLVED** that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. (Boag/Dutton)

## 2 DRAFT MODEL CODE OF CONDUCT AND ASSOCIATED PROCEDURES

**Summary:-**

*This report is to note that a draft of a new Model Code of Conduct for Local Councils in NSW and Associated Procedures was recently released by the Office of Local Government (OLG) and that an opportunity exists for Council to provide comment to the OLG.*

**354/2017 RESOLVED** that the Draft Model Code of Conduct and Associated Procedures Report be received and noted with the following items discussed:-

- Tokens, Gifts & Benefits – documented amounts; and
- Other Business or Employment. (Douglas/Neill)

## 3 PANEL OF CODE OF CONDUCT REVIEWERS

**Summary:-**

*This report is for Council to appoint persons to its Panel of Code of Conduct Reviewers.*

**355/2017 RESOLVED** that the persons listed 1 to 13 within the report be appointed as members of Bogan Shire Council’s Panel of Conduct Reviewers. (Ryan/Boag)

Council adjourned for Morning Tea at 10.25am, followed by a visit to the Water Storage Site on Tottenham Road. Council resumed at 11.50am.

#### 4 JOINT ORGANISATION OF COUNCILS

**Summary:-**

*This report is to advise Council of the release of information from the NSW Government relating to the establishment of Joint Organisations.*

**356/2017 RESOLVED** that the Joint Organisation of Councils Report be received and noted. (Ryan/Jackson)

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

##### 1 BOGAN SHIRE EARLY LEARNING CENTRE

**Summary:-**

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

**357/2017 RESOLVED** that the Early Learning Centre Report be received and noted. (Ryan/Douglas)

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Director of Children Services, Mrs Nicole Jenkins now attended the meeting.

## **2 BOGAN BUSH MOBILE – BUDGET BASED FUNDING CHANGES**

**Summary:**

*The purpose of this report is to advise Council on the Budget Based Funding changes to the Bogan Bush Mobile Service and present the Bogan Bush Mobile Business Plan for consideration and adoption.*

**358/2017 RESOLVED** that Council adopts the Bogan Bush Mobile Business Plan and forwards it to the Department of Education. In addition, a letter to be written to Mark Coulton, Local Member, stressing the need for the services of the Bogan Bush Mobile to remain available for isolated families. **(Boag/Neill)**

Mrs Jenkins now left the meeting.

## **3 NYNGAN SHOW DAY**

**Summary:-**

*This report recommends a request to the Minister for Industrial relations for a public holiday from 12 noon on Monday 7 May 2018 for the Nyngan Show.*

**359/2017 RESOLVED** that Council apply to the Minister for Industrial Relations for the declaration, under the *Public Holidays Act 2010*, for a local public holiday for the Bogan Shire Council Local Government area from 12 noon on Monday 7 May 2018. **(Deacon/Dutton)**

#### 4 GRANTS AND FUNDING

**Summary:-**

*The purpose of this report is to provide information to Council on grants and funding.*

**360/2017 RESOLVED** that further consideration be given to the following suggestions for discussion at the December Council Meeting in preparation for community consultation and preparation of grant applications:-

- Stronger Country Communities:-
  1. Nyngan Swimming Pool – (suggested improvements – heating, change rooms, water play, playground equipment).
  2. Extension of Cycle Way.
- Regional Cultural Funding:-
  1. Palais Theatre – (including current location, investigate new venue at existing tennis court site, regional dance and entertainment facility).
- Growing Local Economies:-
  1. Main Street Shops Upgrades.
  2. Scandium Mine.
  3. Regional Training Centre.
  4. Showground Improvements. **(Neill/Deacon)**

## 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 October 2017.*

**361/2017 RESOLVED** that the Bank Reconciliation Report as at 31 October 2017 be received and noted. **(Ryan/Neill)**

### 2 INVESTMENTS OCTOBER 2017

**Summary:-**

- *The report is to outline the performance of Council's Investment Portfolio for the month of October 2017.*
- *At 31 October 2017 Council had \$11.2 million invested. There has been a decrease of \$100,000 due to payments made for works completed and payment not yet received.*

**362/2017 RESOLVED** that the Investments Report for the month of October 2017 be received and noted. **(Boag/Deacon)**

### 3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

**Summary:-**

- *The report is to provide a comparison of rate collections as at 31 October 2017, with the same period last year.*
- *Total arrears have increased from \$340,831 at 31 October 2016 to \$438,251 as at 31 October this year.*

**363/2017 RESOLVED** that the Rates and Annual Charges Collection Report as at 31 October 2017 be received and noted. **(Ryan/Neill)**



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At 12 noon the Ordinary Meeting of Council was suspended and a Special Meeting opened to present the audited Financial Reports and Auditors' Report for the year 2016/2017.

**364/2017 RESOLVED** that Council move into a Special Meeting to present the audited Financial Reports and Auditors' Report for the year 2016/2017. **(Boag/Ryan)**

#### **4 ANNUAL FINANCIAL REPORTS**

**Summary:-**

- *The purpose of this report is to table the 2016/2017 Financial Statements.*
- *In accordance with Section 418 Council is required to hold a public meeting in order to present the Financial Reports.*
- *Notification of the meeting was advertised in the local newspaper and the presentation is scheduled to occur at a meeting of Council on Thursday 23 November 2017.*

**365/2017 RESOLVED** that the Financial Reports and Auditor's Report for the period 1 July 2016 to 30 June 2017 as presented to the public in accordance with Section 418(3) of the Local Government Act 1993 be received and noted and all staff involved be commended for their work. **(Boag/Neill) Unanimous**

**366/2017 RESOLVED** that the Special Meeting of Council close and reopen the Ordinary Meeting of Council. **(Neill/Ryan)**

Sergeant Tony Wood now attended the meeting and Council moved into the Closed and Confidential Section of the meeting.

## 5 DELIVERY PROGRAM

### **Summary:**

- *This report is to provide information regarding progress with respect to the principal activities detailed in Council's adopted Delivery Program.*
- *The General Manager is required under the provisions of Section 404(5) of the Local Government Act to provide Council with regular reports regarding progress with respect to the principal activities detailed in Council's Delivery Program.*
- *Council previously resolved that these reports be provided in October and April. Due to competing priorities the October report has been tabled in November.*
- *Managers responsible for each of the activities listed under the Strategies and Outcomes have indicated the current status of the activity.*

**367/2017 RESOLVED** that the Delivery Program Report be received and noted.  
(Boag/Dutton)

Council adjourned for lunch at 12.40pm and resumed at 1.50pm.

## 6 ANNUAL REPORT 2016/2017

### **Summary:-**

- *Within 5 months after the end of each year, a Council must prepare its Annual Report for that year reporting as to its achievements in implementing its Delivery Program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed.*
- *The purpose of this report is to table to Council the Annual Report for the Financial Year 1 July 2016 to 30 June 2017.*

**368/2017 RESOLVED** that the Annual Report 2016/2017 be received and noted and all staff involved be commended for their work (Ryan/Boag)

## 7 SECTION 713 SALE OF LAND FOR UNPAID RATES

**Summary:-**

*This report is to present Council with a list of properties eligible for Sale for Unpaid Rates under Section 713 of the Local Government Act, 1993.*

**369/2017 RESOLVED** that:-

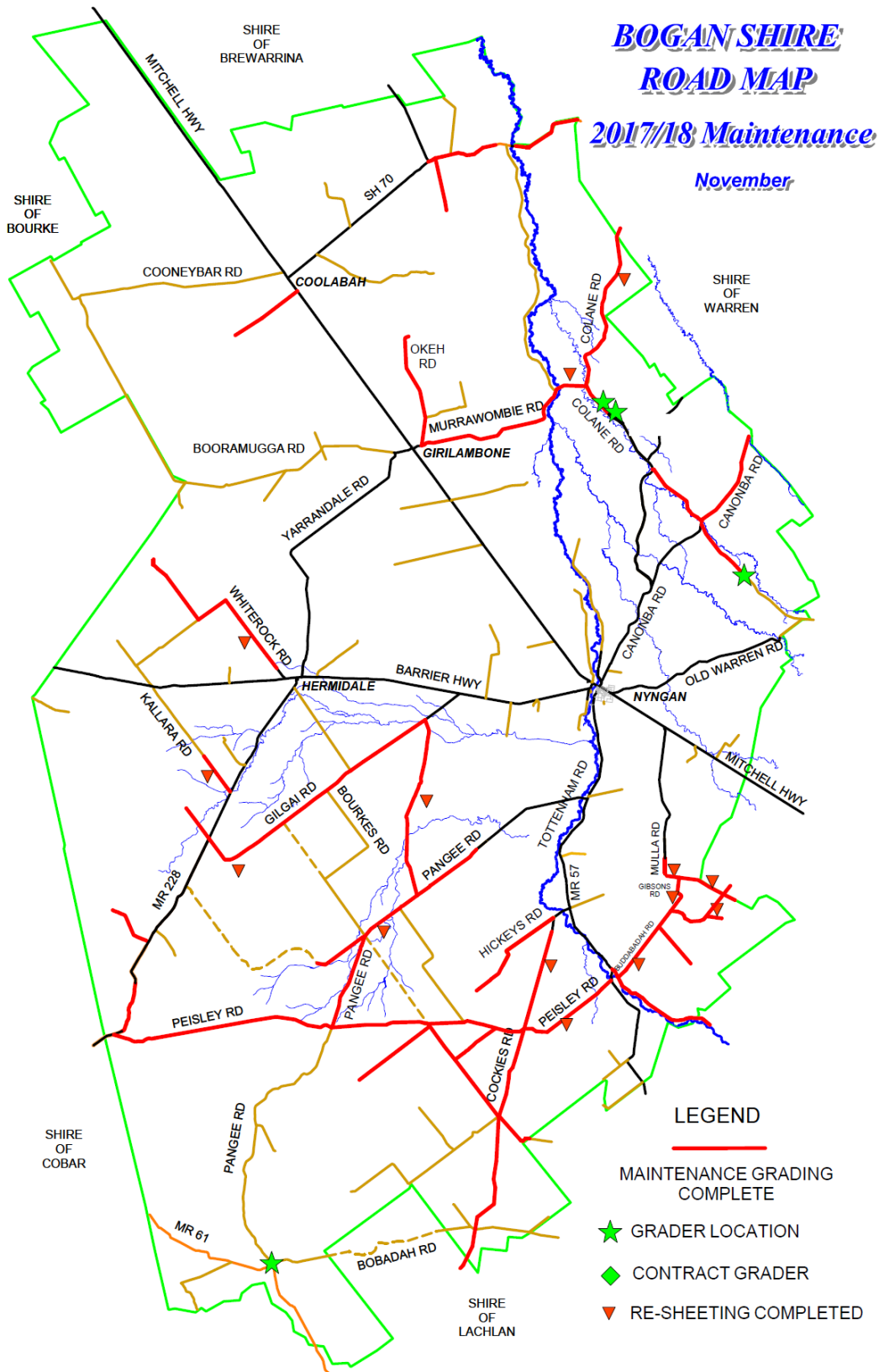
1. Council sell the listed properties as advised for unpaid rates.
2. Friday 16 March 2018 be the date for the auction to be conducted.

**(Ryan/Deacon)**

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

**370/2017 RESOLVED** that the Operational Report, including Civil Works, Community Facilities and Roads for the reporting period 16 October 2017 to 10 November 2017 be received and noted. **(Neill/Boag)**

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## 2 ROADS & MARITIME SERVICES REPAIR PROGRAM FUNDING

**Summary:-**

*The purpose of this report is for Council to consider allocating \$150,000 towards constructing and sealing 2 kms of the Hermidale – Nymagee Road from the current block grant funding.*

**371/2017 RESOLVED** that consideration of this item be deferred to the December 2017 Council Meeting. **(Ryan/Jackson)**

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

### 1 DEVELOPMENT APPLICATIONS

**372/2017 RESOLVED** that the Development Applications Report since the October 2017 Council Meeting be received and noted. **(Ryan/Jackson)**

### 2 OPERATIONAL REPORTS

**373/2017 RESOLVED** that the Operational Report including Parks and Gardens and Noxious Weeds since the October 2017 Council Meeting be received and noted. **(Dutton/Boag)**

### 3 ADDITIONAL SEATING

**Summary:-**

*This report is to present Council options for additional seating in Nyngan for the community.*

**374/2017 RESOLVED** that seating be installed:-

- Outside the Medical Centre;
- Outside the Newsagency;
- At the Hospital (Hoskins Street in Shade); and
- In Pangee Street, Opposite the Teamsters Rest Area Carpark.

**(Boag/Dutton)**

### 4 NSW CONTAINER DEPOSIT SCHEME – RETURN AND EARN REMOTE COLLECTION POINTS

**Summary:-**

*The purpose of this report is for Council to confirm its position on the establishment of a Container Deposit Collection Point at the Nyngan Waste Facility.*

**375/2017 RESOLVED** that an information report be prepared for a community meeting, for any interested parties to explain details of the Container Deposit Scheme and gauge interest from community groups in operating the Scheme.  
**(Ryan/Jackson)**

## **PRECIS OF CORRESPONDENCE**

### **1 ESSENTIAL ENERGY**

**376/2017 RESOLVED** that Council staff evaluate the condition of the recently trimmed trees under power lines in Nyngan and determine whether any of these should be replaced by more suitable species for a report to Council. **(Ryan/Dutton)**

### **2 NYNGAN AG EXPO**

**377/2017 RESOLVED** that

1. As in previous years, Council continue to provide sponsorship to the Nyngan Ag Expo in the form of free use of the showground and waive all costs associated with the setup of the event.
2. Council's response to the Nyngan Ag Expo Committee detail these items. **(Ryan/Neill)**

### **3 NYNGAN AMATEUR SWIMMING CLUB**

**378/2017 RESOLVED** that Council provide sponsorship of \$500.00 to the Nyngan Amateur Swimming Club for the Annual Swimming Carnival on 10 December 2017. **(Ryan/Boag)**

### **4 WEEKLY CIRCULARS**

**379/2017 RESOLVED** that the Local Government Weekly Circulars 41/17 to 44/17 be noted. **(Boag/Dutton)**



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**QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**

Electricity Provider Discounts: Cllr Jackson requested Council explore electricity discounts offered by electricity providers. Information forwarded to General Manager for review.

Tongling Delegations: Itinerary for Tongling Delegation Visit circulated to all Councillors at meeting. RSVP for dinner to Cathy Ellison/Alli Jenkins.

Bogan Shire Council Quarterly Report Circulated: Link on Website/Facebook, in addition, hard copies placed at ELC/Medical Centre/BSC Front Counter/ Nyngan Observer Office.

Christmas Lights Judging Panel: Christmas Lights Judging Panel: Cllr Ryan, Cllr Deacon. Judging Date TBA. Judging Criteria to be reviewed in consultation with last year's judges and Manager People and Community Services.

Australia Day Judging Panel: One member of community Hazel Griffiths nominated, awaiting a second person.

There being no further business the meeting closed at 3.35pm.

These Minutes were confirmed by resolution at a meeting held on .....and were signed as a true record.

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**GENERAL MANAGER**

**MAYOR**



