



BOGAN SHIRE COUNCIL

Minutes

24 March 2016

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 24 March 2016 at 9.30am**

PRESENT: Councillors RL Donald OAM, JE Hampstead OAM, WG Deacon, JL Douglas, HJ Griffiths, EM McLaughlin, GRJ Neill and KM Ryan.

Also present were Mr Derek Francis (General Manager), Mr Graeme Bourke (Manager of Engineering Services), Mr Luke Taberner (Manager of Corporate and Community Services), Mr Ty Robson (Acting Manager of Development and Environmental Services) and Mrs Cathy Ellison.

REMEMBRANCE: Mrs Jan Hoare and the Victims of the recent Brussels attack.

DECLARATION OF INTEREST: Nil

054/2016 **RESOLVED** that the Minutes of the Closed and Confidential Meeting of Council held on 25 February 2016, copies of which have been circularised to Councillors be taken as read and confirmed. **(Douglas/Neill)**

Business arising from the Minutes: Nil

055/2016 **RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 25 February 2016, copies of which have been circularised to Councillors be taken as read and confirmed. **(Ryan/Hampstead)**

Business arising from the Minutes:

- 046/2016 – Minister for Regional Development – Resources for Regions Program.

Council is applying for funding for the remaining unsealed 9 kms of the Hermidale /Nymagee Road, *Fixing Country Roads Program*.

056/2016 **RESOLVED** that Council apply for funding from the Resources for Regions Program for the Aged Care Accommodation as number one priority, with the second priority being Lights at Larkin Oval. **(Neill/Ryan)**

- 032/2016 – Nyngan Waste and Resource Management Facility

Foreshadow Motion – April Council meeting:- Councillor Ryan.

That those who pay the garbage levy in the Shire be issued with a card which allows unlimited access to the tip when it becomes manned.

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COMMITTEE MEETING MINUTES

1 NYNGAN MUSEUM

057/2016 RESOLVED that the Minutes of the Museum Committee Meetings held on Wednesday 3 February 2016 and Wednesday 2 March 2016 be received and noted. **(Hampstead/Douglas)**

REPORT TO ORDINARY MEETING OF COUNCIL – MAYORAL REPORT

1 DOB IN A DRUGGIE CAMPAIGN

The State Government is planning to launch a state wide “Dob in a Druggie” campaign next week to encourage residents to inform Crime Stoppers or local Police about any suspected drug activity they know about or suspect.

058/2016 RESOLVED that Council make available at a number of locations in the town, boxes that people can anonymously leave information about:-

1. Suspected drug dealers, how drugs are trafficked into town, location, names and addresses; and
2. Information about any dogs (and owners) that threaten people safety, are considered to be dangerous and are not securely housed, or are a nuisance for consistent barking. **(Neill/McLaughlin)**

Miss Kayla Volker, Senior Development and Environmental Officer now attended 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	25/10/2012	315/2012	Local Heritage Sites	When new VIC commences, signpost heritage sites with heritage colour and erect sign with the history of each location.	GM	VIC accreditation approved. Design of signs underway.
2	13/12/2012 28/03/2013	418/2012 098/2013	Davidson Park Revitalisation Program	Council remove the entire playground, equipment, associated ground cover, fencing & park-bench seating with shelter. Establish paving pathways to the mural.	MDES	Most works completed. Due to completing priorities and need to incorporate Medical Centre planning, majority of remaining works to be reprogrammed. Remaining works to be completed in conjunction with Landscaping of Medical Centre.

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3	19/12/2013	532/2013	Rezoning of Rural Land Outside the Nyngan Township	Report on estimated cost be provided to February 2014 Council meeting prior to progressing with the proposal	MDES	Deadline for completion of Planning Proposal is August 2016. Following meeting with Council's Flood Engineer contractor in February 2016 on the flooding issues, Planning Proposal is required to be modified and a further report to Council in April 2016.
4	24/09/2015	342/2015	Teamster Rest Area	Invite NHS to make suggestions for internal & external painting that the school could undertake.	MDES	Copy of draft sign included in Business Paper.
				Dump point be relocated to Flood Memorial Car Park.	MDES	Further report detailing options and costings to re-locate the dump point will be presented to Council.
5	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 / ENG	Construction Completed.

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6	26/09/2014	362/2014	Nyngan Waste Management & Resource Facility	Cost analysis be presented to Council to compare costs of providing additional staff to man the facility against awarding a contract to an external party.	MDES	Due to significance of issues identified under the operational plan, report presented to Council February 2016 meeting following Council resolution 131/2015 to recruit a waste operator under a 12 month contract.
	25/02/2016	032/2016		Prepare a report to March Council Meeting containing a detailed implementation plan for the proposed measures, including proposed implementation dates & a communication / public strategy for consideration by Council prior to their implementation, including use of care & vouchers.		Further report to be presented in April 2016 following consultation with Netwaste on an effective communication / public strategy.
7	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/Board of Directors.

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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.
8	26/02/2015	024/2015	Bogan Shire Early Learning Centre	Loan be raised for Council's contribution to the project.	MC&CS	Will be raised towards the end of 2015/16 financial year.
	24/09/2015	337/2015		Subject to checking the LG Act, Council proceed with constructing the project itself.	MDES	Site works commenced Monday 26 November.
	25/02/2016	031/2016		Establish a date for the opening & invite the Federal & Local members.	MC&CS	Date suggested Mid-May.
9	26/02/2015	042/2015	Chinese Portion – Nyngan Cemetery	Repairs to the burner be carried out in the current year's program. Other upgrading matters be considered in 2015/16 estimates.	MDES	Three quotes received and preferred consultant to be selected based on budget and inclusions within quotation.

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	25/06/2015	224/2015		<p>A Heritage Conservation & Management Report be prepared by a selected Consultant within the allocated budget.</p> <p>Send a copy of the MDES report & recommendations from the Heritage Conservation & Management Report to Mr White.</p> <p>Send a letter to the Chinese Embassy with a copy of the Heritage Conservation & Management Report.</p>		<p>All quotes exceed budget allocation. Grant funding sought from Heritage Office for Emergency Works to the State Heritage Item.</p> <p>Action pending completion of report.</p> <p>Action pending completion of report.</p>
10	23/07/2015	269/2015	O'Reilly Park Toilet Facility Upgrade	Upgrades to toilet facility, an access way, ramp and handrail.	MDES	Works underway.
11	24/09/2015	377/2015	Baby Change Tables	Baby Change Tables be made available in O'Reilly Park & Davidson Park.	MDES	Works scheduled in conjunction with above.

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12	22/10/2015	406/2015	Maintenance Grading of Logans Road	Council, in consultation with affected property owners, develops & communicates a policy in regard to gates on public roads so as to comply with the provision of the Roads Act.	ENG	Report refers.
13	26/11/2015	436/2015	Showground	Remove fence to the north of the Pavilion & repair trackside fence in that area. Duck Creek be required to advise Council by end of March 2016 on what crowd control measure they plan to have in place for stage access at the annual race meeting.	ENG	Scheduled for March 2016. Duck Creek advised. Response to be received.
14	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.

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15	26/11/2015	441/2015	Lions Park	Council consults with community, including Local Aboriginal Land Council & Bogan Aboriginal Corporation & submits a Social Housing Community Improvement Fund Grant Application for recreational facilities in Lions Park.	GM	Grant submitted. Council has received advice that a grant of \$34,000 has been successful.
16	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.	MCCS	Letters sent.
17	26/11/2015	454/2015	Tree Risk Assessment – Town Streets	33 trees (excluding any figs) be progressively removed over the next 2 to 3 years and replanted with appropriate mature species, subject to the necessary budget being approved each year.	MDES	Ongoing.

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				<p>Fig trees be selectively pruned / shaped, with bracing systems installed and stumps grinded, as appropriate by a qualified AQF Level 2 Arborist, subject to the necessary budget being approved each year.</p> <p>Council has a qualified Arborist attend in 24 months to reassess those trees which have been retained.</p> <p>Manager Development & Environmental Services prepares a street tree planting program, including a diagram of the assessed trees within the next 12 months, ensuring that appropriate mature replacement tree species are included within the future program for Council's consideration.</p>		
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18	17/12/2015	500/2015	Aged Care Accommodation Retirement Village	Contact John Holland Rail & Dept Planning & Environment regarding zoning & usage of land:- between RSL & Hoskins Street Railway Crossing; & between State Rail Offices & Alamo Motel.	MDES	Further consultation required with John Holland Rail regarding purchase of land.
	25/02/2016	008/2016		<p>Council investigate cost & practically of rezoning the area from the former RSL Bowling Green to Hoskins Street to allow aged care units for a rental scheme to be constructed onsite.</p> <p>Approach the Nyngan RSL to support the construction of units.</p> <p>Council do some financial modelling on the cost implications to Council & the community for an aged care unit development.</p>	MC&CS	To hold discussion with Department of Planning and Environment about rezoning and costing.

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19	25/02/2016	021/2016	Library	Investigate the possibility of a Mobile Library.	MC&CS	
20	25/02/2016	022/2016	Bogan Bush Mobile	<p>Director of Children's Services prepare an email to Federal member, Mark Coulton to ensure the continuation of the Budget Based Funded Service, to avoid the severe impact of the rural families.</p> <p>Copy of the correspondence to other Children Services in electorate.</p>	MC&CS	<p>Email sent 29 February 2016.</p> <p>Reply received from Mark Coulton that he is aware and will take on as an issue.</p> <p>COMPLETED</p> <p>Delegation is planned to meet with Minister.</p>

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At 10.00am, Mr Brad McDougall gave an Acknowledgement of Country.

At 10.00am, Mr Rodney Wright, Executive Officer, Far West Academy of Sport addressed Council with an update on the current situation with the Academy and his request to Council for support, as the Academy has not been able to secure funding from the State Government to operate in the 2016/17 financial year.

Council agreed to a letter of support to accompany the Academy's application for funding, with Mr Wright to provide Council with information for financial assistance.

059/2016 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as "Completed" be removed from the checklist.
(Neill/Douglas)

Miss Volker now left the meeting.

Council adjourned for morning tea 10.30am and resumed at 10.45am.

Nyngan High School representatives and Principal Mr Michael Gibson now attended the meeting.

Discussion with the children included:-

- Opening hours of the Pool - accessibility for school after hours / holidays/ April school holidays;
- Road safety issues – cycleway;
- Stormco visit during the school holidays;
- Colour run;
- Dangers of drugs; and
- Long jump pit at No 1.

The representatives were thanked for attending the meeting.

At 11.00am, Mrs Jeanne Hansen – District Valuer LPI and Mr James Dedman – Rating & Taxing Contract Valuer and Aspect Property Consultants Western from Land & Property Information, Dubbo addressed Council regarding the General Valuation as at valuing date 1 July 2015.

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At 12 noon Council returned to the meeting.

2 2016/17 RURAL FIRE SERVICE BIDS AND ESTIMATES

- *The report is to advise Council of receipt of the 2016/17 Rural Fire Fighting Fund Estimates from the Rural Fire Service (RFS) for acceptance.*
- *Whilst the increase in costs provided, and therefore Council's contribution, has been kept to 1.56%, this cost figure does not include the state-wide Volunteer and Support Services (VASS) cost.*
- *Council's contribution in the current financial year towards the Bogan District Rural Fire Fighting Fund budget is \$127,618 (11.7% of \$1,090,756).*
- *Council resolved in December 2015 that it will only accept a 1.8% increase on the 2015/16 contributions for the 2016/17 financial year.*
- *If Council accepts the estimates for 2016/17, totaling \$749,089, which excludes VASS charges then the fact that this acceptance excludes VASS should be specified in the response to the RFS.*

060/2016 RESOLVED that Council:-

1. Not approve the 2016/17 Rural Fire Fighting Estimates until the VASS component of the Estimates is known ; and
2. That the General Manager's certification be prefaced with the following qualification "Based on the information provided by the RFS", and also includes the wording "on the proviso the overall increase does not increase by 1.8%".
(Ryan/Hampstead)

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3 NEW SES FACILITY

- *The report is to seek Council's commitment to additional funding for the construction of new premises for the Nyngan State Emergency Services (SES) unit.*
- *Council has provided \$75,000 in its 2015/16 budget as a contribution to the construction of new offices and vehicle shed for the Nyngan unit.*
- *An acceptable design for the new facility has been agreed on, however additional funds will be required from Council and the SES.*

061/2016 RESOLVED that Council commits an additional \$20,000 for the construction of the new Nyngan State Emergency Services premises, provided the SES matches this contribution, recognising that some additional in kind commitment from Council could be required by Council in the form of the use of Council staff to complete some of the work. **(Hampstead/Griffiths)**

4 REVISION OF COUNCIL POLICY AP004 TONGLING EXCHANGE PROGRAM

- *The report is to review Policy AP004 Tongling Exchange Program.*
- *Council resolved at its December 2011 meeting to formulate policy guidelines in relation to funding, interviews, programs and all other aspects for planning future Tongling delegations.*

062/2016 RESOLVED that Council adopt the revised AP004 Tongling Exchange Program with the following amendment (item 5 Financial Report): Insert "two" before the word "teachers" in the first dot point relating to airfares. **(Ryan/Neill)**

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**REPORT TO ORDINARY MEETING OF COUNCIL – MANAGER CORPORATE &
COMMUNITY SERVICES**

1 BANK RECONCILIATION

The report is to present the reconciliation of Council's Cash Book, Bank Statements and Ledger Bank Account as at 29 February 2016.

063/2016 RESOLVED that the Bank Reconciliation Report as at 29 February 2016 be received and noted. **(Hamsptead/Ryan)**

2 INVESTMENTS FEBRUARY 2016

The report is to outline the performance of Council's Investment Portfolio for the month of February 2016.

At the 29 February 2016 Council had \$9.2 million invested. There has been a decrease to Council's investments since the January 2016 report due to the Early Learning Centre and Medical Centre Carpark invoices being paid.

064/2016 RESOLVED that the Investments Report for February 2016 be received and noted. **(Ryan/Griffiths)**

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

The report is to provide a comparison of rate collections as at 29 February, 2016, with the same period last year.

Total arrears have decreased from \$519,135 at the 28 February 2015 to \$463,855 as at 29 February this year.

065/2016 RESOLVED that the Rates and Annual Charges Collection Report as at 29 February 2016 be received and noted. **(Griffiths/Deacon)**

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4 WRITE –OFF UNRECOVERABLE DEBT

- *The report is to request Council write-off some unrecoverable debt.*
- *In Council's Delegation Policy AP006 all general bad debts required to be written off require a report to Council.*

066/2016 RESOLVED that:-

1. Council writes off the following debts:-
 - a. Debtor 428.01 \$365.00
 - b. Debtor 313.01 \$282.70
 - c. Debtor 508.03 \$40.00.
2. The Trade Waste Disposal Fee is charged on rates notices so that the owner knows that it is a debt on the actual premises not to the lessee.
3. The Manager of Corporate and Community Services investigates a way to charge the commercial premises food inspection fee that can more easily be recouped from the owner of the business. **(Ryan/Neill)**

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5 REVISION OF PROCUREMENT POLICY

- *The report is to review policy FIN004 Procurement Policy. The Policy was adopted in July 2010 and is due to be reviewed.*
- *It is important that Council staff have clear guidelines in purchasing and tendering to ensure procedures are followed and in compliance with the Local Government Act 1993.*

067/2016 RESOLVED that Council adopt the revised Procurement Policy FIN004, subject to the inclusion in Clause 5.2.4 of a process for calling for Expression of Interest from interested local suppliers to become preferred suppliers of Councils. **(Hampstead/Griffiths)**

6 INNOVATION FUND GRANT APPLICATION

- *Seeking additional support to apply for a joint grant through the Innovation Fund.*
- *This will allow Council to implement a joint Strategic Asset Management System which it otherwise wouldn't be able to afford.*
- *Council commits an additional \$46,000 of in-kind support to the \$30,000 already committed.*
- *This meets strategies 2.1.1, 2.1.3, 3.1.4 and 6.1.3 of Council's Operational Plan.*

068/2016 RESOLVED that Bogan Shire Council commit a total of \$76,000 (cash and in-kind) to the joint Fit for the Future Innovation Grant Application for the purchase of a Strategic Asset Management System (SAMS). **(Ryan/Neill)**

Council adjourned for lunch at 12.35pm and resumed at 2.00pm.

During the lunch break, Councillors inspected the new Bogan Shire Early Learning Centre.

Councillor McLaughlin now left the meeting.

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7 BOGAN SHIRE EARLY LEARNING CENTRE

- *Update on the current status of Licensing, Marketing, Enrolments, Staffing and proposed official opening of the Centre.*

069/2016 RESOLVED that the report on the Bogan Shire Early Learning Centre be noted and appreciation for the work progression is extended to all involved in the process. **(Griffiths/Douglas)**

REPORT TO ORDINARY MEETING OF COUNCIL – MANAGER ENGINEERING SERVICES

1 OPERATIONAL REPORT

No.	Name	Comments
71	Ferguson’s Road	Maintenance grading completed
15	Kallara Road	Gravel carting completed
84	Budgery Road	Gravel carting completed
47	Parker’s Road	Maintenance grading completed
MR 7514	Cockies’ Road	Roadside slashing completed
MR 57	Tottenham Road	Shoulder grade completed
5	Peisley Road	Maintenance grading continuing
18	Elmore Road	Grading of causeways completed
10	Pangee Road	Maintenance grading continuing
43	Kelly’s Road	Maintenance grading completed
19	Cooneybar Road	Maintenance grade commenced
17	Booramugga Road	Maintenance grading completed
7	Warrah Road	Maintenance grading completed
HW8	Barrier Highway	Shoulder grading continuing
60	Whiterock Road	Re-sheeting continuing

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070/2016 **RESOLVED** that the Operational Report for the reporting period 15 February 2016 to 11 March 2016 be received and noted, and an invitation be extended to Mr Phil Standen RMS to address the April Council Meeting. **(Griffiths/Neill)**

2 GATES ON PUBLIC ROADS POLICY

- *The report is to seek direction from Council on the development of a Gates on Public Roads Policy.*
- *A member of the public is entitled, as of right, to pass along a public road.*
- *A public gate can be permitted on an unfenced public road but it cannot be locked.*

071/2016 **RESOLVED** that Council advise the affected owners to seek legal advice regarding placement of locked gates on a public road. This matter to be raised at the Community Safety Precinct Meeting on 13 April 2016. **(Ryan/Hampstead)**

Councillor Douglas now left the meeting.

3 MITCHELL HIGHWAY BATTERS

- *The report is to advise Council of the outcome of the RMS inspection of the steep batters on the Mitchell Highway east of Nyngan.*
- *RMS has inspected the site and recommends culvert work before the batters can be improved.*
- *Shoulders to remain closed until funding is available for the improvement works.*

072/2016 **RESOLVED** that the Mitchell Highway Batters Report be received and noted. **(Deacon/Hampstead)**

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**REPORT TO ORDINARY MEETING OF COUNCIL – ACTING MANAGER
DEVELOPMENT AND ENVIRONMENTAL SERVICES**

1 DEVELOPMENT APPLICATIONS

One (1) Development Applications has been approved since Council's February 2016 Meeting.

073/2016 RESOLVED that the Development Applications Report since Council's February 2016 Meeting be received and noted. **(Ryan/Griffiths)**

2 OPERATIONAL REPORT – PARKS AND GARDENS TEAM

The report is to outline the key works undertaken since Council's February 2016 meeting by the Parks and Gardens Team.

074/2016 RESOLVED that the Operational Report – Parks and Gardens Team since Council's February 2016 Meeting be received and noted. **(Neill/Ryan)**

3 OPERATIONAL REPORT - WEEDS

The report is to outline the key works undertaken since Council's February 2016 Meeting by the Noxious Weeds Officer.

075/2016 RESOLVED that the Operational Report – Weeds since Council's February 2016 Meeting be received and noted. **(Griffiths/Deacon)**

4 BOGAN SHIRE EARLY LEARNING CENTRE – MONTHLY REPORT

The building has reached 'lock-up' stage, meaning all external works to the building have been completed, with exception to a few minor touch-ups.

076/2016 RESOLVED that the Bogan Shire Early Learning Centre Monthly Report be received and noted. **(Griffiths/Neill)**

077/2016 **RESOLVED** that Council discuss the late items of correspondence.
(Ryan/Griffiths)

Councillor Neill now left the room.

- Bicentennial Wall – Restoration Process

078/2016 **RESOLVED** that the Bicentennial Wall and the Ceramic Mural be reinstated given its significance to the Bogan Shire community and out of respect for those people who participated in the design and carving of their family's tile.
(Griffiths/Hampstead)

Councillor Neill returned to the room.

- Fit for the Work Policy Amendment

079/2016 **RESOLVED** that the following amendment be made to the Fit for the Work Policy WHS011 Clause 11.4: Insert 'or work groups' after the phrase "random selection of staff". **(Ryan/Neill)**

PRECIS OF CORRESPONDENCE

1 SES VOLUNTEERS JOURNAL

080/2016 **RESOLVED** that the information received on advertising in the SES Volunteers Journal be noted. **(Hampstead/Ryan)**

2 NRL – WESTERN NSW

081/2016 **RESOLVED** that Council agree to support the request received from the NRL – Western NSW asking to use office space in the Town Hall for the Far West NSW Game Development Officer with the NRL. Rental to be \$50 per week.
(Ryan/Hampstead)

3 AUSTRALIAN RED CROSS

082/2016 **RESOLVED** that Council permit the Red Cross Calling Fund Raising Appeal, to be carried out in Bogan Shire. **(Ryan/Hampstead)**

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4 MINISTER FOR LOCAL GOVERNMENT

083/2016 RESOLVED that the correspondence received from the Minister for Local Government about Rural Councils, the Joint Organisations Model, and Fit for the Future Reforms be received. **(Griffiths/Deacon)**

5 SBS FM RADIO RETRANSMISSION FOR NYNGAN

084/2016 RESOLVED that Council take no action in renewing the SBS Licence, as the signal is available through other media outlets. **(Ryan/Griffiths)**

6 NYNGAN LOCAL ABORIGINAL LAND COUNCIL

085/2016 RESOLVED that Council advise the RMS and the Nyngan Local Aboriginal Land Council that it has no objection to signage or plaques being placed at the Aboriginal Sites, being - The Scarred Trees which are caged on Tottenham Road and the Aboriginal Men's Site. **(Griffiths/Neill)**

7 WEEKLY CIRCULARS

086/2016 RESOLVED that the Weekly Circulars 07/16 to 10/16 be noted. **(Griffiths/Neill)**

087/2016 RESOLVED that Council further investigate the ClubGRANTS for Arts and Cultural Infrastructure for future rounds of funding. **(Griffiths/Neill)**

There being no further business the meeting closed at 3.00pm.

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

