

BOGAN SHIRE COUNCIL

Minutes

24 November 2016



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

Also present were Mr Derek Francis (General Manager), Mr Graeme Bourke (Manager of Engineering Services), Mr Ty Robson (Acting Manager of Development and Environmental Services), Mrs Debb Wood (Manager People and Culture), Mrs Stephanie Waterhouse (Finance Manager), Mrs Cathy Ellison and Mrs Melissa Salter.

Prior to the commencement of the Council Meeting, Councillors and Senior Staff visited the Nyngan Memorial Swimming Pool.

DECLARATION OF INTEREST: Mayor Donald Engineering Services' Supplementary Report – Nyngan Solar Plant - Access Road.

<u>438/2016</u> **RESOLVED** that Council consider the two late items of business, namely Nyngan Solar Plant – Access Road and Post Office Parking. (Douglas/Ryan)

Discussion: Nyngan Solar Plant – Viewing Platform - Access Road.

Councillor Dutton gave a Welcome to Country.

At 9.50am Simon Kelly Renewal Manager, AGL addressed Council.

Discussion:-

- Outline of AGL Operations;
- Nyngan Solar Plant largest in southern hemisphere, model of Viewing Platform outlined, proposed access to north west corner of the site to safely view operation.
- Wet weather unsealed access road, closed in wet weather. Risk assessment on the morning of weather condition, if safety concerns access to Viewing Platform would be closed using gate at highway entrance.
- Public access would be restricted to normal operation hours.



Mr Kelly was thanked for attending the meeting.

Mayor Donald now left the meeting, the time being 10.00am.

Deputy Mayor Neill took the Chair.

Discussion:

Access to Viewing Platform via easement.

Engineering Services' Supplementary Report

5 NYNGAN SOLAR PLANT – ACCESS ROAD

Summary:-

This report for Council to consider taking ownership of the Nyngan Solar Plant Access Road.

439/2016 RESOLVED that:-

- 1. Council request Mr Will Carter to make a written proposal to Council relating to the closure of Neeroc Road, including wording for proposed easements on affected Neeroc Road properties.
- The Deputy Mayor and General Manager continue to discuss site access with AGL and Mr Carter with a further report to be presented to Council.
 (Ryan/Douglas) Unanimous

(Ryan/Douglas) Unanimous

Mayor Donald returned to the room and took the Chair.



At 10.30am Nyngan High School, Principal Mr Michael Gibson, teacher Miss Bianca Scott and the six students (delegation to Tongling No 15 Middle School and China) addressed Council on their recent visit.

A gift from the School and Council of Tongling was presented to Council.

Discussion:

- The delegation was commended on their fund raising for the trip;
- Display of items from Tongling; and
- Favourite part of the trip.

Council adjourned for morning tea at 10.45am and resumed at 11.10am.

Councillor Elias now left the meeting.

Engineering Services' Supplementary Report

6 POST OFFICE PARKING

Summary:

The parking arrangements for the mail truck at the Nyngan Post Office are continuing to cause a problem for some members of the community.

Recommendation from the Traffic Committee Meeting that nose in parking spaces remain directly in front of the Post Office and the mail zone move to east of the orginal location adjacent to Fire Station and that area be made parallel parking.

<u>440/2016</u> RESOLVED that Council support the recommendation of the Traffic Committee Meeting and change the arrangements for the mail truck as per diagram shown below. **(Ryan/Jackson)**



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



<u>441/2016</u> RESOLVED to discuss an urgent additional matter raised at the Traffic Committee Meeting, Mitchell Highway – condition and safety concerns. **(Ryan/Neill)**

<u>442/2016</u> RESOLVED that Council make urgent representation to RMS and the Minister for Transport concerning the condition, safety and dangerous section of the Mitchell Highway east of the Albert Priest Channel. (**Ryan/Neill**)

Council now went into the Closed and Confidential Section of the meeting.

Council now returned to the Ordinary Section of the meeting.



At 12 noon Council presented the Annual Financial Reports to the public.

Corporates Services Report

4 ANNUAL FINANCIAL REPORT

Summary:-

- The purpose of this report is to table the 2015/2016 Financial Statements.
- In accordance with Section 418 Council is required to hold a public meeting in order to present the Financial Reports.
- Council's Auditors have stated in their report that Council's overall financial position was in their opinion sound.

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 ending 30 June 2016 to the public, in accordance with Section 418 (3) of the Local Government Act 1993.

<u>443/2016</u> RESOLVED that the Financial Reports and Auditor's Report for the period 1 July 2015 to 30 June 2016 be presented to the public and be received and noted. **(Douglas/Neill)**



<u>444/2016</u> RESOLVED that the Minutes of the Ordinary Meeting of Council held on 27 October 2016, copies of which have been circularised to Councillors be taken as read and confirmed. (**Ryan/Dutton**)

Business Arising: Nil

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting 24 November 2016.

<u>433/2016</u> **EXCLUSION OF PRESS AND PUBLIC: RESOLVED** that Council move into a closed section of Council with the public excluded, in accordance with the Local Government Act 1993, Clause 10A (2) (d) (i) because information provided and discussed involves commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. **(Boag/Dutton)**

434/2016 RESOLVED that the Minutes of the Closed and Confidential Meeting of Council held on 27 October 2016, copies of which have been circularised to Councillors be taken as read and confirmed. **(Boag/Douglas)**

<u>435/2016</u> **RESOLVED** that Council commits to a budget amendment involving an additional allocation of \$524,442 to the Water Treatment Plant upgrade, namely switchboard and SCADA installation. (**Ryan/ Boag**)

<u>436/2016</u> RESOLVED that Council awards the design and construction of switchboard and SCADA installation contract to PTAS Automation Pty. Ltd. at a price of \$677,950 excluding GST. (**Neill/Boag**)

<u>437/2016</u> INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into Open Council. (Deacon/Dutton)

COMMITTEE MEETING MINUTES

1 SHOWGROUND USERS ADVISORY GROUP

<u>445/2016</u> RESOLVED that the Minutes of the Showground Users Advisory Group Meeting held in the Bogan Shire Council Chambers on 17 October 2016 be received and noted. (**Neill/Boag**)



2 NYNGAN MUSEUM MEETING

<u>446/2016</u> RESOLVED that the Minutes of the Nyngan Museum Meeting held on 2 November 2016 be received and noted. (**Boag/Douglas**)

The Manager of Engineering Services advised Council that a restored sulky had been donated to the Museum from John and Hillary Black of Orange. Council noted their appreciation.

REPORT TO ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

1 REGIONAL ROADS

<u>447/2016</u> RESOLVED that Bogan Shire Council applies for a Repair Grant on Cockies Road and not the Hermidale – Nymagee Road next year. If unsuccessful, Council seal 1km on Cockies Road funding from the Block Grant in next year's budget. (**Douglas/Boag**)



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

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	13/12/2012 28/03/2013	418/2012 098/2013	Davidson Park Revitalisation Program	Establish paving pathways to the mural.	MDES	To be completed in conjunction with Landscaping of Medical Centre and reinstatement of mural wall.
2	24/09/2015	342/2015	Teamster Rest Area	Invite NHS to make suggestions for internal & external painting that the school could undertake. Dump point be relocated to Flood Memorial Car Park.	MDES	Commitment from NHS to have sign completed by Christmas.
3	22/06/2014	209/2014	Tourist Information Bay	On commencement of project, Council advise owners/apparent owners of existing highway signage that existing signs to be removed. Or maybe replaced by signs on the Information Bays. Council charge an annual fee and an initial fee.	GM	Affected business owners identified and engagement process commenced.



4	26/09/2014	363/2014	Fire Safety Audit Program	Further report on progress of compliance with Program.	MDES	Fire Safety Audit Reports (FSARs) to all selected properties completed. Meetings held with several owners / Boards.
	26/02/2015	033/2015		Legal proceedings including the issuing of Notices and Orders to commence against the owner/occupier of any premises who fails to confirm their agreement to comply with the findings of the FSAR.		Agreement on required works achieved with several owners / Boards. Efforts still being made to have owners upgrade building voluntary.
5	26/11/2015	440/2015	Show Day	Joint approach from Nyngan Combined Schools & Council be made to the Dept of Education for schools to have a full day holiday.	GM	Discussions held with Schools and Local Member, awaiting feedback prior to sending another letter.
						Meetings with School Principals to be held week commencing 21 November 2016.



6 7	26/11/2015	457/2015 022/2016	Sports Insurance	Council continue to follow up correspondence with the Minister for Sport, Minister for Health, Minister for Finance, Dept of Fair Trading, Australian Competition & Consumer Commission and Icare Workers Insurance concerning inadequate reply to Council's enquiry on what local sports insurance fees are spent on. Delegation is planned to meet with Minister.	MPC	Ongoing. Meeting held with Federal Member 25 October 2016. Meeting to be arranged with representative from Minister's
8	24/03/2016	058/2016	Dob in a Dealer Campaign	Make available at a number of locations in town, boxes that people can anonymously leave information, about: - suspected drug dealers & information about any dogs.	GM	representative from Minister's office. To be done in liaison with Darling River Command Campaign.



9	24/03/2016	078/2016	Bicentennial Wall & Ceramic Mural	Be reinstated.	MDES	Around 70% of tiles on the damaged part of the wall are unbroken. However there is extensive old mortar adhering to them and all attempts at removing this have resulted in the tiles breaking. Unfortunately this is likely to mean having all the tiles remade. Quotations sent to Insurers concerned. Funds received from Insurer. In consultation with artists regarding scheduling of Project.
10	28/04/2016	107/2016	Village Tour	Entrance Signs into villages be pursued in conjunction with the villages' communities. Costing to be part funded from village allocation & part funded by Council.	MENG	Report refers.



11	28/07/2016	266/2016	Signs at Ovals & Parks	Investigate the history of the former Nyngan residents and sportsmen, after whom parks and sportfields are named, with a suggested wording & cost for signage.	MPC	Progress report to Council meeting 29 September 2016.
12	25/8/2016	321/2016	Operational - Roads	A report be presented to Council on the proposed locations for <i>Roads</i> <i>Closed</i> signs.	MENG	In progress.
13	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 & advise prospective tenants of what the highest rental payment will be & what they would receive for their payment.	GM	Basic site plan being prepared, expression of interest sheets ready for distribution. Public Meeting proposed for early December 2016.



14	27/10/2016	406/2016	Albert Priest Channel Pipeline	The GM request Mike Bradley & Associates to develop an option 2 for the Business Case Study prioritising the construction of an additional 700MI off-line storage adjacent to the first storage, & an additional 3000 MI off- line storage on a site to be determined.	GM		
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• Village Entrance Signs

Five options of signs were tabled at the meeting.

It was **MOVED** that option 5, being Entrance Gate Sign, similar to Nyngan, placed on either side of the village, with Council to fund half the cost of the sign, be considered by the villages. **(Ryan/Neill)**

An **AMENDMENT** was **MOVED** that Option 1, being rusted steel cut out letters with a corrugated iron background, be considered with BSC logo on the sign. **(Boag/Deacon)**

The AMENDMENT was PUT to Council and LOST.

448/2016 RESOLVED that:-

- 1. Council provide the choice of either option 1 or option 5 to the village representatives.
- 2. Council to fund half the cost, if two signs are required for each village.
- 3. Council to fund the full cost if the villages only require one entrance sign.
- 4. The choice of the majority of the three villages will be the sign for all three to have uniformity of the three villages. **(Ryan/Douglas)**

Seniors Living – Rental Units –

 Date of Public Meeting – Wednesday 14 December 2016 at 6.00pm – Nyngan RSL Bowlers Bar.

<u>449/2016</u> **RESOLVED** that the report relating to the Monthly Checklist be received and those items marked as "Completed" be removed from the checklist. (Ryan/Dutton)

Council adjourned for lunch at 12.40pm and resumed at 1.40pm.

2 REVISION OF PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE MAYOR AND COUNCILLORS POLICY – AP002

Summary:-

- The purpose of this report is to review policy AP002 Payment of Expenses and Provision of Facilities to the Mayor and Councillors.
- This Policy determines what expenses will be met by Council on behalf of Councillors when on Council business.
- The preparation and review of this Policy is a mandatory requirement under Section 252 of the Local Government Act.
- The Policy has operated effectively over the past few years and therefore there seems no reason to change it.

<u>450/2016</u> RESOLVED that Council adopt the current Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy AP002. **Ryan/Deacon**

REPORT TO THE ORDINARY MEETING OF COUNCIL – CORPORATE SERVICES

1 BANK RECONCILIATION

Summary:-

The report is to present the reconciliation of Council's Cash Book, Bank Statements and Ledger Bank Account as at 31 October 2016.

<u>451/2016</u> RESOLVED that the Bank Reconciliation Report as at 31 October 2016 be received and noted. **(Boag/Dutton)**



2 INVESTMENTS October 2016

Summary:-

- The report is to outline the performance of Council's Investment Portfolio for the month of October 2016.
- At the 31 October 2016 Council had \$11.1 million invested. There has been a decrease of \$156,000 to Council's investments since the September 2016 report due to the payment of accounts associated to the Medical Centre and Staff Housing developments.

<u>452/2016</u> RESOLVED that the Investments Report for October 2016 be received and noted. (Neill/Deacon)

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

- The report is to provide a comparison of rate collections as at 31 October, 2016, with the same period last year.
- Total arrears have decreased from \$371,817 at the 31 October 2015 to \$340,832 as at 31 October this year.

<u>453/2016</u> RESOLVED that the Rates and Annual Charges Collection Report as at 31 October 2016 be received and noted. **(Douglas/Jackson)**

4 ANNUAL FINANCIAL REPORT

Summary:-

- The purpose of this report is to table the 2015/2016 Financial Statements.
- In accordance with Section 418 Council is required to hold a public meeting in order to present the Financial Reports.
- Council's Auditors have stated in their report that Council's overall financial position was in their opinion sound.

This item had been dealt with earlier in the meeting.



<u>454/2016</u> RESOLVED that Council defer the Revision of Council's Investment Policy for discussion until the 15 December 2016. **(Ryan/Jackson)**

5 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.
- A requirement of the Policy is that it be reviewed at least once per year.

Councillor Neill declared an interest in the following item and left the room.

6 LOCAL PURCHASING

Summary:-

This report is to recommend changes to Council's Procurement Policy and for Council to consider implementing a local purchasing comparative price advantage system.

455/2016 RESOLVED that:-

1. Council introduces a Local Purchasing Comparative Price Advantage System as contained in paragraph 5 of the draft Procurement Policy with the following amendment:-

"In the process of determining the successful supplier, an amount of 5% will be nominally deducted from the local supplier quotation for the purpose of price comparison only". (Jackson/Deacon)

2. Council adopts the revised Procurement Policy, FIN 004 as amended. (Ryan/Deacon)

Councillor Neill returned to the room.



REPORT TO THE ORDINARY MEETING OF COUNCIL – COMMUNITY SERVICES

1 ANNUAL REPORT 2015/16

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 update Council on the Annual Report for the financial year 1 July 2015 to 30 June 2016.

<u>456/2016</u> RESOLVED that the Annual Report 2015/16 report be received and noted, with appreciation extended to those involved in compiling the report. **Ryan/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.

<u>457/2016</u> RESOLVED that the Early Learning Centre report be received and noted. (Neill/Boag)

3 OUTBACK ARTS MEMBERSHIP 2016/2017

Summary:-

The purpose of this report is to present, for Council's consideration, an approach from the Acting Executive Director of Outback Arts for Council to become a contributing member of the state-wide Regional Arts Development program supported by Arts NSW in 2016/17.

4 ORANA ARTS MEMBERSHIP 2016/2017

Summary:-

The purpose of this report is to present, for Council's consideration, an approach from the Partnerships and Programs Manager of Orana Arts for Council to become a contributing member for one year, commencing January 2017.

458/2016 RESOLVED that Council:-

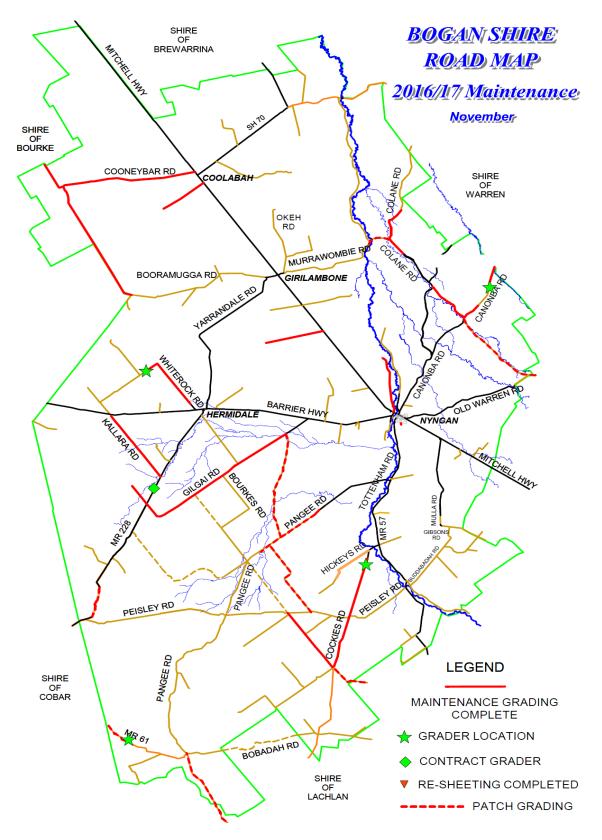
- 1. Considers Items 3 and 4 together, being Outbacks Arts Membership 2016/2017 and Orana Arts Membership 2016/2017.
- 2. Become a contributing member of Orana Arts for the one year only commencing January 2017. (**Ryan/Douglas**)

REPORT TO THE ORDINARY MEETING OF COUNCIL – ENGINEERING SERVICES

1 OPERATIONAL REPORT

<u>459/2016</u> RESOLVED that the Operational Report, including Civil Works, Community Facilities and Roads, for the reporting period 17 October 2016 to 11 November 2016 be received and noted. (**Neill/Dutton**)







2 UPGRADING OF LIGHTING IN FLOOD MEMORIAL PARK

Summary:-

- The purpose of this report is to advise Council of a request from the Nyngan Garden Club to upgrade the lighting at the eastern end of Flood Memorial Park.
- It is recommended that the cost of upgrading of the flood lighting in Flood Memorial Park be considered at the 2017/18 budget meeting.

<u>460/2016</u> RESOLVED that the cost of upgrading of the flood lighting in Flood Memorial Park be considered at the 2017/18 budget meeting. (**Boag/Neill**)

3 WATER AND DROUGHT SECURITY REPORT

Summary:-

The purpose of this report is to advise Council of the report prepared by the Lower Macquarie Water Utilities Alliance to investigate potential solutions to improve water supply security within our region.

<u>461/2016</u> RESOLVED that the Water and Drought Security Report be received and noted. (**Neill/Jackson**)

4 VILLAGE ENTRANCE SIGNS

Summary:-

The purpose of this report is to present to Council some options for designs of a village entrance sign that is uniform for the three villages.

This item had been dealt with earlier in the meeting – General Manager's Checklist.



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

1 DEVELOPMENT APPLICATIONS

<u>462/2016</u> RESOLVED that the Development Applications Report since Council's October Meeting be received and noted. **(Ryan/Douglas)**

2 OPERATIONAL REPORTS

<u>463/2016</u> **RESOLVED** that the Operational Report, including Parks and Gardens and Noxious Weed, since the October Council Meeting be received and noted. (Ryan/Deacon)

3 DEVELOPMENT APPLICATION 10/2016/025/001 – PROPOSED RURAL DWELLING

Summary:-

- The purpose of this report is for Council to determine a Development Application for a Rural Dwelling on land located off the Barrier Highway, approximately 6km from the Nyngan Township.
- The proposal is referred to Council for determination on the basis of the application containing a minor variation to the minimum lot size for the construction of a dwelling on the allotment. The proposal represents an 8.7% variation to the minimum lot size requirement of 600 hectares in the RU1 zone under the Bogan Local Environmental Plan 2011.
- The application is recommended to Council for approval due to the minor variation sought and the objectives of the zone being achieved despite the numerical variation.

464/2016 RESOLVED that

- 1. The report be received and noted.
- 2. Council approve Development Application 10/2016/025/001 subject to conditions of consent. (**Ryan/Jackson**)



4 RECREATIONAL MOTORBIKE TRACK PROPOSAL

Summary:-

- The purpose of this report is to provide Council with information on a proposal submitted by the Bogan Motorcycle Club for a dirt bike track in Nyngan.
- The club requested Council consider a land lease to establish the proposal however the only land suitable outside the levee is identified to be Crown Land.
- It is recommended that Council provide in principle support to the club in their search for suitable Crown Land for the proposal, assisting where possible.

465/2016 RESOLVED that:

- 1. The report be received and noted.
- 2. Council write to the Bogan Motorcycle Club providing in principle support for the proposal and assist where possible in obtaining suitable Crown Land for the proposal. (**Deacon/Neill**)

PRECIS OF CORRESPONDENCE

1 NYNGAN AG EXPO

<u>466/2016</u> RESOLVED that as in previous years Council continues to provide sponsorship in the form of free use of the showground facilities and other Council resources such as tables and chairs. **(Ryan/Boag)**

2 NYNGAN AMATEUR SWIMMING CLUB

Councilor Douglas noted that she would not vote on this item.

<u>467/2016</u> **RESOLVED** that Council provide sponsorship of \$500.00 to the Nyngan Amateur Swimming Club for the Annual Swimming Carnival on 18 December 2016. (Ryan/Deacon)

3 NEIGHBOUR DAY

468/2016 RESOLVED that in conjunction with Australia Day activities, Council incorporate Neighbour Day, encouraging people to get together and with representatives from Sporting and Service Clubs providing information for new residents. **(Douglas/Dutton)**



4 NYNGAN HISTORICAL BANK ACCOUNT

<u>469/2016</u> RESOLVED that \$7000.00 from the Nyngan Historical Account be provided for the external restoration of the Garford Engine and the remaining balance be transferred to the Museum account. **Ryan/Deacon**

5 WEEKLY CIRCULARS

<u>470/2016</u> RESOLVED that the Local Government Weekly Circulars be noted. (Deacon/Boag)

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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MAYOR

GENERAL MANAGER



NOTES