



BOGAN SHIRE COUNCIL

Minutes

23 June 2016

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

PRESENT: Councillors RL Donald OAM, JE Hampstead OAM, JL Douglas, HJ Griffiths, EM McLaughlin 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 of Community Services), Mrs Stephanie Waterhouse (Finance Manager) and Mrs Cathy Ellison.

DECLARATION OF INTEREST: Nil

198/2016 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 26 May 2016, copies of which have been circularised to Councillors be taken as read and confirmed. **(Griffiths/Ryan)**

Business arising from the Minutes:

NOTICE OF RESCISSION MOTION – dated 15 June 2016

“I intend to move a Rescission Motion at next Council Meeting in respect to Motion 169/2016 in relation to Composition of Interview Panels.

*Signed
JE Hampstead
JL Douglas
KM Ryan”*

199/2016 RESOLVED that Resolution 169/2016 – Composition of Interview Panels be rescinded. **(Hampstead/ Ryan)**

Councillor Hampstead wished it be recorded that there was no implied or actual criticism of any staff appointment to Council.

The General Manager will be presenting a Recruitment Policy at next meeting.

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The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting on 23 June 2016.

190/2016 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 information that would, if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. **(Griffiths/Hampstead)**

191/2016 APOLOGIES: RESOLVED that the apologies received from Councillors WG Deacon and GRJ Neill be received and they be granted leave of absence from both meetings. **(Griffiths/Douglas)**

192/2016 RESOLVED that the Minutes of the Closed and Confidential Meeting of Council held on 26 May 2016, copies of which have been circularised to Councillors be taken as read and confirmed. **(Ryan/Griffiths)**

193/2016 RESOLVED that Council:-

1. Establish, in consultation with Dr. Heggie, a program of works and equipment purchases required to bring the surgery up to the level recommended by Dr. Heggie as well as a timeframe for these improvements.
2. Establish, through professional valuation and comparable local industry benchmarks, a reasonable economic rental for the dental surgery.
3. Obtain a proposal from Dr. Heggie setting out the basis for a draft contract with him which includes:-
4.
 - a. Minimum surgery hours per week during which general dentistry would be available to the community;
 - b. Minimum surgery hours per week during which specialist dental services such as orthodontic and implant treatment would be available to the community; and
 - c. Proposed monthly rental if (a) Council undertook the proposed program of works and equipment referred to above and (b) if Dr. Heggie undertook the proposed program of works and equipment referred to above.

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5. At the same time as requesting the above proposal from Dr. Heggie, including dental services in the expression of interest process for the Bogan Shire Medical Centre. **(Hampstead/Ryan)**

194/2016 RESOLVED to provide sufficient additional funding in the 2016/17 budget to allow the Visitor Information Centre to be staffed for 5 afternoons, Monday through Friday. **(Ryan/Hampstead)**

195/2016 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into Open Council. **(Griffiths/Douglas)**

196/2016 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) because information that would, if disclosed, prejudice the maintenance of law. **(Ryan/Douglas)**

197/2016 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into Open Council. **(Griffiths/Douglas)**

REPORT TO ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

1 2016 REMEMBRANCE DAY CEREMONY

200/2016 RESOLVED that in the interests of preserving and promoting a united community in Bogan Shire, Council requests the Nyngan Sub-Branch of the RSL to reconsider their decision not to participate in the traditional Remembrance Day Ceremony at the Cenotaph, and the Mayor and Deputy Mayor arrange a meeting with the Sub-Branch. **(Ryan/Douglas)**

At 10.00am Mr Brad McDougall gave a Welcome to Country.

At 10.00am, Mr John Thompson, Project Development, EMC Metal Corporation presented a Corporate Overview of the Scandium Mining Project at Miandetta.

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At 10.20am, Mrs Jodi Kilmartin, Service Centre Manager, Australian Unity Home Care Service addressed Council concerning aged care accommodation and the potential for partnership with Council.

Council adjourned for morning tea at 10.40am and resumed 11.05am.

201/2016 RESOLVED that Council approach State Rail in conjunction with John Thompson to reconsider rail access to the Scandium Mine at Miandetta. **(Douglas/McLaughlin)**

202/2016 RESOLVED that Council pass onto Mrs Kilmartin the grant application for the aged care accommodation proposal. **(Douglas/Ryan)**

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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. Draft sign layout will be available for comment at the Council meeting.
2	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.
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 required.

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4	24/09/2015	342/2015	Teamster Rest Area	Invite NHS to make suggestions for internal & external painting that the school could undertake.	MDES	Contact made with NHS. Currently not in a position to undertake painting – hope to be able to do so next term.
				Dump point be relocated to Flood Memorial Car Park.	MDES	Comment in Operational Plan and Budget refers.
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	Construction Completed. Information Map design underway. Draft sign layout will be available for comment at the Council meeting.
6	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.

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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.		Agreement on required works achieved with several owners / Boards. Efforts still being made to have owners upgrade building voluntary.
7	26/02/2015	024/2015	Bogan Shire Early Learning Centre	Loan be raised for Council's contribution to the project.	MFIN	Application underway.
8	26/02/2015	042/2015	Chinese Portion – Nyngan Cemetery	Repairs to the burner be carried out in the current year's program. A Heritage Conservation & Management Report be prepared by a selected Consultant within the allocated budget.	MDES	Three quotes received and preferred consultant to be selected based on budget and inclusions within quotation. All quotes exceed budget allocation. Grant application unsuccessful. Report to Council to be prepared.
	25/06/2015	224/2015		Send a copy of the MDES report & recommendations from the Heritage Conservation & Management Report to Mr White.		Action pending completion of Conservation and Management Report.

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				Send a letter to the Chinese Embassy with a copy of the Heritage Conservation & Management Report.		Action pending completion of Conservation and Management Report.
9	23/07/2015	269/2015	O'Reilly Park Toilet Facility Upgrade	Upgrades to toilet facility, an access way, ramp and handrail.	MDES	Works underway.
10	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. Baby Change Stations have been delivered. Davidson Park install to be completed in conjunction with facility upgrade – First Quarter 2016/17. O'Reilly Park install to be completed in conjunction with facility upgrade – currently underway.

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11	26/11/2015	436/2015	Showground	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.	GM	Report to Council refers.
12	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.
13	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.	MPC	Response received – refer Précis. Ongoing.
14	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 as budget permits.

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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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15	24/03/2016	056/2016	Aged Care Accommodation Retirement Village	Council do some financial modelling on the cost implications to Council & the community for an aged care unit development.	MFIN	Not yet done.
16	25/02/2016	022/2016	Bogan Bush Mobile	Delegation is planned to meet with Minister.	GM	Awaiting notification from Mark Coulton regarding suitable date.
17	24/03/2016	058/2016	Dob in a Druggie 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	To be done in liaison with Darling River Command Campaign.
18	24/03/2016	078/2016	Bicentennial Wall & Ceramic Mural	Be reinstated.	MDES	On-site meeting held with Insurance Representative. 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.

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						Unfortunately this is likely to mean having all the tiles remade. Quotations are being sought to forward to the insurers concerned.
19	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	Not yet started.
20	28/04/2016	133/2016	Rotary Park, River & Weir	Draw up a program with a report to Council on suggested upgrades to Rotary Park, River & Weir.	MDES	Program of works to be drawn up for 2016/17.
21	12/05/2016	12/05/2016	Nyngan Aerodrome	Present to Council a report advising of the necessary upgrade for the terminal - the report to include details on time & costs to increase cleaning services.	MENG	

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22	26/05/2016	179/2016	NSW Container Deposit Scheme	Council investigate the establishment & operation of a CDS collection depot as more information is announced and the cost implications of this.	MDES	Not yet started.
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203/2016 RESOLVED that item – Aged Care Accommodation Retirement Village be removed from the checklist and deferred until John Holland Rail advise that contamination clearance has been undertaken for the former Caltex Site. **(Hampstead/Griffiths)**

204/2016 RESOLVED that item – Investigate the possibility of a Mobile Library be removed from the checklist. **(Ryan/Hampstead)**

205/2016 RESOLVED that the *STOP* wording be covered up on the entrance sign into Rotary Park. **(Ryan/Hampstead)**

206/2016 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Hampstead/Douglas)**

2 COUNCILLOR AND MAYORAL FEES

Summary:

- *This report is to advise Council of the determination of the Local Government Remuneration Tribunal and to recommend that Council fixes Councillor and Mayoral Fees for the 2016/17 Financial Year based on this determination.*
- *Section 241 of the Local Government Act 1993 requires the Local Government Remuneration Tribunal to determine each year the maximum and minimum amounts of annual fees payable during the following year to Mayors and Councillors.*
- *Sections 248 and 249 of the Act require Councils to fix and pay fees based on the Tribunal’s determination. If Council does not fix a fee, Council is required to pay the minimum fee determined by the Tribunal.*

207/2016 RESOLVED that Council adopts the fees payable to Councillors, Deputy Mayor and Mayor of Bogan Shire Council, effective from 1 July 2016, as determined by the Tribunal in the table below and notes that Bogan Shire Council resolved to pay Councillors the minimum fee, and Deputy Mayor and Mayor to be paid 75.7% of the maximum Mayoral Fee. **(Ryan/Hampstead)**

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	Councillor Fee	Mayor Fee	Total Fee
Councillors	8,540		8,540
Deputy Mayor	8,540	3,728	12,268
Mayor	8,540	14,915	23,455

3 COUNCIL POLICY: WELCOME TO COUNTRY / ACKNOWLEDGEMENT TO COUNTRY

Summary:-

The purpose of this report is to establish a Council Policy in relation to having a Welcome to Country or Acknowledgement to Country at official Council events.

208/2016 RESOLVED that Council has a Welcome to Country or Acknowledgement to Country at all public events hosted by Council where the Mayor, Deputy Mayor, General Manager or their delegates open the event and there are understood to be visitors from outside the Shire attending. **(Ryan/Douglas)** Unanimous

4 FIT FOR THE FUTURE – JOINT ORGANISATIONS

Summary:-

The report is to advise Council of the release of documents from the NSW Government relating to the establishment of Joint Organisations.

209/2016 RESOLVED that Council submit a strong submission on the Proposed Joint Organisation Model by 15 July 2016, stating that individual Councils like ours have to retain their right to set their budget and rates and remain autonomous. **(Douglas/McLaughlin)**

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5 NYNGAN AG EXPO – SPONSORSHIP OF ELECTRICITY

Summary:-

This report is to advise Council of a request from the Nyngan Ag Expo for sponsorship of electricity charges for the event.

It was **MOVED** that Council donate \$500 as a contribution to the Nyngan Ag Expo.
(McLaughlin/)

The Motion lapsed for want of a seconder.

210/2016 RESOLVED that Council advise the Nyngan Ag Expo Committee that –

1. All users of Council's facilities receive free use of the facility, but must pay all electricity charges.
2. Ag Expo are provided with free use of all equipment such as the hire of the facility, tables, chairs, crockery, cutlery, ground set up, etc. **(Ryan/Hampstead)**

6 DUCK CREEK PICNIC RACES 2016

Summary:-

This report is to advise Council of certain arrangements for the Duck Creek Picnic Races and present a recommendation to Council in regard to an alcohol free zone for consideration.

211/2016 RESOLVED that:-

1. The report be received and noted.
2. Council declare an Alcohol Free Zone for forty-eight (48) hours from 6.00am on Saturday 2 July 2016 in the areas of the Nyngan Showground and Nyngan Racecourse that are not contained within the fencing erected by the organisers of the Duck Creek Picnic Races.
3. The letter from the Duck Creek Picnic Race Committee dated 22 June 2016 be noted and further discussions be held to obtain satisfactory outcomes of the matters that have not been addressed. **(Ryan/Hampstead)**

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REPORT TO THE ORDINARY MEETING OF COUNCIL – COMMUNITY SERVICES

**1 INTEGRATED PLANNING AND REPORTING - 2016/17 TO 2019/20
DELIVERY PROGRAM**

Summary:

The purpose of this report is for Council to consider adoption of the 2016/17 to 2019/20 Delivery Program.

212/2016 RESOLVED that the 2016/17 to 2019/20 Delivery Program be adopted.
(Ryan/Hampstead)

**2 APPLICATION FOR FINANCIAL ASSISTANCE - COMMUNITY ARTS AND
CULTURE FUND**

Summary:

- *The purpose of this report is for Council to consider a donation for Thikkabilla Vibrations cultural dance and activities.*

213/2016 RESOLVED that the request received from the Nyngan Local Aboriginal Land Council for a donation of \$2900 towards Thikkabilla Vibrations cultural dance and activities be granted, provided a statement of costings is provided to Council and that any interested children may attend the activities. **(Hampstead/Douglas)**

3 BOGAN SHIRE EARLY LEARNING CENTRE

Summary:

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

214/2016 RESOLVED that the Bogan Shire Early Learning Centre Report on the activities and statistics for the first month of operation be received and noted, and staff involved with the Centre be commended for their successful launch of the service.
(Griffiths/Douglas)

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4 BOGAN SHIRE MEDICAL CENTRE

Summary:-

The purpose of this report is to recommend to Council that a process be initiated for selecting a Practice Management Organisation to operate the Bogan Shire Medical Centre.

215/2016 RESOLVED that the General Manager proceed with the development of an Expression of Interest process and pro-forma for consideration by Council.
(Ryan/Douglas)

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 May 2016.

216/2016 RESOLVED that the Bank Reconciliation Report as at 31 May 2016 be received and noted. **(Ryan/Griffiths)**

2 INVESTMENTS MAY 2016

Summary:-

- The report is to outline the performance of Council's Investment Portfolio for the month of May 2016.*
- At the 31 May 2016 Council had \$9.7 million invested. There has been an increase to Council's investments since the April 2016 report due to the receipt of the last rates instalment, FAG and R2R Grants and RMCC income and reimbursements for the Water Security Project.*

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217/2016 RESOLVED that the Investments Report for May 2016 be received and noted. **(Hampstead/McLaughlin)**

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

- *The report is to provide a comparison of rate collections as at 31 May 2016, with the same period last year.*
- *Total arrears have decreased from \$595,995 as at 31 May 2015 to \$401,115 as at 31 May this year.*

218/2016 RESOLVED that the Rates and Annual Charges Collection Report as at 31 May 2016 be received and noted. **(Ryan/Griffiths)**

4 LONG TERM FINANCIAL PLAN

Summary :-

The report is to present to Council a Long Term Financial Plan, projected for 10 years, and updated annually as part of the development of the Operational Plan.

219/2016 RESOLVED that Council adopt the Long Term Financial Plan as presented to Council. **(Douglas/Ryan)**

220/2016 RESOLVED that Council now deal with item 8 of the Corporate Services' Report – Request for Financial Assistance – Nyngan Community Hall Reserve Trust. **(Douglas/Ryan)**

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**8 REQUEST FOR FINANCIAL ASSISTANCE – NYNGAN COMMUNITY HALL
RESERVE TRUST**

Summary:-

The report is to advise Council of a request for Financial Assistance from Nyngan Night Church for the rates and charges to be levied on Nyngan Community Hall Reserve Trust in 2016/2017.

221/2016 RESOLVED that Council provide financial assistance to Nyngan Night Church to the value of \$4,170.08 for rates and services for the financial year 2016/17. **(Hampstead/Ryan)**

Sergeant Tony Wood now attended the meeting.

Council now moved into the Closed and Confidential Section of the Meeting.

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

222/2016 RESOLVED that Council request co-operation from the Police to provide Traffic Police to assist at funerals. **(Griffiths/Douglas)**

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5 ADOPTION OF THE 2016/17 OPERATIONAL PLAN AND BUDGET

Summary:-

- *The report is to present the draft 2016/2017 Operational Plan and Budget and the draft 2016-2029 Delivery Program for adoption.*
- *At the time of writing this report one submission relating to the Operational Plan and Budget has been received. No submissions relating to the Delivery Program had been received.*

223/2016 **RESOLVED** that the Public Submission received in response to the exhibition of the Operational Plan and Budget be noted. **(Ryan/Hampstead)**

224/2016 **RESOLVED** that an amount of \$10,000 be included in the Capital Budget for carpeting of Council Chambers and offices. **(Ryan/Hampstead)**

225/2016 **RESOLVED** that an amount of \$20,000 be include in the Capital Budget for construction of a School Bus Stop at Priors Road on the Mitchell Highway on condition that the RMS reimburses Council when they have funds available. **(Ryan/Griffiths)**

226/2016 **RESOLVED** that with the inclusion of the two items above, the draft 2016/17 Operational Plan and Budget be adopted. **(Ryan/Douglas)**

227/2016 **RESOLVED** that savings in the 2015/16 budget be redirected to the purchase of a stove for staff housing at the Showground. **(Ryan/Griffiths)**

228/2016 **RESOLVED** that the dump point be relocated to the western end of the Flood Memorial Car Park with the inclusion of screens and visitor information signage, and the budget allocation be changed to \$15,000. **(Griffiths/Ryan)**

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6 MAKING OF RATES AND CHARGES FOR 2016/17

Summary:-

- *The report is to make the Rates and Charges for 2016/2017.*
- *Proposed Rates and Charges for 2016/17 were included in the Draft Operational Plan and Budget and approved by Council at its Extraordinary Meeting on 12 May 2016. The Draft Operational Plan was on public display and advertised from 25 May 2016 – 15 June 2016.*
- *Rates and Charges as listed in the Draft Operational plan for 2017/2017 are listed below.*

229/2016 RESOLVED that:-

1. Council authorise the General Manager to prepare and serve the 2016/17 rate notices or in his absence they may be served by the Finance Manager.

2. Rates:

- Ordinary Rates: Council, pursuant to Sections 494, 497, 534, 535 and 543 of the Local Government Act 1993, hereby makes the following Ordinary Rates for the Financial Year 1 July 2016 to 30 June 2017 as set out below.
- Ordinary Rate, ad Valorem and Minimum Amount: Council make and levy Ordinary Rates based on the following Ad Valorems, subject to the associated minimum rates as shown in the table below.

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ORDINARY Category/Sub Category	Rates	Ad Valorem (cents per \$ of Land Value)	Minimum Rate
<i>RESIDENTIAL NYNGAN</i>		<i>0.01074721</i>	<i>\$250</i>
<i>RESIDENTIAL</i>		<i>0.00801490</i>	<i>\$150</i>
<i>RESIDENTIAL RURAL</i>		<i>0.00852670</i>	<i>\$150</i>
<i>FARMLAND</i>		<i>0.00645350</i>	<i>\$240</i>
<i>RESIDENTIAL HERMIDALE</i>		<i>0.01764706</i>	<i>\$150</i>
<i>RESIDENTIAL GIRILAMBONE</i>		<i>0.03000000</i>	<i>\$150</i>
<i>RESIDENTIAL COOLABAH</i>		<i>0.04767190</i>	<i>\$150</i>
<i>BUSINESS NYNGAN</i>		<i>0.06442160</i>	<i>\$280</i>
<i>BUSINESS</i>		<i>0.01046000</i>	<i>\$280</i>
<i>BUSINESS HERMIDALE</i>		<i>0.01246730</i>	<i>\$160</i>
<i>BUSINESS GIRILAMBONE</i>		<i>0.03889000</i>	<i>\$160</i>
<i>BUSINESS COOLABAH</i>		<i>0.04921620</i>	<i>\$160</i>
<i>MINING</i>		<i>0.06968750</i>	<i>\$360</i>
<i>BUSINESS UNKNOWN</i>		<i>0.000110</i>	<i>\$1</i>

3. Water Supply and Annual and User Charges:

- (i) Water Supply charges: Council, in accordance with Section 535, and pursuant to Sections 501 and 539(1) of the Local Government Act 1993, hereby makes the following Water Supply Charges for the Financial Year 1 July 2016 to 30 June 2017 as set out below.

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- (ii) A Water Access Charge shall be made and levied based upon the size, volume factor and number of water services connected to an individual assessment.

Service Size	Volume Factor	Water Access Charge 2016/2017
20mm	1.00	\$536
25mm	1.56	\$863
32mm	2.56	\$1,416
40mm	4.00	\$2,213
50mm	6.25	\$3,460
100mm	25.00	\$13,835
20 CSO	1.00	\$143

- (iii) Other Rateable Water Charges shall be made and levied on non-metered properties in the locations described.

Rateable Water Charge	Charge 2016/2017
Hermidale – Raw Water Access	\$633
Girilambone – Raw Water Access	\$435
Coolabah – Raw Water Access	\$435
Nyngan – Raw Water Access	\$435

- (iv) Other Non-Rateable Water Charges shall be made and levied on non-metered properties in the locations described.

Non-Rateable Water Charge	Charge 2016/2017
Girilambone	\$436
Hermidale	\$633

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- (v) Other Water Charges shall be made and levied on properties as appropriate, being:

Water Charge	Charge 2016/2017
Albert Priest Channel - Access	\$12.14 per ML allocation
Albert Priest Channel - Usage	\$32.06 per ML of usage

- (vi) Water Consumption Charges: Council, pursuant to Sections 502, 539 and 540 of the Local Government Act, make and levy Water Consumption Charges, based on the appropriate tariff charge per measure, or estimate of measure, as shown in the table below, during 2016/17, being for Reading Cycle Periods 1, 2, 3 and 4

Charge for treated Water for 2016/2017 per kl shown	Charge for Other (Raw) Water for 2016/2017 per kl shown
\$1.87/kl	\$0.63/kl

4. Sewer Supply Annual and User Charges

- i) Sewer Supply Charges: Council, in accordance with Section 535, and pursuant to Section 501 of the Local Government Act 1993, hereby makes the following Annual Sewer Access Charges for the Financial Year 1 July 2016 to 30 June 2017 as set out below.
- ii) Residential Sewerage Annual Charge *will be made and levied on all residential properties which have sewer supply available to it.*

Residential Sewer Access Charge	Charge 2016/2017
Residential	\$540 per meter
Residential Flat Sewer (per flat)	\$415 per flat

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- iii) Non-Residential Sewerage Access Charge will be made and levied on all non-residential properties which have sewer supply available to it.

Service Charge Type	Water Service Size	Discharge Factor	Annual Access Sewer Charge 2016/2017
Non-Residential Sewer Access Charge	20/25mm	30%	\$540
Non-Residential Sewer Access Charge	40mm	30%	\$648
Non-Residential Sewer Access Charge	50mm	30%	\$1,013
Non-Residential Sewer Access Charge	100mm	30%	\$4,050
Non-Residential Sewer Access Charge	20/25mm	50%	\$540
Non-Residential Sewer Access Charge	50mm	50%	\$1,688
Non-Residential Sewer Access Charge	20mm	90%	\$540
Non-Residential Sewer Access Charge	25mm	90%	\$759
Non-Residential Sewer Access Charge	40mm	90%	\$1,944
Non-Residential Sewer Access Charge	50mm	90%	\$3,038
Non-Residential Sewer Access Charge	100mm	90%	\$12,150
Effluent Disposal Charge			\$333

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- iv) Sewer Usage Charges: Council, pursuant to Sections 502, 539 and 540 of the Local Government Act, make and levy Sewer Usage Charges as detailed below.
- v) Non-Residential Sewer Usage Charges will be made and levied on all **rateable** non-residential properties which have sewer supply available to it, under best practice guidelines, and will be charged on a quarterly basis in accordance with the following pricing structure:-

$$B = SDF \times (AC + C \times UC)$$

Where, B = Sewerage charge non residential

SDF = Sewerage Discharge factor**

$$AC = \left(\frac{AC_{20} \times D^2}{400} \right) \text{ Access Charge}$$

D = Water Supply Service Connection Size

C = Annual Water Consumption

UC = Usage Charge \$1.96

- vi) Non-Residential Sewer Usage Charges will be made and levied on all **non-rateable** non-residential properties which have sewer supply available to it, under best practice guidelines, and will be charged on a quarterly basis in accordance with the following pricing structure:

$$B = SDF \times (AC + C \times UC)$$

Where, B = Sewerage charge non residential

SDF = Sewerage Discharge factor**

$$AC = \left(\frac{AC_{20} \times D^2}{400} \right) \text{ Access Charge}$$

D = Water Supply Service Connection Size

C = Annual Water Consumption

UC = Usage Charge \$2.07

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- vii) Non-Residential Sewer Usage Charges will be made and levied on all ***multi-use*** properties which have sewer supply available to it, under best practice guidelines, and will be charged on a quarterly basis in accordance with the following pricing structure:

$$B = SDF \times (AC + C \times UC)$$

Where, B = Sewerage charge non residential

SDF = Sewerage Discharge factor**

$$AC = \left(\frac{AC_{20} \times D^2}{400} \right) \text{ Access Charge}$$

D = Water Supply Service Connection Size

C = Annual Water Consumption

UC = Usage Charge \$2.07

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*****And that Sewerage Discharge Factors in each of the above be applied according to the following table:***

Discharger	Discharge Factor	Discharger	Discharge Factor
Aged Care Facility	.90	Library	.90
Bakery	.90	Mixed Business	.90
Caravan Park	.50	Mixed Development (home based small business)	.50
Church	.90	Motel	.90
Club	.90	Motor Repairer	.90
Cottage Industry	.50	Office Based Businesses	.90
Butcher	.90	Other (default category)	.90
Dental Surgery	.90	Panel Beater	.90
Doctor	.90	Public Amenities	1.0
Engineering Services	.90	Restaurant	.90
Hardware	.90	Schools	.30
Hospital	.50	Service Station	.90
Florist	.50	Supermarkets	.90
Guest House	.90	Swimming Pool Complex	.50
Halls	.90	Takeaway Shop	.90
Hairdresser	.90	Utility Services	.90
Hotel/Tavern	.90	Veterinary Clinic	.90
Laundromat	.90		

5. Waste Management Charges

- i) Domestic Waste Management Charges and Recycling Charges: Council, in accordance with Section 535, and pursuant to the provisions of Sections 496, 502, and 504 of the Local Government Act 1993, hereby makes the following Domestic Waste and Recycling Charges upon each parcel of rateable land for which the service is available, for the financial year 1 July 2016 to 30 June 2017, as set out below:-

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Service Charge Type	Charge 2016/17
Domestic Waste Management Collection Charge	\$198
Domestic Waste Management Additional Collection Charge	\$103
Domestic Kerb Side Recycling Charge	\$112
Domestic Kerb Side Recycling Additional Bin Charge	\$57

- (ii) Waste Management Charges – Other: Council, in accordance with Section 535, and pursuant to the provisions of Section 501 and 502, of the Local Government Act 1993, hereby makes the following Waste Charges upon each parcel of rateable land for which the service is available, for the financial year 1 July 2016 to 30 June 2017, as set out below:

Service Charge Type	Charge 2016/17
Business Waste Management - Collection Charge	\$198
Business Waste Management – Additional Collection Charge	\$103
Waste Management - Depot Charges Nyngan	\$287
Waste Management - Depot Charges Business	\$287
Business Waste Recycling Collection Charge	\$112
Business Waste Additional Recycling Collection Charge	\$57

6. Trade Waste Charges: Council adopt the Trade Waste Charges for 2016/17 as advertised in the draft Operational Plan and Budget 2016/17.

7. Fees and Charges: Council adopt the Fees and Charges for 2016/17 as advertised in the draft Operational Plan and Budget 2016/17 (Fees and Charges).

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8. Interest on Overdue Rates and Charges: Council, in accordance with the provisions of Section 566 of the Local Government Act 1993, make the interest rate, to be charged on overdue rates, charges and arrears, for the period 1 July 2016 to 30 June 2017 at 8.0% per annum on a daily basis. **(Hampstead/Ryan)**

**7 AMENDMENT TO THE RURAL FIRE FIGHTING FUND ALLOCATION
METHODOLOGY**

Summary:-

The report is to present a letter from the NSW Rural Fire Service regarding changes to the Rural Fire Fighting Fund Allocation Methodology.

230/2016 RESOLVED that the correspondence received from the NSW Rural Fire Service regarding changes to the Rural Fire Fighting Fund Allocation Methodology be noted. **(McLaughlin/Douglas)**

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REPORT TO ORDINARY MEETING OF COUNCIL – ENGINEERING SERVICES

1 OPERATIONAL REPORT

231/2016 RESOLVED that the Operational Report, including Civil Works, Community Facilities and Roads for the reporting period 16 May 2016 to 10 June 2016 be received and noted. **(Ryan/Douglas)**

2 REQUEST FOR ROAD ACCESS AT COOLABAH

Summary:

- *The purpose of this report is to advise Council of a request to provide road access to a property at Coolabah.*
- *The property owner has always had access through neighbouring properties and now seeks a legal access road.*
- *The existing Crown Road Reserve passes through the adjoining property and it is requested that a gate be installed in the fence and Council take over the road and maintain it.*

232/2016 RESOLVED that the Crown Road be transferred to Council and Mr Veney pay all costs associated with providing a suitable access road to his property.
(Hampstead/McLaughlin)

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REPORT TO ORDINARY MEETING OF COUNCIL – DEVELOPMENT AND ENVIRONMENTAL SERVICES

1 DEVELOPMENT APPLICATIONS

233/2016 RESOLVED that the Development Applications Report since Council's May 2016 meeting be received and noted. **(Ryan/Douglas)**

2 OPERATIONAL REPORT

234/2016 RESOLVED that the Operational Report including Parks and Gardens and Weeds for the period since 26 May 2016 Council Meeting be received and noted. **(Hampstead/Griffiths)**

3 DEVELOPMENT APPLICATION 10/2016/014/001 – PROPOSED CONSTRUCTION OF A NEW SHED, FLASHMAN AVENUE, NYNGAN

Summary:-

- *The report is submitted for Council to consider and determine a Development Application submitted for the purposes of constructing a steel framed shed on vacant land located at Lot 7 Flashman Avenue, Nyngan.*
- *The proposal presents numerical variations of 36% variation to the maximum prescribed height to the eaves and 72% variation to the maximum prescribed height to the ridge under the Bogan Development Control Plan 2012.*
- *The application is recommended for refusal due to the significance of the variation sought.*

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235/2016 RESOLVED that the submitted application be refused on the basis of the following:-

- The application results in significant non-compliance with the numerical standards of the Bogan Shire Development Control Plan 2012 in relation to the maximum height of the outbuilding to the ridge (*Section 79C(1)(a)(iii)*).
- The application results in non-compliance with the numerical standards of the Bogan Shire Development Control Plan 2012 in relation to the maximum height of the outbuilding to the eave (*Section 79C(1)(a)(iii)*).
- The proposed outbuilding is not considered to be suitable for the subject residential land as the building is of an unsuitable size and scale and is not compatible with the existing residential area (*Section 79C(1)(c)*).
- The proposed development is not considered to be within the public interest (*Section 79C(1)(e)*). **(McLaughlin/Douglas)**

**4 CUSTOMER REQUEST – REMOVAL OF TREES (PALMS) AND BOLLARDS –
COBAR STREET**

Summary:-

A report is presented to Council to consider a public request for removal of the palms and bollards with chains from the footpath in front of the Post Office in Cobar Street.

236/2016 RESOLVED that:-

1. The report be received and noted.
2. Council remove the palms and bollards.
3. Council plant suitable replacement trees in this location.
(Griffiths/Hampstead)

237/2016 RESOLVED that if the trees can be removed in such a way that they can be replanted, then they be replanted in another suitable location or alternatively offered to interested members of the public. **(McLaughlin/Douglas)**

**5 REALLOCATION OF FUNDS FROM 2015/2016 BUDGET – METAL LOGS
AROUND SHEEP**

Summary:-

A report is presented to Council to consider reallocation of the current capital budget item comprising of metal logs to be constructed around the sheep sculptures totalling \$1,500 to the Chinese Burner works.

238/2016 RESOLVED that Council reallocate the budget item of \$1,500 for the metal logs proposed to be constructed around the sheep sculptures towards the Chinese Burner works. **(Ryan/Hampstead)**

**6 ELECTRICAL SERVICES SUPPLY TO EARLY LEARNING CENTRE AND
STAFF HOUSES – LOT 111, DERRYBONG STREET NYNGAN**

Summary:-

A report is presented to Council in respect to the electrical services over Lot 111 Derrybong Street (DP72128) and due to changes in Essential Energy's Codes of Practice, the request to reallocate funds from the Staff Housing Reserve to enable electrical supply works to progress the staff housing capital project.

239/2016 RESOLVED that Council reallocate \$40,000 from the Staff Housing Reserves to reconfiguration and install electrical services to Lot 111 DP 721218. **(Ryan/Griffiths)**

7 BOGAN SHIRE MEDICAL CENTRE

Summary

- *Report on the status of the construction of the Bogan Shire Medical Centre.*

240/2016 RESOLVED that the Medical Centre Report be received and noted. **(Douglas/Ryan)**

PRECIS OF CORRESPONDENCE

1 LOCAL GOVERNMENT ELECTIONS

241/2016 RESOLVED that the Local Government Elections Bulletin No 2- advising of dates and where to source information for potential candidates be noted. (Douglas/Griffiths)

2 LOCAL GOVERNMENT ELECTIONS

242/2016 RESOLVED that the two advices from LG NSW for potential candidates:-

1. Introduction to Local Government – Learning Workshop – Sydney 16 June; and
2. Candidate Briefings, be noted. (Douglas/Hampstead)

3 NSW ELECTORAL COMMISSION

243/2016 RESOLVED that the email received from the NSW Electoral Commission advising that candidate's seminars delivered by the NSWEC will be pre-recorded and loaded onto the website for viewing by candidates be noted. (Douglas/Hampstead)

4 LGNSW

244/2016 RESOLVED that the email dated 3 June 2016 received from Local Government NSW providing an update on the LGNSW Board be noted. (Douglas/Hampstead)

5 THE HON STUART AYRES MP, MINISTER FOR SPORT

A reply to Council's correspondence regarding concerns that sport participants in our area feel that insurance provided by their club does not meet their expectations.

245/2016 RESOLVED that Council forward a copy of the Manager Corporate Services' letter to The Hon Stuart Ayres MP, Minister for Sport dated 15 August 2015 to the Minister for Finance, Services and Property as well as NSW Fair Trading regarding this matter. (McLaughlin/Ryan)

6 WOMENSPORT NSW

246/2016 RESOLVED that the letter received from Womensport NSW advising it has been working in partnership with Councils for the past 4 years to promote women in sport by improved access, participation and equity for women and girls, particularly in the use of Council run sport and recreation facilities be noted. **(McLaughlin/Douglas)**

7 KEITH WHITE

247/2016 RESOLVED that the correspondence received from Mr Keith White concerning the 1924 Garford Fire Engine storage suggestion of a double garage at the depot be noted. **(Ryan/Hampstead)**

8 NYNGAN LOCAL ABORIGINAL LAND COUNCIL

248/2016 RESOLVED that correspondence received from the Nyngan Local Aboriginal Land Council asking Council to address concerns regarding the sinking of one side of their building and cracks forming throughout the building and floor be noted. **(Hampstead/Douglas)**

General Manager's Note: This matter has been referred to Council's Insurers for comment.

9 NYNGAN NAIDOC COMMITTEE

249/2016 RESOLVED that Council as in previous years waive all fees and charges associated with National NAIDOC Week 8 to 12 August 2016. **(Douglas/Hampstead)**

10 WEEKLY CIRCULARS

250/2016 RESOLVED that the Local Government Weekly Circulars 20/16 to 23/16 be noted. **(Griffiths/McLaughlin)**

GRANTS AND FUNDING

Youth Opportunities Funding Round

NSW Councils and non-Government organisations can now apply for up to \$50,000 for youth-led projects that encourage young adults to participate in community development activities. Refer to Pastor Richard Milligan.

251/2016 RESOLVED that the Grants and Funding Report be noted.
(Griffiths/McLaughlin)

252/2016 RESOLVED that Council discuss the late items of business.
(Ryan/Hampstead)

- **LEGISLATIVE ASSEMBLY – Committee on Community Services**

Access to Transport for Seniors and Disadvantaged People in Rural and Regional NSW

253/2016 RESOLVED that Council call for public submissions and depending on what is received, makes a submission to the enquiry. **(Griffiths/Hampstead)**

- **2016 LG Elections Candidate Information.**

254/2016 RESOLVED that the LG Elections Candidate Information be noted.
(Ryan/Douglas)

255/2016 RESOLVED that the donations received from the Duck Creek Picnic Race Association and the Nyngan Pony Club be received with appreciation.
(Ryan/Douglas)

Question without Notice

256/2016 RESOLVED that Council make another approach to the Local Health District and Local Member about the continued need for two Nyngan patients to travel to Dubbo for dialysis. **(McLaughlin/Douglas)**



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There being no further business the meeting closed at 3.15pm.

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

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GENERAL MANAGER

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MAYOR

