



BOGAN SHIRE COUNCIL

Minutes

26 October 2017

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 26 October 2017 at 9.30am**

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 Alister Quarmby (Acting Manager of Engineering Services), Mr Ty Robson (Manager, Development and Environmental Services), Mrs Debb Wood (Manager, People and Community Services), Mrs Stephanie Waterhouse (Manager, Finance and Corporate Services), and Mrs Cathy Ellison (Executive Assistant).

DECLARATION OF INTEREST: Nil

308/2017 RESOLVED that the Minutes of the Closed and Confidential Meeting of Council held on 28 September 2017, copies of which have been circularised to Councillors be taken as read and confirmed. **(Dutton/Ryan)**

Business Arising: Nil

309/2017 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 28 September 2017, copies of which have been circularised to Councillors be taken as read with the following amendment. **(Neill/Boag)**

Minute 301/2017 to read: - RESOLVED that Council withdraw its objection to the closure of Crown Land between Lot 7 DP724628 and Lot 31 DP752879, Lot 7 DP724628 and Lot 30 DP 752879 and Lot 30 DP752879 and Lot 38 DP752891 and the transfer of the road reserve to Mr William Carter on condition that Council is provided with a copy of the proposed easement conditions to determine whether they appear reasonable. All costs associated with this process are Mr Carter's responsibility. **(Ryan/Douglas) Unanimous**

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Business Arising:

The Mayor made mention of the information meeting at the RSL with the consultants for the proposed APC pipeline and the landholders along the Channel potentially affected by the pipeline.

Bogan Shire Medical Centre

The General Manager provided an update on the current position of the Medical Centre.

The Mayor read out a petition concerning the reinstatement of Dr Auland and this petition was circulated to all Councillors at the meeting.

Councillor Neill requested the reason for Council's decision made in March 2015 be recorded in the Minutes concerning doctors practising at the Medical Centre needing to be accredited at the Hospital.

310/2017 RESOLVED that Council place on record the background to its decision in March 2015 regarding VMO rights for all GPs practising at the Bogan Shire Medical Centre.

Council's original decision was in response to longstanding community feedback concerning:-

1. There being no on-call doctor for emergencies in Nyngan on several occasions.
2. Doctors without VMO rights not being able to see their patients when admitted to the Nyngan MPS. **(Neill/Ryan) Unanimous**

311/2017 RESOLVED that Council encourages Dr Auland and any person to address any concerns regarding practices and procedures at the Nyngan MPS to the NSW Health Care Complaints Commission, the NSW Ombudsman, the NSW Minister for Health as well as the NSW Shadow Minister for Health for investigation. **(Neill/Douglas) Unanimous**

312/2017 RESOLVED that Council investigate alternatives to having VMO rights that would allow a doctor to visit patients and /or attend emergency services at the hospital. **(Douglas/Boag)**

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Australia Day 2018 Nominations and Awards

Council was advised no response had been received for two community members to be part of the Committee to evaluate the merit of nominations.

313/2017 **RESOLVED** that the Mayor, Deputy Mayor and General Manager approach two people from the community to be part of the Committee to evaluate the merit of nominations. **(Ryan/Boag)**

314/2017 **RESOLVED** that the committee vote for the winner from the meritorious nominations for each section, after having invited input from the community. **(Douglas/Ryan)**

COMMITTEE MEETING MINUTES

1 NYNGAN MUSEUM MEETING

315/2017 **RESOLVED** that the Minutes of the Nyngan Museum Committee Meeting held on 2 August 2017 be received and noted. **(Boag/Elias)**

The Mayor advised Council of the *History of the Railway in Nyngan Book* compiled by Glad Eldridge and Leonie Montgomery and commended both ladies for their work. This book is now available to purchase.

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REPORT TO ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

1 ESSENTIAL ENERGY CONTRACTORS

316/2017 RESOLVED that Council convey in writing to Essential Energy its concern about the timing of the pruning of trees in recent weeks and that a better situation would be to have local Essential Energy employees carry out the tree maintenance. **(Ryan/Neill)**

2 MACQUARIE HOMESTAY

317/2017 RESOLVED that Council endorse the donation of \$500.00 to the Tour de OROC Ride which is raising funds for the Macquarie Homestay. **(Ryan/Dutton)**

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

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	13/12/2012 28/03/2013	418/2012 098/2013	Davidson Park Revitalisation Program	Establish paving pathways to the mural.	MDES	Work commenced.
2	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. Agreement on required works achieved 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.		Efforts still being made to have owners upgrade building voluntary.

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3	25/02/2016	022/2016	Bogan Bush Mobile	Delegation is planned to meet with Minister.	GM	Meeting held 1 December 2016.
	15/12/2016	481/2016		Council works together with MCSA & other Councils in Parkes Electorate to formulate a combined response to the proposed BBF funding changes, expressing grave concerns that a valuable service to our rural families will be lost.		<p>Council's response report sent to PwC, with a copy to local Federal Member Mark Coulton MP on 27 Jan 2017.</p> <p>Submission has been made to Senate Enquiry.</p> <p>BBM has been assured of ongoing funding but it is uncertain what form this will take. Awaiting follow up visit from consultants, PwC.</p> <p>Council staff working on funding / operating model with PwC and Department of Education.</p> <p>Council staff have completed a draft budget and are currently working on a Business Plan to be submitted to the Department of Education. The draft budget aligns closely with how the service currently operates.</p>

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						Two delegates from PwC will be visiting the Bush Mobile on Friday 3 November to review Council's Business Plan prior to the application being submitted to the Department of Education by the end of November 2017.
4	24/03/2016 15/12/2016	078/2016 485/2016	Bicentennial Wall & Ceramic Mural	The General Manager work with Peter Zanetti to undertake the necessary work to complete the reinstatement of the wall & mural.	GM	Community workshops held on Saturday 12 and Sunday 13 August 2017, with 20 people participating. Wall has been reconstructed with only minor works outstanding. All tiles have been remade.
5	27/10/2016	423/2016	Seniors Living – Rental Units	Consult with community to gauge interest in the project before making a decision on which location & how many units to build.	GM	Public Information Meeting 14 December 2016. Community expressed a preference for the Cobar/Dandaloo Streets site.

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				Advise prospective tenants of what the highest rental payment will be & what they would receive for their payment.		Grant application made under Resources for Regions Program. Building Better Regions Grant Program identified as a match for this project. Round 2 expected in November 2017.
6	27/072017	236/2017	National Broadband & Network Design	Council raises it concern with the current footprint with the Minister for Communications & Arts & member for Parkes to ensure that our community is able to fully benefit from the fixed line NBN delivery.	MDES	Reply received from Mark Coulton MP advising he has contacted NBN & the Minister for Regional Communications on Council's behalf. The Minister for Regional Communications will investigate this matter and report back. Early Learning Centre will receive Fixed Line NBN. No further changes provided to the footprint at this stage. Precip refers.

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7	28/09/2017	301/2017	Neeroc Road Extension	Council seek clarification from Crown Lands for any exemptions available regarding vegetation management when transferring Crown Land for the purpose of constructing access roads.	MDES	Letter to Crown Lands Office sent.
8	28/09/2017	283/2017	Medical Centre	The General Manager in consultation with PHN proceeds to recruit & engage a second doctor for the BSMC.	GM	PHN engaged to do recruitment.
9	28/09/2017	285/2017	Australia Day Awards	Council advertises for two community members to be part of the Committee to evaluate the merit of nominations.	MP&C	Council advertised for two community members in the Council Column and via a Public Notice in the Nyngan Observer (4 October edition). Closing date for expressions of interest was Monday 16 October 2017.

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10	28/09/2017	299/2017	New Cemetery Entrance Design Proposal	The general specifications for the design of the cemetery entrance be presented to Council prior to advertising for community comment on design options.	MDES	Report refers.
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It was **MOVED** that Council be provided with a more detailed quote for the Seniors Living Rental Units. **(Jackson/Douglas)**

The **MOTION** was **PUT** to Council and **LOST**.

318/2017 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.
(Boag/Deacon)

Council adjourned for morning tea at 10.30am and resumed at 10.50am.

2 PECUNIARY INTEREST REGISTER

Summary:

Tabling of the Pecuniary Interest Register is a requirement under Section 450A of the Local Government Act.

319/2017 RESOLVED that the Pecuniary Interest Register be received and noted.
(Ryan/Dutton)

3 CHRISTMAS – NEW YEAR CLOSURE

Summary:

- *The purpose of this report is to obtain Council’s approval for the closure of Council offices over the Christmas/New Year holiday period.*
- *As a long-established practice in common with other Councils, Bogan Shire Council has closed its Council offices between Christmas and New Year.*
- *Following the past practice, this would mean that the Shire offices would be closed for what would otherwise be normal working days on Wednesday, Thursday and Friday 27, 28 and 29 December 2017.*

320/2017 RESOLVED that in addition to the public holidays over the Christmas / New Year period, Council closes the Shire Offices on 27, 28 and 29 December 2017 and advises the community accordingly. **(Ryan/Neill)**

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4 DECEMBER / JANUARY RECESS

Summary:

- *The purpose of this report is for Council to consider the option of going into recess during December / January.*
- *Council has in the recent past not held an Ordinary Monthly Meeting in January.*
- *It is common for Councils to go into recess over the holiday season.*

321/2017 RESOLVED that:-

1. Council goes into recess from 22 December 2017 until 31 January 2018 and consequently does not have an Ordinary Meeting during January 2018.
2. Pursuant to and subject to the limitations of Section 377 of the Local Government Act, Council grants authority to the Mayor, Deputy Mayor and General Manager with Councillors to be contacted if practical, to make decisions on behalf of Council during this recess period.
3. Any such decisions are to be reported to the Council at its first meeting in 2018.
(Boag/Neill)

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

1 LIBRARY REPORT

Summary:-

The purpose of this report is to provide Council with information both statistical and informative in regards to the Library's function.

322/2017 RESOLVED that the Library Report 1 July 2017 to 30 September 2017 be received and noted. **(Ryan/Boag)**

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

1 BANK RECONCILIATION

Summary:-

The report is to present the reconciliation of Council's Cash Book, Bank Statements and Ledger Bank Account as at 30 September 2017.

323/2017 RESOLVED that the Bank Reconciliation Report as at 30 September 2017 be received and noted. **(Boag/Deacon)**

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2 INVESTMENTS September 2017

Summary:-

- *The report is to outline the performance of Council's Investment Portfolio for the month of September 2017.*
- *At 30 September 2017 Council had \$11.3 million invested. There has been a decrease of \$1.1 million due to large contractor payments made for the Water Security Project, a number of plant purchases and general creditor payments. Council has also conducted a large amount of flood damage works for which grant money has not yet been received.*

324/2017 RESOLVED that the Investments Report as at 30 September 2017 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 30 September 2017, with the same period last year.*
- *Total arrears have increased from \$279,406 as at 30 September 2016 to \$332,766 at 30 September this year.*

325/2017 RESOLVED that the Rates and Annual Charges Collection Report as at 30 September 2017 be received and noted. **(Dutton/Douglas)**

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4 FIRST QUARTER 2017/2018 BUDGET REVIEW

Summary:-

- *This report is to review actual performance against budget for the first three months of the 2017/18 financial year up to 30 September 2017.*
- *To adjust the budget in response to changes in the financial landscape and changes to Council's corporate goals.*

326/2017 RESOLVED that Council:-

1. Note the report on Actual compared to Budget for the quarter ended 30 September 2017.
2. Adopt the adjustments to the 2017/2018 budget as shown in the Budget Review Statement at Appendix A to this report.
3. Presents the 2016/2017 Annual Financial Statements to the public at the Council Meeting 23 November 2017, in accordance with Section 418 of the Local Government Act and advertises this meeting in the local newspaper.

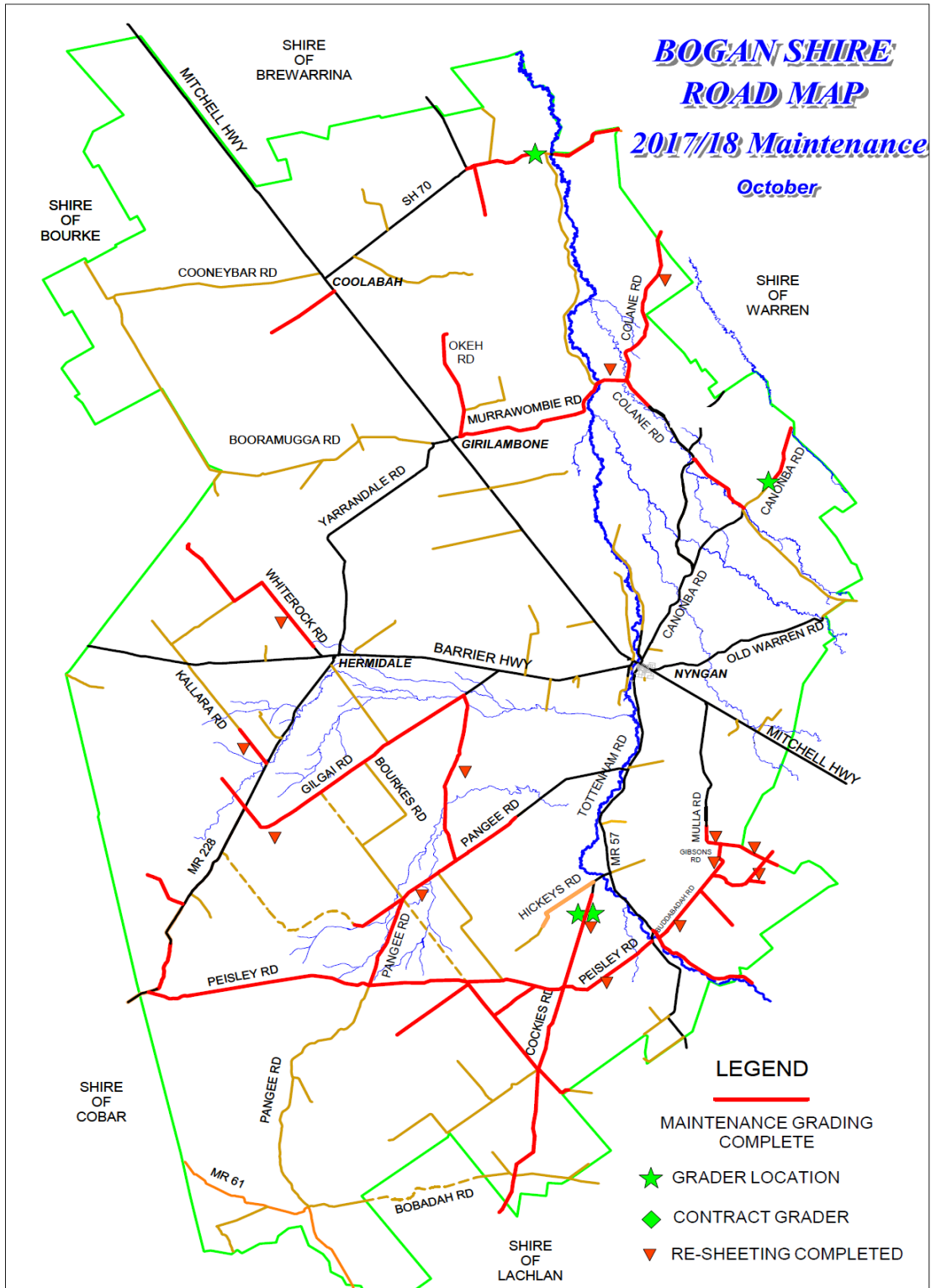
(Ryan/ Deacon)

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

1 OPERATIONAL REPORT

327/2017 RESOLVED that the Operational Report for the reporting period 18 September 2017 to 13 October 2017 be received and noted. **(Boag/Elias)**

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

1 DEVELOPMENT APPLICATIONS

328/2017 RESOLVED that the Development Applications Report since the September 2017 Council Meeting be received and noted. **(Ryan/Deacon)**

2 OPERATIONAL REPORTS

329/2017 RESOLVED that Operational Report including Parks and Gardens and Noxious Weeds Officer since the September 2017 Council Meeting be received and noted. **(Dutton/Neill)**

3 NEW CEMETERY ENTRANCE – GENERAL SPECIFICATIONS FOR COMMUNITY CONSULTATION

Summary:-

The report is submitted for Council to consider the design criteria for the new entrance to the Nyngan Cemetery prior to seeking community comment in accordance with Resolution 229/2017.

330/2017 RESOLVED that:-

1. The replacement shall be of solid brick, steel, concrete or masonry construction, or combination of these materials;
2. The replacement shall be no greater than 10 metres in length (5 metres each side of driveway);
3. The replacement shall be no higher than 2 metres;
4. The replacement shall be considerate to the immediate area and Nyngan township;
5. The replacement shall not exceed an overall construction cost of \$20,000 which includes labour and materials; and
6. Council seek community input into the design. **(Douglas/Jackson)**

4 KEEPING OF ANIMALS POLICY – ORDERS

Summary:-

The purpose of this report is to seek Council's confirmation on the content and standards included in the Keeping of Animals Policy – Orders first adopted by Council on 28 June 2012 and revised on 26 September 2014.

331/2017 RESOLVED that Policy DES003 Bogan Shire Keeping of Animals Policy – Orders remain unchanged and be placed on public exhibition for a period of 28 days. **(Ryan/Neill)**

Other matters:

Parks and Garden Team – winners of the rose section at the CWA local flower competition.

332/2017 RESOLVED that Council acknowledge the Parks and Gardens Team work. **(Ryan/Boag)**

Burnt out house - Pangee Street – to be demolished within the next couple of weeks.

PRECIS OF CORRESPONDENCE

1 LACHLAN ROSS – AYR

333/2017 RESOLVED that the *thank you* note received from Lachlan Ross for the consideration, planning and construction of the School Bus Stop on the Mitchell Highway at Priors Road be received and noted. **(Neill/Deacon)**

Items 2 and 3 were discussed together.

2 COMMUNITY AFFAIRS MANAGER – NBN

Email received from Ian Scott, Community Affairs Manager, NBN advising Council that the Early Learning Centre will be included in the Fibre to the Node (FTTN) boundary, without altering the fixed line footprint otherwise.

3 MINISTER FOR REGIONAL COMMUNICATIONS

Reply to Council's letter from Senator the Hon Fiona Nash, Minister for Regional Communications regarding the National Broadband Network rollout to Nyngan.

334/2017 RESOLVED that Council write to local Federal Member, Mark Coulton MP concerning Council's ongoing concerns with the NBN roll out to Nyngan. **(Douglas/Jackson)**

4 KYLIE ARMSTRONG – INDEPENDENT SENEENCE & LIPSENSE DISTRIBUTOR

An email received from Kylie Armstrong, Independent Senegence & Lipsense Distributor hoping Council will support markets as an ongoing event throughout the year, which she is willing to co-ordinate.

335/2017 RESOLVED that Council permit one market to be held per calendar month at locations under Council's control commencing January 2018. **(Ryan/Douglas)**

5 NATIONAL ASSOCIATION FOR LOSS & GRIEF INC

336/2017 RESOLVED that the Mayor and General Manager make e

nquiries regarding the proposed healing ceremony to be held on 9 November 2017 at Hermidale. (Boag/Dutton)

6 WEEKLY CIRCULARS

337/2017 RESOLVED that the Local Government Weekly Circulars be noted. (Ryan/Neill)

Other matters:

Investigate:-

- Updating of Christmas decorations for Pangee Street – November Council Meeting.
- More chairs in Pangee Street (both sides) / cycle path / hospital grounds – report on costs and locations – November Council Meeting – to consider in next year’s review.

338/2017 RESOLVED that Council remove the old garbage bin frames at the following locations:-

- Dr Chan’s
- Local Aboriginal Land Council
- Cycleway under the
- bridge on the town side. (Elias/Jackson)

339/2017 RESOLVED that Council investigate if the extension of the canteen at Larkin Oval would meet the criteria for applying for a Community Infrastructure Grant. (Ryan/Boag)



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Professional Development and Training for Councillors – to be held at the Cobar Shire Council Wednesday 29 November 2017. Organised by Cobar Shire Council and Office of Local Government.

December Council Meeting to be held Thursday 21 December 2017 followed by the Christmas Party.

Carols in Park to be held Sunday 10 December – Davidson Park.

There being no further business the meeting closed at 12.15pm.

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

