



BOGAN SHIRE COUNCIL

Minutes

25 October 2018

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 25 October 2018 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), Mrs Debb Wood (Manager People and Community Services), Mrs Stephanie Waterhouse (Manager Finance and Corporate), Mr Alister Quarmbly (Acting Manager Engineering Services), Mr Tony Payne (Manager Development and Environmental Services) and Mrs Cathy Ellison (Executive Assistant).

DECLARATION OF INTEREST: Councillor Neill – Drought Communities Program. Item 5, Manager People and Community Services Report.

333//2018 RESOLVED that the Minutes of the Ordinary Meeting of Council held of 27 September 2018, 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, 25 October 2018.

327/2018 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 it is information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. **(Neill / Boag)**

328/2018 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 27 September 2018, copies of which have been circularised to Councillors be taken as read and confirmed. **(Elias/Deacon)**

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329/2018 RESOLVED that Council support the Western Rivers Veterinary Group request for a 12 month freeze on monthly loan repayments for land at Lawlor Street. **(Ryan/Jackson)**

330/2018 RESOLVED that the request to support a subsidised microchipping /desexing /vaccination program be deferred until more information is obtained. **(Ryan/Boag)**

331/2018 RESOLVED that Council accept the tender of GCM Agencies Pty Ltd for a Multipac 524H Multi Tyred Roller for the amount of \$135,000 with a trade in of plant No.723 for the amount of \$22,000 giving a changeover cost to Council of \$113,000. **(Jackson/Elias)**

332/2018 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into Open Council. **(Deacon/Dutton)**

COMMITTEE MEETING MINUTES

1 NYNGAN MUSEUM

334/2018 RESOLVED that the Minutes and Treasurer's Report of the Nyngan Museum Meeting held at the Nyngan Museum on Wednesday 3 October 2018 be received and noted. **(Neill/Dutton)**

2 OROC ANNUAL GENERAL MEETING

335/2018 RESOLVED that the Minutes of the Annual General Meeting of OROC held at the Coonamble Shire Council on Friday 7 September 2018 be received and noted. **(Boag/Jackson)**

3 OROC BOARD MEETING

336/2018 RESOLVED that the Minutes of the OROC Board Meeting held at the Coonamble Shire Council on Friday 7 September 2018 be received and noted. **(Neill/Ryan)**

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4 ORANA JOINT ORGANISATION MEETING

337/2018 RESOLVED that the Minutes of the Orana Joint Organisation Meeting held at the Narromine Shire Council on Tuesday 2 October 2018 be received and noted. **(Douglas/Elias)**

Other matters:

LGNSW Conference – Councillors Neill, Elias and Jackson and the General Manager provided an overview of the recently attended Conference in Albury.

Night at the Museum – appreciation be extended to all staff involved in organising and hosting the event.

338/2018 RESOLVED that a tree be plant in Heritage Park to commemorate Remembrance Day 2018, being 100 years since the end of World War I. **(Neill/Boag)**

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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	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. Building Better Regions Grant Program identified as a match for this project. Application under Stronger Country Communities successful. Awaiting funding Deed.

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2	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	Recruitment agencies engaged to source locum / permanent second doctor. Second Locums secured until 30/06/2019. Continuing to explore resourcing options with LHD.
3	21/12/2017	392/2017	Increase of train speed through Nyngan	Strong letter of concern & a request to address Council be send to the relevant rail authorities & a copy to local member.	GM	Letter sent to Minister for Transport & Infrastructure, with copy to Kevin Humphries. Minister has now forwarded the letter onto the Minister for Roads, Maritime and Freight, the Hon Melinda Pavey MP.
	21/06/2018	293/2018		Council seek further follow up from the responsible Minister, reiterating Council's safety concerns for pedestrians & road users due to the nature of the crossing & variation of speeds &	MES	Further letter sent 12 July 2018.

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				that the best control measures would be to erect flashing lights at the Hoskins Street Crossing.		
4	21/12/2017	421/2017	New Cemetery Entrance Design	Council approve the design presented with changes to the steel column on the right hand side to delete the wheat sheaf & replace with a cow's head and sheep's head.	MDES	Sign has been constructed and installed. Roadway is complete. Brickwork to columns required to finalise works.
5	24/05/2018	165/2018	Heavy Vehicle Inspection Shed	An urgent letter be sent to the Minister for Transport strongly objecting to the way vehicle inspections are being carried at Nyngan HVIS. Copy of letter to Kevin Humphries.	MES	Letter has been forwarded. Response received. Refer to Precis.

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6	21/06/2018	186/2018	Oatley Street Sewer Reticulation System	Council undertakes community consultation via survey to Oatley Streets residents concerning this request.	MES	In progress. Letters sent to residents 11 July 2018. 47 letters sent, 7 responded No, 9 Yes (2 depending on cost). Progressing with design and cost estimates for a full report to Council.
7	21/06/2018	187/2018	Labourer's Position	Two of Council's grader gangs be consolidated to work together so that one position of offsider be removed from rural works & transferred to civil works to achieve budget savings.	MES	In progress – investigating implications. Two graders working towards each other to begin trial. Trial in progress.
8	27/09/2018	290/2018	Fuel at Nyngan Airport	Council investigate if there are any fuel companies interested in supply fuel at the Nyngan Airport and Council Depot.	MES	In Progress.

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9	27/09/2018	291/2018	Q Fever Vaccination	Council make an urgent approach to the Federal & State members on behalf of the community to consider making the Q Fever Vaccination available on the PBS listing.	MPC	Letter sent.
10	27/09/2018	294/2018	Nyngan / Cobar Water Security Project	Council pursue the necessary processes to secure funding for the construction of a second off-river storage & an allocation to fill the completed off-river storage.	MES	In Progress.
11	27/09/2018	312/2018	Wool Loading Ramp Repairs	Council approach John Holland to discuss maintenance of the disused wool loading ramp.	MES	In Progress.

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12	27/09/2018	313/2018	Reuse of Larkin Oval Lighting	<p>1.Call for EOI from local organisations wishing to use the lights.</p> <p>2.Relocate two lights to Flood Memorial Carpark, provided it can be done within the existing budget.</p> <p>3.Make a direct approach to schools if interested in using the lights.</p>	MES	In Progress.
13	27/09/2018	316/2018	Palais Theatre	<p>Council commission an architect to develop options for the replacement or renovation of the Palais Theatre.</p>	GM	Report to Council refers.

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14	27/09/2018	317/2018	Palais Theatre	Investigate costs associated with the demolition of the Palais Theatre.	MDES	Initial costings are projected at \$150,000.
				Investigate options for ensuring public safety in relation to the presses metal tiles located over the road reserve, which could include the fencing of the site or removal of the tiles.		Investigations under way regarding location of site fencing to restrict public access below hazardous tiles.
				Following selection of options & places, detailed costings be obtained to facilitate a grant application for a new structure.		Awaiting report from Architect.
				The General Manager be authorised to incur necessary costs in relation to a budget review at the next review.	GM	In progress.

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15	27/09/2018	323/2018	NSW Rural Fire Services	Council express extreme concern about the cost of the toilet at Girilambone & ask that to be advised of the number of members at Girilambone.	MES	In progress.
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339/2018 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Boag/Elias)**

2 PALAIS THEATRE

Summary:-

This report is to present options in respect of the future of the Palais Theatre for Council’s consideration.

340/2018 RESOLVED that Council agrees to reconstruction of the Palais Theatre and considers options for this including retaining the façade or not. **(Neill/Douglas)**
Unanimous

341/2018 RESOLVED that the General Manger proceed with the engagement of an architect to further develop reconstruction options including the design development stage of the project for further consultation and consideration. **(Douglas/Dutton)**

342/2018 RESOLVED that the General Manger be authorised to incur expenditure relating to the associated design fees with a budget adjustment being made at the next budget review. **(Douglas/Dutton)**

343/2018 RESOLVED that:-

1. A flyer be sent to all residents and ratepayers explaining Council’s decisions, the options facing Council and that reconstruction of the Palais Theatre depends entirely on Government funding being received.
2. The flyer include a section to allow for feedback on Council’s decision, setting out all available options, with a specific return date and provision for the respondent’s signature. **(Neill/Dutton) Unanimous**

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Councillor Dutton now gave a Welcome to Country.

At 10.15am, Orana Arts representatives, Executive Director Alicia Leggett and Portia Lindsay address Council and presented a power point presentation on Orana Arts in the region.

At 10.35am Council adjourned for morning tea and resumed at 11.00am.

3 PECUNIARY INTEREST RETURNS

Summary:

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

344/2018 RESOLVED that the Pecuniary Interest Register in respect of the period 1 July 2017 to 30 June 2018 be received and noted. **(Ryan/Neill)**

4 BOGAN SHIRE COUNCIL DROUGHT APPEAL FUND

Summary:-

The purpose of this report is to brief Council on the status of the Bogan Shire Council Drought Appeal Fund.

345/2018 RESOLVED that:-

1. The Bogan Shire Drought Appeal Fund Report be received and noted.
2. Council endorses the decision of the Bogan Shire Council Drought Appeal Fund Committee to provide assistance in the amount of \$4,500.00 for the period 24 September 2018 to 15 October 2018. **(Ryan/Dutton)**

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

Mayor and Councillors

The following report is submitted for consideration:-

1 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.

346/2018 RESOLVED that the Early Learning Centre Report as at October 2018 be received and noted. **(Boag/Jackson)**

2 BOGAN BUSH MOBILE – TERM 2 REPORT

Summary:-

The purpose of this report is to advise Council on the Term 3 activities of the Bogan Bush Mobile service.

347/2018 RESOLVED that the Bogan Bush Mobile Term 3, 2018 Report be received and noted. **(Neill/Ryan)**

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3 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.

348/2018 RESOLVED that the Library Report for the reporting period 1 July 2018 to 30 September 2018 be received and noted. **(Jackson/Elias)**

4 NYNGAN SHOW DAY

Summary:-

This report recommends a request to the Minister for Industrial Relations for a public holiday from 12 noon on Monday 20 May 2019 for the Nyngan Show.

349/2018 RESOLVED that Council apply to the Minister for Industrial Relations for the declaration, under the *Public Holidays Act 2010*, of a local public holiday for the Bogan Shire Council Local Government area from 12 noon on Monday 20 May 2019. **(Ryan/Douglas)**

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

5 DROUGHT COMMUNITIES PROGRAM

Summary:-

The purpose of this report is to provide information to Council on funding from the Drought Communities Program and for Council’s consideration of eligible projects.

350/2018 RESOLVED that:-:

Council considers and determines which eligible activities and/or projects to submit for funding under the Drought Communities Program. **(Boag/Deacon) Unanimous**

Projects prioritised in order to submit for funding:-

No.	Project	Estimated Cost
1	Larkin Oval – improvements to canteen/announcer box	\$350,000
2	Pool – entry/façade refurbishment	\$65,000
3	Wye Pavilion – restoration	\$30,000
4	Inspection and rectification of CBD awnings, painting of shopfronts, including Post Office	\$250,000
5	Pool – amenities upgrade	\$50,000
6	Pool – Children’s Splash Play and half Basketball Court	\$250,000
7	Coolabah Hall	\$100,000
8	Gravel re-sheeting	\$250,000
9	Town Hall – kitchen	\$60,000
10	Nyngan Historical Structures	\$50,000

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351/2018 **RESOLVED** that the General Manager applies for funding under the Drought Communities Program for the specified projects. **(Boag/Deacon)**

Councillor Neill returned to the room.

An update on the current appointment waiting times at the Bogan Shire Medical Centre was provided to Council.

Dr Hanley	1 week
Dr Lockey	3 days
NHS Locum	on the day.

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

1 INVESTMENTS SEPTEMBER 2018

Summary:-

- *The report is to outline the performance of Council's Investment Portfolio for the month of September 2018.*
- *At 30 September 2018 Council had \$12.8 million invested. There has been a decrease of \$641,000 due to the payments for the Water Storage Facility and claims not being received and various Capital plant purchases.*

352/2018 RESOLVED that the Investments Report for the month of September 2018 be received and noted. **(Douglas/Boag)**

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

- This report is to provide a comparison of rate collections as at 30 September 2018, with the same period last year.
- Total arrears have decreased from \$467,344 at 30 September 2017 to \$396,048 as at 30 September this year.

353/2018 RESOLVED that the Rates and Annual Charges Collection Report for the month of September 2018 be received and noted. **(Ryan/Neill)**

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3 FIRST QUARTER 2018/2019 BUDGET REVIEW

Summary:-

This report is to:-

- 1. Review actual performance against budget for the first three months of the 2018/19 financial year up to 30 September 2018.*
- 2. Adjust the budget in response to changes in the financial landscape and changes to Council's corporate goals.*

354/2018 RESOLVED that:-

1. Council note the report on Actual compared to Budget for the quarter ended 30 September 2018.
2. Council adopt the adjustments to the 2018/2019 budget as shown in the Budget Review Statement at Appendix A to this report.
3. Appreciation be extended to the staff involved in preparing the Budget Review.
(Ryan/Neill)

4 COBAR WATER BOARD – APC ACCESS CHARGE

Summary:-

This report is to table a letter received from the Cobar Water Board asking for a review by Council on increases for the Albert Priest Channel Water Access Charge.

355/2018 RESOLVED that Council provide details of the access charge for last three years as requested, and advise why this significant increase is necessary.
(Douglas/Ryan)

Councillor Dutton now left the meeting 12.05pm.

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5 FINANCIAL AND AUDIT REPORT

Summary:-

A requirement of the Local Government Act Council must formally set the presentation date for the Financial and Audit Report.

356/2018 RESOLVED that the meeting date for presentation of the Financial and Audit Report to the public be Thursday 22 November 2018 at 12 noon. **(Neill/Ryan)**

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

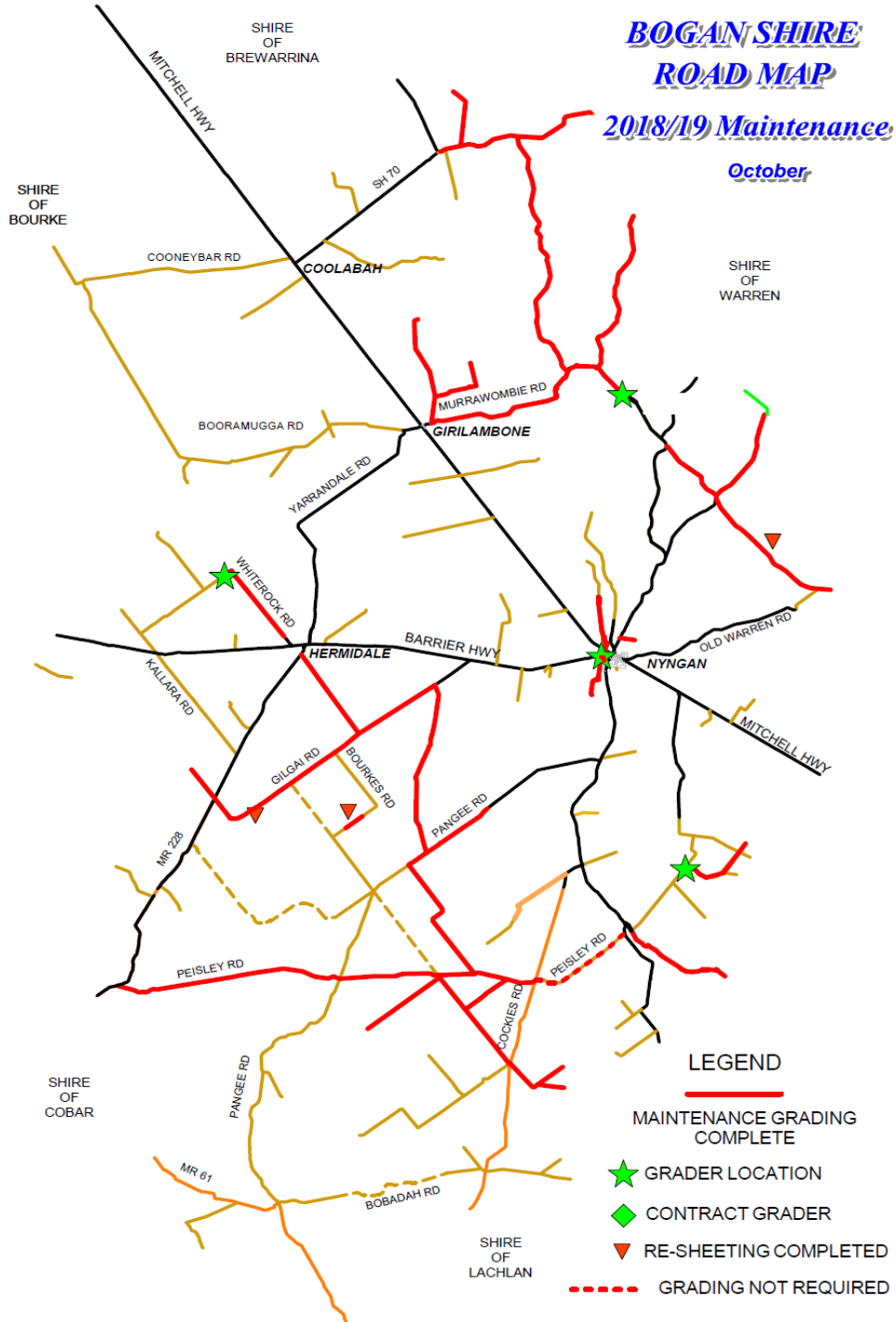
1 OPERATIONAL REPORT

357/2018 RESOLVED that the Operational Report, including Civil Works, Community Facilities and Roads for the reporting period 21 September 2018 to 12 October 2018 be received and noted. **(Neill/Ryan)**

Managers will be visiting the villages on 27 November 2018.

An update on rural addressing will be provided at this meeting.

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Council adjourned for lunch at 12.10pm and resumed the meeting at 1.55pm.

Councillor Douglas and Councillor Neill left the meeting at lunch time.

During the lunch break Councillors and staff attended the unveiling of the Roy Davis Jacaranda Corridor Plaque by Mrs Judy Davis.

The Early Learning Centre hosted lunch to celebrate National Children's Week.

Appreciation was extended to the Early Learning Centre for having Council be part of National Children's Week.

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**REPORTS TO ORDINARY MEETING OF COUNCIL - MANAGER OF
DEVELOPMENT & ENVIRONMENTAL SERVICES REPORT**

1 DEVELOPMENT APPLICATIONS

358/2018 RESOLVED that the Development Applications Report since September 2018 Council Meeting be received and noted. **(Jackson/Boag)**

2 OPERATIONAL REPORTS

359/2018 RESOLVED that the Operational Report including Parks and Gardens since the September 2018 Council meeting be received and noted. **(Deacon/Elias)**

PRECIS OF CORRESPONDENCE

1 WESTERN STUDIO OF PERFORMING ARTS

360/2018 RESOLVED that the correspondence received from the Western Studio of Performing Arts advising of a donation of \$150.00 to the Booklink Program be received and noted and a thank you letter be forwarded. **(Ryan/Boag)**

2 NYNGAN RSL CLUB

361/2018 RESOLVED that Council provide the portable toilets to the Nyngan RSL Club, free of charge for the Fight Night on 3 November 2018. **(Jackson/Deacon)**

3 NYNGAN SHOW SOCIETY

362/2018 RESOLVED that the Nyngan Show Society be advised that the concreting of the floor in the photography room at the Wye Pavilion will be included in a grant application for funding from the Government's Drought Communities Program. **(Ryan/Boag)**

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4 KEITH WHITE

363/2018 RESOLVED that Mr Keith White be advised that fencing, a tablet explaining historical importance of the Chinese portion of the Cemetery and covering of the fenced area with crushed aggregate will be included in a grant application for funding from the Government's Drought Communities Program. **(Ryan/Boag)**

5 KEITH WHITE

364/2018 RESOLVED that Mr Keith White be advised that the replacement of the doors of the old Fire Station will be included in a grant application for funding from the Government's Drought Communities Program. **(Ryan/Boag)**

6 THE HONOURABLE DAVID ELLIOTT MP

365/2018 RESOLVED that the correspondence received from The Honourable David Elliot MP, Minister for Veteran Affairs asking for support to encourage the community to stop and pause for reflection at 11.00am on Sunday 11 November 2018, for one minute to remember the veterans be received and noted. **(Elias/Boag)**

7 THE FUTURE OF OUR PEOPLE

366/2018 RESOLVED that Council support the petition received from the Director of the Future of our People requesting Council to assist in obtaining 10,000 signatures to lodge into NSW Parliament. The petition is Bridgeing-ing the Gap-Campaign to have the Indigenous Australian Flag placed on the Harbour Bridge. **(Ryan/Jackson)**

**8 NSW GOVERNMENT KEVIN ANDERSON MP PARLIAMENTARY
SECRETARY FOR REGIONAL ROADS, MARITIME AND TRANSPORT**

367/2018 RECEIVED that the correspondence received from Kevin Anderson MP Parliament Secretary on behalf of the Minister for Transport and Infrastructure in response to Council's letter concerning the way vehicles inspections are being carried out at Nyngan HVIS be received and noted. **(Ryan/Elias)**

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9 NYNGAN HIGH SCHOOL

368/2018 RESOLVED that Council supply the metal and piping to the students of the Nyngan High School delegation to China for recycling as a fundraising activity. **(Elias/Boag)**

10 THE COUNCIL OF THE SHIRE OF BOURKE

369/2018 RESOLVED that the Mayor, Deputy Mayor and General Manager attend the 2019 Western Division of Councils Annual Conference being held on 24 to 26 February 2019 at Bourke for one day only. **(Ryan/Boag)**

11 REGIONAL DEVELOPMENT AUSTRALIA

370/2018 RESOLVED that Council supports the proposed DAMA (Designated Area Migration Agreement) for RDA Orana subject to the provision of appropriate safeguards relating to the protection of Australian workers, commitment to developing local workers and there being no relaxation in the skills required to undertake the occupants listed in the attachment to RDA Orana's correspondence. **(Ryan/Boag)**

12 WEEKLY CIRCULARS

371/2018 RESOLVED that Weekly Circulars dated 21 September 2018, 28 September 2018, 5 October 2018 and 12 October 2018 be received and noted. **(Boag/Elias).**



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Other matters:

372/2018 RESOLVED that the December Council Meeting be held on Thursday 13 December 2018. **(Ryan/Elias)**

There being no further business the Meeting closed at 2.10pm.

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

