



BOGAN SHIRE COUNCIL

Minutes

28 July 2016

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 28 July 2016 at 9.30am**

PRESENT: Councillors JE Hampstead OAM, (in the Chair), WG Deacon, JL Douglas, HJ Griffiths, EM McLaughlin, GRJ Neill and KM Ryan.

Also present were Mr Derek Francis (General Manager), Mr Graeme Bourke (Manager of Engineering Services), Mr 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

265/2016 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 23 June 2016, copies of which have been circularised to Councillors be taken as read and confirmed. **(Griffiths/Douglas)**

Business arising from the Minutes:

- Removal of trees and bollards – Cobar Street

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting on 28 July 2016.

257/2016 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 (d) (i) as involving commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. **(Ryan/Griffiths)**

258/2016 APOLOGY: RESOLVED that the apology received from Councillor RL Donald OAM be received and he be granted leave of absence from both meetings. **(Griffiths/McLaughlin)**

259/2016 RESOLVED that the Minutes of the Closed and Confidential Meeting of Council held on 23 June 2016, copies of which have been circularised to Councillors be taken as read and confirmed. **(McLaughlin/Griffiths)**

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260/2016 RESOLVED that Council delegates authority to the Mayor, or in his absence the Deputy Mayor, and to the General Manager to negotiate key elements of the proposed Voluntary Planning Agreement with EMC Metals Ltd in the best interests of Council and to sign the Agreement on Council's behalf. **(Ryan/Douglas)**

261/2016 RESOLVED that the tenders for Gravel Haulage Services to Council for the period to 30 June 2017 be accepted as submitted to form a panel of contracts, to be selected in Council's best advantage, subject to availability of the plant and operators meeting Council's requirements. **(Ryan/McLaughlin)**

262/2016 RESOLVED that the tenders for the provision of Crushing Road Base Services to Council for the period to 30 June 2017, be accepted as submitted to form a panel of contracts, with the tender received from Calvani Crushing not be accepted due to them not meeting Council's requirements in previous years, and with the other tenders to be selected in Council's best advantage, subject to availability, of the plant and operators meeting Council's requirements. **(Ryan/McLaughlin)**

263/2016 RESOLVED that the tenders for the hire of plant for the period to 30 June 2017 be accepted as submitted to form a panel of contracts, to be selected in Council's best advantage, subject to availability of the plant and operators meeting Council's requirements. **(Griffiths/Deacon)**

264/2016 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into Open Council. **(Ryan/Douglas)**

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COMMITTEE MEETING MINUTES

1 NYNGAN MUSEUM

266/2016 RESOLVED that the Minutes of the Museum Committee Meeting held on 30 June 2016 be received and noted. **(Griffiths/Douglas)**

REPORT TO ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

1 SIGNS AT OVALS AND PARKS

Summary:-

Larkin Oval, Frank Smith Oval, O'Reilly Park and Davidson Park have all been named after prominent former Nyngan residents and sportsmen, and are the main ovals and parks in Nyngan.

267/2016 RESOLVED that the General Manager investigate the history of the former Nyngan residents and sportsmen, after whom parks and sportfields are named (Larkin, Smith, O'Reilly, Davidson and Vanges) with a suggested wording and cost for signage. **(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. Sign layout currently being finalised.
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	NHS hopes to be able to do so in October 2016.
				Dump point be relocated to Flood Memorial Car Park.	MDES	Yet to be scheduled.
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. Refer to item 1.
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	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.
8	23/07/2015	269/2015	O'Reilly Park Toilet Facility Upgrade	Upgrades to toilet facility, an access way, ramp and handrail.	MDES	Accessway & ramp completed. Handbasin relocated. Door & door jamb ordered & to be installed within the next two weeks.
9	24/09/2015	377/2015	Baby Change Tables	Baby Change Tables be made available in O'Reilly Park & Davidson Park.	MDES	Baby Change Stations have been delivered & will be installed within the next two weeks. Ramp handrail to be designed, constructed & installed within the next two week. Davidson Park & O'Reilly Park installs to be completed in conjunction with facility upgrade – First Quarter 2016/17.

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10	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.
11	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	Ongoing.
	23/06/16	245/2016		Council forward a copy of the Manager of Corporate Services letter to the Minister of Sport to the Minister for Finance, Services & Property & the Department of Fair Trading.		

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12	26/11/2015	454/2015	Tree Risk Assessment – Town Streets	<p>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.</p> <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>	MDES	Ongoing as budget permits.
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				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.		
13	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	Consultant briefed to undertake modelling.
14	25/02/2016	022/2016	Bogan Bush Mobile	Delegation is planned to meet with Minister.	GM	Awaiting notification from Mark Coulton regarding suitable date.

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15	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.
16	24/03/2016	078/2016	Bicentennial Wall & Ceramic Mural	Be reinstated.	MDES	<p>On-site meeting held with Insurance Representative.</p> <p>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.</p> <p>Unfortunately this is likely to mean having all the tiles remade.</p> <p>Quotations sent to Insurers concerned.</p>

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17	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.
18	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.
19	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	Report to August Council Meeting.
20	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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Council adjourned for morning tea at 10.30am after item 10, and resumed at 11.00am.

268/2016 RESOLVED that the General Manager request a meeting with the Local Area Commander to discuss Police presence at the recent Duck Creek Races and for future Race Meetings. **(Neill/Ryan)**

269/2016 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as "Completed" be removed from the checklist. **(Ryan/Neill)**

2 LONG SERVICE LEAVE

Summary:-

- *This report is to make a recommendation concerning the salary sacrifice of a portion of accrued long service leave for eligible employees.*
- *A recent amendment to the Local Government (State) 2014 Award now provides for employees to potentially salary sacrifice a portion of their accrued long service leave into their Superannuation Funds.*

270/2016 RESOLVED that Council supports, in principle, the option for eligible employees to salary sacrifice a portion of their accrued long service leave into their superannuation fund. **(Ryan/Griffiths)**

REPORT TO THE ORDINARY MEETING OF COUNCIL – COMMUNITY SERVICES

1 BOGAN SHIRE EARLY LEARNING CENTRE

Summary:-

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

271/2016 RESOLVED that the Early Learning Centre report be received and noted.
(Griffiths/McLaughlin)

Council to be provided with a Financial Statement comparing cost to income at the next Council Meeting.

2 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.

272/2016 RESOLVED that the Library Report be received and noted.
(Griffiths/Deacon)

3 BOGAN SHIRE MEDICAL CENTRE – REQUEST FOR PROPOSAL

Summary:-

The purpose of this report is for Council to approve the attached Request for Proposal (RFP) document for selecting a Practice Management Organisation to operate the Bogan Shire Medical Centre.

273/2016 RESOLVED that:-

1 Council :-

1. Approves the Request for Proposal pro-forma.
2. Calls for proposals for the management of the Bogan Shire Medical Centre from:-
 - a. Rural and Remote Medical Services (RaRMS);
 - b. Ochre Health;
 - c. Marathon Health; and
 - d. Coonamble Aboriginal Health Service (CAHS).
3. Advertises the Request for Proposal via a public notice in the Daily Liberal newspaper in Dubbo.

2 The panel required to undertake the shortlisting of applicants be:-

1. The Mayor and Deputy Mayor;
2. General Manager, Bogan Shire Council;
3. Manager People and Culture, Bogan Shire Council;
4. Alanna McHugh, Community and Economic Development Consultant; and
5. Sonya Berryman, Primary Care Manager (Dubbo), Western NSW Primary Health Network.

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3 The Appointment Period read as follows:-

The successful applicant organisation will be offered an appointment to manage and operate the BSMC for six years with the opportunity for this to be extended for an additional six years, upon satisfactory delivery of health services to the local community. The successful applicant organisation will be required to enter into an agreement with the Bogan Shire Council.

(Ryan/Neill)

4 RECRUITMENT AND SELECTION POLICY

Summary:-

The purpose of this report is to recommend to Council a Recruitment and Selection Policy for consideration and adoption.

274/2016 RESOLVED that Council adopts the Bogan Shire Council Policy: HR007 – Recruitment and Selection Policy. **(Ryan/Neill)**

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 30 June 2016.

275/2016 RESOLVED that the Bank Reconciliation Report as at 30 June 2016 be received and noted. **(Douglas/Griffiths)**

2 INVESTMENTS June 2016

Summary:-

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

At the 30 June 2016 Council had \$8.3 million invested. There has been a decrease to Council's investments since the May 2016 report due to large accounts being paid for road expenditure, construction of medical centre and accounts relating to the waste and recycling facility.

276/2016 RESOLVED that the Investments Report for June 2016 be received and noted. **(McLaughlin/Griffiths)**

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

The report is to provide a comparison of rate collections as at 30 June, 2016, with the same period last year.

Total arrears have decreased from \$348,454 at the 30 June 2015 to \$305,902 as at 30 June this year.

277/2016 RESOLVED that the Rates and Annual Charges Collection Report be received and noted. **(Neill/McLaughlin)**

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278/2016 RESOLVED that Council consider the late item of correspondence.
(Ryan/Douglas)

**SUPPLEMENTARY REPORT TO ORDINARY MEETING OF COUNCIL –
CORPORATE SERVICES**

4 COUNCIL PHONE SYSTEM UPGRADE

Summary:-

Council is required to update their phone system due to the current system reaching end of life.

279/2016 RESOLVED that:-

1. Council purchase the new phone system outright at a cost of \$35,312.
2. Savings identified from the RFS contributions of \$33,500 be used to fund this.
(Ryan/Deacon)

REPORT TO ORDINARY MEETING OF COUNCIL – ENGINEERING SERVICES

1 OPERATIONAL REPORT

280/2016 RESOLVED that the Operational Report, including Civil Works, Community Facilities and Roads for the reporting period 13 June 2016 and 15 July 2016 be received and noted.

2 NSW GRAIN HARVEST MANAGEMENT SCHEME

Summary:-

- *The purpose of this report is to advise Council of a request to continue our participation in the Grain Harvest Management Scheme.*
- *The scheme has been extended for 5 years to expire on 30th June 2021.*

281/2016 RESOLVED that Council participates in the NSW Grain Harvest Management Scheme until 30 June 2021. (Neill/Ryan)

3 PIPING OF ALBERT PRIEST CHANNEL BUSINESS CASE FUNDING

Summary:-

- *The purpose of this report is to notify Council of the need to allocate \$6,280 to complete the business case for the Albert Priest Channel Piping Project.*
- *Council received a grant of \$100,000 to prepare the business case and the current expenditure is \$85,000.*
- *The estimated cost to complete project is \$35,000, requiring an additional \$20,000 of funds to be shared by Council and Cobar Water Board.*

282/2016 RESOLVED that:-

1. The reallocation of \$6,280 towards funding the business case for Piping the Albert Priest Channel be noted.
2. Council's funding of the Business Case be contingent on receiving a contribution of \$13,720 from Cobar Water Board for the project.
(Ryan/Griffiths)

4 ROADS TO RECOVERY 2016 ROADWORKS PROGRAM

Summary:-

- *The purpose of this report is to advise Council of the proposed Roads to Recovery projects for the 2016/17 financial year.*
- *Council received advice in May 2016 that our 2016/17 funding has been reduced to \$1,440,827 from \$2,059,000.*
- *An updated list of proposed projects has been prepared to reflect the adjusted funding.*

283/2016 RESOLVED that the Proposed Roads to Recovery Projects for 2016/17 be noted. **(McLaughlin/Griffiths)**

5 INTERMENT FEES FOR BOGAN SHIRE VILLAGES

Summary:-

- *The purpose of this report is for Council to adopt interment fees and charges for burials in the village cemeteries.*
- *The current Fees and Charges are for Nyngan Cemetery and do not account for the higher costs of an interment in the village cemeteries.*

284/2016 RESOLVED that Council adopt the following interment fees and charges for burials in the village cemeteries. **(Ryan/Griffiths)**

Hermidale and Girilambone

Interment Fee	\$2,150
Re-open & Close Existing Grave	\$2,150
Additional Fee for Weekend & Public Holiday Funerals	\$470

Coolabah

Interment Fee	\$2,450
Re-open & Close Existing Grave	\$2,450
Additional Fee for Weekend & Public Holiday Funerals	\$470

6 RURAL ADDRESSING

Summary:-

- *The purpose of this report is to update Council of on the introduction of rural addressing within Bogan Shire.*
- *Address data entry and verification is expected to be completed by Christmas 2016.*

285/2016 RESOLVED that the Rural Addressing Report be noted.
(Griffiths/Neill)

REPORT TO ORDINARY MEETING OF COUNCIL – DEVELOPMENT AND ENVIRONMENTAL SERVICES

1 DEVELOPMENT APPLICATIONS

286/2016 RESOLVED that the Development Application Report since Council's June 2016 Meeting be received and noted. **(Griffiths/Deacon)**

2 OPERATIONAL REPORT

287/2016 RESOLVED that the Operational Report including Parks and Gardens and Weeds for the period since 23 June 2016 Council Meeting be received and noted. **(Ryan/Douglas)**

PRECIS OF CORRESPONDENCE

1 THE RETURNED SERVICES LEAGUE OF AUSTRALIA – NYNGAN SUB - BRANCH

288/2016 RESOLVED that the correspondence received from the Returned Services League of Australia – Nyngan Sub- Branch be received. **(Neill/Douglas)**

2 NSW GOVERNMENT

289/2016 RESOLVED that the NSW Government Media Release regarding the New Tourism Network for Regional NSW be received. **(Douglas/McLaughlin)**

3 REGIONAL ACHIEVEMENT & COMMUNITY AWARDS

290/2016 RESOLVED that Council promote the call for nominations for Regional Achievement & Community Awards (Awards Australia) by placing on Council's Web and Facebook Sites. **(Ryan/Deacon)**

4 LOCAL GOVERNMENT NSW

291/2016 RESOLVED that the copy of information for Candidate Briefings for interested candidates in becoming a Councillor be noted. **(Ryan/Douglas)**



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5 LEXIE CIOLEK

292/2016 RESOLVED that the correspondence received from Lexie Ciolek be received. **(McLaughlin/Douglas)**

6 WEEKLY CIRCULARS

293/2016 RESOLVED that the Local Government Weekly Circulars 24/16 to 28/16 be noted. **(Ryan/Griffiths)**

Other matters:

Councillor Douglas advised Council that the Far West Academy of Sport has returned to the management of NSW Government.

Councillor Neill to provide information regarding the Kangaroo Industry at the next meeting.

Opening of the Liberty Swing on Thursday 25 August 2016 - next Council Meeting.

There being no further business the meeting closed at 12.30pm.

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

