



BOGAN SHIRE COUNCIL

Minutes

22 March 2018



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 22 March 2018 at 9.30am**

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

Also present were Mr Derek Francis (General Manager), Mr Graeme Bourke (Manager Engineering Services), Ms Kayla Volker (Acting Manager, Development and Environmental Services), Mrs Debb Wood (Manager People and Community Services), Mrs Stephanie Waterhouse (Manager Finance and Corporate), and Mrs Melissa Salter (Acting Executive Assistant)

066/2018 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 22 February 2018, copies of which have been circularised to Councillors be taken as read and confirmed with the following amendments. **(Ryan/Neill)**

REMEMBRANCE to read: *Mr Tom Cullen OAM, former Mayor and Councillor of Coonamble Shire Council.* **(Ryan/Neill)**

REPORT TO ORDINARY MEETING OF COUNCIL – GENERAL MANAGERS

REPORT to include: Mrs Leonie Montgomery has been appointed as Nyngan Museum Coordinator.

Minute 038/2018 to read:

038/2018 RESOLVED that these projects to be carried out, including an adjustment to Council's Current Budget, asking for a contribution to the projects. That the Jockey Room, permanent gate shelters and underground drainage not proceed until a significant contribution is made by affected Users. **(Jackson/Dutton)**

Minute 026/2018 to read (with amendment made to (3):

4 JOINT ORGANISATIONS OF COUNCILS

026/2018 RESOLVED that:-

1. That Bogan Shire Council inform the Minister for Local Government (Minister) of the Council's endorsement of the Minister recommending to the Governor the establishment of a Joint Organisation (Joint Organisation) in accordance with this Resolution.
2. To approve the inclusion of the Council's area in the Joint Organisation's area.



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3. *That the Joint Organisation be established to cover the Council's area and all of the following Council areas:*

a) *Bogan, Bourke, Brewarrina, Coonamble, Cobar, Dubbo Regional, Gilgandra, Mid-Western Regional, Narromine, Walgett, Warren and Warrumbungle.*

4. *That, on the expiry of a period of 28 days from the making of this Resolution, the General Manager provide the Minister:*

a) *with a copy of this resolution including the date on which Council made this resolution: and*

b) *inform the Minister that this resolution has not been rescinded, for the purpose of the Minister issuing a certificate under section 400P of the Act.*

5. *That Bogan Shire Council remain a member of the Orana Regional Organisation of Councils for as long as that organisation continues.
(Ryan/Neill)*

Business Arising:

Other Issues:

- **Girilambone/Coolabah Water Supply**

067/2018 RESOLVED that Council provide Coolabah Water Supply with similar system to Girilambone Water Supply with backup pump available for connection, if required. **(Jackson/Ryan)**

Noted by Mayor to Councillors: If a ratepayer raises an issue to a Councillor, Mayor encouraged Councillors to approach Mayor or General Manager prior to Council Meeting, to have the issue resolved, rather than wait until Council Meeting section-Questions without notice.

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section:

057/2018 APOLOGY: RESOLVED that the apology received from Mrs Veneta Dutton be received and she be granted leave of absence from both meetings.
(Douglas/Boag)



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058/2018 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 22 February 2018, copies of which have been circularised to Councillors be taken as read and confirmed. (Ryan/Deacon)

059/2018 EXCLUSION OF PRESS AND PUBLIC: RESOLVED that Council move into a closed section of Council with the public excluded, in accordance with the provision of Section 10A (2) (c) of the Local Government Act 1993, the General Manager is of the opinion that consideration of this item is likely to place when the meeting is closed to the public for the following reason: because information that would be disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. (Boag/Neill)

060/2018 RESOLVED that Council agree to sell Lot 103 DP 738315 with the Mayor and General Manager being authorised to negotiate the sale price in the best interests of Council. (Ryan/Deacon)

061/2018 RESOLVED that Council agrees to an interest free loan, payable over 8 years, for the purchase of Lot 3 DP 1177431 and Lot 103 DP 738315 with the mortgage to pay all associated legal costs. (Ryan/Jackson)

062/2018 RESOLVED that, should it be expedient to do so, the Mayor and General Manager negotiate the purchase of staff housing, in the best interests of Council, having regard to the budget amount. **(Ryan/Neill)**

063/2018 EXCLUSION OF PRESS AND PUBLIC: RESOLVED that Council move into a closed section of Council with the public excluded, in accordance with the provision Section 10A (2) (a) of the Local Government Act 1993, the General manager is of the opinion that consideration of this item is likely to place when the meeting is closed to the public for the following reason: as involving personnel matters concerning particular individuals (other than Councillors). **(Douglas/Boag)**

064/2018 RESOLVED: that Council supports the nomination of the new Local Controller for Nyngan SES as advised in correspondence from David Monk, SES Region Controller, and dated 15 March 2018; subject to a meeting with Mayor, Deputy Mayor and General Manager with the applicant. (Ryan/Deacon)

065/2018 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into Open Council. (Douglas/Boag)



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At 10.00am the Mayor conducted the Australian Citizenship Ceremony for Mrs Viveki Manas Upadhyay.

At 10.10am NSW Police Award Ceremony held with National Police Medals awarded to Barry Gudgeon and Graham Tomek by Inspector Steve Munn and Sergeant Tony Wood. The Mayor conveyed congratulations from Council to be award recipients as a preserved record of their acknowledgement and achievements.

Council adjourned for morning tea at 10.10am and resumed at 10.37am.



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

Mayor and Councillors

The following report is submitted for consideration:-

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	Pathways completed. COMPLETED
			Planter Boxes	Ongoing		
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.



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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.		Efforts still being made to have owners upgrade building voluntary.
3	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	Wall has been reconstructed with only minor works outstanding. Meeting held 5 December 2017 with Peter Zanetti. All tiles have been remade, glazing underway. Delays encountered with production of tile firing. This will now be completed within six weeks, and tiles will be in place on wall in June 2018.



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4	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 submitted.
	22/02/2018	011/2018		Council source quotes for transportable units	MDES	Report to Council refers.
5	27/07/2017	236/2017	National Broadband & Network Design	Council raises its 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	It has become apparent that NBN is not installing fixed wireless around Nyngan but intends providing a satellite service.



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	26/10/2017	334/2017		Council write to local Federal Member, Mark Coulton MP regarding Council's ongoing concern with the NBN roll out to Nyngan.	GM	Letter sent. Response from Mark Coulton indicating he has made representation to Minister for Regional Communications.
	22/02/2018	015/2018		Invite a NBN representative to Council Meeting		Invitation extended, NBN representative unable to attend March meeting. Update: NBN Manager to attend April Council Meeting.
6	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. No response to date.



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7	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 undertake GP recruitment. Adverts for GP/VMO placed with Rural Doctors Network (RDN), PHN, Seek (online) and Medical Jobs (online). Discussions commenced.
	26/10/2017	312/2017		Council investigate alternatives to having VMO rights that would allow a doctor to visit patients and / or attend emergency services at the hospital.		In progress.
	22/02/2018	016/2018		Council at an appropriate time, invite the current doctors at the BSMC to address Council on their experiences at Rural/Regional Medical Centres.		In progress.



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8	21/12/2017	392/2017	Increase of train speed through Nyngan	Strong letter of concern & a request to address Council be sent 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. Precis February Council Meeting 2018 refers.
9	21/12/2017	393/2017	Preservation of Goods Ramp	Report on a way to preserve the goods ramp be considered at the estimates Meeting.	MDES	Report to be considered at the Estimates Meeting in May 2018.
10	21/12/2017	418/2017	Council Electricity Contracts	GM to proceed with obtaining quotations for the installation of solar electricity infrastructure for the three administration offices, BS Medical Centre & ELC.	GM	Report on viability of solar power at these three sites has been received, indicating positive paybacks. Staff will now progress tender arrangements for all Council sites.
11	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	MDES	On hold, pending 010/2018 below.



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	22/02/2018	010/2018		sheaf & replace with a cow's head and sheep's head. Report to be presented to Council on a future location of the extension of the Lawn Cemetery, before the new entrance is erected.	MDES	Report to Council refers.
12	22/02/2018	012/2018	Bogan Street Jacaranda Trees	Further report to Council for suggested name and wording on plaque.	Mayor	In progress. UPDATE: Report to be prepared for next Council Meeting.
13	22/02/2018	039/2018	Big Bogan Signage	Council erect directional signage to the Big Bogan	MES	Signs Ordered
		040/2018		Suggested wording for a plaque for the Big Bogan be further discussed at March 2018 Council Meeting.		Report to Council refers.
		041/2018		Signage to be placed on back of the Big Bogan to be visible from Nymagee Street.		Report to Council refers.

068/2018 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Neill/Douglas)**

2 VILLAGE IMPROVEMENTS – COOLABAH

Summary:-

The purpose of this report is to inform Councillors of a request from Coolabah Village to expend part of their accumulated village fund.

069/2018 RESOLVED that the request from Coolabah community representatives to have air-conditioning installed at the Coolabah Hall at a cost of \$3,800 be approved with expenditure to be met from the Coolabah Village Improvement Fund, with installation being delayed pending investigation of other repairs to the Hall which have now become necessary. **(Ryan/Boag)**

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

1 VISITOR INFORMATION CENTRE OPERATIONAL REPORT

Summary:

The purpose of this report is to provide information to Council on the operations of the Visitor Information Centre.

070/2018 RESOLVED that the Operational Report for the Visitor Information Centre be received and noted. **(Ryan/Elias)**

2 STRONGER COUNTRY COMMUNITIES FUND

Summary:-

The purpose of this report is to provide information to Council on the Stronger Country Communities Fund, Round 2 funding allocation and for Council’s further consideration of grant funded projects for 2018.

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The Mayor called for Priority List of Projects from Councillors.

071/2018 RESOLVED

That Council:

1. Consider additional projects over and above those included in the resolution from the December 2017 meeting to spend the full allocation of additional funding now available in Round Two of the Stronger Country Communities program. **(Ryan/Neill)**
2. Prioritises all projects for the application process. **(Ryan/Boag)**
3. The following, in order of priority, are to be submitted as Council's project applications under the Stronger Country Communities fund:
 1. Swimming Pool (resurfacing) Tiling and Solar Pool Heating **(Jackson/Ryan)**
 2. Pathway/Cycleway Extension **(Ryan/Deacon)**
 3. Jockeys Room at Racecourse **(Ryan/Jackson)**
 4. Seniors Living – 4 Units **(Neill/Boag)**
 5. Scaled back water play with ½ court basketball court (at pool) **(Douglas/Jackson)**
 6. Improvements to Town Hall **(Ryan/Neill)**
 7. Larkin Oval – Improvements to Announcers Box and Canteen **(Ryan/Jackson)**
 8. Recreational pontoon and shelter **(Ryan/Douglas)**

Council adjourned for lunch at 12.25pm and resumed at 1.25pm

REPORT TO THE ORDINARY MEETING OF COUNCIL – MANAGER OF 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 28th February 2018.

072/2018 RESOLVED that the bank reconciliation report be received and noted.
(Ryan/Jackson)

2 INVESTMENTS FEBRUARY 2018

Summary:

The report is to outline the performance of Council's Investment Portfolio for the month of February 2018.

At the 28th February 2018 Council had \$10.8 million invested. There has been an increase of \$544,000 due to payment by ratepayers of 3rd quarter rates instalment and a reimbursement of funds received from Restart NSW for the Water Storage Facility.

073/2018 RESOLVED that the Investments Report be received and noted.
(Boag/Elias)

3. SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:

The report is to provide a comparison of rate collections as a 28th February 2018, with the same period last year.

Total arrears have decreased from \$554,878 at the 28th February 2017 to \$551,116 as at 28th February this year.

074/2018 RESOLVED that the Rates and Annual Charges collection report be received and noted. (Neill/Deacon)

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

075/2018 RESOLVED that the Operational Report for the reporting period from 5 February 2018 to 9 March 2018 be received and noted. **(Douglas/Boag)**

2 BIG BOGAN PLAQUE

Summary:

The purpose of this report is for Council to consider the wording for a plaque to be installed at the Big Bogan

The suggested text for the plaque is as follows:

THE BIG BOGAN

Bogan Shire Council was approached in March 2015 by The Reverend Graham McLeod, St. Mark's Anglican Church, to give consideration to funding a Big Bogan structure as a tourist attraction in Nyngan.

Nyngan became well known in April 1990 when the big Bogan River flooded and completely inundated the town. The population was evacuated when the existing levee bank was breached and Nyngan went under the Bogan River in a flood that broke all previous records.

Although, the Oxford Dictionary defines a Bogan as “an uncouth or unsophisticated person regarded as being of low social status”, Council recognised a “Big Bogan” as an opportunity to promote Nyngan and the Shire. Where better to have a Big Bogan than on the banks of the Bogan River, in Bogan Shire.

This Big Bogan represents the relaxed life style on the river and was constructed and erected by Council in September 2015. We invite you to upload your photo to the Big Bogan Facebook page and tell the world you were here and where you are from. Thanks for visiting.

Foreshadowed Resolution to next Council Meeting, with suggestions for Big Bogan Plaque to be provided in Business Paper for next Council Meeting. **(Douglas/Boag)**

3 BIG BOGAN STRUCTURE SIGNAGE

Summary:

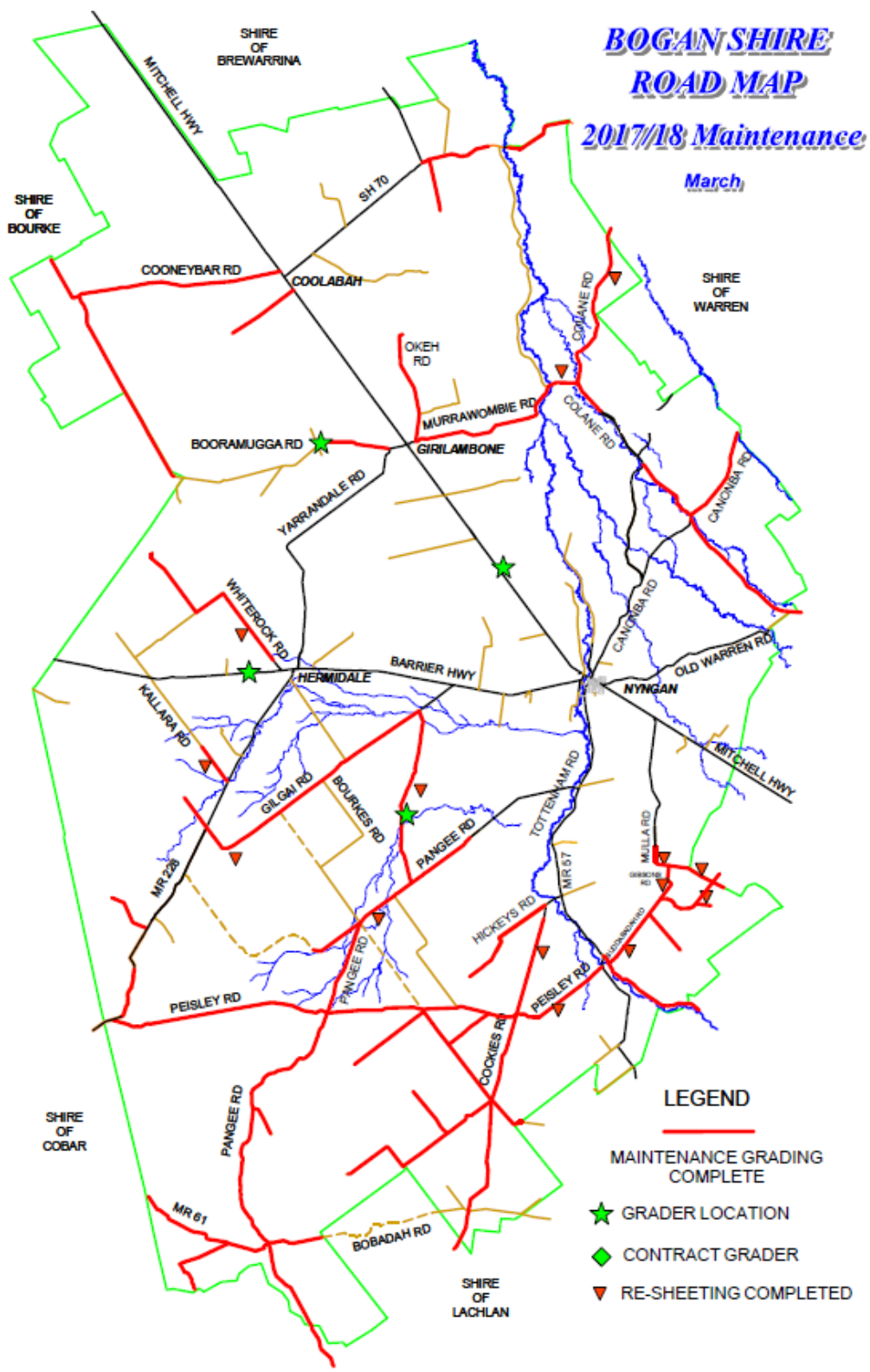
The purpose of this report is for Council to consider the installation of a sign on the back of the Big Bogan structure.



Noted above suggestion may be difficult to read from Nymagee Street.

076/2018 RESOLVED that Council Engineer report to next Council Meeting, options of a stand alone larger sign (Pangee Street) near the railway line southern side (on Big Bogan Side), sign large enough to be seen from Nymagee Street, parralell to highway. (Ryan/Douglas)

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

1. DEVELOPMENT APPLICATIONS

077/2018 RESOLVED that Development Applications Report Since the February 2018 Council Meeting be received and noted. **(Ryan/Boag)**

2. OPERATIONAL REPORTS

078/2018 RESOLVED that the Operational Reports including Parks and Garden Team and Weeds Officer be received and noted. **(Douglas/Deacon)**

3. LAWN CEMETERY MASTER PLAN

Summary

The purpose of this report is for Council to consider the Nyngan Lawn Cemetery Extensions proposed into the future in accordance with Council resolution 010/2018 prior to the new entrance being erected.

079/2018 RESOLVED:

1. That the next expansion of the lawn cemetery be in the area of the eastern grass section, adjacent to the Cemetery road link with the older sections, including new entrance for plant only be from Southern side from Oatley Street.
2. That future expansion of the Cemetery takes place to the east of the current Cemetery.
(Deacon/Neill)

4. RECENT CHANGES TO THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Summary

The purpose of this report is to provide Council with an overview of the recent Environmental Planning & Assessment (EP&A) Act amendments passed by parliament.

080/2018 RESOLVED that the Report on Recent Changes to the Environmental Planning and Assessment Act 1979 be received and noted. **(Ryan/Neill)**

5. REZONING APPLICATION – AUSTRALIAN HOTEL SITE, NYNGAN

Summary

The purpose of this report is for Council to consider an amendment to the Bogan Local Environmental Plan 2011 to rezone Lot 1 Section 33 DP 758802 (Australian Hotel site) from R1 – General Residential to B6 – Enterprise Corridor and endorse the planning proposal to enable it to be forwarded to the Department of Planning and Environment and gain a Gateway determination.

081/2018 RESOLVED that Council endorse the planning proposal dated March 2018 to enable the planning proposal to be forwarded to the Department of Planning and Environment and gain a Gateway determination. **(Jackson/Douglas)**

PRECIS OF CORRESPONDENCE

1 THE HON GABRIELLE UPTON MP, MINISTER FOR THE ENVIRONMENT MINISTER FOR LOCAL GOVERNMENT, MINISTER FOR HERITAGE

082/2018 RESOLVED that Council note the copy of correspondence received from The Hon Gabrielle Upton, MP, informing Council of China's National Sword Policy – impacts on NSW Local Government. **(Ryan/Elias)**

2 DUCK CREEK PICNIC RACE COMMITTEE INC

083/2018 RESOLVED that Duck Creek Picnic Race Committee be informed of last years contribution by Council, and that Council contribute the same service as last year, and that Duck Creek acknowledge this contribution publicly, which does not extend to clean up or removal of rubbish. **(Ryan/Douglas)**

3 COUNTRY RUGBY LEAGUE OF NSW LTD, MR DALLAS REEVES, FAR WEST COMPETITIONS SUPPORT OFFICER

084/2018 RESOLVED that Country Rugby League be informed of last years contribution by Council and that Council contribute the same service as last year, which does not extend to clean up or removal of rubbish. **(Ryan/ Douglas)**

4. MID WEST EQUESTRIAN CLUB

085/2018 RESOLVED that correspondence received from Mid West Equestrian Club requesting sponsorship for an Open Dressage and Showjumping Day be noted and Council support this event and provide sponsorship of \$200.00 **(Ryan/Jackson)**



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5. CENTACARE WILCANNIA FORBES

086/2018 RESOLVED that correspondence received from Centracare Wilcannia Forbes be noted and that Council support this request, subject to satisfactory arrangements be made to the safety of children in the area. **(Deacon/Elias)**

6. MR KEITH WHITE

087/2018 RESOLVED that correspondence received from Mr Keith White be noted regarding the Garford Engine and that Council sends a letter, stating to have this matter considered in 2018/2019 budget. **(Ryan/Neill)**

7. WEEKLY CIRCULARS

088/2018 RESOLVED that the Local Government Weekly Circulars be noted. **(Deacon/Elias)**

QUESTIONS WITHOUT NOTICE

• **Status of new Tip**

Plans for the new tip design have been sent to EPA. Tender will be required once Clay Liner issue resolved. Cost of New Tip (to date costs), not yet exceeded the budget, Finance Manager to report to next meeting.

• **The Old Fire Station Requires Clean-up**

General Manager noted

• **Bushfire Victims at Tathra**

091/2018 RESOLVED that Council support the Tathra Bushfire Mayors Appeal with a donation of \$10,000. **(Ryan/Boag)**

There being no further business the meeting closed at 3.00pm.

These minutes were confirmed by resolution at a meeting held onand were signed as a true record.

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GENERAL MANAGER

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MAYOR

