



# **BOGAN SHIRE COUNCIL**

## **Minutes**

**22 August 2019**





**Minutes the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 22 August 2019 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 Graeme Bourke (Director Engineering Services) Mrs Stephanie Waterhouse (Director Finance and Corporate Services), Mr Tony Payne (Director Development and Environmental Services) and Mrs Cathy Ellison (Executive Assistant).

**DECLARATION OF INTEREST:** Councillor Glen Neill – Engineering Service Report Item 2 – Desilting Wilga Tank.

**256/2019 RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 25 July 2019 copies which have been circularised to Councillors be taken as read and confirmed. **(Boag/Elias)**

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 22 August 2019.

**251/2019 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) (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. **(Ryan/Deacon)**

**252/2019 RESOLVED** that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 25 July 2019, copies of which have been circularised to Councillors be taken as read and confirmed. **(Ryan/Deacon)**

**253/2019 RESOLVED** that the General Manager be authorised to offer the agreed price to purchase the land in Pangee Street and allow the owner until the end of year to remove whatever structures he wishes to. This money to be taken out of accumulated funds. **(Ryan/Boag)**



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**254/2019 RESOLVED** that Council endorse the decision of the Sub-Committee of Council in appointing Mr Scott Bartley as the new Swimming Pool Contractor. **(Ryan/Douglas)**

**255/2019 INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting move into open Council. **(Boag/Elias)**

## **COMMITTEE MEETING MINUTES**

### **1 NYNGAN MUSEUM MEETING**

**257/2019 RESOLVED** that the Minutes of the Nyngan Museum Committee Meeting held on 7 August 2019 at the Nyngan Museum be received and noted. **(Dutton/Neill)**



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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	27/10/2016	423/2016	<b>Seniors Living – Rental Units</b>	Director Development and Environmental Services working closely with external Project Manager to ensure compliance with Stronger Communities grant milestones	<b>DDES</b>	Tender Evaluation Committee (TEC) established. Tenders opened 13 August 2019. Report to Council meeting September 2019.
2	28/09/2017	283/2017	<b>Medical Centre</b>	The General Manager in consultation with PHN proceeds to recruit & engage a second doctor for the BSMC.	<b>GM</b>	Recruitment agencies engaged to source locum / permanent second doctor.  Second Locums secured until 31/12/2019.

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3	21/12/2017	392/2017	<b>Increase of train speed through Nyngan</b>	Strong letter of concern & a request to address Council be sent to the relevant rail authorities & a copy to local member.	<b>GM</b>	Letter sent to Minister for Transport & Infrastructure, with copy to Kevin Humphries.
	21/06/2018	293/2018				

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4	25/10/2018	340/2018	<b>Palais Theatre</b>	Following selection of options & places, detailed costings be obtained to facilitate a grant application for a new structure.	<b>GM</b>	Council resolved to demolish the Palais Theatre with the costs to be provided from accumulated funds at Council Meeting 28 March 2019.  Quotations for demolition now being evaluated.
5	28/02/2019	021/2019	<b>Drought Works</b>	The General Manager continues to pursue grant funding opportunities to meet the cost to improve water security for Girilambone & Hermidale.  Council strongly points out to the relevant authorities that paying for water tanks will save the NSW Government money in the medium to long term rather than paying for the carting of water to fill the overhead tanks.	<b>DES</b>	Application submitted, awaiting response. Funding for water carting to the villages has been approved. No additional funding currently available from NSW Government.  NSW Government advice at this stage is that individual tanks do not meet the drought funding criteria.

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6	24/04/2019	117/2019	<b>Cobar Water Board</b>	<p>1. The General Manager requests further information from CWB concerning the apparent change in licence holdings, a copy of the legal advice concerning supply of water and reason why Cobar Shire Council cannot supply minor users within the Bogan Shire LGA.</p> <hr/> <p>2. Notes all current minor user agreements are between CWB and relevant users and that there may potentially be logistical and legal implications to BSC being responsible for supply of water via CWB's infrastructure.</p>	<b>GM</b>	<p>Advice from CWB is that they disposed of their licence in 2010.</p> <hr/> <p>Council staff to investigate implications.</p> <p>Council's Solicitors engaged to assist with new agreement.</p>
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				3. Whilst Council is prepared to have discussion with CWB to explore options for delivery of water to minor users within the Bogan Shire LGA, it does not agree to the Board's proposal at this stage.		Point 2 above refers.
7	23/05/2019	164/2019	<b>Nyngan/Cobar Water Security</b>	Council notes with concern that CWB appears to have used more than their allocation of water this year & that the General Manager raises this concern with the Secretary of CWB.	<b>GM</b>	Meeting held on 18 June 2019 with Secretary of CWB and staff.  Further correspondence currently being drafted.

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8	27/06/2019	201/2019	<b>Drought Communities Program</b>	The General Manager makes application the Federal government to: 1. Transfer any unused funds of the projects. 2. Seeks an extension of time to complete any remaining projects up to at least 26 July 2019.	<b>GM</b>	Letter sent to Department of Industry, Innovation and Science on 10 July 2019, seeking extension to complete projects and transfer of unused funds.  Response granting extension received 5 August 2019. No decision on transfer of funds received yet.
9	27/06/2019	222/2019	<b>Nyngan Regional Cultural Centre</b>	Council engage Ian Bassett & Partners to prepare a detailed cost estimates for the construction of the Nyngan Regional Cultural Centre for purposes of a grant submission.	<b>GM</b>	Design requirement being confirmed.

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10	27/06/2019	179/2019	<b>Purchase of Land – Pangee Street</b>	General Manager approach the owner of the identified property with a view to ascertaining whether they are interested in selling the property & on what terms.	<b>GM</b>	Verbal report to be given at Council Meeting 22 August 2019.
11	25/07/2019	232/2019	<b>Stronger Country Communities Fund – Round 3</b>	1. Council consult with the community on the suggestion that Council applies to Round 3 for a Community Centre at the disused Tennis Courts & for the employment of a Youth Worker for 3 yrs.	<b>DPCS</b>	Report refers – August 2019.



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**258/2019 RESOLVED** that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Neill/Elias)**

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

**REPORT TO THE ORDINARY MEETING OF COUNCIL – DIRECTOR 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.*

**259/2019 RESOLVED** that the Library Report for the period 1 April 2019 to 30 June 2019 be received and noted. **(Neill/Jackson)**



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## 2 STRONGER COUNTRY COMMUNITIES FUND – ROUND 3

**Summary:-**

*The purpose of this report is to summarise community feedback to Council in relation to a potential grant application to the Stronger Country Communities Fund and to provide recommendations for this application.*

**260/2019 RESOLVED** that Standing Orders be suspended. **(Neill/Douglas)**

Discussion – Community Centre

**261/2019 RESOLVED** that Standing Orders be reinstated. **(Ryan/Neill)**

**262/2019 RESOLVED** that the Stronger Country Communities Fund Round 3 Report summarising community feedback to Council in relation to a grant application to the Stronger Country Communities Fund be noted. Appreciation be extended to the staff involved for the high standard of the report and for the effective and well-run community consultation workshop. **(Ryan/Neill)** Unanimous

**263/2019 RESOLVED** that Council makes a grant application to the Stronger Country Communities Fund for the construction of a Community Centre on the site of the old tennis courts incorporating a sum of money for a part-time Youth Worker for a period of one year. **(Douglas/Dutton)**

**264/2019 RESOLVED** that Council works with community organisations who deliver youth and other community support services to investigate methods of funding for ongoing employment of a part-time Youth Worker and further upgrading to the facility. **(Ryan/Neill)**



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

**1 INVESTMENTS JULY 2019**

**Summary:-**

*The report is to outline the performance of Council's Investment Portfolio for the month of July 2019.*

*At 31 July 2019 Council had \$13.6 million invested. There has been a decrease of \$400,000 due to spending on capital works projects funded by grant funds.*

**265/2019 RESOLVED** that the Investments Report for the month of July 2019 be received and noted. **(Neill/Douglas)**

**1 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION**

**Summary:-**

*The report is to provide a comparison of rate collections as at 31 July 2019, with the same period last year.*

*Total arrears have increased from \$323,943 as at the 31 July 2018 to \$414,553 as at 31 July this year.*

**266/2019 RESOLVED** that the Rates and Annual Charges Collection Report for the month of July 2019 be received and noted. **(Neill/Boag)**



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### 3 AUDIT OF 2018/2019 FINANCIAL ACCOUNTS

**Summary:-**

*This report is to advise Council of the timeline for the Audit of the 2018/2019 Statutory Accounts.*

**267/2019 RESOLVED** that the Audit of 2018/2019 Financial Accounts Report be noted. **(Douglas/Elias)**

### 4 FINANCIAL ASSISTANCE TO COMMUNITY SERVICE ORGANISATIONS

**Summary:-**

*The report is to advise Council of requests received for Financial Assistance in relation to Rates and Charges levied on Community Service Organisations.*

*Council has in the past granted Financial Assistance to the below organisations to help with payment of their Annual Rates and Charges. The request is that the same assistance applies to this current financial year.*

**268/2019 RESOLVED** that Council:-

1. Provide financial assistance to The Nyngan Baptist Fellowship to the value of \$1,684, which represents all rates and charges levied on the Nyngan Baptist Fellowship. This would exclude any usage charges for water.
2. Provide financial assistance to the Trustees of the Bobadah Hall to the value of \$325, which represents the Waste Depot Levy.
3. Provide financial assistance to the Nyngan Girl Guides Association to the value of \$1,976 which represents all rates and charges levied on the Girl Guides Hall. This would exclude any usage charges for water.
4. Provide financial assistance to the Nyngan Water Ski Club to the value of \$852 which represents all rates and charges levied. **(Ryan/Jackson)**



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## 5 CARRY FORWARDS AND REVOTES FROM 2018/2019 CAPITAL BUDGET

**Summary:-**

*The purpose of this report is to advise Council of the carry-forward amounts for the 2019/2020 budget and to ask Council to revoke on projects that had not commenced or were not contracted to commence as at 30 June 2019.*

**269/2019 RESOLVED** that:-

1. The Carry Forwards items from 2018/2019 to 2019/2020 be noted.
2. The Council revoke the items, including additional improvements to the weir pool \$10,000 that had not commenced prior to the 30 June 2019. **(Ryan/Neill)**

## REPORT TO THE ORDINARY MEETING OF COUNCIL – DIRECTOR OF ENGINEERING SERVICES

### 1 OPERATIONAL REPORT

**270/2019 RESOLVED** that the Operational Report for the reporting period 15 July 2019 to 9 August 2019 be received and noted. **(Jackson/Neill)**





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Councillor Neill declared an interest and left the room.

## **2 DESILTING WILGA TANK**

**Summary:-**

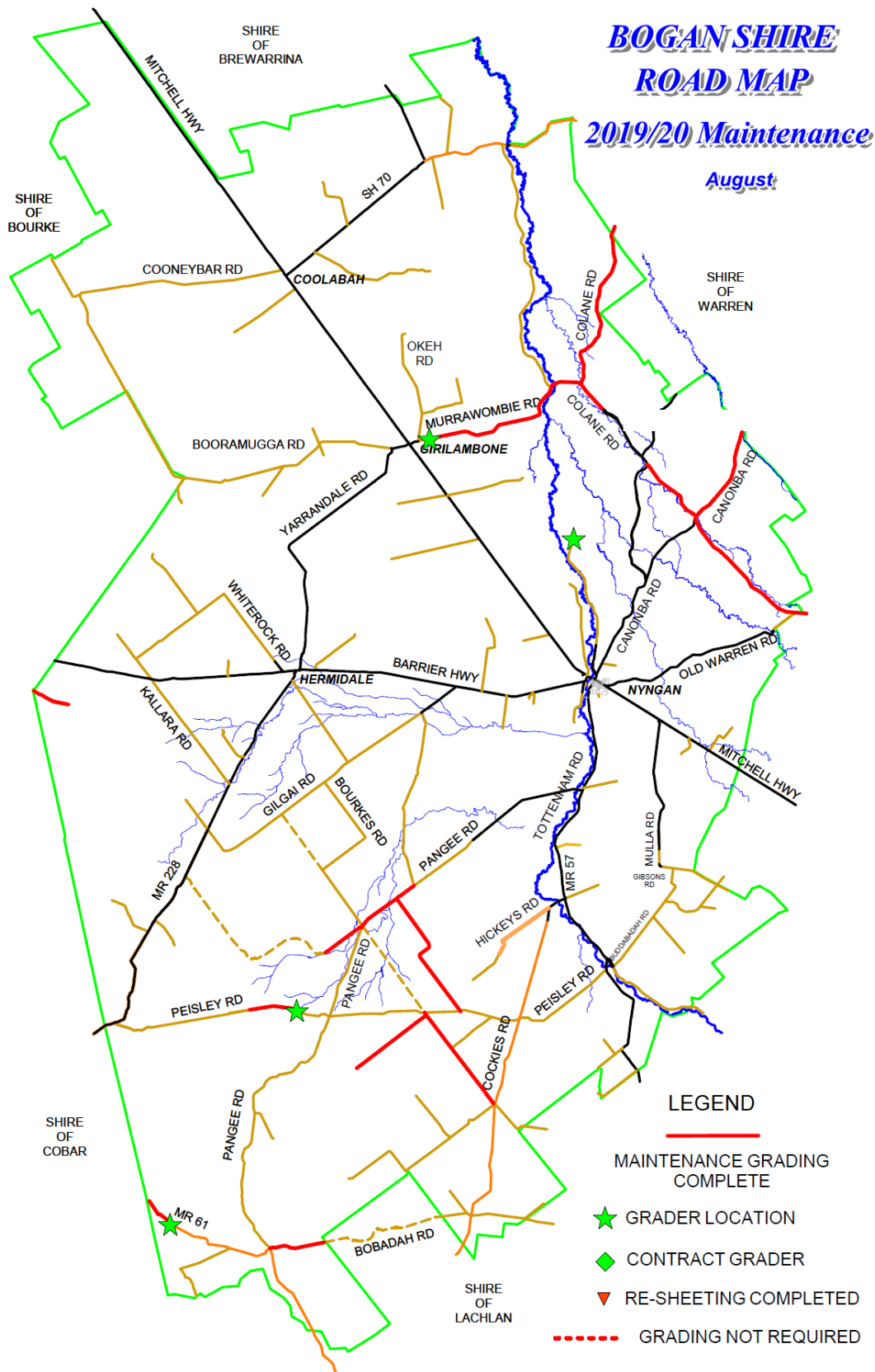
*The purpose of this report is for Council to consider the allocation of funds to de-silt and enlarge Wilga Tank.*

### **271/2019 RESOLVED that:-**

1. Council desilt Wilga Tank as a matter of urgency to secure the water supply of Girilambone and Coolabah.
2. Council apply for funding to desilt Wilga Tank. **(Ryan/Jackson)**

Councillor Neill returned to the room.

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

**1 DEVELOPMENT APPLICATIONS**

**272/2019 RESOLVED** that the Development Applications Report since the 25 July Council Meeting be received and noted. **(Neill/Deacon)**

**2 OPERATIONAL REPORTS**

**273/2019 RESOLVED** that the Operational Report, including Parks and Gardens Team and the Noxious Weeds Officer be received and noted. **(Boag/Dutton)**

**PRECIS OF CORRESPONDENCE**

**1 OFFICE OF ROY BUTLER MP, MEMBER FOR BARWON**

**274/2019 RESOLVED** that the email receive from the Office of Roy Butler MP, Member for Barwon advising Mr Butler has approved of Mr Michael Enright for the position of Local Traffic Committee Representative for Barwon Electorate in Bogan Shire be received and noted. **(Ryan/Neill)**



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**2 ELWYN TROTHER**

**275/2019 RESOLVED** that Council reiterate to Mr Trothe that Council has previously been advised that the location of the fuel storage tank vent pipes complies with the relevant Australian Standard, AS 1940 – 2004 – *The storage and handling of flammable and combustible liquids*, and if he wishes to make a complaint to other authorities Council may offer its assistance. **(Ryan/Boag)**

**3 ST JOSEPH'S PARISH SCHOOL, NYNGAN**

**276/2019 RESOLVED** that Council again donate to St Joseph's Parish School for their major raffle, a Swimming Season Family Pass 2019/2020, family of four, for the Nyngan Swimming Pool at a cost of \$215.00. **(Ryan/Jackson)**

**4 NYNGAN SWIMMING CLUB**

**277/2019 RESOLVED** that Council donate to the Nyngan Swimming Club for their raffle, a Swimming Season Family Pass 2019/2020, family of four, for the Nyngan Swimming Pool at a cost of \$215.00. **(Jackson/Neill)**

**5 THE HONOURABLE SHELLEY HANCOCK MP - MINISTER FOR LOCAL GOVERNMENT**

**278/2019 RESOLVED** that the correspondence received from the Minister for Local Government advising that the NSW Government announced this week that it will fund the first year increase of the Emergency Services Levy for all local Councils to meet the cost of new workers' compensation arrangements for firefighters be received and noted. **(Dutton/Elias)**

**6 NYNGAN HOSPITAL AUXILIARY**

**279/2019 RESOLVED** that the copy of a *thank you* letter received from the Nyngan Hospital Auxiliary thanking Councillors for the donation to the Auxiliary be received and noted. **(Ryan/Deacon)**



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**7 WEEKLY CIRCULARS**

**280/2019 RESOLVED** that the Local Government Weekly Circulars dated 19 July 2019, 25 July 2019, 1 August 2019 and 8 August 2019 be noted. (Dutton/Neill)

**281/2019 RESOLVED** that Council deal with the late item of correspondence. (Elias/Dutton)

**8 TROY RICHARDS**

**282/2019 RESOLVED** that Council provide free use of the Wye Pavilion, setting up, tables and chairs, cleaning out the Pavilion and bar area as requested by Troy Richards to hold the Boxing Night 16 November 2019. (Ryan/Jackson)

There being no further business the meeting closed at 12.25pm.

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**

