



BOGAN SHIRE COUNCIL

Minutes

26 August 2021



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**Minutes of the Ordinary Meeting of
Bogan Shire Council held via a GoToMeeting on 26 August 2021**

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

Also present was Mr Derek Francis (General Manager) in the Council Chambers.

Mr Graeme Bourke (Director Engineering Services), Mrs Debb Wood (Director People and Community Services), Mrs Stephanie Waterhouse (Director Finance and Corporate Services), Mr Chris Foley (Acting Senior Manager Development and Environmental Services), Mrs Melissa Salter (Executive Assistant) and Miss Tara McDermott (Business Services Officer) via GoToMeeting.

DECLARATION OF INTEREST:

Cllr Donald - Director Engineering Services Report 2 Neeroc Road Re-Sheeting

217/2021 **RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 22 July 2021, copies of which have been circulated to Councillors be taken as read and confirmed with the following withdrawn: **(Ryan/Dutton)**

3. CARRY FORWARDS AND REVOTES FROM 2020/2021 CAPITAL BUDGET

202/2021 **RESOLVED** that the street furniture and cemetery shelter referred to above be funded from savings to be identified at the first budget review.
(Ryan/Deacon)

Business Arising: Nil

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 26 August 2021.

211/2021 **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. **(Neill/Jackson)**

212/2021 **RESOLVED** that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 22 July 2021, copies of which have been circulated to Councillors be taken as read and confirmed. **(Elias/Boag)**

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213/2021 RESOLVED that Council sell Lot 5 DP 1177431 of the John Hoare OAM Business Estate for \$50,000, plus GST, to the current proponent on the following terms:-

- a. Council agrees to an interest free loan, secured by way of mortgage over the land, for the full purchase price of the property repayable over 10 years, with the mortgagor to pay all associated legal costs.
- b. Council agrees to fund and provide the following services to the block:-
 - i. Access to Council's sewerage system from the perimeter of the block, including a grinder pump system.
 - ii. Access to Council's water reticulation system to the perimeter of the block.
 - iii. Kerb and guttering to the Lawlor Street frontage of the block.
- c. Council's acceptance of the Proponent's offer is subject to both Council and the Proponent signing a contract for the sale and purchase of Lot 5 by 31 December 2021.

(Douglas/Ryan)

214/2021 RESOLVED that Council accept the proposal from Public Works Advisory to prepare tender specifications, call and assess tenders, and engage a suitable contractor to upgrade the Nyngan water treatment plant.

(Jackson/Deacon)

215/2021 RESOLVED that the Mayor and General Manager be delegated the authority to vary the terms of the current contract with the Pool Manager to allow for a guaranteed minimum income from the operation and supervision of the water slide subject to a minimum of 680 hours of operation during the season.

(Ryan/Neill)

216/2021 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Douglas/Elias)**

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NOTICE OF MOTION

218/2021 RESOLVED that Council:

1. Trial evening meetings for Ordinary Meetings of Council, commencing September 2021. **(Douglas/Boag)**
2. Council revert to a daytime meeting for the last meeting of current council as a daytime meeting to enable a final lunch with the outgoing Council for those who may wish to do so. **(Douglas/Dutton)**

COMMITTEE MEETING MINUTES

1 MUSEUM COMMITTEE MINUTES

219/2021 RESOLVED that the Minutes of the Nyngan Museum Committee meeting held at the Nyngan Museum on 4 August 2021 be received and noted. **(Elias/Jackson)**

REPORT TO THE ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

1 JACK HARGREAVES

220/2021 RESOLVED that:

1. Council rename the area at the lower weir to become the “Jack Hargreaves Park”.
2. A report be prepared for the next Council meeting of suggestions and costings of signage/statue to recognise Jack Hargreaves rowing achievements, including his gold medal win at the Tokyo 2020 Olympics.
(Deacon/Douglas)

The Mayor congratulated Staff who have been involved with works on the Bogan River Nature Trail.

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

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	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.
	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.	DES	406 Petitions received. On-site meeting held with Deputy Premier. Met with Minister for Regional Transport & Roads in Bourke on 25 November 2019.

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	<p>28/05/2020</p>	<p>110/2020</p>		<p>The best control measures would be to erect flashing lights at the Hoskins Street Crossing.</p> <p>Council engage a Safety Consultant to inspect the Hoskins Street Level Crossing & to provide a report documenting the safety factors of the Crossing which can then be forwarded to the John Holland Rail & Minister for Regional Transport & Roads.</p>	<p>Council advised that this crossing is not a priority for John Holland Rail.</p> <p>Safety Consultant has been engaged to inspect crossing at the end of July & will be preparing a risk audit for Council. Report has been received and forwarded.</p> <p>Letter received from Transport for NSW, June 2021, stating that they have no plans to upgrade the crossing but are open to other solutions. UPDATE: Letter received from Minister for Regional Transport and Roads in precis refers</p>
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2	24/04/2019	117/2019	Cobar Water Board	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.	GM	Further correspondence sent to CWB. <u>UPDATE:</u> New water supply agreement sent to CWB. Meeting to discuss agreement 12 August 2021 postponed due to public health order.
3	28/11/2019	366/2019	Regional Water Supply Pipe Network	Council supports in principle the investigation of a Regional Water Supply Network servicing the communities currently supplied by the Macquarie River downstream of Burrendong Dam.	GM	Water NSW has advised Narromine/Warren pipeline project is on hold

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	25/02/2021	010/2021		<p>Council seeking urgent clarification from the Minister on:</p> <ul style="list-style-type: none"> - Issuing of the licence for the Nyngan Emergency Bore and licence. - Size of the pipe from this bore to Nyngan - Response to be given to those who lodge objections to the bore. - Cobar emergency water. - What guarantee is there for the \$4.3M funding to be retained for this pipeline.2 		<p><u>UPDATE:</u> Awaiting determination from NRAR and direction from NSW Government.</p>
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4	28/11/2019	368/2019	Repairs to Nyngan & Cobar Emergency Water Storage	The General Manager be authorised to procure sufficient quantities Geosynthetic Clay Liner & Geotextile material to complete the remediation works, according to specifications provided by NSW Public Works. The procurement be carried out by way of quotations.	DES	Remediation work postponed due to wet weather and soft floor. Floor continues to be wet and soft from rain. <u>UPDATE:</u> Requires warm weather to dry out sub- base
5	24/09/2020	257/2020	Nyngan Golf Club	Council approach the NGC offering them a sign with our logo and other details of Bogan Shire Council to be put on one of the 18 holes	DPCS	<u>UPDATE:</u> Letter in precis refers.



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6	17/12/2020	373/2020	Lack of Vacation Care/Before and After School Care in Nyngan	Council approach both primary schools in Nyngan. Council bring this matter to the attention of local State Member and Hon. Sam Farraway MLC.	DPCS	<p>Meetings held with Principals of Nyngan Public and St Joseph's Schools. Letter sent to Hon. Bronnie Taylor MLC, Minister for Mental Health, Rural Youth and Women.</p> <p>Response received from Hon. Bronnie Taylor, indicating support for funding application by Nyngan Public School to the Department of Education for the construction of a purpose built building for Before and After School Care.</p>
7	25/02/2021	011/2021	Bogan Shire Official Visitors Guide	To be funded from a budget review or included in next year's estimates.	DPCS	In Progress

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8	25/02/2021	012/2021	<p>Nyngan Railway Wool Dump</p>	<p>A colour information sign be erected at the Nyngan Railway Wool Dump on a stand adjacent to the dump.</p> <p>A cement path from the existing walkway to the sign be constructed, with available funding</p>	<p>DPCS</p> <p>DES</p>	<p>Pending commencement of grant- funded works.</p> <p>Pending commencement of grant- funded works.</p>
9	25/02/2021	013/2021	<p>Honour Board</p>	<p>That recipients of National Awards, prior to the 1980's, be recognised on an Honour Board. The board to include all National awards including recipients of the British Empire Medal (BEM), Australian Fire Service Medal (AFSM), and Victoria Cross.</p>	<p>GM</p>	<p><u>UPDATE:</u> Honour Board ordered.</p>



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10	27/05/2021	126/2021	Addressing Local Job Vacancies	Council delays the launch of the marketing campaign until progress is made with establishing more housing accommodation in Nyngan.	GM	Awaiting approval of funding for establishment of new residential subdivision.
11	25/02/2021	040/2021	Nyngan Cenotaph Location	A report be prepared for Council regarding the Nyngan Cenotaph location.	GM	Pending outcome of Nyngan Community Homes grant application
12	24/06/2021	149/2021	Resources for Regions	General Manager negotiates the purchase of land consistent with discussions at June 21 Council meeting for Council's Resources for Regions project.	GM	<u>UPDATE:</u> Offers made to owners. Report to be prepared for future Council Meeting.

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13	24/06/2021	168/2021	<p>Safety Factors of Rehabilitation & Reconstruction Roadworks</p>	<p>Council request RMS consider the safety factor of all rehabilitation and reconstruction work, including the current Mitchell highway at the Mulla Road Intersection, and suggest the following action be taken: that where possible the table drains be extended out from the shoulder and that material be used to widen and flatten the batters of the road shoulder.</p>	<p>DES</p>	<p>Letter sent to TfNSW advising of resolution.</p> <p><u>UPDATE:</u> No reply to date</p>
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14	24/06/2021	158/2021	New Showground Arena	Council seek the support of the Nyngan Pony Club and Show Committee to have this arena named "The Rodney Robb Arena".	GM	<u>UPDATE:</u> Positive correspondence received from Nyngan Pony Club.
15	24/06/2021	162/2021	Section 355 Committee – Nyngan Museum	General Manager to proceed with discussions to formalise a constitution and associated delegations for Nyngan Museum Committee as a Section 355 Management Committee of Council with a further report to Council.	GM	<u>UPDATE:</u> Meeting deferred due to COVID-19 situation.

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16		173/2021	Neeroc Road	<p>The Engineering Department do a full inspection and assessment of the road and report back to Council</p> <p>Council advise William Carter and Owen Carter of Councils decision from meeting</p>	DES	UPDATE: Engineering Services report refers.
17	22/07/2021	210/2021	Nyngan Rugby League Football Club	<p>Council proceed with the installation of heating under the awning of the new canteen area to be funded from savings identified at the first Budget Review.</p> <p>The General Manager investigate any grant funding that may be available.</p>	DES GM	UPDATE: In progress



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221/2021 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.
(Ryan/Boag)

1 TERM OF OFFICE – DEPUTY MAYOR

Summary: *The purpose of this report is for Council to consider extending the length of office of the Deputy Mayor.*

222/2021 RESOLVED that the length of office for the current Deputy Mayor be extended to 4 December 2021. **(Donald/Jackson)** Unanimous

REPORT TO 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.*

223/2021 RESOLVED that the Library report be received and noted. **(Neill/Ryan)**

Council adjourned for morning tea at 10.30am and resumed at 10.45am

2 PFIZER COVID-19 VACCINATIONS

Summary: *The purpose of this report is for Council to endorse or amend a Bogan Shire Council policy position in relation to availability of the COVID-19 vaccine at the Bogan Shire Medical Centre.*

224/2021 RESOLVED that Council endorses the following policy position in relation to availability of the COVID-19 vaccine at the Bogan Shire Medical Centre:

The Bogan Shire Medical Centre only accepts bookings for Pfizer vaccinations from:

- Residents of the Bogan Shire Local Government Area as well as,
- Existing active patients of the Bogan Shire Medical Centre residing in surrounding Local Government Areas. Active patients being defined as those who have attended the Bogan Shire Medical Centre within the last 12 months.

(Ryan/Neill) unanimous



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Council thanked staff involved with the vaccination clinics at the Bogan Shire Medical Centre for their efforts on behalf of the community.

3 BOGAN RIVER UPPER WEIR FREE CAMPING

Summary: *The purpose of this report is to seek direction from Council regarding free camping at the Bogan River Upper Weir site.*

225/2021 RESOLVED that Council permit free camping at the Bogan River Upper Weir Free Camping area, for up to 72 hours. **(Neill/Boag)** Unanimous

4 BOGAN SHIRE EARLY LEARNING CENTRE – GAP FEES

Summary: *The purpose of this report is for Council to consider whether or not to waive Gap Fee payments for children enrolled at the Bogan Shire Early Learning Centre during the current COVID-19 situation.*

It was **MOVED** that Council waive Gap Fee payments for all children who are enrolled at the Bogan Shire Early Learning Centre, but not attending the Bogan Shire Early Learning Centre in line with the current Federal Government hotspot declaration, from Monday 30 August. This decision to be reviewed at the next council meeting. **(Jackson/Neill)**

An **AMENDMENT** was **MOVED** that Council do not waive Gap Free payments at the Bogan Shire Early Learning Centre. **(Ryan/)**

The Amendment lapsed for want of a seconder

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

226/2021 RESOLVED that Council waive Gap Fee payments for all children who are enrolled at the Bogan Shire Early Learning Centre, but not attending the Bogan Shire Early Learning Centre in line with the current Federal Government hotspot declaration, from Monday 30 August. This decision to be reviewed at the next council meeting. **(Jackson/Neill)**

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

1 INVESTMENTS JULY 2021

Summary: The report is to outline the performance of Council's Investment Portfolio for the month of July 2021.

At the 31st July 2021 Council had \$14.5 million invested. There has been a decrease of \$1.8million due to a large number of ordered works being completed and claims not being received as yet.

227/2021 RESOLVED that the Investments Report be received and noted.
(Jackson/Neill)

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary: The report is to provide a comparison of rate collections as at 31st July 2021, with the same period last year.

Total arrears have increased from \$672,133 as at the 31st July 2020 to \$857,841 as at 31st July this year.

The Director of Finance and Corporate Services reported at the meeting, that at the date of the meeting, current arrears were \$835,279, the following table documents the updated figures:

Rate Collections	2021-2022	2020-2021
Arrears Prior to 01/07/2021	835,279	672,133
First Instalment in arrears as at 31/07/2021	840,738	1,188,044
Second Instalment in arrears as at 31/07/2021	1,171,871	1,258,279
Third Instalment in arrears as at 31/07/2021	1,199,060	1,272,662
Fourth Instalment Outstanding as at 31/07/2021	1,206,701	1,277,794
Total Arrears	857,841	672,133
Total Outstanding	5,745,113	5,668,912
Monthly Transactions		
Amount Levied & B/Fwd	6,157,663	6,053,366
Add: Adjustments	3928	0
Less: Payments to end of July	-828,054	-307,489
Less: Rebates	-76,921	-76,965
Gross Total Balance	5,745,113	5,668,912
Arrears of total amount levied %	14%	12%



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228/2021 RESOLVED that the Rates and Annual Charges collection report be received and noted. **(Jackson/Ryan)**

3 AUDIT OF 2020/2021 FINANCIAL ACCOUNTS

Summary: This report is to advise Council of the timeline for the Audit of the 2020/2021 Statutory Accounts.

229/2021 RESOLVED that:

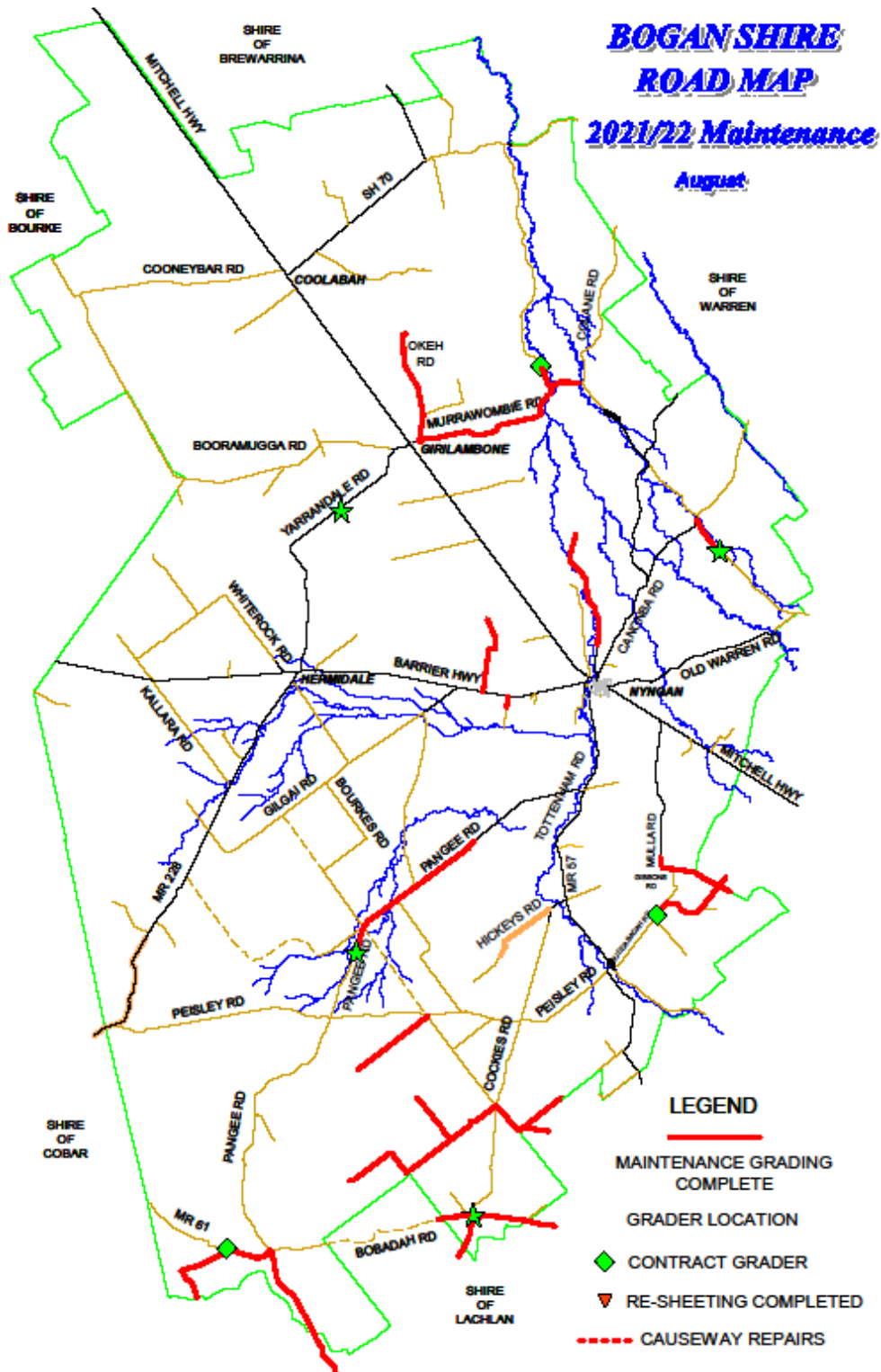
1. Council refer the 2021 Annual Financial Statements for Audit and that the necessary elected members and staff be authorised to sign the Statement by Councillors and Management on the General Purpose and Special Purpose Financial Statements for the year ended 30th June 2021.
2. Appreciation be conveyed to Staff involved in the preparation of the financial statements
(Ryan/Dutton)

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

1 OPERATIONAL REPORT

230/2021 RESOLVED that the Engineering Services Operational Report be received and noted. **(Elias/Ryan)**

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Cllr Donald left the meeting – Declaration of Interest.

Cllr Neill took the chair.

2 NEEROC ROAD RE-SHEETING

Summary: *The purpose of this report is for Council to consider a request to re-sheet the Neeroc Road*

231/2021 RESOLVED that the Director of Engineering Services be requested to carry out repairs on damaged sections only of Neeroc Road, and leave entire resheeting until a later time. **(Ryan/Jodi)**

Cllr Donald returned to the meeting and resumed the Chair.

3 INTEGRATED WATER CYCLE MANAGEMENT STRATEGY

Summary: *The purpose of this report is to advise Council that Public Works Advisory will be preparing an Integrated Water Cycle Management Strategy which is funded by DPIE Water.*

232/2021 RESOLVED that the integrated Water Cycle Management Strategy report be received and noted. **(Neill/Elias)**

4 DRINKING WATER QUALITY POLICY UPDATE

Summary: *The purpose of this report is for Council to consider a proposal from Public Works Advisory to prepare tender specifications, call and assess tenders, and engage a suitable contractor to upgrade the Nyngan water treatment plant to improve compliance with drinking water standards.*

233/2021 RESOLVED that Council adopt the Drinking Water Quality Policy. **(Ryan/Jackson)**

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

1 DEVELOPMENT APPLICATIONS

234/2021 RESOLVED that the Development Applications report be received and noted. **(Boag/Dutton)**

2 OPERATIONAL REPORTS

235/2021 RESOLVED that the Environment Services Operational Report be received and noted. **(Deacon/Neill)**

3 NYNGAN WAR MEMORIAL SWIMMING POOL WATER SLIDE CHARGES

Summary: *The purpose of this report is for Council to set the charges for use of the water slide at the Nyngan War Memorial Swimming Pool for the 2021–2022 season.*

236/2021 RESOLVED that Council not charge a fee for the Water Slide at the Nyngan War Memorial Pool for 2021/22 financial year. **(Ryan/Neill)**

4 NYNGAN WAR MEMORIAL SWIMMING POOL REPAIR WORKS

Summary: *The purpose of this report is to seek Council's wishes in relation to the timing and funding of the return waterline replacement works required at the Nyngan War Memorial Swimming Pool.*

It was **MOVED** that Council use its own funds to do the work as soon as it can be done and prior to October and open the pool as scheduled. It being noted that grant funds may or may not be able to be reallocated to another project or projects, that there are no funds currently allocated in the 2020/2021 budget for this purpose and that these will need to be drawn from reserves. **(Deacon/Ryan)**

An **AMENDMENT** was **MOVED** that due to the changing COVID restrictions, the General Manager, Mayor, and Deputy Mayor be delegated the authority to make a decision in the best interest of Council. **(Douglas/Boag)**

The **AMENDMENT** then became the **MOTION**, was put to Council and **PASSED**.



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237/2021 RESOLVED that due to the changing COVID restrictions, that the General Manager, Mayor, and Deputy Mayor be delegated the authority to make a decision in the best interest of Council. **(Douglas/Boag)**

PRECIS OF CORRESPONDENCE

1 THE HON. PAUL TOOLE MP, MINISTER FOR REGIONAL TRASPORT AND ROADS

238/2021 RESOLVED that the correspondence from The Hon Paul Toole MP, Minister for Regional Transport and Roads, be received and noted, with a strong reply from Council be forwarded to the Minister Toole. **(Neill/Ryan) unanimous**

2 GRAINFLOW

239/2021 RESOLVED that the correspondence from Grainflow Regional Operations Manager, in regard to grain receival storage capacity in Nyngan be received and noted. **(Ryan/Neill)**

3 THE HON KEVIN HOGAN MP, ASSISTANT MINISTER TO THE DEPUTY PRIME MINISTER, ASSISTANT MINISTER FOR LOCAL GOVERNMENT, FEDERAL MEMBER FOR PAGE

240/2021 RESOLVED that the correspondence from The Hon. Kevin Hogan MP, be received and noted, with a resolution be sent to LG Annual Conference, with the LG Annual Conference being deferred to February next year. **(Dutton/Douglas)**

4 THE NYNGAN GOLF CLUB

241/2021 RESOLVED that Council proceed with annual sponsorship of \$300.00 to Nyngan Golf Club, inclusive of a sign with details of Bogan Shire Council displayed on course. **(Ryan/Jackson)**



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There being no further business, the meeting closed at 12.00 noon.

These Minutes were confirmed by resolution at a meeting held on

..... and were signed as a true record.

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GENERAL MANAGER

MAYOR

