



BOGAN SHIRE COUNCIL

Minutes

24 September 2020



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**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Training Room of the Engineering Department on 24 September 2020 at 9.30am**

PRESENT: Councillors RL Donald OAM (in the Chair), VJ Boag, WG Deacon, 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 Debb Wood (Director People and Community Services), Mrs Stephanie Waterhouse (Director Finance and Corporate Services), Mr Jim Boyce (Acting Director Development and Environmental Services), Mrs Cathy Black (Manager Environmental Services), Mrs Cathy Ellison (Executive Assistant) and Mrs Melissa Salter (Engineering Assistant).

2452020 APOLOGY: RESOLVED that the apology received from Councillor JL Douglas be received and she be granted leave from both meetings. **(Elias/Ryan)**

DECLARATION OF INTEREST: Councillor GN Jackson – General Manager’s Report Item No.4 – Newspaper Options for Bogan Shire.

The General Manager now took the Chair.

Item 2 of the General Manager’s Report was discussed first at the meeting.

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2 ELECTION OF MAYOR AND DEPUTY MAYOR

Summary:-

The provisions of the Local Government Act and Regulations requires Council to hold elections every two years for the office of the Mayor and Deputy Mayor. Council last held elections in 2018.

246/2020 RESOLVED that:-

1. Nominations be called firstly for the office of Mayor and secondly for the office of Deputy Mayor.
2. The length of office for the Deputy Mayor be 1 year consistent with the Mayoral term. **(Ryan/Elias)**

Mayor: The General Manager called for nominations for the office of Mayor. A nomination from Councillor Ray Donald OAM was received.

247/2020 As there were no further nominations, Councillor Ray Donald OAM was declared elected to the office of Mayor for 2020/2021. **(Neill/Boag)**

Deputy Mayor: The General Manager called for nominations for the office of Deputy Mayor. A nomination from Councillor Glen Neill was received.

248/2020 As there were no further nominations, Councillor Glen Neill was declared elected to the office of Deputy Mayor for 2020/2021. **(Elias/Boag)**

Councillor Ray Donald OAM now took the Chair.

Council now moved into the Closed and Confidential Section of the Meeting the time being 9.34am.



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COMMITTEE MEETING MINUTES

1 MUSEUM COMMITTEE MINUTES

256/2020 RESOLVED that the Minutes of the Nyngan Museum Committee Meeting held at the Nyngan Museum on Wednesday 2 September 2020 be received and noted. **(Elias/Boag)**

MAYORAL MINUTE TO THE ORDINARY MEETING OF COUNCIL

1 NYNGAN GOLF CLUB

257/2020 RESOLVED that Council approach the Nyngan Golf Club offering them a sign with our logo and other details of Bogan Shire Council to be put on one of the 18 holes. **(Jackson/Boag)**

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	23/07/2020	208/2020	Seniors Living – Rental Units	Council hold & advertise an open day to visit the units.	DPCS	Verbal report to Council Meeting.
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. Locums secured until 31/12/2020. Renewed recruitment effort underway for permanent doctor with the Rural Doctors Network.

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3	21/12/2017	392/2017	<p>Increase of train speed through Nyngan</p>	<p>Strong letter of concern & a request to address Council be sent to the relevant rail authorities & a copy to local member.</p>	<p>GM</p>	<p>Letter sent to Minister for Transport & Infrastructure, with copy to Kevin Humphries.</p>
	21/06/2018	293/2018		<p>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.</p>		<p>406 Petitions received.</p> <p>On-site meeting held with Deputy Premier.</p> <p>Met with Minister for Regional Transport & Roads in Bourke on 25 November 2019.</p>
				<p>The best control measures would be to erect flashing lights at the Hoskins Street Crossing.</p>		<p>Council advised that this crossing is not a priority for John Holland Rail.</p>

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	28/05/2020	110/2020		<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>	DES	<p>Safety Consultant has been engaged to inspect crossing at the end of July & will be preparing a risk audit for Council.</p> <p>In contact with Safety Consultant – awaiting site visit.</p> <p>Consultant has visited site and commenced report.</p>
4	24/04/2019	117/2019	Cobar Water Board	<p>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.</p>	GM	<p>Further correspondence sent to CWB.</p> <p>Following meeting with CWB held on 11 January 2020, further agreements are to be negotiated.</p> <p>Agreed with Secretary CWB on the need for a further meeting to negotiate arrangements.</p> <p>Meeting on hold in current pandemic circumstances.</p> <p>Preparations for meeting under way.</p>

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5	22/08/2019	264/2019	Stronger Country Communities Fund – Round 3	Council works with community orgs who deliver youth and other community support services to investigate methods of funding for ongoing employment of a part-time Youth Worker & further upgrading to the facility.	DPCS	Discussions yet to commence – reprioritised due to current pandemic circumstances.
6	26/09/2019 <hr/> 24/10/2019	292/2019	Garford Fire Engine	Council proceed with the respray of the Garford Fire Engine, with funds to be provided from the Historical Society \$5,224, Community Arts & Culture Fund \$15,362 & Accumulated Funds \$9,414. <hr/> Council examine options on the best way forward.	DES	Quotes for the Garford to be resprayed and the exterior restored have been requested. <hr/> Verbal report to meeting.

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7	28/11/2019	359/2019	Burrendong Dam	Council contact the relevant departments to request that as a matter of priority, a system be put in place which would have trigger points as to the level of Burrendong Dam and the release of water for use for fodder crops.	GM	Original letter sent 9 January 2020. Follow-up letter sent 25 May 2020. Response from Minister Marshall 25 May 2020 – “Letter is with the Minister’s Office for consideration”.
8	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 is progressing investigation for pipeline from Narromine bore fields to Nyngan. Water NSW investigating bores in the Warren Shire and will notify land owners in the surrounding area.

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9	28/11/2019	368/2019	Repairs to Nyngan & Cobar Emergency Water Storage	<p>The General Manager be authorised to procure sufficient quantities of 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.</p>	DES	<p>Remediation work in progress.</p> <p>Remediation work postponed due to wet weather and soft floor.</p>
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10	23/07/2020	192/2020	<p>Crown Land to convert the Perpetual Special Lease 78218 (Saleyards) to freehold & transfer title to Council.</p>	<p>1. Council purchase the Nyngan saleyards from the Crown at a cost of \$35,100 funded from Council's reserves.</p> <p>2. The GM present a report to Council on necessary measures to allow future use of the site, including an RMS heavy vehicle uncoupling station, wash bay for trucks & hold over are for livestock.</p>	GM	In progress.
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11	23/04/2020	086/2020	ACM – Rural Press Publications	Council respond to the Australian Community Media correspondence acknowledging the Covid-19 Pandemic and also requesting assurance that the Nyngan Observer will resume publication when current restrictions have been lifted.	GM	Report to June 2020 Council Meeting refers. No further information received from ACM regarding the future of the Nyngan Observer.
	26/06/2020	159/2020		General Manager makes further enquiries into the feasibility of a proposal to support the publication of some form of community newspaper to replace the Nyngan Observer should it not resume publication, & provides a further report to Council.		Letters sent to: - Western Herald - Condobolin Argus - Gilgandra Newspapers - Dubbo Photo News asking them to present their ideas for establishing a new weekly newspaper for Nyngan. Report refers.

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12	23/07/2020	193/2020	Speed limit in Nyngan CBD	The survey responses received for reducing speed limit in the Nyngan CBD to 40km/hr between Terangion & Dandaloo Streets be presented to the Traffic Committee Meeting to be held in August 2020.	DES	Verbal update at meeting following Traffic Committee Meeting. Referred to RMS.
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258/2020 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.
(Jackson/Elias)

2 ELECTION OF MAYOR AND DEPUTY MAYOR

This item was discussed earlier in the meeting.

3 COUNCIL’S CODE OF MEETING PRACTICE

Summary:-

This purpose of this report is for Council to implement a requirement for Councils to retain recordings of meetings on their web site for a minimum of 12 months.

259/2020 RESOLVED that Council amend its Model Code of Meeting Practice for Local Councils in NSW Clause 4.21 to state - *A recording of each meeting of the Council and Committee of the Council is to be retained on the Council’s website for a minimum of 12 months. Recording of meetings may be disposed of in accordance with the State Records Act 1998.* **(Ryan/Deacon)**

4 NEWSPAPER OPTIONS FOR BOGAN SHIRE

Summary:-

The purpose of this report is to inform Council of the response from various newspapers regarding establishing a new hardcopy paper to replace the Nyngan Observer.

260/2020 RESOLVED that:-

1. The proposal from Gilgandra Newspaper suits our community best.
(Ryan/Elias)
2. Council support Gilgandra Newspapers’ Nyngan paper with advertising / Mayoral column up to the level of \$21,000 per annum. **(Ryan/Deacon)**
3. The General Manager be authorised to enter into an agreement with Council’s preferred publisher to re-establish a local hardcopy newspaper based on the above. **(Ryan/Boag)**

REPORT TO THE ORDINARY MEETING OF COUNCIL – DIRECTOR PEOPLE AND 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 operation of the Bogan Shire Early Learning Centre.

261/2020 RESOLVED that the Early Learning Centre Report as at 11 September 2020 be received and noted, with appreciation extended to the staff. **(Boag/Neill)**

2 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.

262/2020 RESOLVED that the Operational Report for the Visitor Information Centre as at 11 September 2020 be received and noted. **(Neill/Dutton)**

3 AUSTRALIA DAY 2021 NOMINATIONS AND AWARDS

Summary:-

The purpose of this report is for Council to approve the Australia Day Award categories, nomination form, guidelines and voting system for the 2021 awards.

263/2020 RESOLVED that Council approves the categories, nomination forms and guidelines, as submitted with an amendment to the closing date now being Monday 4 January 2021. **(Elias/Jackson)**

4 BOGAN SHIRE RAILWAY TOURISM PROJECT

Summary:

The purpose of this report is to provide an update for Council's information on progress on the Bogan Shire Railway Tourism Project.

264/2020 RESOLVED that the Bogan Shire Railway Tourism Project report be received and noted. **(Neill/Elias)**

5 BOGAN SHIRE MEDICAL CENTRE

Summary:

The purpose of this report is to provide information to Council on the operations and statistics of the Bogan Shire Medical Centre.

265/2020 RESOLVED that the Bogan Shire Medical Centre Operational Report for July to September 2020 be received and noted. **(Neill/Boag)**

6 RENEW OUR LIBRARIES CAMPAIGN – PHASE TWO

Summary:

The purpose of this report is to provide Council with information on State Government Funding for NSW Public Libraries and the 'Renew our Libraries - Phase Two' campaign.

266/2020 RESOLVED that Council:-

1. Endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, '*Renew Our Libraries*'.
2. Support '*Renew Our Libraries*' to work with the Government to develop a sustainable future funding model with a view guaranteeing an appropriate level of ongoing and indexed state funding.
3. Make representation to the local State Member and Minister for Western NSW Adam Marshall in relation to the need for a sustainable state funding model for the ongoing provision of public library services.
4. Write to the Hon. Don Harwin, Minister for the Arts and the Hon. Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for Consumer Price Index (CPI) indexation of state funding for NSW public libraries, as well as legislation of all elements of the 2019-20 to 2022-23 NSW state funding model.
(Jackson/Deacon)

Council adjourned for morning tea at 10.30am and resumed at 10.55am.

7 ULTRASOUND FEES

Summary:

The purpose of this report is for Council to make a fee for Ultrasound Services at the Bogan Shire Medical Centre.

267/2020 RESOLVED that Council adopt the Pregnancy Entertainment Ultrasound Services fees listed below. **(Dutton/Boag)**

Pregnancy Entertainment Ultrasound Services	Fee
Gender scan with heartbeat and 2D images only (5-10 images) 15 minute appointment	\$100
Gender scan with heartbeat and 2 and 3/4D images (minimum 10 images) 30 minute appointment	\$150
3/4D bookings Standard package (minimum 10 images) 45 minute appointment	\$180
3/4D premium package (minimum 20 images) 60 minute appointment	\$200

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

1 INVESTMENTS AUGUST 2020

Summary:-

The report is to outline the performance of Council's Investment Portfolio for the month of August 2020.

At 31 August 2020 Council had \$14.6 million invested. There has been an increase of \$2.1 million due to payment by TfNSW for ordered works claims, first quarter Financial Assistance Grant Payment, first instalment Roads to Recovery, first instalment Regional Roads Block Grant and the first instalment of the Drought Communities Program paid.

268/2020 RESOLVED that the Investments Report for the month of August 2020 be received and noted. **(Ryan/Deacon)**

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

The report is to provide a comparison of rate collections as at 31 August 2020, with the same period last year.

Total arrears have increased from \$667,882 as at 31 August 2019 to \$957,922 as at 31 August this year.

269/2020 RESOLVED that the Rates and Annual Charges Collection Report as at 31 August 2020 be received and noted. **(Ryan/Jackson)**

3 ADOPTION OF THE 2019/2020 DRAFT ANNUAL STATEMENTS

Summary:-

To adopt the 2019/2020 Draft Annual Statements and for Council to delegate Authority to the General Manager to authorise the Year End Account for issue.

Consolidated Accounting Surplus of \$2,466,000.

Surplus of \$2,582,000 in the General Fund is due mainly to Capital Grant funding included in the operating result and the expenditure being capitalised.

Surplus of \$1,617 in the Water Fund is due to Capital Grant funding of \$1,541 included in the operating result and the expenditure being capitalised as well as additional user charges collected improving the cash position by approximately \$120,000 compared to the original budgeted deficit.

Consolidated unrestricted cash reserves of \$5,363,000.

270/2020 RESOLVED that:-

1. Council adopts the 2019/2020 Draft Annual Statements.
2. Council delegates authority to the General Manager to authorise the Year End Accounts for issue. **(Ryan/Neill)**

4 DRAFT LICENCE AGREEMENT WITH NYNGAN RUGBY UNION CLUB INC.

Summary:-

The report is to:

- (a) Renew the licence agreement with the Nyngan Rugby Union Club Inc. in relation to for use of the Clubhouse at Larkin Oval; and*
- (b) Recommend that Council charge the Nyngan Rugby Union Club Inc. the statutory minimum rental applicable to tenures under the Crowns Land Act 1989 (NSW).*

271/2020 RESOLVED that:-

1. Council enters into a new licence agreement for twelve months with the Nyngan Rugby Union Club.
2. Council charges Nyngan Rugby Union Club Inc. the statutory minimum rental applicable to tenures under the *Crowns Land Act 1989* (NSW).
(Boag/Dutton)

5 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.

272020 RESOLVED that Council:-

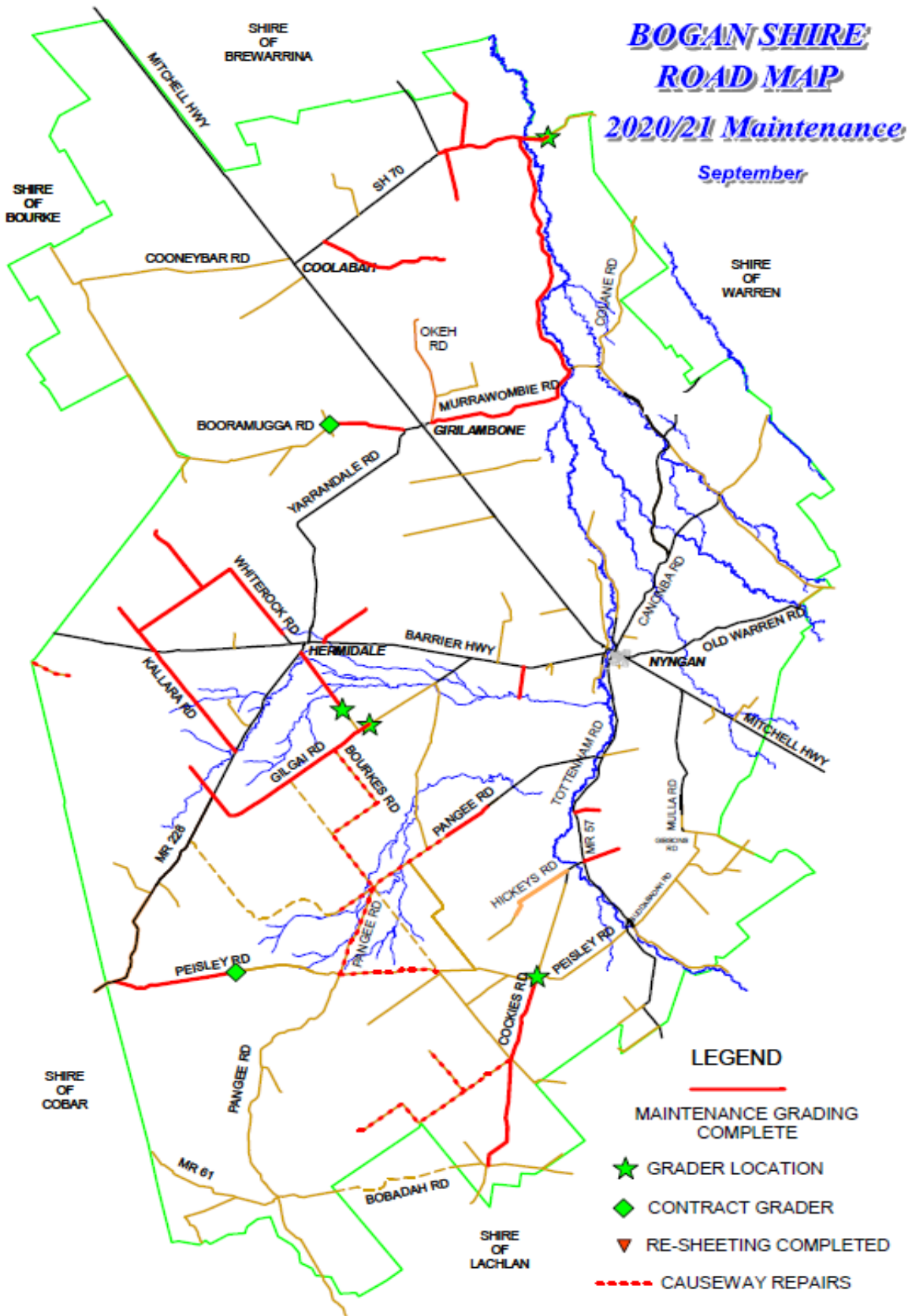
1. Provides financial assistance to The Nyngan Baptist Fellowship to the value of \$1,711, which represents all rates and charges levied on the Nyngan Baptist Fellowship. This would exclude any usage charges for water.
2. Provides financial assistance to the Trustees of the Bobadah Hall to the value of \$341, which represents the Waste Depot Levy.
3. Provides financial assistance to the Nyngan Girl Guides Association to the value of \$1,851 which represents all rates and charges levied on the Girl Guides Hall. This would exclude any usage charges for water. **(Jackson/Neill)**

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

1 OPERATIONAL REPORT

273/2020 RESOLVED that the Operational Report for the reporting period 17 August 2020 to 11 September 2020 including Roads, Civil Works, Community Facilities and Water and Wastewater be received and noted. **(Dutton/Boag)**

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2 NSW ROAD CLASSIFICATION REVIEW AND TRANSFER

Summary:-

The purpose of this report is to advise Council of the Transport for NSW Road Classification Review and Transfer.

274/2020 RESOLVED that Bogan Shire Council does not make a submission to the Transport for NSW Road Classification Review and Transfer panel. **(Ryan/Elias)**

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

1 DEVELOPMENT APPLICATIONS

275/2020 RESOLVED that the Development Applications Report since 27 August 2020 be received and noted. **(Elias/Neill)**

2 OPERATIONAL REPORTS

276/2020 RESOLVED that the Operational Report, including Council's Gardening Team, Ranger and Noxious Weeds Officer for the reporting period 17 August 2020 to 11 September 2020 be received and noted. **(Boag/Dutton)**

PRECIS OF CORRESPONDENCE

1 KERRIE COOPER – LOOP THE LEVEE

277/2020 RESOLVED that a report suggesting locations and costs concerning the levee or parts of it to be a shared pedestrian / cycle path be presented to Council. (Boag/Neill)

2 NSW STATE EMERGENCY OPERATIONS CENTRE

278/2020 RESOLVED that the correspondence received from the NSW State Emergency Operations Centre in relation to the upcoming summer season and management of beaches and other summer recreational attractions governed by local Councils be received and noted. (Ryan/Deacon)

3 COMMUNITY HUB

279/2020 RESOLVED that Council supports the proposal of a Community Christmas Tree in Davidson Park by the Community Hub, noting other events being held in the park in December 2020. (Ryan/Boag)

4 NYNGAN HEALTH COUNCIL

280/2020 RESOLVED that Council advises the Nyngan Health Council of its decision to support a new Nyngan newspaper and that Council's recent grant application included provision for a digital message board similar to the one outside the Library. (Ryan/Neill)

5 NYNGAN AND COBAR DROUGHT WATER SECURITY PROJECT

281/2020 RESOLVED that the email received from Alicia Hatton, Community Engagement Officer, Water NSW updating on the Nyngan and Cobar Drought Water Security Project be received and noted. (Neill/Ryan)



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There being no further business the meeting closed at 11.50am.

Councillors inspected the new upgrade to the Nyngan Museum at 12 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

