



BOGAN SHIRE COUNCIL

Minutes

23 July 2020



Published Recording of Council Meeting

This Council Meeting is being recorded for publishing on Council's website as a public record. By speaking at the Council Meeting you agree to being recorded and for this recording to be published. Please ensure that if and when you speak at this Council Meeting that you are respectful to others and use appropriate language at all times. Bogan Shire Council accepts no liability for any defamatory or offensive remarks made during the course of this Council Meeting.



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room at the Engineering Department of 23 July 2020 at 9.30am

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

Also present were Mr Derek Francis (General Manager), Mrs Debb Wood (Director People and Community Services), 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: Nil

189/2020 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 25 June 2020 copies of which have been circularised to Councillors be taken as read and confirmed. **(Douglas/Elias)**

Business Arising:

- Closure of the Centrelink and Medicare Offices in Nyngan.

Council has been advised that the Local Aboriginal Land Council will now be an agency for these services.



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room at the Engineering Department of 23 July 2020 at 9.30am

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 23 July 2020.

184/2020 APOLOGY: RESOLVED that the apology received from Councillor GN Jackson be received and he be granted leave of absence from the Closed and Confidential Section of the Meeting. **(Deacon/Boag)**

185/2020 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 25 June 2020, copies of which have been circularised to Councillors be taken as read and confirmed. **(Elias/Deacon)**

186/2020 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 (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/Boag)**

187/2020 RESOLVED that:-

1. Council accept the tender of Austroad Systems Pty Ltd for a 6m³ Austroad Jetmaster bitumen Maintenance truck at a cost of \$425,009 (exclusive of GST).
2. The General Manager be authorised to dispose of plant 431 in the best interests of Council. **(Neill/Boag)**

188/2020 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Deacon/Dutton)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room at the Engineering Department of 23 July 2020 at 9.30am

COMMITTEE MEETING MINUTES

1 MUSEUM COMMITTEE MINUTES

190/2020 RESOLVED that the Minutes of the Nyngan Museum Committee Meeting held at the Nyngan Museum on Wednesday 1 July 2020 be received and noted. **(Dutton/Neill)**

RECISSION MOTION

- **Nyngan Saleyards**

191/2020 RESOLVED that Council's Resolution Number 169/2020 being that:-

1. Council decommissions the Nyngan saleyards and advertise the yards themselves for dismantling and removal from the site.
2. Council returns the land back to the Crown. **(Ryan/Douglas)**

be rescinded. **(Boag/ Deacon)**

Councillor Ryan wished his dissent be recorded.

It was **MOVED** that:-

- 1 Council purchase the Nyngan Saleyards from the Crown at a cost of \$35,100 funded from Council's reserves.
- 2 The General Manager 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 and hold over area for livestock. **(Boag/ Deacon)**

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room
at the Engineering Department of 23 July 2020 at 9.30am**

An **AMENDMENT** was **MOVED** that Council defer a decision on this matter until Council receives a further report from the General Manager concerning the risks and hazards associated with the operation of the facility as stated in the Director of Finance and Corporates Services' Report to the 25 June 2020 Council Meeting. **(Ryan/Douglas)**

The **AMENDMENT** was **PUT** to Council and **LOST**.

192/2020 RESOLVED that:-

1. Council purchase the Nyngan Saleyards from the Crown at a cost of \$35,100 funded from Council's reserves.
2. The General Manager 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 and hold over area for livestock. **(Boag/ Deacon)**

Councillor Ryan wished his dissent be recorded.

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room
at the Engineering Department of 23 July 2020 at 9.30am**

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

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	27/10/2016	423/2016	Seniors Living – Rental Units	Ensure compliance with Stronger Communities grant milestones.	DDES	Units complete. Driveways and fencing are the only works outstanding. Estimated completion date of July 2020.
	28/11/2019	376/2019		All applications for tenancy of the Bogan Shire Seniors Living Units shall be assessed by a Tenancy Approvals Committee.	DPCS	Report to Council refers.

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room
at the Engineering Department of 23 July 2020 at 9.30am**

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.
3	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.		406 Petitions received. On-site meeting held with Deputy Premier. Met with Minister for Regional Transport & Roads in Bourke on 25 November 2019.

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room
at the Engineering Department of 23 July 2020 at 9.30am**

	28/05/2020	110/2020		<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>	DES	<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.</p> <p>In Progress.</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>

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room
at the Engineering Department of 23 July 2020 at 9.30am

						<p>Meeting on hold in current pandemic circumstances.</p> <p>Preparations for meeting under way.</p>
5	22/08/2019	264/2019	<p>Stronger Country Communities Fund – Round 3</p>	<p>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.</p>	DPCS	<p>Discussions yet to commence – reprioritised due to current pandemic circumstances.</p> <p>No further updates – unable to meet due to COVID-19.</p> <p>Funding for Youth Worker to be considered as part of Resources for Regions funding.</p>

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room
at the Engineering Department of 23 July 2020 at 9.30am

6	26/09/2019	292/2019	Garford Fire Engine	<p>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.</p> <hr/> <p>Council examine options on the best way forward.</p>	DES	<p>Quotes for the Garford to be resprayed and the exterior restored have been requested.</p> <hr/> <p>On hold until feedback has been provided.</p>
	24/10/2019					

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room
at the Engineering Department of 23 July 2020 at 9.30am**

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.

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room
at the Engineering Department of 23 July 2020 at 9.30am**

9	28/11/2019	368/2019	Repairs to Nyngan & Cobar Emergency Water Storage	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.	DES	Remediation work in progress. Remediation work postponed due to wet weather and soft floor.
---	------------	----------	--	---	------------	--

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room
at the Engineering Department of 23 July 2020 at 9.30am**

10	26/03/2020	047/2020	Crown Land to convert the Perpetual Special Lease 78218 (Saleyards) to freehold & transfer title to Council.	GM be authorised to proceed with an investigation as to the possible economic value to Council in purchasing the land for development, redevelopment or sale to commercial interests & report back to Council for a decision.	DFCS	Report underway, will be presented to June Council meeting. Report to June Council 2020 Council meeting refers. Notice of Rescission Motion received.
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. Positive response received from one Regional newspaper who wishes to enter into negotiations with Council.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room
at the Engineering Department of 23 July 2020 at 9.30am

	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, and provides a further report to Council for consideration.		
12	28/05/2020	126/2020	Speed limit in Nyngan CBD	Council engage in public consultation prior to reducing the speed limit in the Nyngan CBD to 40km/hr between Terangion and Dandaloo Streets.	DES	Out of 48 Survey responses received: 29 = 40km/hr 19 = 50km/hr

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room
at the Engineering Department of 23 July 2020 at 9.30am

- **Speed Limit in Nyngan CBD**

193/2020 **RESOLVED** that the survey responses received for reducing the speed limit in the Nyngan CBD to 40km/hr between Terangion and Dandaloo Streets be presented to the Traffic Committee Meeting to be held in August 2020 for recommendation. **(Ryan/Elias)**

194/2020 **RESOLVED** that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.
(Ryan/Boag)

195/2020 **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 (2) (e) because it is information that would, if disclosed, prejudice the maintenance of law. **(Ryan/Neill)**

Sergeant Tony Wood now addressed the meeting.

196/2020 **INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting move into Open Council. **(Elias/Neill)**

Mrs Cathy Black, Manager Environmental Services now attended the meeting.

The Director, People and Community Services’ Report was discussed later in the meeting.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room at the Engineering Department on 23 July 2020 at 9.30am

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

1 INVESTMENTS JUNE 2020

Summary:-

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

At the 30 June 2020 Council had \$13.4 million invested. There has been a decrease of \$1.16 million due to a number of RMS projects awaiting payment for the claim.

197/2020 RESOLVED that the Investments Report for the month of June 2020 be received and noted. **(Ryan/Douglas)**

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

The report is to provide a comparison of rate collections as at 30 June 2020, with the same period last year.

Total arrears have increased from \$386,607 at the 30 June 2019 to \$805,373 as at 30 June this year.

198/2020 RESOLVED that the Rates and Annual Charges Collection Report for the month of June 2020 be received and noted. **(Boag/Neill)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room at the Engineering Department on 23 July 2020 at 9.30am

3 CARRY FORWARDS AND REVOTES FROM 2019/2020 CAPITAL BUDGET

Summary:-

The purpose of this report is to advise Council of the carry-forward amounts for the 2020/2021 budget and to ask Council to revoke on projects that had not commenced or were not contracted to commence as at 30th June 2020.

199/2020 RESOLVED that:-

1. The Carry Forwards from 2019/2020 to 2020/2021 be noted.
2. Council revotes those items that had not commenced prior to the 30th June 2020 as detailed. **(Ryan/Neill)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room at the Engineering Department on 23 July 2020 at 9.30am

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

1 OPERATIONAL REPORT

200/2020 RESOLVED that the Operational Report for the reporting period 15 June 2020 to 10 July 2020 including Roads, Civil Works, Community Facilities and Water and Wastewater be received and noted. **(Elias/Dutton)**

2 ROADWORKS BUDGET 2020-2021

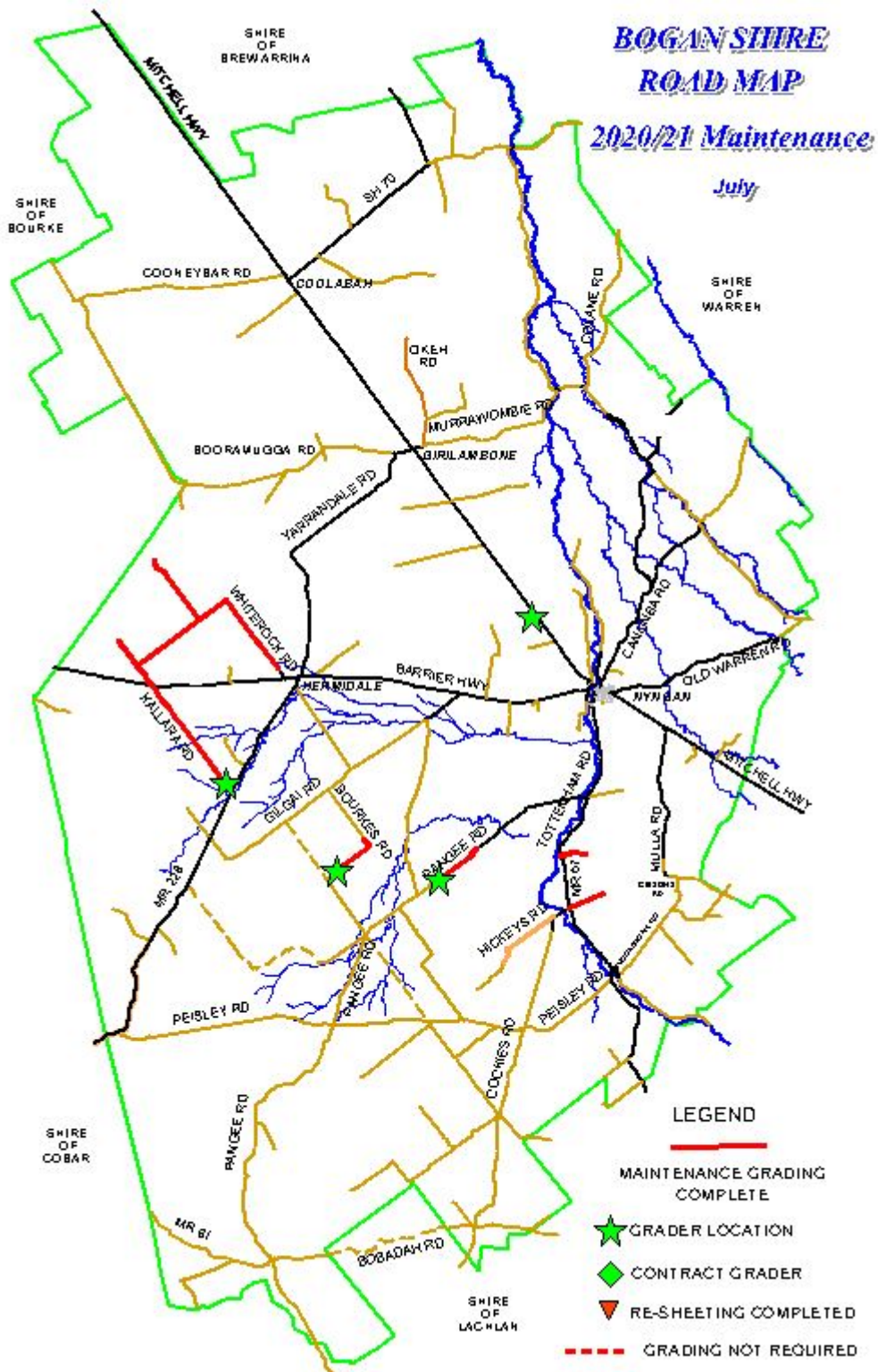
Summary: -

The purpose of this report to advise Council of the additional roadworks funds provided for the 2020-2021 financial year.

201/2020 RESOLVED that:-

1. The Roadworks Budget Report 2020-2021 be received and noted.
2. The additional budget allocations detailed in this report be incorporated into the first budget review. **(Deacon/Ryan)**

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room at the Engineering Department on 23 July 2020 at 9.30am



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room at the Engineering Department on 23 July 2020 at 9.30am

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

202/2020 **RESOLVED** that the Development Applications Report since 25 June 2020 Council Meeting be received and noted. **(Ryan/Neill)**

2 OPERATIONAL REPORTS

203/2020 **RESOLVED** that the Operational Report, including Council's Gardening Team, Ranger and Noxious Weeds Officer for the reporting period 15 June 2020 to 10 July 2020 be received and noted. **(Boag/Dutton)**

3 PROPOSED RESIDENTIAL SUBDIVISION – HOSPITAL ROAD, NYNGAN

Summary

The purpose of this report is to seek Council's direction on a proposed subdivision of Lot 2 DP 1073422 Hospital Road, Nyngan for the purpose of providing affordable residential allotments for the community.

204/2020 **RESOLVED** that:-

1. Council formally requests Essential Energy remove the redundant 18.29m wide easement for Transmission Line (L 533433) over Lot 2 DP 1073422.
2. Assistance be sought from the Minister for Energy and Environment, Minister for Planning and Public Spaces and Deputy Premier in this regard, as Council is using its best endeavours to secure affordable land for housing development in Nyngan. **(Neill/Douglas)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room at the Engineering Department on 23 July 2020 at 9.30am

PRECIS OF CORRESPONDENCE

1 THE HONOURABLE MELINDA PAVEY MP

205/2020 **RESOLVED** that the correspondence received from The Honourable Melinda Pavey MP in response to Council's letter to Adam Marshall MP dated 2 January 2020 regarding weirs along the Bogan River be noted. (Ryan/Boag)

2 WEEKLY CIRCULARS

206/2020 **RESOLVED** that the Local Government Weekly Circulars dated 25 June 2020, 3 July 2020 and 10 July 2020 be received and noted. (Ryan/Neill)

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room at the Engineering Department on 23 July 2020 at 9.30am

Council now returned to the Director People and Community Services Report.

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

1 BOGAN BUSH MOBILE – TERM 2 REPORT

Summary:-

The purpose of this report is to advise Council on the Term 2 activities of the Bogan Bush Mobile service

207/2020 RESOLVED that the Bogan Bush Mobile Term 2 Report be received and noted. **(Deacon/Boag)**

1 BOGAN SHIRE SENIORS LIVING

Summary:-

The purpose of this report is to provide an update to Council on the status of applications for tenancy at the new Bogan Shire Seniors Living units and to request direction of Council for further advertising if necessary.

208/2020 RESOLVED that:-

1. This report be received and noted.
2. Council does further advertising of any unallocated Bogan Shire Seniors Living units remaining after the second allocation of units.
3. Council hold and advertise an open day to visit the units. **(Douglas/Ryan)**

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room at the Engineering Department on 23 July 2020 at 9.30am

Councillors GN Jackson now attended the meeting, the time being 11.40am.

3 COVID-19 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE GRANT

Summary:-

The purpose of this report is to provide information to Council on funding from the Local Roads and Community Infrastructure Grant and for Council's consideration of eligible projects.

209/0220 RESOLVED that Council suspend standing orders. **(Douglas/Neill)**

Discussion – projects.

210/2020 RESOLVED that Council resume standing orders. **(Ryan/Elias)**

211/2020 RESOLVED that the General Manager applies for funding under the Local Roads and Community Infrastructure Grant for the projects determined below, in priority order, until all grant funds are exhausted. **(Ryan/Neill)**

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room at the Engineering Department on 23 July 2020 at 9.30am

Ref.	Project / Program	Indicative Scope	Indicative Cost (\$)
1	Nyngan Pool Improvements	<ul style="list-style-type: none"> • Complete water play • Waterslide 	<ul style="list-style-type: none"> • 50,000 • 150,000
2	Netball Courts	Sealing two courts	100,000
3	Bogan River - Lower	Landscaping, pathway lighting, seating, shelters – eastern side, aeration fountain	125,000
4	Nyngan Cemetery	Perimeter fencing	50,000
5	Bogan River - Upper	Walking tracks, toilets, bins, recreation / ski facilities	125,000
6	Coolabah and Hermidale Toilets	Demountable building	60,000
7	Frank Smith Oval	Shelter, walkway to ELC, sight screen and fence	110,000
8	Road Works: Bitumen re-seals local roads	8 km additional to achieve 19km benchmark in 2019/20 and 2020/21	84,000
9	Road Works: Gravel re-sheeting local roads	9 km as listed in draft program for 2020/21	213,000
Total			\$1,067,000

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room at the Engineering Department on 23 July 2020 at 9.30am

4 RESOURCES FOR REGIONS ROUND 7

Summary:-

The purpose of this report is to provide information to Council on funding from the Resources for Regions Grant and for Council's consideration of eligible projects.

212/2020 RESOLVED that Council suspend standing orders. **(Neill/Elias)**

Discussion – projects.

213/2020 RESOLVED that Council resume standing orders. **(Ryan/Neill)**

Councillor GN Jackson now left the meeting.

Council adjourned for lunch, the time being 12.50pm and resumed at 2.00pm. After lunch Councillors and Senior Staff inspected the completed Seniors Living Units.

214/2020 RESOLVED that the General Manager applies for funding under the Resources for Regions Grant for the specified projects determined below, in priority order, until all grant funds are exhausted retaining a maximum of 20% for contingencies and project management / administration costs. **(Neill/Dutton)**

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room at the Engineering Department on 23 July 2020 at 9.30am

Ref.	Project / Program	Indicative Scope	Indicative Cost (\$)
1	Bogan Shire Youth & Community Centre	Sports Hall extension, Fencing, Pathways, Operable Walls, Landscaping	493,000
2	CBD Tourism Developments	<ul style="list-style-type: none"> • Davidson / Vanges Park - CWA Hall development, fencing, parking, information board and landscaping • Teamster's Rest - parking, toilet, turntable platform, camera stand • Nyngan and Shearing Shed Museums - Railway Footbridge repairs, landscaping, wool dump, crane, steam engine • Flood Memorial / Heritage Park – lighting, shelters, toilets, well and hedging 	1,300,000
3	Nyngan Airport	Part co-contribution for RAUP grant (\$100k) to reseal runway and apron, fuel tanks and fence repairs	250,000
4	Bogan Shire Youth & Community Centre - Youth Worker	Salary for years 2 and 3	140,000
5	Doctor / staff accommodation	New units constructed Bogan Street, sale of existing units	550,000
6	O'Reilly Park Upgrades (Also in Local Roads and Community Infrastructure list)	Flying fox, rope climb, new play equipment, improve skate park, softfall	300,000
7	Flashman Road Subdivision	Roads, kerb and guttering, water and sewer	400,000
8	Waste Facility: Cells and Tip Shop	6 x cells, shed for tip shop	250,000
9	Establish Bakery & new Visitor Information Centre	Several possible CBD locations	250,000
Total			\$3,933,000



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room at the Engineering Department on 23 July 2020 at 9.30am

There being no further business the meeting closed at 2.20pm.

These Minutes were confirmed by resolution at a meeting held on
and were signed as a true record.

.....

.....

GENERAL MANAGER

MAYOR

