



BOGAN SHIRE COUNCIL

Minutes

19 December 2019



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**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 28 November 2019 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), Mr Graeme Bourke (Director Engineering Services) Mrs Debb Wood (Director People and Community 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

398/2019 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 28 November 2019 copies which have been circularised to Councillors be taken as read and confirmed. **(Ryan/Elias)**

Business Arising: - Nil

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 19 December 2019.

392/2019 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) (b) because it is information that would, if disclosed, confer the personal hardship of any resident or ratepayer. **(Boag/Douglas)**

393/2019 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 28 November 2019, copies of which have been circularised to Councillors be taken as read and confirmed. **(Jackson/Neill)**



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394/2019 RESOLVED that Council informs the owner that it is not prepared to accept the transfer Lot 14 DP 209984 in payment of outstanding rates and charges. **(Ryan/Douglas)**

395/2019 RESOLVED that Council consider the Director Engineering Services late Confidential Report. **(Ryan/Elias)**

396/2019 RESOLVED that Council accepts the tender of Neill Earthmoving Pty Ltd at a value of \$1,186,500.00 (including GST) for Inground Storage 1A Design Modification Works as recommended by NSW Public Works. **(Boag/Deacon)**
Unanimous

397/2019 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Douglas/Elias)**

COMMITTEE MEETING MINUTES

1 NYNGAN MUSEUM MEETING

399/2019 RESOLVED that the Minutes of the Nyngan Museum Committee Meeting held on 4 December 2019 at the Nyngan Museum be received and noted. **(Neill/Dutton)**

2 SHOWGROUND USERS ADVISORY GROUP MEETING

400/2019 RESOLVED that the Minutes of the Showground Users Advisory Group Meeting held at Bogan Shire Council Chambers on 28 November 2019 be received and noted. **(Ryan/Jackson)**



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REPORT TO ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

Councillors

The following report is submitted for consideration:-

1 DROUGHT RELIEF MEASURES

Discussion was held concerning the need for Government assistance to be used to provide rate relief for Bogan Shire ratepayers.

The Mayor referred to a letter from the NSW Treasurer received on 17 December 2019.



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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	Seniors Living – Rental Units	Director Development and Environmental Services working closely with external Project Manager to ensure compliance with Stronger Communities grant milestones	DDES	Development Application and Construction Certificate approved. Construction to commence 6 January 2020 with estimated completion date of June 2020.
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. Second Locums secured until 22/5/2020.

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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 & that the best control measures would be to erect flashing lights at the Hoskins Street Crossing.	GM	406 Petitions received. On-site meeting held with Deputy Premier. Request made to meet with Deputy Premier in Bourke on 25 November 2019. Awaiting response from Minister for Regional Transport & Roads via RMS.
4	25/10/2018	340/2018	Palais Theatre	Council has been approached by interested parties to construct seniors living accommodation at the site.	DDES	Demolition works commenced. Additional asbestos identified. Expected completion date extended to 31 January 2020.

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5	28/02/2019	021/2019	Drought Works	<p>The General Manager continues to pursue grant funding opportunities to meet the cost to improve water security for Girilambone & Hermidale.</p> <p>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.</p>	DES	<p>Application submitted, awaiting response. Funding for water carting to the villages has been approved. No additional funding currently available from NSW Government. Request resubmitted via Town Water Supply Commissioner. NSW Government advice at this stage is that individual tanks do not meet the drought funding criteria.</p> <hr/> <p>Request resubmitted via Town Water Supply Commissioner. There has been no reply as of yet from the Town Water Supply Commissioner.</p>
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6	24/04/2019	117/2019	Cobar Water Board	<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> <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>	GM	<p>Advice from CWB is that they disposed of their licence in 2010.</p> <p>Further correspondence sent to CWB. Awaiting response.</p> <hr/> <p>Council staff to investigate implications.</p> <p>Council's Solicitors engaged to assist with new agreement.</p> <p>Further correspondence sent to CWB. Awaiting response.</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.		Further correspondence sent to CWB. Awaiting response.
7	23/05/2019	164/2019	Nyngan/Cobar Water Security	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.	GM	Meeting held on 18 June 2019 with Secretary of CWB and staff. Further correspondence sent to CWB. Awaiting response.



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8	27/06/2019	222/2019	Nyngan Regional Cultural Centre	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.	GM	Design requirement being confirmed. Architects working on detailed plans.
9	22/08/2019	263/2019	Stronger Country Communities Fund – Round 3	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.	DPCS	Grant application to be submitted by 27 September 2019. Application submitted. Letter sent to Deputy Premier regarding length of approval process.

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	22/08/2019	264/2019		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.		
10	26/09/2019	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 and Culture Fund \$15,362 and Accumulated Funds \$9,414.	DES	Quotes for the Garford to be resprayed and the exterior restored have been requested.



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	24/10/2019			Council examine options on the best way forward.		Verbal report to be given at meeting.
11	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	In progress.

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12	28/11/2019	360/2019	Weirs along Bogan River	Council approach the relevant departments that, as a matter of urgency, landholders along the Bogan River where weirs were previously located be allowed to reinstate these immediately and be subsidised for the work under a drought strategy plan.	GM	In progress.
13	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 mediation works, according to specifications provided by NSW Public Works.	GM	Three quotations received and being reviewed. Public Works have called for repair of the storage. These closed on 10/12/2019.

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				The procurement be carried out by way of quotations.		Public Works are preparing a tender report for Council's consideration which had not been received at the date of business paper preparation. This report will be circulated to Councillors prior to the meeting.
14	28/11/2019	369/2019	Second Water Storage Project Delivery	Council that considering project delivery experience to date explore further options to appoint a firm of consultants to undertake complete contract, project and construction management of the project.	DES	Options being investigated.



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15	28/11/2019	372/2019	Beleringar Creek Syphon Replacement Delivery	Council explore further options to appoint a firm of consultants to undertake complete contract, project & construction management of the Beleringar Creek Syphon Replacement Project.	DES	Options being investigated.
16	28/11/2019	375/2019	Drought Communities Program	Council prepare a report with project options to a future Council meeting.	DPCS	Council Report December 2019.



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17	28/11/2019	385/2019	EPA – Clean Up Notice	Representatives of EPA be requested to attend Council Meeting 19 December 2019 to discuss their concerns in respect of alleged asbestos contamination at the Nyngan Waste Facility.	DDES	Letter sent to EPA on 2 December 2019 requesting their attendance as per Council resolution. Reminder sent to EPA via email on 6 December 2019. EPA responded on 9 December 2019 advising that EPA staff are unable to attend Council Meeting.
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401/2019 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Neill/Boag)**

2 VILLAGE MEETINGS

Summary:-

This report is to inform Councillors of the recent meeting held between Council management and representatives of the Shire’s villages.

402/2019 RESOLVED that the Village Meetings Report be noted and to commend the General Manager and Directors in continuing their visits to the villages. **(Ryan/Jackson)**

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

1 BOGAN SHIRE SENIORS LIVING

Summary:-

The purpose of this report is seek Council’s approval of Council Policy COM001 (Seniors Living).

403/2019 RESOLVED that Council Policy COM001 (Seniors Living) be approved, subject to the following amendment: 5.1 delete the word “*successful*” and replace with the word “*eligible*”. **(Ryan/Neill)**

404/2019 RESOLVED that Council permit one cat or dog per unit. **(Ryan/Neill)**



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2 76B PANGEE STREET

Summary:-

The purpose of this report is recommend to Council that the former Nyngan Observer office at 76B Pangee Street be refurbished to be used as treatment rooms for the Bogan Shire Medical Centre.

405/2019 RESOLVED that:-

1. The former Nyngan Observer office at 76B Pangee Street be converted into treatment rooms for the Bogan Shire Medical Centre.
2. The anticipated cost of conversion / refurbishment of \$160,000 be funded as follows:
 - a) \$60,000 from existing Capital Works budget (Renewal to 76A and B Pangee Street); and
 - b) \$100,000 from unexpended T-Corp loan funds should Drought Communities Program funding not be successful. **(Douglas/Boag)**

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3 DROUGHT COMMUNITIES PROGRAM

Summary:-

The purpose of this report is to provide information to Council on funding from the Drought Communities Program and for Council's consideration of eligible projects.

406/2019 RESOLVED that The General Manager applies for funding under the Drought Communities Program for the following projects in priority order, as required to meet the \$1 million available funding. **(Ryan/Jackson)**

	Suggested Projects	Estimated Cost
1	Nyngan Pool - resurfacing	\$400,000
2	Bogan Shire Medical Centre - sonography (ultrasound) equipment	\$120,000
3	Bogan Shire Medical Centre – extensions fit out	\$100,000
4	Bogan Shire Community Centre – fit out and outdoor area	\$245,000
5	Bogan Shire Community Centre - solar panels	\$25,000
6	Nyngan Junior League oval - lighting	\$40,000
7	Hermidale – park upgrades or public toilet	\$30,000
8	Collerreina - hall upgrades	\$30,000
9	Nyngan Pool – half basketball court shade sail	\$30,000
10	Wilga Tank - desilting	\$75,000
11	Nyngan Pool - blanket	\$55,000
12	Raw Water stand pipe	\$50,000
13	Rural roads - cattle grid removal program	\$60,000
14	Netball Courts - sealing	\$50,000
15	Airport - lights	\$250,000

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

1 INVESTMENTS OCTOBER 2019

Summary:-

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

At 30 November 2019 Council had \$13.7 million invested. There has been an increase of \$845,000 due to the 2nd rate instalment falling due, the 2nd quarter FAG payment and R2R and Block Grant instalments being received.

407/2019 RESOLVED that the Investments Report for November 2019 be received and noted. **(Ryan/Jackson)**

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

This report is to provide a comparison of rate collections as at 30 November 2019, with the same period last year.

Total arrears have increased from \$588,114 as at 30 November 2018 to \$757,728 as at 30 November this year.

408/2019 RESOLVED that the Rates and Annual Charges Collection Report for the month of November 2019 be received and noted, noting that the percentage of arrears of the total amount levied is now 11% at the current date. **(Douglas/Neill)**

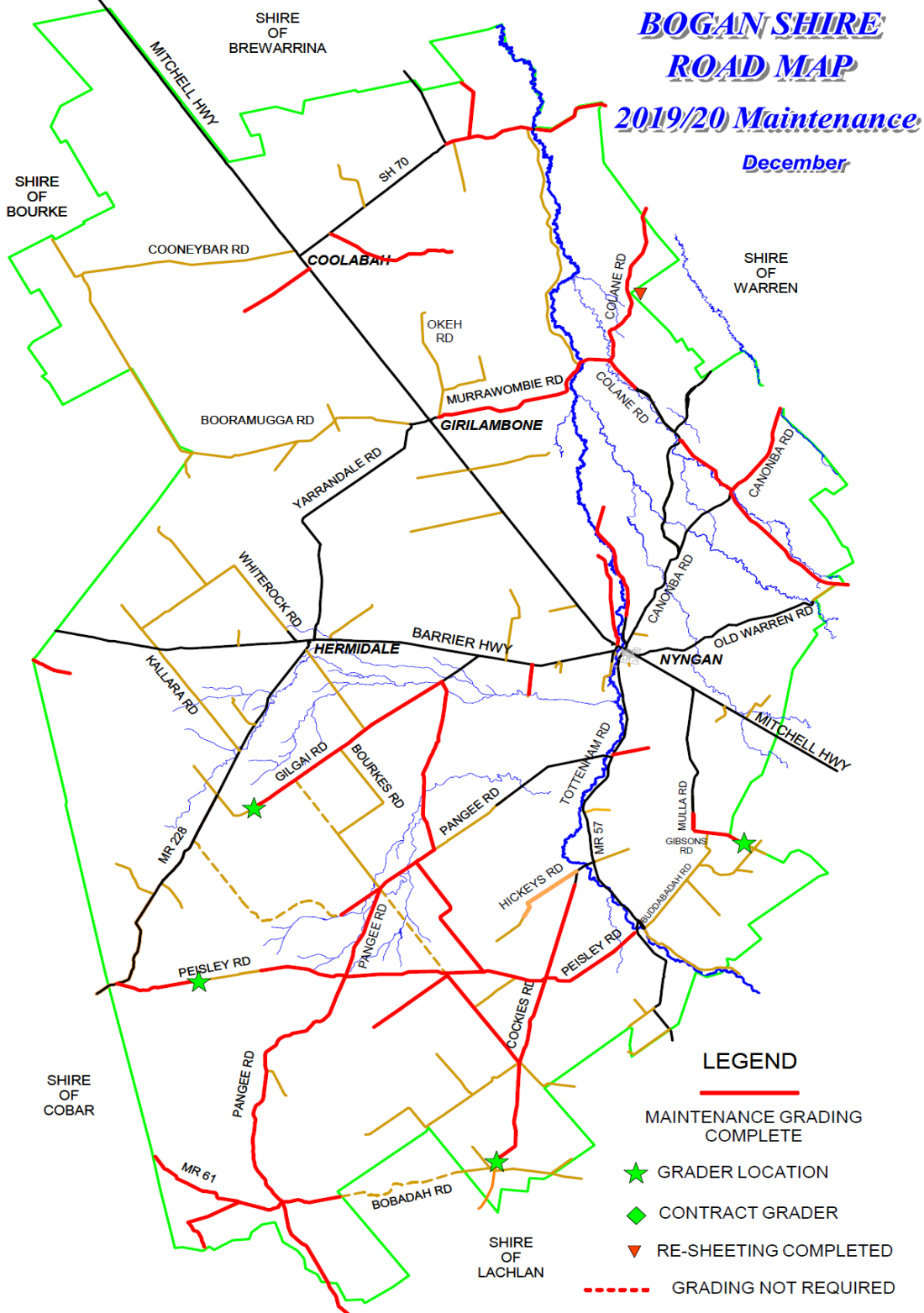


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**REPORT TO THE ORDINARY MEETING OF COUNCIL – DIRECTOR OF
ENGINEERING SERVICES**

409/2019 RESOLVED that the Operational Report, including civil works, community facility and roads for the reporting period 18 November 2019 to 6 December 2019 be received and noted. **(Elias/Dutton)**

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

1 DEVELOPMENT APPLICATIONS

410/2019 RESOLVED that the Development Applications Report since 28 November 2019 Council Meeting be received and noted. **(Neill/Deacon)**

2 OPERATIONAL REPORTS

411/2019 RESOLVED that the Operational Report, including Parks and Garden Team and Noxious Weeds Officer be received and noted. **(Douglas/Boag)**

Council adjourned for morning tea at 10.00am and resumed at 10.25am.

3 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – DRAFT LSPS

412/2019 RESOLVED that the draft Local Strategic Planning Statement with amendments be placed on public exhibition for twenty eight (28) days. **(Ryan/Neill)**



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PRECIS OF CORRESPONDENCE

1 SALVATION ARMY

413/2019 RESOLVED that the *thank you* letter received from the Salvation Army thanking Council for the generous donation be received and noted. **(Ryan/Douglas)**

2 LYN QUINTON AND LYNN HODGE

414/2019 RESOLVED that the *thank you* letter received from Lyn Quinton and Lynn Hodge thanking Council for its support with their recent Art Exhibition be received and noted. **(Boag/Deacon)**

415/2019 RESOLVED, noting that the event ran at a financial loss, Council enquire as to the loss amount incurred. **(Douglas/Boag)**

3 THE HON MELINDA PAVEY MP

416/2019 RESOLVED that the correspondence received from The Hon. Melinda Pavey MP regarding planning for critical water shortages be received and noted. **(Ryan/Dutton)**

4 TAYLA MARTIN

417/2019 RESOLVED that Council support Tayla Martin in hosting a community evening event on Friday 24 April 2020, and advise Tayla of Council's continued support for the *Hometown Workshops: Since the Flood Program*. Tayla is to be commended and congratulated for her initiative and enthusiasm in securing funding for this program. **(Douglas/Boag)**



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**5 THE HON. DAVID LITTLERPOUD MP, MINISTER FOR WATER RESOURCES,
DROUGHT, RURAL FINANCE, NATURAL DISASTER AND EMERGENCY
MANAGEMENT**

418/2019 RESOLVED that the correspondence received from the Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management informing Council it is eligible to apply for \$1 million in project funding under the Drought Communities Program (DCP) Extension be received and noted. **(Elias/Neill)**

6 WEEKLY CIRCULARS

419/2019 RESOLVED that the Local Government Weekly Circulars dated 21 November 2019, 28 November 2019 and 5 December 2019 be noted. **(Boag/Elias)**

There being no further business the meeting closed at 10.45am.

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

.....
GENERAL MANAGER

.....
MAYOR

