



BOGAN SHIRE COUNCIL

Minutes

23 April 2020



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**Minutes of the Ordinary Meeting of Bogan Shire Council
held via GoToMeeting on 23 April 2020 at 9.30am**

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

Also present were Mr Derek Francis (General Manager), Mrs Cathy Ellison (Executive Assistant) and Miss Tara McDermott (Business Services Officer) in the Council Chambers.

Directors, Mrs Debb Wood (Director People and Community Services), Mr Graeme Bourke (Director Engineering Services), Mrs Stephanie Waterhouse (Director Finance and Corporate Services), Mrs Cathy Black (Acting Director Development and Environmental Services) via GoToMeeting.

DECLARATION OF INTEREST: Nil

064/2020 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 26 March 2020 copies of which have been circularised to Councillors be taken as read and confirmed. **(Neill/Jackson)**

Business Arising: Nil.

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

060/2020 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 26 March 2020, copies of which have been circularised to Councillors be taken as read and confirmed. **(Elias/Ryan)**

061/2020 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 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. **(Boag/Deacon)**



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062/2020 RESOLVED that:-

1. Council confirms its acceptance and involvement in a regional contract with JLW Services for the Collection and Recycling of Waste Tyres.
2. Council accepts the cage rate as its preference for collection and recycling of waste tyres. **(Ryan/Douglas)**

063/2020 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Dutton/Elias)**

COMMITTEE MEETING MINUTES

1 ORANA JOINT ORGANISATION BOARD ORDINARY MEETING

065/2020 RESOLVED that the Minutes of the Orana Joint Organisation Board Meeting held Via Teleconference on 27 March 2020 be received and noted. **(Elias/Boag)**

2 ORANA JOINT ORGANISATION BOARD EXTRAORDINARY MEETING

066/2020 RESOLVED that the Minutes of the Orana Joint Organisation Board Extraordinary Meeting held Via Teleconference on 7 April 2020 be received and noted. **(Elias/Boag)**

Miss McDermott now left meeting.

The Mayor provided an update on the current position of the Orana JO.



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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	Steel framing erected. 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	Expression of Interest advertisements for Committee Members were placed in the Nyngan Observer on 25 March 2020, 1 April 2020 and 8 April 2020.

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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 Locum secured until 22/5/2020. 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.

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	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 & that the best control measures would be to erect flashing lights at the Hoskins Street Crossing.</p>	GM	<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>Council advised that this crossing is not a priority for John Holland Rail.</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>



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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	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.	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.
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	Letter sent.



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8	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	Letter sent.
9	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	Meeting held 11 February 2020 with Water NSW at their request. Water NSW is progressing investigation for pipeline from Narromine bore fields to Nyngan.



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10	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.
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11	26/03/2020	038/2020	Drought Affected Local Government Services Grant	Council send the draft letter concerning Local Govt Drought Affected Services Grant to the Federal Member for Parkes, Mark Coulton, & make mention of Council's current total rates & services charges arrears of 12%.	GM	Letter has been sent.
12	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.	GM	



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- Seniors Living – Rental Units

067/2020 RESOVED that Mr Peter Murphy, Mr Peter Rees and Mrs Dorothy Inglis be appointed to the Bogan Shire Affordable Seniors Living Tenancy Approvals Committee. (Deacon/Elias)

Council was advised that the application for funding to erect a Youth Centre from the NSW Stronger Country Communities Funding Program was successful and approved plans are currently progressing.

068/2020 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. (Neill/Ryan)

2 COVID-19

Summary:-

The purpose of this report is to provide Council with information in relation to the impact of the Covid-19 pandemic.

069/2020 RESOLVED that the Covid-19 Report be received and noted, and Council thanked the General Manager and other staff involved for a thorough report. (Neill/Dutton)

070/2020 RESOLVED that Council deal with the late item of correspondence. (Dutton/Deacon)



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OFFICE OF LOCAL GOVERNMENT

Circular 20-12/17 April 2020 received from the Office of Local Government concerning Modification of Statutory Requirements in response to the COVID-19 Pandemic. Regulations have been made under Section 747B of the Local Government Act 1993 to temporarily modify the application of the Act in response to the COVID-19 Pandemic. Details listed on the Circular are as follows:-

- What's new or changing
- What this will mean for your Council
- Extension of the ability of Councils to waive or reduce fees
- Modification of requirements for Councils to make certain documents available for inspection
- Removal or newspaper advertising requirements under the Regulation
- Key Points
 - Regulations made under Clause 747B automatically expire after 6 months of earlier if decided by the Parliament.

071/2020 **RESOLVED** that the General Manager submit a report to the Estimates Meeting on what measures Council could take in respect of waiving or reducing fees for businesses that have experienced significantly reduced income as a result of COVID-19. **(Neill/Boag)**



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

1 BOGAN BUSH MOBILE – TERM 1 REPORT

Summary:-

The purpose of this report is to advise Council on the Term 1 activities of the Bogan Bush Mobile Service.

072/2020 RESOLVED that the Bogan Bush Mobile Report – Term 1 2020 be received and noted. **(Jackson/Elias)**

2 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 over the past three months.

073/2020 RESOLVED that the Library Report for the reporting period, 1 January 2020 to 31 March 2020 be received and noted. **(Ryan/Jackson)**

Council was advised that a Local Priority Grant application for \$10,000 had been successful and this would be used to purchase eBooks and CCTV cameras for staff and Library user safety.



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

1 INVESTMENTS MARCH 2020

Summary:-

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

As at 31 March 2020 Council had \$13.3 million invested. There has been an increase of \$511,000 due to the quarterly R2R payment being received and payments for money spent on other grants.

074/2020 RESOLVED that the Investments Report for the month of March 2020 be received and noted. **(Jackson/Boag)**

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

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

Total arrears have increased from \$424,484 as at 31 March 2019 to \$642,709 as at 31 March this year.

075/2020 RESOLVED that the Rates and Annual Charges Collection Report as at 31 March 2020 be received and noted with the following up to date percentages being provided:-

Arrears of total amount levied 11%

First instalment arrears 2.6%

Second instalment arrears 7.7%

Third instalment arrears 9.4%

Additional amount collected \$49,236. **(Ryan/Douglas)**



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3 THIRD QUARTER 2019/2020 BUDGET REVIEW

Summary:-

Council remains in a sound financial position and is broadly on budget.

Cash Balance is strong although expected to decrease over the next three months as income received in advance is expended.

076/2020 RESOLVED that:-

1. The Third Quarter 2019/2020 Budget Review Report be received and noted.
2. Council adopts the budget amendments shown on the Budget Review Statement for the 2019/2020 Operating and Capital Budgets. **(Neill/Douglas)**

Council thanked the Finance and Corporates Services Department for a very effective report and management.

4 DELIVERY PROGRAM

Summary:-

This report is to provide information regarding progress with respect to the principal activities detailed in Council's adopted Delivery Program.

The General Manager is required under the provisions of Section 404(5) of the Local Government Act to provide Council with regular reports regarding progress with respect to the principal activities detailed in Council's Delivery Program.

Council previously resolved that these reports be provided in October and April.

Directors responsible for each of the activities listed under the Strategies and Outcomes have indicated the current status of the activity.

077/2020 RESOLVED that the Delivery Program Report be received and noted.
(Elias/Ryan)



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

1 OPERATIONAL REPORT

078/2020 RESOLVED that the Operational Report including Roads and Works and Services for the reporting period 16 March 2020 to 10 April 2020 be received and noted. **(Neill/Deacon)**

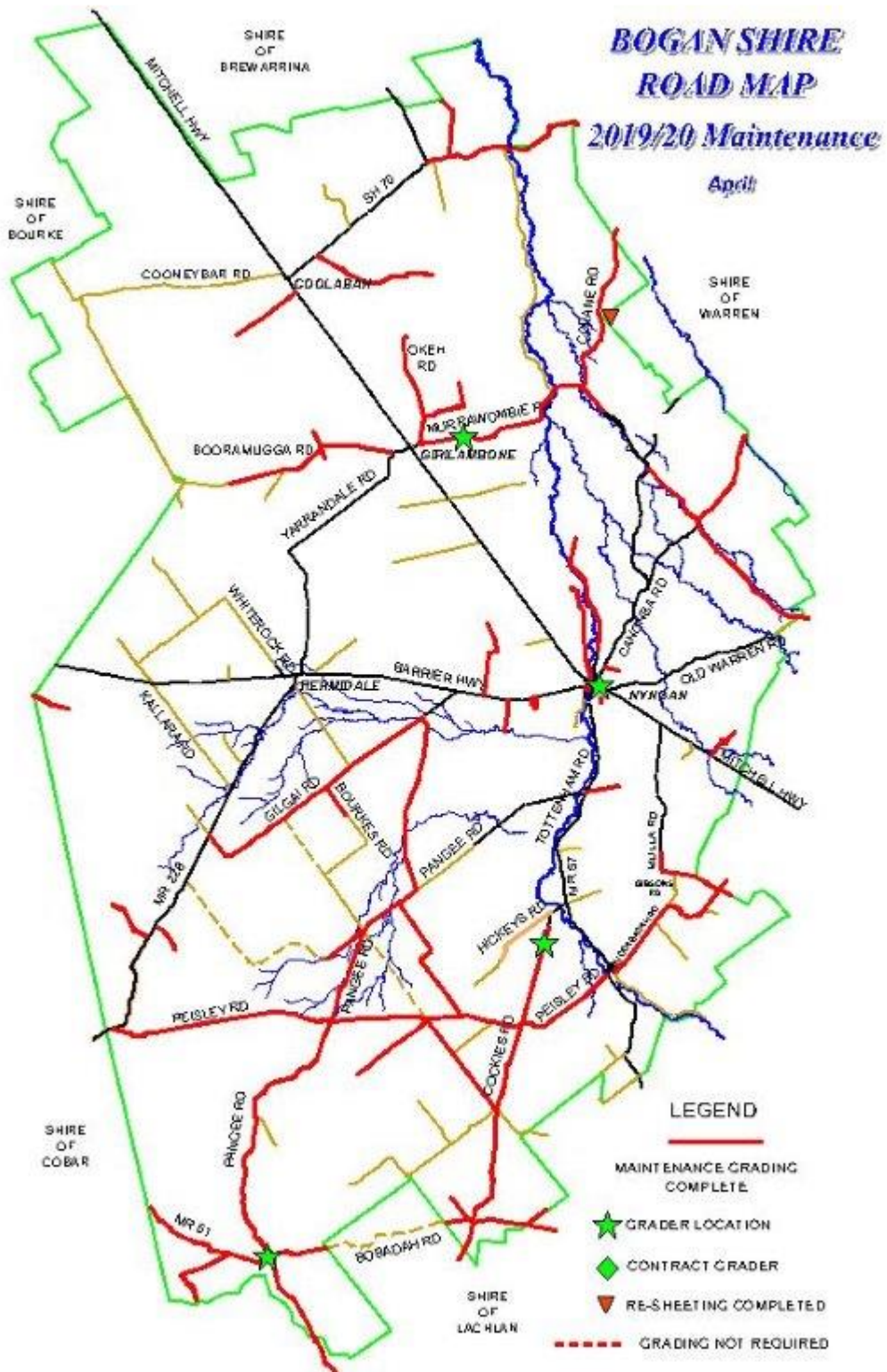
2 STREET LIGHT UPGRADE TO HIGH EFFICIENCY LED TECHNOLOGY

Summary:-

The purpose of this report is to seek Council's approval for the bulk upgrade of Council's Street lighting assets from aged low efficiency technology to modern high efficiency Light Emitting Diode (LED) technology.

079/2020 RESOLVED that Council enters into an agreement with Essential Energy for the bulk replacement of Council's 443 Street lights to LED technology to be funded by Essential Energy as per Option 3 presented. **(Neill/Elias)**

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

1 DEVELOPMENT APPLICATIONS

080/2020 **RESOLVED** that the Development Applications Report since 26 March 2020 Council Meeting be received and noted. **(Jackson/Boag)**

2 OPERATIONAL REPORTS

081/2020 **RESOLVED** that the Operational Report, including Council's Gardening Team, Ranger and Noxious Weeds Officer be received and noted. **(Ryan/Douglas)**

3 BOGAN BULLS RUGBY UNION CLUBHOUSE USE AS A TEMPORARY FOOD PREMISES

Summary:-

The purpose of this report is to provide information to Councillors on the approval for the use of the Bogan Bulls Rugby Union Clubhouse as a Temporary Food Premises.

082/2020 **RESOLVED** that the Bogan Bulls Rugby Union Clubhouse Use as a Temporary Food Premises Report be received and noted. **(Boag/Ryan)**



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PRECIS OF CORRESPONDENCE

1 LOCAL GOVERNMENT GRANTS COMMISSION

083/2020 RESOLVED that the correspondence received from the Local Government Grants Commission advising Council that its submission on expenditure disabilities with the general purpose component (GPC) for federally funded Financial Assistance Grants (FAGs) was unsuccessful be received and noted. **(Ryan/Dutton)**

084/2020 RESOLVED that:-

1. Council forward a copy of the letter to Orana Joint Organisation pointing out the comments stated in the correspondence received back from the Government Grants Commission in response to Council's submission to apply for expenditure disabilities funding, particularly the allocation methodology for the Government Grants Funding.
2. Council asks that the Orana Joint Organisation puts forward a joint submission to the Deputy Premier, and local Federal and State Members requesting the allocation methodology formula to Councils in the regional areas be reassessed. **(Douglas/Neill)**

2 NYNGAN WASTE FACILITY

085/2020 RESOLVED that the correspondence received concerning the condition of the old tip and operating hours at the Waste Facility be considered at the Estimates Meeting. **(Ryan/Boag)**



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3 AUSTRALIAN COMMUNITY MEDIA (RURAL PRESS PUBLICATIONS)

086/2020 RESOLVED that 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. **(Neill/Ryan)**

It was **MOVED** that with the likely closure of the Nyngan Observer, suggestions be put to Council and obtain community feedback that the Western Herald take over the Nyngan news coverage. **(Jackson)**

The Mayor, as Chairperson, ruled the motion out of order due to potential conflict of interest between Councillor Jackson’s business interests and this matter.

The Motion was **LOST**.

The Mayor called for any other Councillor to move a motion along the lines of Councillor Jackson’s. There was no such motion moved.

4 WEEKLY CIRCULARS

087/2020 RESOLVED that the Local Government Weekly Circulars dated 20 March 2020, 27 March 2020 and 3 April 2020 be received and noted. **(Deacon/Boag)**

There being no further business the meeting closed at 10.43am.

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

.....
GENERAL MANAGER

.....
MAYOR

