



BOGAN SHIRE COUNCIL

Minutes

26 March 2020



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**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Supper Room of the Nyngan Town Hall on 26 March 2020 at 9.30am**

PRESENT: Councillors RL Donald OAM (in the Chair), 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 Stephanie Waterhouse (Director Finance and Corporate Services), Mrs Cathy Black (Acting Director Development and Environmental Services) and Mrs Cathy Ellison (Executive Assistant).

DECLARATION OF INTEREST: Councillor VJ Dutton – Director of Finance and Corporate Services' Report Item 3 – Crown Lands to Convert the Perpetual Special Lease 78218 (SALEYARDS) To Freehold and Transfer the Title to Council.

035/2020 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 27 February 2020 copies of which have been circularised to Councillors be taken as read and confirmed with the following amendment:-

After the Checklist when Mayor Donald left the room, Checklist Item No 4 – Palais Theatre, Deputy Mayor Neill took the Chair and then Mayor Donald returned to the room for Checklist Item No 5 – and took the Chair. (Ryan/Neill)

Business Arising: Nil

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 26 March 2020.

030/2020 APOLOGY: RESOLVED that the apology received from Councillor VJ Boag be received and she be granted leave of absence from both meetings.
(Douglas/Dutton)

031/2020 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 27 February 2020, copies of which have been circularised to Councillors be taken as read and confirmed.
(Ryan/Neill)

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032/2020 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) (a) 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. **(Douglas/Elias)**

033/2020 RESOLVED that:-

1. Council not accept any of the tenders received.
2. The General Manager enters into negotiations with all tenderers to establish what their prices for a one year fuel supply and delivery contract would be. This being considered the maximum term that Council should accept at this time.
3. The General Manager enters into the most advantageous contract in the best interest of Council for one year, subject to the requirements of the Local Government Act. **(Neill/Jackson)**

034/2020 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Jackson/Deacon)**

Business Arising: Nil

COMMITTEE MEETING MINUTES

1 NYNGAN MUSEUM MEETING

036/2020 RESOLVED that the Minutes of the Nyngan Museum Committee Meeting held on 4 March 2020 at the Nyngan Museum be received and noted. **(Dutton/Douglas)**

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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 June 2020 on track.
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.

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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. Met with Minister for Regional Transport & Roads in Bourke on 25 November 2019. Council advised that this crossing is not a priority for John Holland Rail.
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. Contractor has advised that expected completion date extended to 31 March 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> <hr/> <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>No additional funding currently available from NSW Government.</p> <hr/> <p>NSW Government advice at this stage is that individual tanks do not meet the drought funding criteria.</p>
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6	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. Meeting on hold in current pandemic circumstances.</p>
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7	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	Application submitted.
	22/08/2019	264/2019				Letter sent to Deputy Premier regarding length of approval process.
				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.		Discussions yet to commence – reprioritised due to current pandemic circumstances.

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8	26/09/2019 <hr/> 24/10/2019	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 and Culture Fund \$15,362 and 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>Verbal report to be given at meeting.</p>
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9	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.
10	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.

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11	28/11/2019	366/2019	Regional Water Supply Pipe Network	1. 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.
12	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.	GM	Remediation work in progress.

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13	28/11/2019	385/2019	EPA – Clean Up Notice	Clean up Notices under POEO Act received from NSW EPA for suspected asbestos contamination at Nyngan Waste Facility and Pangee Street Works Depot.	DDES	<p>Clearance Certificate obtained from external agency for Pangee Street Depot.</p> <p>Proposed staged asbestos removal plan for Nyngan Waste Facility approved by EPA.</p> <p>Staged clean up works commenced at Nyngan Waste Facility with final clearance required by December 2020.</p>
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037/2020 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.

(Deacon/Ryan)

2 DROUGHT AFFECTED LOCAL GOVERNMENT SERVICES GRANT

Summary:-

This report is to seek Council's direction regarding an approach to the Australian Government for a once-off grant to assist all ratepayers, as well as Council, with cash-flow in relation to the payment of Council's ordinary rates.

038/2020 RESOLVED that Council send the draft letter concerning Local Government Drought Affected Services Grant, as tabled at the meeting, to the Federal Member for Parkes, Mark Coulton. The letter is to include mention of Council's current total rates and services charges arrears of 12%. **(Ryan/Dutton)**

3 25 ELLEN STREET

Summary:-

This report is to seek Council's approval for a capital budget allocation to undertake repairs and renovations to 25 Ellen Street.

039/2020 RESOLVED that Council makes provision in the 2019/20 Capital Budget for \$100,000 to be spent on repairs and renovation of 25 Ellen Street to be funded from savings identified. **(Ryan/Elias)**

4 COVID -19

Summary:-

This report is to provide Council with information in relation to Council's services, staff arrangements and public events during the current Covid-19 pandemic.

040/2020 RESOLVED that Council notes the content of the Covid-19 Report.
(Ryan/Douglas)

041/2020 RESOLVED that the Nyngan Jockey Club be advised that the Anzac Day Race meeting may not be held due to the Coronavirus. **(Ryan/Dutton)**

042/2020 RESOLVED that in relation to managing the current Covid-19 pandemic, pursuant to and subject to the limitations of the Local Government Act, Council delegates authority to the Mayor, Deputy Mayor and General Manager to make decisions on behalf of Council in between regular meetings of Council should this, in their opinion, be necessary for the safe and effective operation of Council and in the best interests of the Bogan Shire Community. **(Douglas/Ryan)** Unanimous

Council adjourned for morning tea at 10.30am and resumed at 10.50am.



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

1 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.

043/2020 RESOLVED that the Operational Report for the Bogan Shire Medical Centre be received and noted. **(Neill/Dutton)**

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.

044/2020 RESOLVED that the Operational Report for the Visitor Information Centre be received and noted. **(Douglas/Deacon)**

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

1 INVESTMENTS FEBRUARY 2020

Summary:-

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

At 29 February 2020 Council had \$12.75 million invested. There has been no significant change in Council's investments.

045/2020 RESOLVED that the Investments Report for the month of February 2020 be received and noted. **(Douglas/Jackson)**

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

The report is to provide a comparison of rate collections as at 29 February 2020, with the same period last year.

Total arrears have increased from \$632,535 at as 28 February 2019 to \$977,751 as at 29 February this year.

046/2020 RESOLVED that the Rates and Annual Charges Collection Report for the month of February 2020 be received and noted with the following up to date percentages being provided:-

Arrears of total amount levied 12%

First instalment arrears 3.3%

Second instalment arrears 8.4%

Third instalment arrears 11.8%

Additional amount collected \$331,975. **(Ryan/Jackson)**

Councillor VJ Dutton declared an interest and left the room.

**3 CROWN LANDS TO CONVERT THE PERPETUAL SPECIAL LEASE 78218
(SALEYARDS) TO FREEHOLD AND TRANSFER TITLE TO COUNCIL**

Summary:-

This report is to provide some background to Council on an offer by the NSW Department of Planning, Industry and Environment for Council to convert the lease they currently hold on the Nyngan Saleyards to freehold and the costs involved in doing so.

047/2020 RESOLVED that the General Manager 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 and report back to Council for a decision. **(Neill/Jackson)**

Councillor VJ Dutton returned to the room.



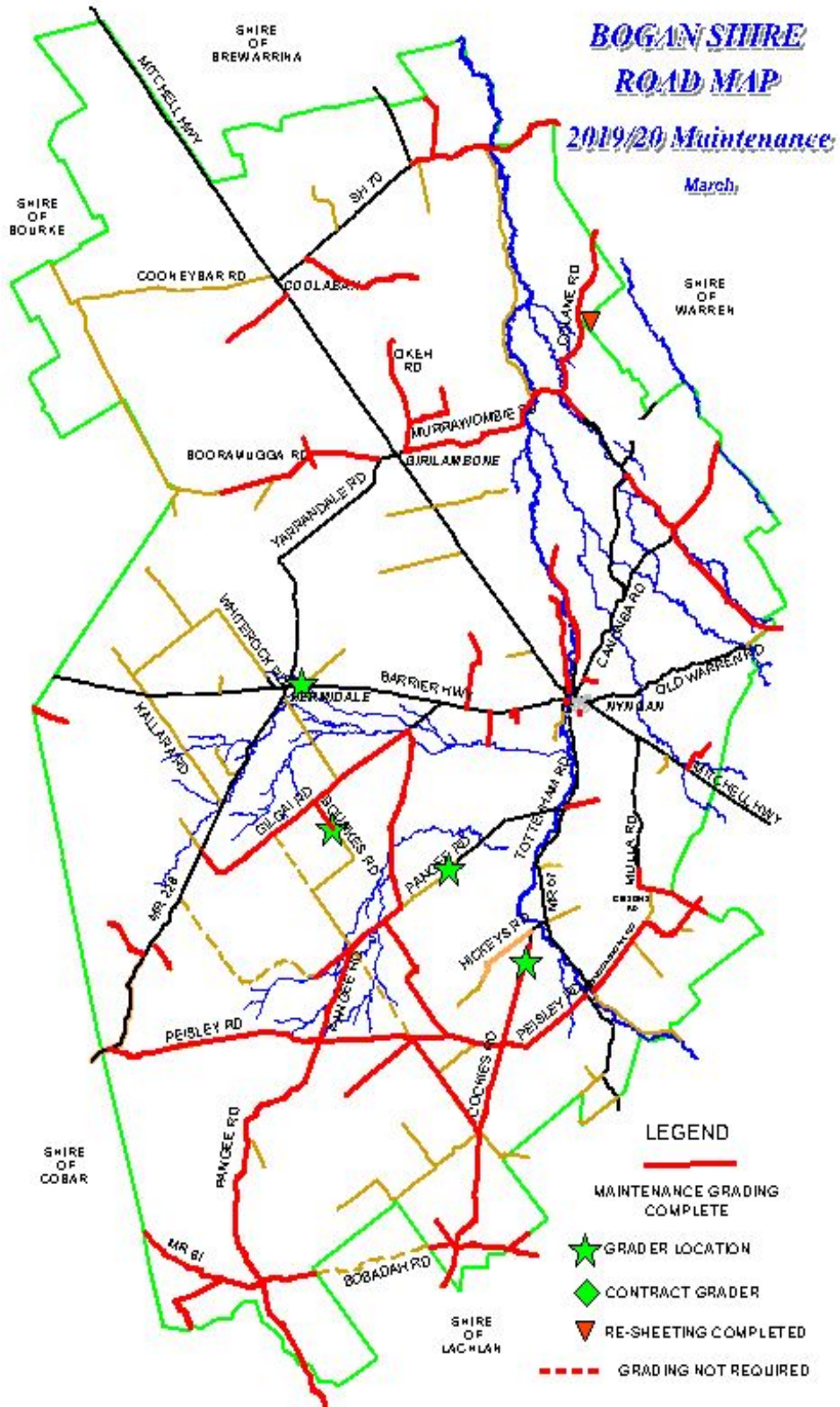
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**REPORT TO THE ORDINARY MEETING OF COUNCIL – DIRECTOR OF
ENGINEERING SERVICES**

1 OPERATIONAL REPORT

048/2020 RESOLVED that the Operational Report, including Civil Works, Community Facilities and Roads for the reporting period 17 February 2020 to 14 March 2020 be received and noted. **(Jackson/Douglas)**

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2 PROVISION OF FREE DOMESTIC WATER TO RURAL LANDHOLDERS

Summary:-

The purpose of this report is to seek Council's advice on the continued supply of free treated domestic water to rural property owners within the Bogan Shire.

049/2020 RESOLVED that Council suspend the supply of free treated water and delegate authority to the Mayor, Deputy Mayor and General Manager to reinstate it, if and when necessary during the current term of Council. **(Neill/Ryan)**



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

1 DEVELOPMENT APPLICATIONS

050/2020 RESOLVED that the Development Applications Report since 27 February 2020 Council Meeting be received and noted. **(Deacon/Ryan)**

2 OPERATIONAL REPORTS

051/2020 RESOLVED that the Operational Report including Gardening Team, Ranger and Noxious Weeds Officer be received and noted. **(Neill/Jackson)**

Council commends staff on the well kept appearance of the town.

3 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 - DRAFT LSPS UPDATE

Summary:-

This report is to update Council on the status of the Draft Bogan Shire Council Local Strategic Planning Statement (LSPS) required under the Environmental Planning and Assessment Act 1979 (the Act).

052/2020 RESOLVED that Council adopt the current Draft LSPS and submit it to the NSW Department of Planning, Industry and Environment as required under the *Environmental Planning and Assessment Act 1979*. **(Ryan/Douglas)**

4 BOGAN SHIRE COUNCIL WAR MEMORIAL POOL

Summary:-

This report is to brief Council on the operational status of the War Memorial Pool and for Council to make a determination in relation to the future operation of the facility.

053/2020 RESOLVED that Council enter into a new contract for the 2020/2021 season with Mr Bartley on the same terms and conditions as the current contract. **(Neill/Jackson)**

PRECIS OF CORRESPONDENCE

1 MACQUARIE HOME STAY

054/2020 RESOLVED that the correspondence received from Macquarie Home Stay thanking Council for their support in providing access to affordable and comfortable accommodation for many remote and rural communities whilst away seeking medical care be received and noted. **(Ryan/Dutton)**

2 OFFICE OF LOCAL GOVERNMENT

055/2020 RESOLVED that the Office of Local Government Circular announcing the release of a Councillor Superannuation Discussion Paper be noted. **(Ryan/Jackson)**

3 DAVID MOTLEY

056/2020 RESOLVED that Council support in principle the proposal by the Dural community to develop a relationship with Bogan Shire residents by providing support, be it emotional or financial during this current drought. Mr Motley be advised of Council's support in principle and ask him to further investigate the proposal. **(Douglas/Dutton)**



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4 NYNGAN JOCKEY CLUB

057/2020 RESOLVED that Council request the Nyngan Jockey Club to submit a detailed list of maintenance and WHS issues at the Nyngan Racecourse and facilities, for Council to consider in the 2020/2021 Budget. **(Ryan/Elias)**

5 ANGIE WHITE

058/2020 RESOLVED that Council support the Blue Tree Project proposal suggested by Angie White to make people aware that it is OK to be blue some days and form a remembrance for people who has succumbed to tragic outcomes. **(Douglas/Dutton)**

6 WEEKLY CIRCULARS

059/2020 RESOLVED that the Local Government Weekly Circulars dated 18 February 2020, 20 February 2020, 28 February 2020, 6 March 2020 and 13 March 2020 be received and noted. **(Neill/Jackson)**

There being no further business the meeting closed at 11.25am.

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

