



BOGAN SHIRE COUNCIL

Minutes

25 November 2021



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**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021**

PRESENT: Councillors RL Donald OAM (in the Chair), 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), Mrs Cathy Black (Director of Development and Environmental Services), and Mrs Melissa Salter (Executive Assistant).

Thoughts are with the family of Peter Sinclair Jnr, who is unwell.

312/2021 APOLOGY: RESOLVED that the apologies received from Councillor VJ Boag and Councillor JL Douglas be received and they be granted leave from the meeting. **(Neill/Ryan)**

DECLARATION OF INTEREST: Nil

313/2021 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 28 October 2021, copies of which have been circulated to Councillors be taken as read and confirmed. **(Neill/Ryan)**

314/2021 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Ryan/Jackson)**

315/2021 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 28 October 2021, copies of which have been circulated to Councillors be taken as read and confirmed with the following amendment: **(Jackson/Dutton)**

1 FIRST QUARTER 2021/2022 BUDGET REVIEW

293/2021 RESOLVED that Council:

1. Note the report on Actual compared to Budget for the quarter ended 30 September 2021.
2. Adopt the adjustments to the 2021/2022 budget as shown in the Budget Review Statement at Appendix A to this report, with thanks conveyed to Finance and Corporate Services staff for their efforts in preparation of Budget Review. Council remains in a sound financial position and is broadly on budget. **(Neill/Ryan)**

**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021**

Business Arising:

316/2021 RESOLVED that Council accept the Nomination of the Community Representative, Mr Peter Rees, for the Audit Risk and Improvement Committee. **(Jackson/Dutton)**

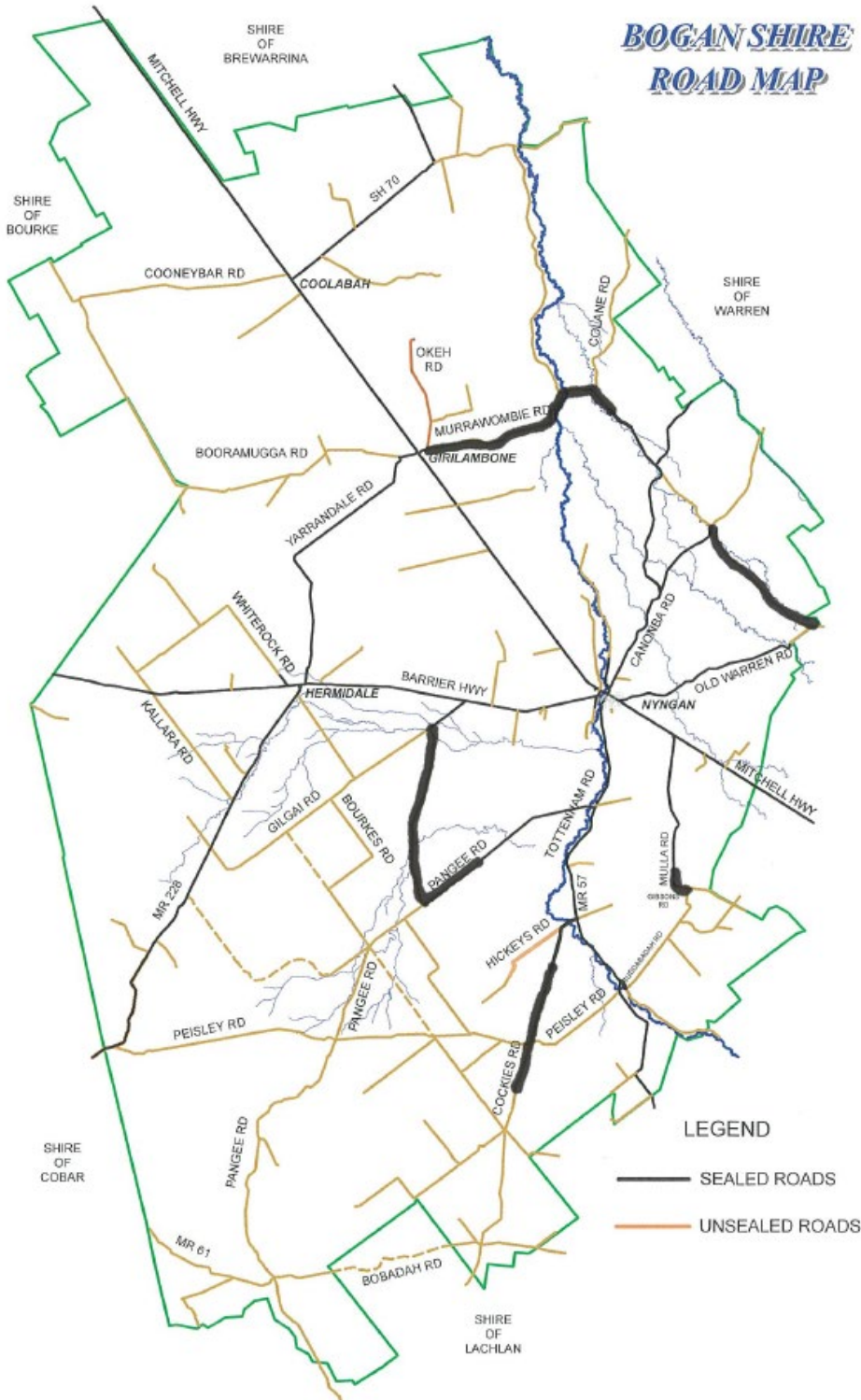
COMMITTEE MEETING MINUTES

1 MUSEUM COMMITTEE MINUTES

317/2021 RESOLVED that the Minutes of the Nyngan Museum Committee meeting held at the Nyngan Museum on 3 November 2021 be received and noted. **(Elias/Neill)**

REPORT TO THE ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

318/2021 RESOLVED that the full Mayoral Minute Report and map be included in the Business Paper for the February meeting of Council. **(Ryan/Neill)**





Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021

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

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	23/09/2021	249/2021	Increase of train speed through Nyngan	Prior to the next state Election, Council raise the issue of the Hoskins Street Level Crossing & Train Speeds with Barwon candidates.	GM	Pending discussions closer to State Elections.
2	24/04/2019	117/2019	Cobar Water Board	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.	GM	Further correspondence sent to CWB. UPDATE: New water supply agreement sent to CWB. Meeting date TBA.

Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021

3	25/02/2021	010/2021	Regional Water Supply Pipe Network	<p>Council seeking urgent clarification from the Minister on: Issuing of the licence for the Nyngan Emergency Bore and licence. Size of the pipe from this bore to Nyngan. Response to be given to those who lodge objections to the bore. Cobar emergency water.</p> <p>What guarantee is there for the \$4.3M funding to be retained for this pipeline 2.</p>	GM	<p>Awaiting determination from NRAR and direction from NSW Government.</p> <p>UPDATE: Verbal report to Council Meeting.</p>
4	28/11/2019	368/2019	Repairs to Nyngan & Cobar Emergency Water Storage	<p>The General Manager be authorised to procure sufficient quantities Geosynthetic Clay Liner & Geotextile material to complete</p>	DES	<p>Remediation work postponed due to wet weather and soft floor.</p> <p>Floor continues to be wet and soft from rain.</p>

**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021**

				the remediation works, according to specifications provided by NSW Public Works. The procurement be carried out by way of quotations.		UPDATE: Requires warm weather to dry out sub- base
5	17/12/2020	373/2020	Lack of Vacation Care/Before and After School Care in Nyngan	Council approach both primary schools in Nyngan. Council bring this matter to the attention of local State Member and Hon. Sam Farraway MLC.	DPCS	Meetings held with Principals of Nyngan Public and St Joseph's Schools. Letter sent to Hon. Bronnie Taylor MLC, Minister for Mental Health, Rural Youth and Women. Response received from Hon. Bronnie Taylor, indicating support for funding application by Nyngan Public School to the Department of Education for the construction of a purpose built building for Before and After School Care.

**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021**

						<p>The Department of Education, BASC (Before and After School Care) Team have provided written confirmation to Principal of Nyngan Public School that the Community of Nyngan will have access to Before and After School Care by the end of the school year. This may depend on if a standalone building is to be provided or if the program can be housed within the current school building.</p> <p>The BASC Team will communicate further with the principal of Nyngan Public School to determine if there is a need for a standalone building or if such a program can be accommodated within the current Nyngan Public School building.</p>
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**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021**

6	25/02/2021	012/2021	Nyngan Railway Wool Dump	<p>A colour information sign be erected at the Nyngan Railway Wool Dump on a stand adjacent to the dump.</p> <p>A cement path from the existing walkway to the sign be constructed, with available funding</p>	<p>DPCS</p> <p>DES</p>	<p>Pending commencement of grant- funded works.</p> <p>Pending commencement of grant- funded works.</p>
7	25/02/2021	013/2021	Honour Board	<p>That recipients of National Awards, prior to the 1980's, be recognised on an Honour Board. The board to include all National awards including recipients of the British Empire Medal (BEM), Australian Fire Service Medal (AFSM), and Victoria Cross.</p>	<p>GM</p>	<p><u>UPDATE:</u> Honour Board ordered.</p>

Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021

8	27/05/2021	126/2021	Addressing Local Job Vacancies	Council delays the launch of the marketing campaign until progress is made with establishing more housing accommodation in Nyngan.	GM	Awaiting approval of funding for establishment of new residential subdivision.
9	24/06/2021	149/2021	Resources for Regions	General Manager negotiates the purchase of land consistent with discussions at June 21 Council meeting for Council's Resources for Regions project.	GM	Offers made to owners. Report to be prepared for future Council Meeting. COMPLETED
10	24/06/2021	168/2021	Safety Factors of Rehabilitation & Reconstruction Roadworks	Council request RMS consider the safety factor of all rehabilitation and reconstruction work, including the current Mitchell highway at the	DES	Letter sent to TfNSW advising of resolution. UPDATE: No reply to date

**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021**

				Mulla Road Intersection, and suggest the following action be taken: that where possible the table drains be extended out from the shoulder and that material be used to widen and flatten the batters of the road shoulder.		
11	24/06/2021	162/2021	Section 355 Committee – Nyngan Museum	General Manager to proceed with discussions to formalise a constitution and associated delegations for Nyngan Museum Committee as a Section 355 Management Committee of Council with a further report to Council.	GM	<u>UPDATE:</u> Initial meeting held with Museum Committee. Work on constitution can now progress. ONGOING



Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021

319/2021 RESOLVED that strong representation be made to the Minister for Water, Property and Housing for adjustments to be made to the design of the new water storage, to rectify design faults with the existing Water Storage.
(Ryan/Jackson) Unanimous

320/2021 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Ryan/Neill)**

2 DELEGATION TO THE MAYOR

Summary:

The purpose of this report is to delegate to Mr Ray Donald the authority to carry out civic and ceremonial functions of the Mayoral office, between Election Day and the holding of the Mayoral election after the election.

321/2021 RESOLVED that Council delegate to Mr Ray Donald the authority to carry out civic and ceremonial functions of the Mayoral office, between Election Day and the holding of the Mayoral election. **(Ryan/Deacon) Unanimous**

3 DELEGATION TO THE GENERAL MANAGER

Summary:

The purpose of this report is to delegate to between election day and the holding of the Mayoral election after the election.

322/2021 RESOLVED that all functions of the Council which can be delegated, be delegated to the General Manager from Election Day, 4 December 2021 until the first meeting of the Council following the election. **(Ryan/Jackson) Unanimous**



**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021**

4 END OF TERM REPORT

Summary:

The purpose of this report is to report on the Council's progress in implementing the Community Strategic Plan over the previous five years.

323/2021 RESOLVED that Council:

1. Adopts the 2021 End of Term Report.
2. Includes the End of Term Report in the Annual Report 2020-2021.
3. Notes, with appreciation, the preparation of the End of Term Report, with copies to be distributed to the library and front administration office counter.

(Neill/Ryan) Unanimous

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

1 SECTION 355 COMMITTEE – BOGAN SHIRE YOUTH AND COMMUNITY CENTRE

Summary:

The purpose of this report is to recommend that Council accepts certain nominations for membership of the Bogan Shire Youth and Community Centre Section 355 Committee of Council.

It was **MOVED** that Council determines the nine members of the Bogan Shire Youth and Community Centre Section 355 Committee to be:

- i. Nyngan High School Captain 1
- ii. Nyngan High School Captain 2
- iii. Nyngan High School Principal/Delegate
- iv. Nyngan High School Staff Member
- v. Nyngan Aboriginal Education Consultative Group Member
- vi. Nyngan Community Hub Coordinator
- vii. Bogan Shire Councillor
- viii. General Manager Bogan Shire Council
- ix. Director People and Community Services Bogan Shire Council

(Ryan/Dutton)

An **AMENDMENT** was **MOVED** that a person representing the Nyngan Public School and person from the community, be added to the Bogan Shire Youth and Community Centre Section 355 Committee. (**Jackson**)

The Amendment lapsed for want of a seconder.

The **MOTION** was **PUT** to Council and **CARRIED**:

324/2021 RESOLVED that Council determines the nine members of the Bogan Shire Youth and Community Centre Section 355 Committee to be:

- x. Nyngan High School Captain 1
- xi. Nyngan High School Captain 2
- xii. Nyngan High School Principal/Delegate
- xiii. Nyngan High School Staff Member
- xiv. Nyngan Aboriginal Education Consultative Group Member
- xv. Nyngan Community Hub Coordinator
- xvi. Bogan Shire Councillor
- xvii. General Manager Bogan Shire Council
- xviii. Director People and Community Services Bogan Shire Council

(Ryan/Dutton)

**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021**

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

1 INVESTMENTS OCTOBER 2021

Summary: *The report is to outline the performance of Council's Investment Portfolio for the month of October 2021. At the 31st October 2021 Council had \$14.15 million invested. There has been a decrease of \$1.5 Million due to TfNSW works being undertaken and no claim received as yet for both Ordered Works and Flood Damage and purchase of some plant items from the 2022 budget.*

325/2021 RESOLVED that the Investments Report be received and noted.
(Ryan/Neill)

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary: *The report is to provide a comparison of rate collections as at 31st October 2021, with the same period last year. Total arrears have increased from \$759,388 as at the 31st October 2020 to \$971,494 as at 31st October this year.*

The Director of Finance and Corporate Services reported at the meeting, that at the date of the meeting, current arrears were \$576,059, the following table documents the updated figures

Rate Collections	2021-2022	2020-2021
Arrears Prior to 01/07/2021	576,059	611,426
First Instalment Arrears as at 31/10/2021	108,327	147,962
Second Instalment Outstanding as at 31/10/2021	689,580	999,439
Third Instalment Outstanding as at 31/10/2021	1,012,828	1,059,142
Fourth Instalment Outstanding as at 31/10/2021	1,036,164	1,074,224
Total Arrears	684,386	759,388
Total Outstanding	4,090,999	3,892,193
Monthly Transactions		
Amount Levied & B/Fwd	5,869,374	6,047,480
Add: Adjustments	12,020	20
Less: Payments to end of September	-2,006,518	-2,076,638
Less: Rebates	-77,346	-78,669
Gross Total Balance	4,090,999	3,892,193
Arrears of total amount levied %	11.6%	12.5%

**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021**

326/2021 RESOLVED that the Rates and Annual Charges collection report be received and noted. **(Dutton/Deacon)**

3 ANNUAL REPORT 2020/2021

Summary

Within 5 months after the end of each year, a council must prepare its annual report for that year reporting as to its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed.

The purpose of this report is to table to Council the Annual Report for the financial year 1 July 2020 to 30 June 2021.

327/2021 RESOLVED that:

1. The Annual Report be received and noted
2. Council acknowledges, with appreciation, the work undertaken in compiling the report.
3. A Copy of the Annual Report 2020/2021 be forwarded to the Minister for comment.

(Elias/Dutton)

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

1 DEPARTMENTAL ACTIVITY REPORT

Summary:

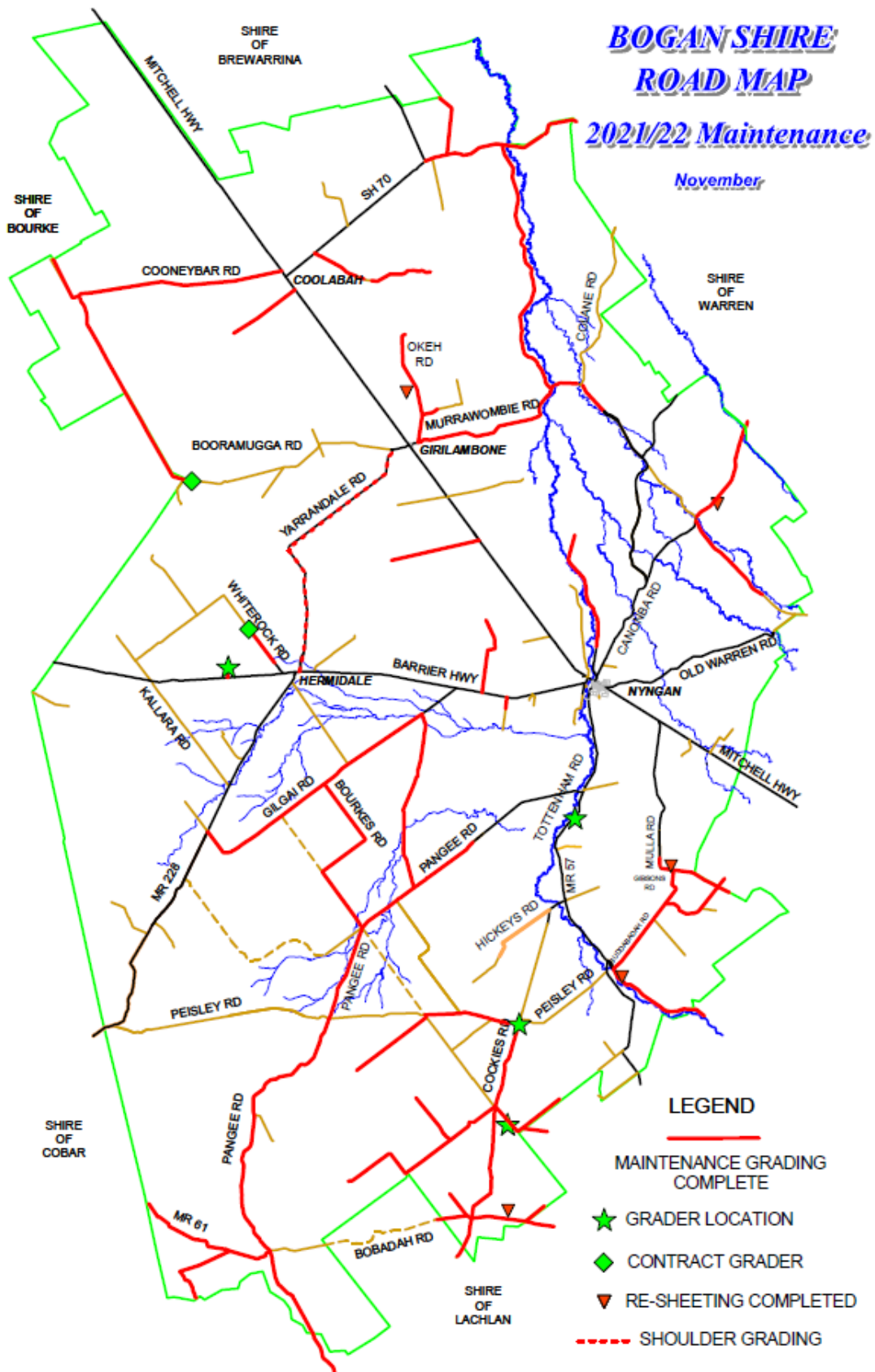
The purpose of this report is to provide Council with information that is both statistical and informative in regards to the activities of the Engineering Services Department.

328/2021 RESOLVED that the Engineering Services Department Activity Report be received and noted. **(Ryan/Jackson)**

329/2021 RESOLVED that:

1. Council forward an invoice for reimbursement for damage on Canonbar Road that occurred on 25.11.2021, and seek advice on legal action that can be taken with regard to removing Council signs.
2. Council publicly indicate action undertaken on the matter of damage on Canonbar Road which occurred on 25.11.2021. **(Ryan/Deacon)**

Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021





Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021

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

1 DEPARTMENTAL ACTIVITY REPORT

Summary:

The purpose of this report is to provide Council with information that is both statistical and informative in regards to the activities of the Development and Environmental Services Department.

330/2021 RESOLVED that the Development and Environmental Services Departmental Activity Report be received and noted. **(Neill/Jackson)**

331/2021 RESOLVED that:

1. Recycling bins be made available in town main street.
2. Council seek advice from Netwaste on implementing a recycling education program.
3. That all resident recycling bins be issued with a sticker on recycling waste.
(Neill/Jackson)

2 PROPOSED INTRODUCTION OF EMPLOYMENT ZONES

Summary: *The purpose of this report is to relay information to Council regarding reforms carried out by the Department of Planning, Industry and Environment (the Department). The department is introducing employment zones which will result in changes to the Bogan Local Environmental Plan 2011.*

332/2021 RESOLVED that the Proposed Introduction of Employment Zone Report be received and noted. **(Elias/Deacon)**



Minutes of the Ordinary Meeting
of Bogan Shire Council held on 25 November 2021

PRECIS OF CORRESPONDENCE

- 1 **THE HON. SHELLEY HANCOCK MP**
333/2021 RESOLVED that correspondence from The Hon. Shelley Hancock MP, Minister for Local Government be received and noted. **(Jackson/Neill)**

- 2 **THE HON. PAUL TOOLE MP,**
334/2021 RESOLVED that correspondence from The Hon. Paul Toole MP, Deputy Premier, Minister for Regional New South Wales, Minister for Regional Transport and Roads be received and noted. **(Neill/Elias)**

- 3 **NYNGAN AMATEUR SWIMMING CLUB**
335/2021 RESOLVED that correspondence from Nyngan Amateur Swimming Club for sponsorship for their Annual Swimming Carnival to be in Nyngan be received and that Council provide \$500 sponsorship to the Club. **(Ryan/Dutton)**

- 4 **NYNGAN CWA**
336/2021 RESOLVED that correspondence from Nyngan CWA be received and noted. **(Ryan/Neill)**

- 5 **DAWN HOPWOOD**

337/2021 RESOLVED that correspondence from Dawn Hopwood be received and that Council reply noting inaccuracies in her letter and state what Christmas decorations have been undertaken **(Ryan/Neill)**

There being no further business, the meeting closed at 12.08pm

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

