



BOGAN SHIRE COUNCIL

Minutes

24 June 2021



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**Minutes of the Ordinary Meeting of Bogan Shire Council
Held in the Council Chambers on 24 June 2021**

PRESENT: Councillors RL Donald OAM (in the Chair), VJ Boag, WG Deacon, JL Douglas, 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), Mr Chris Foley (Acting Senior Manager Development and Environmental Services), and Mrs Melissa Salter (Acting Executive Assistant).

DECLARATION OF INTEREST:

Councillor Ryan: Development & Environmental Services Report

Development Applications

Councillor Donald: Precis Item

Correspondence received from William Carter & Owen Carter

154/2021 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 27 May 2021, copies of which have been circulated to Councillors be taken as read and confirmed. **(Elias/Ryan)**

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 24 June 2021.

Business Arising:

Page 6: UGL Regional Links – Update given by the Mayor.

Page 33-34 Stronger Communities Fund and Resources for Regions – The extra work of staff is appreciated.

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 25 June 2021.

146/2021 APOLOGIES: RESOLVED that the apology received from Councillor VJ Dutton be received, and she be granted leave from both Meetings. **(Boag/Elias)**

147/2021 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. **(Ryan/Jackson)**

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148/2021 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 27 May 2021, copies of which have been circulated to Councillors be taken as read and confirmed. **(Ryan/Elias)**

149/2021 RESOLVED that the General Manager negotiates the purchase of land consistent with discussions at this meeting for Council's Resources for Regions project. **(Boag/Ryan)**

150/2021 RESOLVED that the tenders for gravel haulage services to Council for the period to 30th June 2022 be accepted as submitted to form a panel of contractors to be engaged in the best interest of Council, subject to the plant and operators meeting Council's requirements. **(Ryan/Jackson)**

151/2021 RESOLVED that the tenders for provision of Crushing Road Base services to Council for the period to 30th June 2022, be accepted as submitted to form a panel of contractors to be engaged in the best interest of Council, subject to the plant and operators meeting Council's requirements. **(Jackson/Elias)**

152/2021 RESOLVED that the tenders for the hire of plant for the period to 30th June 2022 be accepted as submitted to form a panel of contractors to be engaged in the best interest of Council, subject to the plant and operators meeting Council's requirements. **(Ryan/Boag)**

153/2021 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council **(Elias/Deacon)**

COMMITTEE MEETING MINUTES

1 MUSEUM COMMITTEE MINUTES

155/2021 RESOLVED that the Minutes of the Nyngan Museum Committee meeting held at the Nyngan Museum on 2 June 2021 be received and noted. **(Ryan/Boag)**

2 ORANA JOINT ORGANISATION MINUTES

156/2021 RESOLVED that the minutes of the Orana Joint Organisation Meeting held at the Narromine Council Chambers on 12 May 2021 be received and noted. **(Jackson/Elias)**



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MAYORAL MINUTE

1 AWB GRAINFLOW AND GRAINCORP STORAGES

157/2021 **RESOLVED** that Council write to officials of both AWB Grainflow and Graincorp seeking their assurance that sufficient receival capacity will be available at their respective sites to receive this year's harvest. **(Ryan/Neill)**

2 NEW SHOWGROUND ARENA

158/2021 **RESOLVED** that Council seek the support of the Nyngan Pony Club and Show Committee to have this arena named "The Rodney Robb Arena". **(Deacon/Boag)**
Unanimous



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

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	28/05/2020	110/2020		<p>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>		<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. Report has been received and forwarded. No response.</p> <p><u>UPDATE:</u> Letter from Transport for NSW in Precis refers.</p>
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	GM	<p>Further correspondence sent to CWB.</p> <p><u>UPDATE:</u> New water supply agreement sent to CWB.</p>

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				does not agree to the Board's proposal at this stage.		Meeting to discuss agreement to be set for week of 5 July 2021.
3	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 has advised Narromine/Warren pipeline project is on hold
	25/02/2021	010/2021		Council seeking urgent clarification from the Minister on: <ul style="list-style-type: none"> - Issuing of the licence for the Nyngan Emergency Bore and licence. - Size of the pipe 		UPDATE: Awaiting determination from NRAR and direction from NSW Government.

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				<p>from this bore to Nyngan</p> <ul style="list-style-type: none"> - Response to be given to those who lodge objections to the bore. - Cobar emergency water. - What guarantee is there for the \$4.3M funding to be retained for this pipeline. 		
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 the remediation works, according to specifications provided by NSW Public Works. The procurement be carried out by way of quotations.</p>	DES	<p>Remediation work postponed due to wet weather and soft floor.</p> <p><u>UPDATE:</u> Floor continues to be wet and soft from rain.</p>

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5	23/07/2020	192/2020	<p>Crown Land to convert the Perpetual Special Lease 78218 (Saleyards) to freehold & transfer title to Council.</p>	<p>1. Council purchase the Nyngan saleyards from the Crown at a cost of \$35,100 funded from Council's reserves.</p> <p>2. The GM 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 & hold over are for livestock.</p>	GM	In progress.
	25/02/2021	043/2021		<p>Council do not consider there is sufficient room on the edge of the highway, and that the previously suggested site of Nyngan Saleyards be considered as a much safer location.</p>	DES	<p>Letter sent to Transport for NSW.</p> <p>UPDATE: Email received from TfNSW, Council will be consulted if a decoupling area is required in the future.</p>

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6	23/07/2020	193/2020	Speed limit in Nyngan CBD	Survey responses received for reducing speed limit in Nyngan CBD to 40km/hr between Terangion & Dandaloo Streets presented to Traffic Committee Aug 2020.	DES	Referred to RMS. UPDATE: Council has provided TfNSW with a quote to install signage. Quote accepted, signs ordered.
7	25/02/2021 27/05/2021	041/2021 123/2021	Hermidale Park	Plans to be drawn up of proposed amenities for Hermidale Park. Council continue with the redevelopment of the existing Hermidale Park using grant funding already allocated for this purpose.	DES	UPDATE: General Manager asked to attend Hermidale Community Meeting on 22 June 2021.

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				Hermidale Community Centre Committee be informed that they may apply to Council to access Village funds for installation of playground equipment at the Centre and that the Hermidale community be asked where they wish to spend Village funds.	GM	
8	24/09/2020	257/2020	Nyngan Golf Club	Council approach the NGC offering them a sign with our logo and other details of Bogan Shire Council to be put on one of the 18 holes	DPCS	<u>UPDATE:</u> Awaiting sponsorship invoice from NGC.

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9	26/11/2020 12/04/2021	329/2020 102/2021	Centre of NSW Cairn	Report on final design recommendations, including costs to a further meeting of Council for approval and budget consideration, following meeting of four parties. Plans for the Cairn improvements be forwarded to Lachlan Shire with a request for an equal contribution.	DES	<u>UPDATE:</u> Response received from Lachlan Shire Council agreeing to fund 50% of project costs, subject to further costing details being supplied.
10	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

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						School to the Department of Education for the construction of a purpose built building for Before and After School Care.
11	25/02/2021	011/2021	Bogan Shire Official Visitors Guide	To be funded from a budget review or included in next year's estimates.	DPCS	In Progress
12	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>

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13	25/02/2021	013/2021	Honour Board	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.	GM	In progress
14	25/02/2021	024/2021	Addressing Local Job Vacancies	A report be presented to Council on what steps are required to establish the Hospital Road residential subdivision and any other opportunities that may exist.	DDES	Report to future Council Meeting. COMPLETED

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	27/05/2021	126/2021		<p>\$30,000 be provided in the 2021/22 operating budget for a Relocation marketing campaign to promote the Bogan Shire as an attractive place to live and work.</p> <p>Council delays the launch of the marketing campaign until progress is made with establishing more housing accommodation in Nyngan.</p>	GM	<p>UPDATE: Awaiting approval of funding for establishment of new residential subdivision.</p>
15	25/02/2021	040/2021	Nyngan Cenotaph Location	A report be prepared for Council regarding the Nyngan Cenotaph location.	GM	Pending outcome of Nyngan Community Homes grant application

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16	25/03/2021	055/2021	Enforcement of Orders - Derelict & Fire Damaged Buildings	Council seek information from the Insurance Council of Australia on relevant insurance details.	DDES	In progress, contacted the Insurance Council of Australia, awaiting information. Contacted other Councils in similar position for feedback.
17	25/03/2021	061/2021	Orana Joint Organisation	Council to resign its membership from the Orana Joint Organisation. Work with other Councils to develop a proposal to re-establish a voluntary regional body for further consideration by Council.	GM	Re-establishment of voluntary organisation to be discussed at Regional GM Meeting on 4 June 2021 with report back to individual Councils.

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Council adjourned for morning tea at 10.23am and resumed at 10.45am

159/2021 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. (Neill/Deacon)

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

1 OUTBACK ARTS MEMBERSHIP 2021-2022

Summary:- *The purpose of this report is to present, for Council’s consideration, an approach from Outback Arts for Council to continue its membership to the Regional Arts Development Program 2021-2022 financial year.*

160/2021 RESOLVED that Council continue as a contributing member to Outback Arts for 2021/2022 at a cost of \$11,586.16 incl. GST. (Ryan/Elias)

2 EARLY LEARNING CENTRE

Summary:- *The purpose of this report is to advise Council of the activities and statistics of the operation of the Bogan Shire Early Learning Centre.*

161/2021 RESOLVED that the Early Learning Centre report be received and noted. (Ryan/Elias)

3 SECTION 355 COMMITTEE – NYNGAN MUSEUM

Summary:- *The purpose of this report is to recommend to Council the establishment of a constitution and associated delegations to formalise the Nyngan Museum Committee as a Section 355 Management Committee of Council.*

162/2021 RESOLVED that the General Manager 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. (Neill/Boag)

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

1 INVESTMENTS MAY 2021

Summary:- The report is to outline the performance of Council's Investment Portfolio for the month of May 2021.

At the 31st May 2021 Council had \$15.8 million invested. There has been an increase of \$1 million due to 4th quarter Financial Assistance Grant being received, Transport for NSW Ordered Works claims being paid and ratepayers payment of the 4th quarter rate instalment due on 31st May.

163/2021 RESOLVED that the Investments Report be received and noted.
(Jackson/Elias)

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:- The report is to provide a comparison of rate collections as at 31st May 2021, with the same period last year.

Total arrears have decreased from \$1,039,253 as at the 31st May 2020 to \$972,281 as at 31st May this year.

The Director of Finance and Corporate Services reported at the meeting, that at the date of the meeting, current arrears were \$504,313, the following table documents the updated figures

Rate Collections	2020-2021	2019-2020
Arrears Prior to 01/07/2020	504,313	330,076
First Instalment in arrears as at 31/05/2021	2,983	9,170
Second Instalment in arrears as at 31/05/2021	93,107	99,482
Third Instalment in arrears as at 31/05/2021	116,291	105,741
Fourth Instalment Outstanding as at 31/05/2021	249,810	494,784
Total Arrears	836,544	1,039,253
Total Outstanding	972,281	1,039,253
Monthly Transactions		
Amount Levied & B/Fwd	6,046,697	5,510,223
Add: Adjustments	21,485	45,442
Less: Payments to end of May	-5,153,029.80	-4,438,594
Less: Rebates	-82,531	-80,847
Add: Postponed	0	3029
Gross Total Balance	972,281	1,039,253
Arrears of total amount levied %	13.8%	18%

164/2021 RESOLVED that the Rates and Annual Charges collection report be received and noted. **(Jackson/Boag)**

3 ADOPTION OF THE 2021/2022 OPERATIONAL PLAN AND BUDGET

Summary:-

The report is to present the draft 2021/2022 Operational Plan and Budget for adoption.

At the time of writing, no public submissions relating the Operating Plan and Budget had been received.

165/2021 RESOLVED that the draft 2021/22 Operating Plan and Budget be adopted with the following amendments:

- Library charges updated to reflect the North Western Library fees and charges
- Waste charges wording clarified
- Bogan Bush Mobile – Casual Day fee of \$50 introduced

(Ryan/Neill)

4 MAKING OF RATES AND CHARGES FOR 2021/2022.

Summary:-

The report is to make the Rates and Charges for 2021/2022. Proposed Rates and Charges for 2021/2022 were included in the Draft Operational Plan and Budget approved by Council at its meeting on 29 April 2021. The Draft Operational Plan was on public display and advertised from 6th May – 3rd June 2021. Rates and Charges as listed in the Draft Operational Plan for 2021/2022 are listed below.

166/2021 RESOLVED that:

1. That Council authorise the General Manager to prepare and serve the rate notices or in his absence they may be served by the Revenue Accountant.
2. That pursuant to the Local Government Act, 1993, Council hereby resolves to make the ordinary rates for the 2021/2022 period as laid out below.
3. That Council applies the maximum allowable interest rate in accordance with Section 566 of the Local Government Act 1993. Council has been notified for the 2021/22 year the interest rate will be 6.0%. **(Ryan/Douglas)**



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

1 OPERATIONAL REPORT

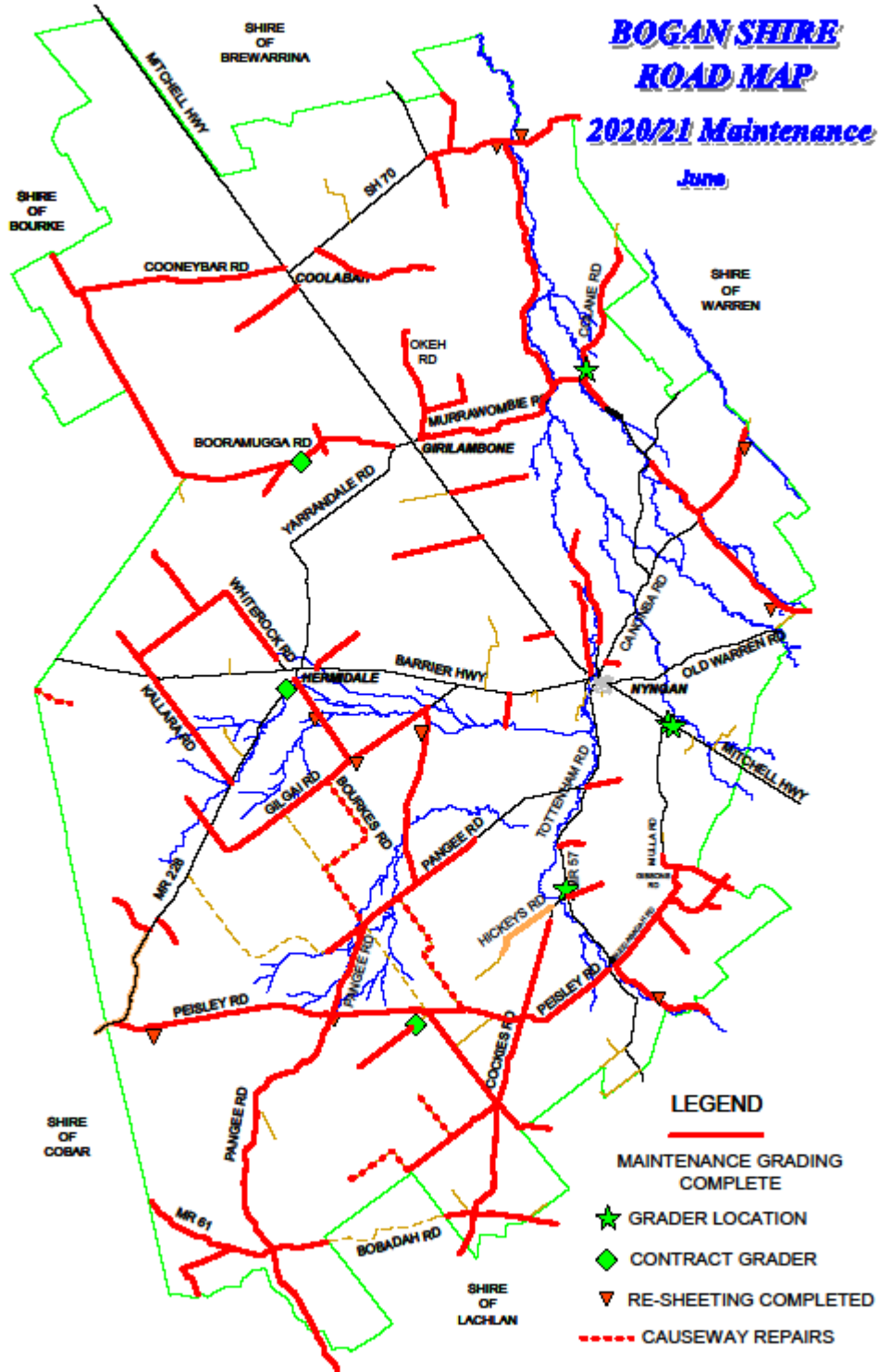
167/2021 RESOLVED that the Bogan River Fountain operating hours be adjusted at the commencement of daylight saving. **(Boag/Elias)**

168/2021 RESOLVED that:

- 1 The Operational Report be received and noted. **(Elias/Jackson)**

- 2 Council request that RMS consider the safety factor of all rehabilitation and reconstruction work, including the current Mitchell highway at the 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. **(Neill/Ryan)**

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

1 DEVELOPMENT APPLICATIONS

169/2021 RESOLVED that the Development Application Report be received and noted. (Jackson/Boag)

2 OPERATIONAL REPORTS

170/2021 RESOLVED that the Operational Report be received and noted. (Neill/Deacon)

**3 DETERMINATION OF DEVELOPMENT APPLICATION DA/2020/031 AND
BUILDING INFORMATION CERTIFICATE APPLICATION BC/2021/005 –
APPROVAL FOR UNAUTHORISED BUILDING WORKS**

Summary:-

The purpose of this report is to seek Council's determination on a Development Application and Building Information Certificate Application lodged with Council seeking retrospective approval for unauthorised building works at 33 Budther Street Coolabah.

The applications are referred to Council in accordance with BSC Policy AP006 on the basis that the applications present significant unresolved social, economic or environmental impacts which result in a recommendation for refusal.

171/2021 RESOLVED that Council refuse both the Development Application and Building Information Certificate Application at 33 Budther Street Coolabah, and that the applicant be notified accordingly. (Ryan/Neill)



Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire
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4 NYNGAN WAR MEMORIAL POOL

Summary:-

The purpose of this report is for Council to make a determination in relation to the future operation of the Nyngan War Memorial Pool.

172/2021 RESOLVED that Council negotiate a new contract with Mr Bartley for the next swim season. **(Douglas/Boag)**

PRECIS OF CORRESPONDENCE

Clr Donald declared an interest and left the room 11.39am.

Clr Neill took the chair

1 WILLIAM CARTER & OWEN CARTER

173/2021 RESOLVED that:

- 1 Correspondence from William and Owen Carter be received
- 2 The Engineering Department do a full inspection and assessment of the road and report back to Council.
- 3 Council advise William Carter and Owen Carter of Councils decision from today's meeting. **(Douglas/Boag)**

Clr Donald returned to the room and resumed the chair at 11.51am.

2 LEONIE MONTGOMERY, NYNGAN MUSEUM COORDINATOR

174/2021 RESOLVED that:

- 1 Correspondence from the Nyngan Museum Coordinator be received.
- 2 Council staff the Visitor Information Centre Monday to Friday until the end of this current calendar year. **(Ryan/Douglas)**

3 LACHLAN SHIRE COUNCIL

175/2021 RESOLVED that correspondence from Greg Tory, General Manager Lachlan Shire Council be received and noted. **(Jackson/Boag)**

4 HONEYBUGLE RESIDENTS

176/2021 RESOLVED that correspondence from Honeybugle residents Doug Holmes, Phil Tremain, Heath Fraser be received and noted. **(Douglas/Jackson)**

5 TOUR de OROC

177/2021 RESOLVED that:

- 1 Correspondence received on behalf of Tour de OROC organisers be received and noted.
- 2 That Council provide lunch for the Tour de OROC riders **(Ryan/Deacon)**

6 ROBERT & AIMEE PACK, UNCLE BOBS SEAFOOD

178/2021 RESOLVED that:

- 1 Correspondence received from Robert and Aimee Pack, Uncle Bobs Seafood be received.
- 2 Council allow the A-frame signage in Pangee Street **(Ryan/Neill)**

7 TRANSPORT FOR NSW – NYNGAN DECOUPLING AREA

179/2021 RESOLVED that correspondence received from Transport for NSW regarding Nyngan decoupling area be received and noted. **(Jackson/Neill)**

8 TRANSPORT FOR NSW – HOSKINS STREET LEVEL CROSSING

180/2021 RESOLVED that correspondence received from Transport for NSW regarding Hoskins Street Level Crossing be received and noted. **(Ryan/Elias)**

9 ROYAL FAR WEST

181/2021 RESOLVED that correspondence received from Royal Far West be received and noted. **(Jackson/Elias)**

10 THE HON. SHELLEY HANCOCK MP

182/2021 RESOLVED that correspondence received from The Hon. Shelley Hancock MP be received and noted. **(Jackson/Neill)**

11 RURAL FINANCIAL COUNSELLING SERVICE NSW CENTRAL REGION

183/2021 RESOLVED that correspondence received from Rural Financial Counselling Service NSW Central Region be received and noted and that Clr Boag be congratulated on being appointed as the Rural Financial Councillor of Nyngan, under the new arrangements from the Southern Rural Financial Counselling Area Office. **(Jackson/Elias)**

11 TRAVELERS FROM BULLI

184/2021 RESOLVED that correspondence from travelers from Bulli commending amenities available in Nyngan be received and noted. **(Elias/Ryan)**

12 JOHN BARILARO DEPUTY PREMIER, MINISTER FOR REGIONAL NSW, MINISTER FOR INDUSTRY & TRADE/ DOMINIC PERROTTET, TREASURER 185/2021 RESOLVED that:

1. Correspondence received from John Barilaro Deputy Premier, Minister for Regional NSW, Minister for Industry and Trade/Dominec Perrottet, Treasurer be received and noted.
2. Council makes application for a grant to create a simulated flood memorial and walkway of murals and figures **(Ryan/Neill)**

Clr Douglas left the meeting at 12.28pm

13 THE HON. SHELLEY HANCOCK MP

186/2021 RESOLVED that correspondence received from The Hon. Shelley Hancock MP be received and noted with thanks. **(Ryan/Elias)**

There being no further business, the meeting closed at 12.30pm

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

