



BOGAN SHIRE COUNCIL

Minutes

23 June 2022



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**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 23 June 2022**

PRESENT: Councillors GRJ Neill (in the Chair), VJ Boag, KJ Bright, WG Deacon, JL Douglas, AJ Elias, GN Jackson, DJ Menzies, R Milligan.

Also present were Mr Derek Francis (General Manager), Mrs Cathy Black (Director of Development & Environmental Services, Mr Graeme Bourke (Director of Engineering Services), Mrs Debb Wood (Director of People and Community Services), Mrs Stephanie Waterhouse (Director of Finance and Corporate Services), and Mrs Melissa Salter (Executive Officer).

DISCLOSURE OF INTEREST: Nil

131/2022 RESOLVED that the Minutes of the Extraordinary Meeting (Estimates) held on 5 May 2022, copies of which have been circulated to Councillors be taken as read and confirmed. **(Douglas/Jackson)**

Business Arising: Nil

132/2022 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 26 May 2022, copies of which have been circulated to Councillors be taken as read and confirmed. **(Deacon/Elias)**

Business Arising: Nil

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 23 June 2022:

123/2022 EXCLUSION OF PRESS AND PUBLIC: RESOLVED that Council move into a closed session of Council with the public excluded, in accordance with the Local Government Act 1993, Clause 10A d) (i) as involving commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. **(Elias/Jackson)**

124/2022 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 26 May 2022, copies of which have been circulated to Councillors be taken as read and confirmed.
(Deacon/Bright)

125/2022 RESOLVED that:

1. Council accept the tender for the Street Sweeper received from Rosmech for \$376,940.00.
2. Plant No. 2150001 be sold in the best interest of Council.

(Jackson/Menzies)



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126/2022 **RESOLVED** that a further report to Council be considered for location of the New Water Treatment Plant, including the location as presented to Council, as well as other options outside/adjacent to the levy bank. **(Jackson/Bright)**

127/2022 **RESOLVED** that the tenders for gravel haulage services to Council for the period to 30 June 2023 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. **(Milligan/Menzies)**

128/2022 **RESOLVED** that the tenders for provision of Crushing Road Base services to Council for the period to 30 June 2023, 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. **(Douglas/Deacon)**

129/2022 **RESOLVED** that the tenders for the hire of plant for the period to 30 June 2023 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. **(Elias/Deacon)**

130/2022 **INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting move into open Council. **(Boag/Menzies)**

COMMITTEE MEETING MINUTES

1 MUSEUM COMMITTEE MINUTES

133/2022 **RESOLVED** that the minutes of the Nyngan Museum Committee meeting held at the Nyngan Museum on 1 June 2022 be received and noted. **(Jackson/Boag)**



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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	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. Meeting held with CWB 30.11.2021. Further discussion to take place.

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3	27/05/2022	122/2022	Nyngan Emergency Bore	Council seeks advice from the Minister for Water, as to a mechanism for periodic extraction of water for maintenance purposes, given that it is understood that Council is unable to extract water from the bore at this stage.	GM	UPDATE: Letter written to Minister for Water.
4	28/11/2019	368/2019	Repairs to Nyngan & Cobar Emergency Water Storage	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.	DES	Remediation work postponed due to wet weather and soft floor. Floor continues to be wet and soft from rain. Requires warm weather to dry out sub- base A contract variation has been issued to the Contractor for change of scope for repairs to inside batters.



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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.
	24/02/2022	010/2022		Council make enquiries from the State Government to find out why progress has halted on before and after school care.		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. Letter sent to the Hon. Sarah Mitchell, MLC, Minister for Education and Early Learning. The Department is liaising with the school principal to explore the feasibility of

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	27/05/2022	118/2022		<p>Correspondence from the NSW Government Education – School Infrastructure be received and noted and representatives from the NSW Department of Education be invited to attend and address the next Council meeting.</p>	<p>options to establish a service and expects to be in a position to confirm and initiative to support the creation of places for parents in the coming weeks</p> <p>UPDATE: Principal Nyngan Public School and representative of NSW Government – Education invited to attend July Council Meeting.</p>
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6	25/02/2021	012/2021	Nyngan Railway Wool Dump	A colour information sign be erected at the Nyngan Railway Wool Dump on stand adjacent to the dump.A cement path from the existing walkway to the sign be constructed, with available funding.	DES	Pending commencement of grant- funded works. Pending commencement of grant- funded works.
7	25/02/2021	013/2021	Honour Board	Recipients of National Awards, prior to 1980's, be recognised on Honour Board. The board include National awards including recipients of the British Empire Medal (BEM), Australian Fire Service Medal (AFSM),Victoria Cross.	GM	Honour Board ordered. UPDATE: Delay with manufacture of order, now expected delivery July 2022. COMPLETED



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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.	DPCS	<u>UPDATE:</u> Planning for new residential subdivision commenced.
9	28/05/2022	085/2022	Refugee Employment	Council funds, and invites the Bogan Shire's business community to participate in a skills and labour shortage mapping exercise. Following the skills and labour shortage mapping exercise, representatives from identified Refugee Recruitment service providers be invited to a meeting with Council.	DPCS	<u>UPDATE:</u> Communication to business community currently under development.

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10	28/10/2021	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	Initial meeting held with Museum Committee. Draft delegations prepared for further discussions with Museum Committee. UPDATE: Referred to Audit & Risk Committee
11	25/11/2021	331/2021	Recycling Bins in Town Main Street	Recycling bins be made available in town main street.	DDES	UPDATE: Eight recycling bins received, awaiting signage.
	24/03/2022	068/2022	Recycling Bin Waste Stickers	That Council, as part of the recycling education program that will be conducted through schools, supply students with a sticker and encourage to stick it to their household recycling bin.		UPDATE: In Progress –Graphic designer engaged.



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12	27/05/2022	111/2022	<p>Nyngan's Big Bogan Festival</p>	<p>Bogan Shire Council applies for funding from the Reconnecting Regional NSW – Community Events Program grant to host Nyngan's Big Bogan Festival to be held between October and November 2022.</p> <p>The General Manager appoints a part time event coordinator for the Festival,</p> <p>Interested Bogan Shire community members be invited to participate in a committee / working group.</p>	<p>DPCS</p>	<p><u>UPDATE:</u> Grant application in progress.</p> <p><u>UPDATE:</u> Event Coordinator identified.</p> <p><u>UPDATE:</u> Invitations made to Community Members.</p>
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134/2022 RESOLVED that the date of the The Big Bogan Festival be nominated as the 22 October 2022, subject to any clashes with major events in the Shire. An alternative date would be one week later 29 October 2022. **(Menzies/Jackson)**

135/2022 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Elias/Boag)**

2 ADOPTION OF COMMUNITY STRATEGIC PLAN

Summary:-

The purpose of this report is to present the draft of the 2022/32 Community Strategic Plan (CSP) for Council’s consideration and adoption as required by the provisions of the Local Government Act.

136/2022 RESOLVED that the 2022/32 Community Strategic Plan be adopted. **(Deacon/Milligan)**

3 INTEGRATED PLANNING AND REPORTING – 2022/23 TO 2024/25 DELIVERY PROGRAM

Summary:

This report is for Council to consider adoption of the 2022/23 to 2024/25 Delivery Program.

137/2022 RESOLVED that the 2022/23 to 2024/25 Delivery Program be adopted. **(Jackson/Bright)**

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SUPPLEMENTARY REPORT

138/2022 RESOLVED that the late item Supplementary Report presented to Council, be considered and accepted. **(Douglas/Milligan)**

1 DUCK CREEK PICNIC RACES 2022

Summary:-

This report is to present a recommendation to Council in regard to an alcohol free zone for consideration for the Duck Creek Picnic Races.

139/2022 RESOLVED that:

1. The Duck Creek Picnic Races Report be received and noted.
2. Council declare an Alcohol Free Zone for forty-eight (48) hours from 6.00am on Saturday 2 July 2022 in the areas of the Nyngan Showground and Nyngan Racecourse that are not contained within the fencing erected by the organisers of the Duck Creek Picnic Races.
(Boag/Milligan)

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

1 BOGAN SHIRE 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.

140/2022 RESOLVED that the Early Learning Centre report be received and noted.
(Menzies/Milligan)

2 DOLLY PARTON'S IMAGINATION LIBRARY AUSTRALIA

Summary:

The purpose of this report is for Council to consider implementing the Dolly Parton Imagination Library Australia program and identify possible funding sources.

141/2022 RESOLVED that:

1. Council establishes an Imagination Library in partnership with United Way Australia.
2. The costs of the program be funded through the annual Library Council of NSW's Local Priority Grant subject to eligibility and availability.
3. Should funding not be eligible under the Local Priority Grant, Council funds the program for the 2022-2023 financial year, with a review of the program and expenditure provided to Council at the April 2023 budget review.

(Jackson/Boag)

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

1 INVESTMENTS MAY 2022

Summary:

The report is to outline the performance of Council's Investment Portfolio for the month of May 2022. At the 31st May 2022 Council had \$17.9 million invested. There has been an increase of \$3.6 million due to a number of Transport for NSW Ordered Works claims being paid and the 75% payment in advance of the 2022/2023 Financial Assistance Grant.

142/2022 **RESOLVED** that the Investments Report be received and noted.
(Elias/Deacon)

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:

This report is to provide a comparison of rate collections as at 31st May 2022, with the same period last year. Total arrears have decreased from \$972,281 as at the 31st May 2021 to \$887,766 as at 31st May this year.

Rate Collections	2021-2022	2020-2021
Arrears Prior to 31/05/2021	502,988	510,090
First Instalment in arrears as at 31/5/2022	-39,333	2,983
Second Instalment in arrears as at 31/5/2022	53,104	93,107
Third Instalment in arrears as at 31/5/2022	63,550	116,291
Fourth Instalment arrears as at 31/5/2022	135,348	249,810
Total Arrears	887,766	972,281
Total Outstanding	715,657	972,281
Monthly Transactions		
Amount Levied & B/Fwd	5,867,648	6,046,697
Add: Adjustments	40,481	21,485
Less: Payments to end of May	-5,112,497	-5,013,370
Less: Rebates	-80,143	-82,531
Add: Postponed	0	0
Gross Total Balance	887,766	972,281
Arrears of total amount levied %	12%	16%

The Director of Finance and Corporate Services reported at the meeting, that at the date of the meeting, current arrears had decreased to \$715,657.

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143/2022 RESOLVED that the Rates and Annual Charges collection report be received and noted. **(Menzies/Deacon)**

3 ADOPTION OF THE 2022/23 OPERATIONAL PLAN AND BUDGET

Summary:

The report is to present the draft 2022/23 Operational Plan and Budget for adoption.

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

144/2022 RESOLVED that the 2022/23 Operational Plan and Budget be adopted. **(Jackson/Milligan)**

4 MAKING OF RATES AND CHARGES FOR 2022/23.

Summary:

The report is to make the Rates and Charges for 2022/23.

Proposed Rates and Charges for 2022/23 were included in the Draft Operational Plan and Budget approved by Council at its meeting on 5th May 2022. The Draft Operational Plan was on public display and advertised from 12th May – 10th June 2022.

Rates and Charges as listed in the Draft Operational Plan for 2022/23 are listed below.

145/2022 RESOLVED that:

1. 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. Pursuant to the Local Government Act, 1993, Council hereby resolves to make the ordinary rates for the 2022/2023 period as laid out below.
3. Council applies the maximum allowable interest rate in accordance with Section 566 of the Local Government Act 1993. Council has been notified for the 2022/23 year the interest rate will be 6.0%.

(Jackson/Deacon)

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5 WRITE-OFF OF OUSTANDING DEBTORS

Summary:

The purpose of this report is to submit for write-off debt considered irrecoverable.

146/2022 RESOLVED that:

1. Debts of \$6,863.97 be written off and the above debtor accounts be marked as having been written off in Council's financial records.
2. A further report be prepared for Council on the status of the Albert Priest Channel user charges and water use agreements.

(Douglas/Bright)

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**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.*

147/2022 RESOLVED that the Engineering Services Departmental Report be received and noted. **(Deacon/Elias)**

2 PANGEE STREET PAVING

Summary: *The purpose of this report is for Council to consider allocating additional funding towards the paving of the Pangee Street CBD.*

148/2022 RESOLVED that:

1. Council allocates \$104,728 from the anticipated LRCI Phase 3 extension to fund the original paving scope of works totalling \$616,600. **(Douglas/Boag)**

2. Council fund, from LRCI phase 3 extension grant funding, the optional areas of paving totalling \$107,500, to include:
 - Vanges Park
 - Pioneer Park
 - Pedestrian Crossing**(Douglas/Bright)**

3. The Director of Engineering investigate options of disposing of the pavers, as alternatives of what was discussed at the meeting, including costings, and report back to Council. **(Menzies/Jackson)**



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Prior to the Council Meeting the Councillors visited the Bogan Shire Youth and Community Centre. The Mayor extended thanks to Council Staff for their efforts in seeing the project to near completion.

The Meeting adjourned at 7.30pm for supper and resumed at 7.45pm.

3 CLOSURE OF TEMPLES LANE

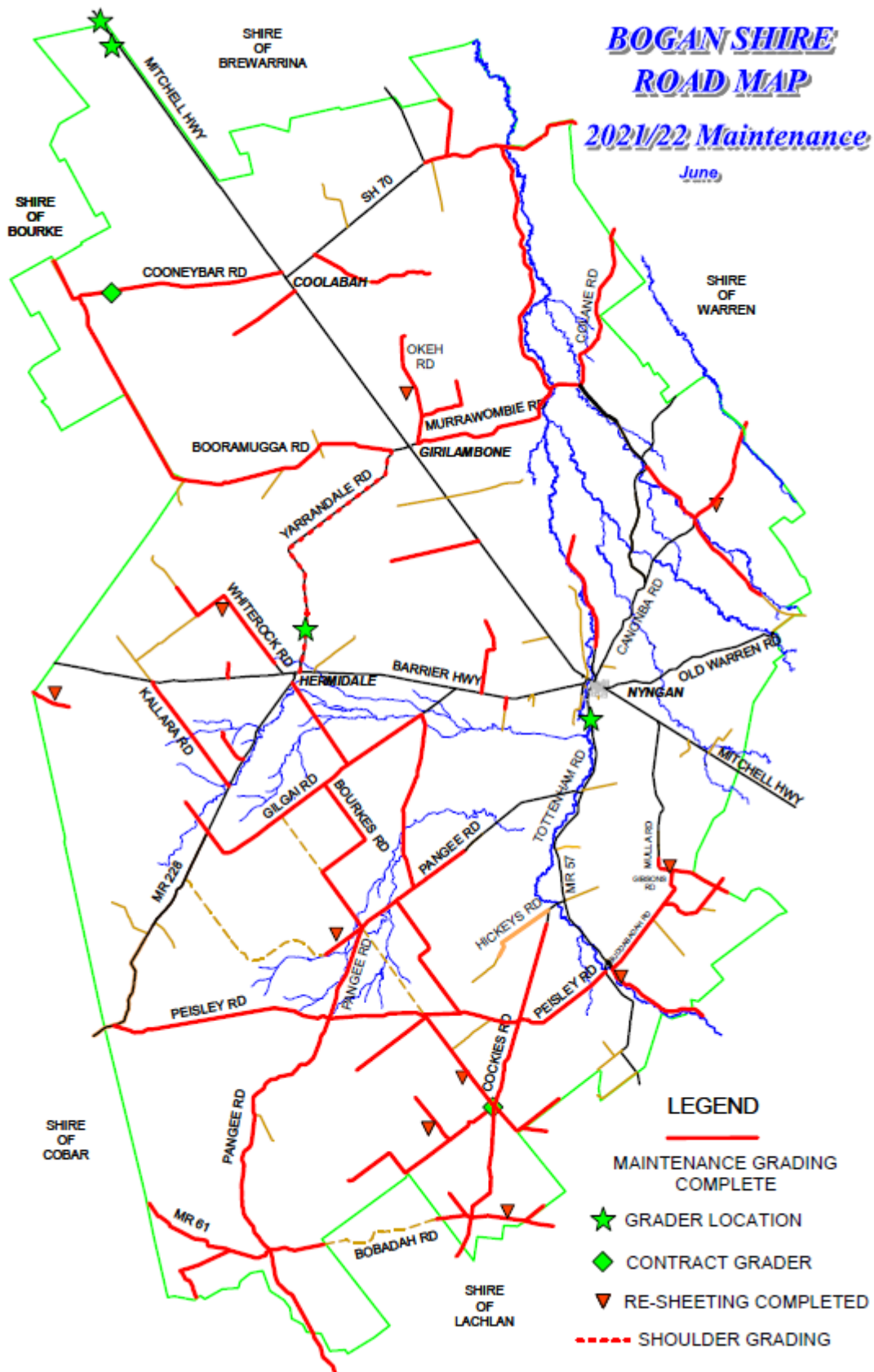
Summary:

The purpose of this report is for Council to consider a request from Richard Bootle and Ian Perkins to close Temples Lane from the "Claremont" Grid to "Komoora" gate.

149/2022 RESOLVED that Council do not go ahead with the request to close Temples Lane from the "Claremont" Grid to "Komoora" gate. **(Jackson/Bright)**

Councillor Milligan declined to vote and as such is taken as having voted against the motion.

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Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire
Council held on 23 June 2022

**REPORT TO THE ORDINARY MEETING OF COUNCIL – DIRECTOR OF
DEVELOPMENT & ENVIRONMENTAL 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 Development and Environmental Services Department.

150/2022 RESOLVED that the Development and Environmental Services Departmental Activity Report be received and noted. **(Jackson/Douglas)**

2 BIOSECURITY ROLES & RESPONSIBILITIES

Summary:

The purpose of this report is to provide Council with information on the implementation of biosecurity legislation in NSW and outline Council's responsibilities under the Biosecurity Act 2015 (NSW).

151/2022 RESOLVED that the Biosecurity Roles and Responsibilities Report be received and noted. **(Deacon/Bright)**



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PRECIS OF CORRESPONDENCE

1 DEPARTMENT OF PRIMARY INDUSTRIES

152/2022 RESOLVED that the correspondence from the Department of Primary Industries regarding Weeds and Biosecurity Act be received and noted. **(Jackson/Elias)**

2 2WEB OUTBACK RADIO

153/2022 RESOLVED that Council accept to take out sponsorship of \$6,600 with 2WEB Outback Radio. **(Jackson/Douglas)**

3 ALICE BACKHOUSE

154/2022 RESOLVED that the correspondence from Alice Backhouse be received and noted and a letter of reply addressing comments be forwarded. **(Milligan/Douglas)**

4 AIMEE PACK

155/2022 RESOLVED that Council give permission for the Big Boar Bonanza Committee to hold an event at the Nyngan Showground 1-3 September 2022, subject to all risk management and insurance requirements being met. **(Deacon/Jackson)**



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There being no further business, the meeting closed at 8.25pm.

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

.....
GENERAL MANAGER

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MAYOR

