



BOGAN SHIRE COUNCIL

Minutes

26 September 2019



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 26 September 2019 at 9.30am**

PRESENT: Councillors GRJNeill (in the Chair), VJ Boag, WG Deacon, VJ Dutton, AJ Elias, GN Jackson, 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 Tony Payne (Director Development and Environmental Services) and Mrs Cathy Ellison (Executive Assistant).

DECLARATION OF INTEREST: Nil

288/2019 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 22 August 2019 copies which have been circularised to Councillors be taken as read and confirmed with the following amendment. **(Jackson/Elias)**

- ***Minute 267/2019 to read*** – *That Council refer the 2019 Annual Financial Statements for Audit and that the necessary elected members and staff be authorised to sign the Statement by Councillors and Managements on the General Purpose Financial Statements and the Special Purpose Financial Statements for the year ending 30th June 2019.*

Business Arising:

- Stronger Country Communities Fund

289/2019 RESOLVED that Council allocate \$200,000 from current budget to the construction and fitout of the Community Centre if Council's application for funding from the Stronger Country Communities Fund is successful. **(Ryan/Jackson)**
Unanimous

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 26 September 2019 at 9.30am**

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 26 September 2019.

283/2019 APOLOGIES: RESOLVED that the apologies received from Mayor Ray Donald OAM and Councillor Jodi Douglas be received and they be granted leave of absence from the meeting. **(Ryan/Boag)**

284/2019 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. **(Elias/Deacon)**

285/2019 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 22 August 2019, copies of which have been circularised to Councillors be taken as read and confirmed. **(Elias/Deacon)**

286/2019 That Council accept the tender from Wrightway Building to construct four (4) seniors living units at 101 Cobar Street, Nyngan. at a total contract value of \$960,470.70. **(Jackson/Ryan)**

287/2019 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Boag/Elias)**

COMMITTEE MEETING MINUTES

1 NYNGAN MUSEUM MEETING

290/2019 RESOLVED that the Minutes of the Nyngan Museum Committee Meeting held on 4 September 2019 at the Nyngan Museum be received and noted. **(Ryan/Deacon)**

2 ORANA JOINT ORGANISATION

291/2019 RESOLVED that the Minutes of the Orana Joint Organisation via Teleconference Meeting held on 27 August 2019 be received and noted. **(Elias/Boag)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 26 September 2019 at 9.30am

REPORT TO ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

1 GARFORD FIRE ENGINE

Summary:-

This report is for Councillors to consider making funds available so the engine could be resprayed (quote to do this being \$30,000) from two carry forward items from last month's Finance and Corporate Services' report.

292/2019 RESOLVED that 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. **(Ryan/Deacon)**

Councillor Dutton now attended the meeting, 10.00am.

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 26 September 2019 at 9.30am**

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	Director Development and Environmental Services working closely with external Project Manager to ensure compliance with Stronger Communities grant milestones	DDES	Report contained in Council Meeting Business Paper for September 26 th 2019 refers.
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 Locums secured until 22/5/2020.

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 26 September 2019 at 9.30am**

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.
4	25/10/2018	340/2018	Palais Theatre	Following selection of options & places, detailed costings be obtained to facilitate a grant application for a new structure.	GM	Council resolved to demolish the Palais Theatre with the costs to be provided from accumulated funds at Council Meeting 28 March 2019. Quotations for demolition accepted.

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 26 September 2019 at 9.30am**

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>Application submitted, awaiting response. Funding for water carting to the villages has been approved. No additional funding currently available from NSW Government.</p> <p>Request resubmitted via Town Water Supply Commissioner.</p> <hr/> <p>NSW Government advice at this stage is that individual tanks do not meet the drought funding criteria.</p> <p>Request resubmitted via Town Water Supply Commissioner.</p>
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**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 26 September 2019 at 9.30am**

6	24/04/2019	117/2019	Cobar Water Board	<p>1. The General Manager requests further information from CWB concerning the apparent change in licence holdings, a copy of the legal advice concerning supply of water and reason why Cobar Shire Council cannot supply minor users within the Bogan Shire LGA.</p> <hr/> <p>2. Notes all current minor user agreements are between CWB and relevant users and that there may potentially be logistical and legal implications to BSC being responsible for supply of water via CWB's infrastructure.</p>	GM	<p>Advice from CWB is that they disposed of their licence in 2010.</p> <p>Further correspondence sent to CWB. Awaiting response.</p> <hr/> <p>Council staff to investigate implications.</p> <p>Council's Solicitors engaged to assist with new agreement.</p> <p>Further correspondence sent to CWB. Awaiting response.</p>
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Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 26 September 2019 at 9.30am

				3. 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.		Further correspondence sent to CWB. Awaiting response.
7	23/05/2019	164/2019	Nyngan/Cobar Water Security	Council notes with concern that CWB appears to have used more than their allocation of water this year & that the General Manager raises this concern with the Secretary of CWB.	GM	Meeting held on 18 June 2019 with Secretary of CWB and staff. Further correspondence sent to CWB. Awaiting response.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 26 September 2019 at 9.30am

8	27/06/2019	222/2019	Nyngan Regional Cultural Centre	Council engage Ian Bassett & Partners to prepare a detailed cost estimates for the construction of the Nyngan Regional Cultural Centre for purposes of a grant submission.	GM	Design requirement being confirmed. Architects working on detailed plans.
9	27/06/2019	179/2019	Purchase of Land – Pangee Street	General Manager approach the owner of the identified property with a view to ascertaining whether they are interested in selling the property & on what terms.	GM	Verbal report to be given at Council Meeting 26 September 2019.
	22/08/2019	253/2019		The General Manager be authorised to offer the agreed price to purchase the land in Pangee Street and allow the owner until the end of the year to remove whatever structures he wishes to. Money to be taken out of accumulated funds.		

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 26 September 2019 at 9.30am**

10	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	In progress – grant application to be submitted by 27 September 2019.
	22/08/2019	264/2019		Council works with community organisations who deliver youth and other community support services to investigate methods of funding for ongoing employment of a part-time Youth Worker and further upgrading to the facility.		

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 26 September 2019 at 9.30am**

11	22/08/2019	271/2019	Desilting Wilga Tank	<p>Council desilt Wilga Tank as a matter of urgency to secure the water supply of Girilambone & Coolabah.</p> <hr/> <p>Council apply for funding to desilt Wilga Tank.</p>	DES	<p>Quotations being obtained for work.</p> <p>Funding options being investigated.</p>
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Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 26 September 2019 at 9.30am

293/2019 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.

(Jackson/Dutton)

Council adjourned for morning tea at 10.25am & resumed 11.10am. After morning tea Councillors and Senior Staff visited the Nyngan Swimming Pool.

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.

294/2019 RESOLVED that the Operational Report for the Bogan Shire Medical Centre May to August 2019 be received and noted. **(Ryan/Deacon)**

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.

295/2019 RESOLVED that the Operational Report for the Visitor Information Centre from June to August 2019 be received and noted. **(Elias/Jackson)**

3 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.

296/2019 RESOLVED that the Early Learning Centre Report be received and noted.
(Ryan/Boag)

4 NYNGAN SHOW DAY

Summary:-

The purpose of this report is to advise Council of community response to the declaration of a local event day / public holiday for Nyngan Show Day in 2020 and for Council to determine their request to the Minister for Industrial Relations accordingly.

297/2019 RESOLVED that Council apply to the Minister for Industrial Relations for the declaration, under the Public Holidays Act 2010, of a local Public Holiday for the Bogan Shire Council Local Government area from 12 noon on Monday 18 May 2020.
(Jackson/Elias)

5 AUSTRALIA DAY 2020 NOMINATIONS AND AWARDS

Summary:-

The purpose of this report is for Council to approve the Australia Day Award categories, nomination form, guidelines and voting system for the 2020 Awards.

298/2019 RESOLVED that:-

1. The categories, nominations forms and guidelines as presented be adopted.
 2. The date for the assessment of nominations be the December Council Meeting.
- (Boag/Jackson)

6 BOGAN SHIRE RAILWAY TOURISM PROJECT

Summary:-

The purpose of this report is to provide an update for Council's information on the Bogan Shire Railway Tourism Project.

299/2019 RESOLVED that the Bogan Shire Railway Tourism Project Report be received and noted. (Boag/Deacon)

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

1 INVESTMENTS AUGUST 2019

Summary:-

The report is to outline the performance of Council's Investment Portfolio for the month of August 2019.

At 31 August 2019 Council had \$14 million invested. There has been an increase of \$488,000 due to the 1st quarter FAG Grant being received and the 1st quarter rates instalment falling due.

300/2019 RESOLVED that the Investments Report for the month of August 2019 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 August 2019, with the same period last year.

Total arrears have increased from \$513,997 as at 31 August 2018 to \$667,882 as at 31 August this year.

301/2019 RESOLVED that the Rates and Annual Charges Collection Report for the month of August 2019 be received and noted. (Jackson/Elias)

3 ADOPTION OF THE 2018/2019 DRAFT ANNUAL STATEMENTS

Summary:-

To adopt the 2018/19 Draft Annual Statements and for Council to delegate Authority to the General Manager to Authorise the Year End Account for issue.

Consolidated Accounting Surplus of \$4,039,000.

Surplus of \$2,582,000 in the General Fund is due mainly to Capital Grant funding included in the operating result and the expenditure being capitalised.

Surplus of \$1,617 in the Water Fund is due to Capital Grant funding of \$1,541 included in the operating result and the expenditure being capitalised as well as additional user charges collected improving the cash position by approximately \$120,000 compared to the original budgeted deficit.

Consolidated unrestricted cash reserves of \$5,363,000.

302/2019 RESOLVED that:-

1. Council adopt the 2018/19 Draft Annual Statements and commends the staff involved for the high standard and early preparation of these Statements.
2. Council delegate Authority to the General Manager to authorise the 2018/2019 Annual Financial Statements for issue. **(Ryan/Dutton)**

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 26 September 2019 at 9.30am

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

1 OPERATIONAL REPORT

303/2019 RESOLVED that the Operational Report for the reporting period 12 August 2019 to 13 September 2019 be received and noted. **(Ryan/Elias)**

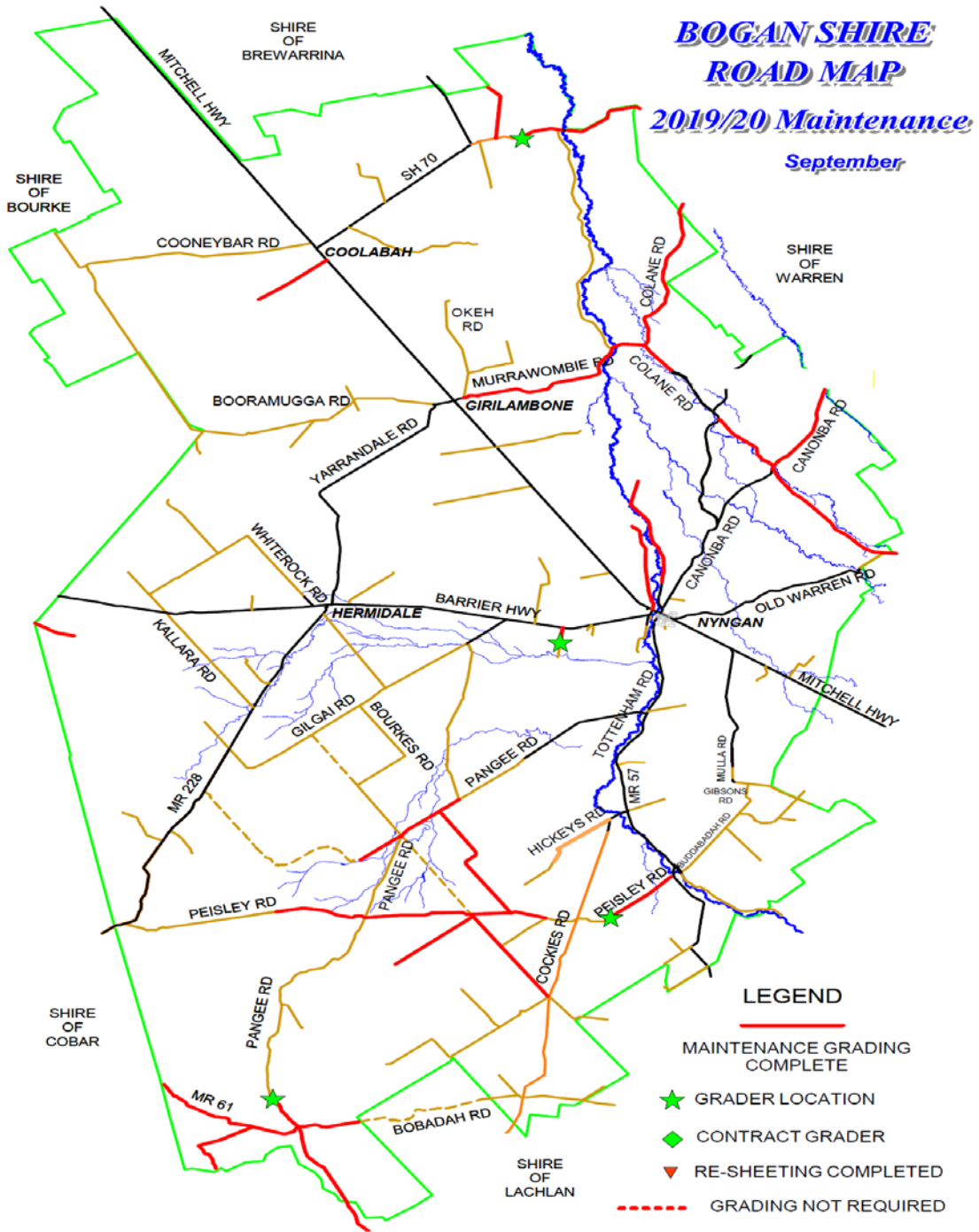
2 WATER RESTRICTION LEVELS

Summary:-

This report is for Council to consider amendments to the framework for water restrictions adopted in November 2018.

304/2019 RESOLVED that Council's adopted water restriction level framework be amended to include the changes in this report. **(Jackson/Deacon)**

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 26 September 2019 at 9.30am



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

1 DEVELOPMENT APPLICATIONS

305/2019 RESOLVED that the Development Applications Report since the 22 August 2019 Council Meeting be received and noted. **(Elias/Dutton)**

2 OPERATIONAL REPORTS

306/2019 RESOLVED that the Operational Report, including Parks and Garden Team and Noxious Weeds Officer be received and noted. **(Ryan/Dutton)**

307/2019 RESOLVED that Council request John Holland Rail to take action to control the Mexican Poppy Weed within the rail corridor of the boundaries of the Bogan Shire. **(Boag/Jackson)**

3 WESTERN RIVERS VETERINARY GROUP – PROPOSED PARTNERSHIP WITH BOGAN SHIRE COUNCIL

Summary:-

This report is to present for Council's consideration a proposal from Western Rivers Veterinary Group (WRVG) for a jointly funded desexing, vaccination and microchipping program for eligible low income or drought affected residents of Bogan Shire.

308/2019 RESOLVED that Council not pursue The Western Rivers Veterinary Group proposed partnership with Council at this time and that it be considered in next year's budget. **(Ryan/Boag)**

PRECIS OF CORRESPONDENCE

1 NYNGAN AG EXPO

309/2019 RESOLVED that the correspondence received from the Nyngan Ag Expo thanking Council for their support of the Ag Expo be received and noted. **(Dutton/Boag)**

2 HERMIDALE TENNIS & FITNESS CENTRE INC

310/2019 RESOLVED that \$6,000 be allocated to Hermidale Village for 2019/2020 noting that future allocation will depend on monies being expanded. **(Ryan/Boag)**

3 TOYOTA TOUR de OROC SPONSORSHIP

311/2019 RESOLVED that Council donate \$250 to the Rotary Club of South Dubbo for sponsorship of the Toyota Tour de OROC. **(Boag/Ryan)**

4 NYNGAN MUSEUM

312/2019 RESOLVED that Council consider providing plaques to the cemeteries at Canonbar, Girilambone, Hermidale and Coolabah in conjunction with next year's budget. **(Ryan/Jackson)**

5 MINISTER FOR LOCAL GOVERNMENT

313/2019 RESOLVED that the copy of the Press Release received from the Minister for Local Government concerning the Local Government Elections next year be received and noted. **(Elias/Ryan)**

6 JIM FINNEMORE

314/2019 RESOLVED that Council support the petition for the Huey Helicopter that was in Nyngan to remain in the Memorial Gardens at the Caloundra RSL. **(Ryan/Dutton)**

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 26 September 2019 at 9.30am**

7 WEEKLY CIRCULARS

315/2019 RESOLVED that the Local Government Weekly Circulars dated 15 August 2019, 22 August 2019, 30 August 2019, 5 September 2019 and 12 September 2019 be noted. **(Boag/Dutton)**

There being no further business the meeting closed at 12.10am.

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

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GENERAL MANAGER

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DEPUTY MAYOR

