



BOGAN SHIRE COUNCIL

Minutes

23 May 2019

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the
Council Chambers on 23 May 2019 at 9.30am**

PRESENT: Councillors RL Donald OAM, (in the Chair), VJ Boag, WG Deacon, JL Douglas, 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 Stephanie Waterhouse (Director Finance and Corporate Services), Mrs Debb Wood (Director People and Community Services), Mr Tony Payne (Director Development and Environmental Services) and Mrs Cathy Ellison (Executive Assistant).

DECLARATION OF INTEREST: Nil

148/2019 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 24 April 2019 copies which have been circularised to Councillors be taken as read and confirmed. **(Douglas/Neill)**

Business Arising:

- Services NSW

149/2019 RESOLVED that Council provide one driver testing parking space and Services NSW be requested to pay for signage for the space. **(Ryan/Douglas)**

150/2019 RESOLVED that the Minutes of the Extraordinary Meeting (Estimates) of Council held on 8 May 2019 copies which have been circularised to Councillors be taken as read and confirmed. **(Neill/Elias)**

Business Arising: Nil

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the
Council Chambers on 23 May 2019 at 9.30am**

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 23 May 2019.

142/2019 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. **(Dutton/Boag)**

143/2019 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 24 April 2019, copies of which have been circularised to Councillors be taken as read and confirmed. **(Ryan/Boag)**

144/2019 RESOLVED that Council outsource management of the Nyngan War Memorial Swimming Pool externally via contract. **(Deacon/Boag)**

145/2019 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Ryan/Boag)**

146/2019 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) (b) because it is information that would, if disclosed, confer the personal hardship of any resident or ratepayer. **(Dutton/Boag)**

147/2019 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Boag/Dutton)**

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the
Council Chambers on 23 May 2019 at 9.30am**

COMMITTEE MEETING MINUTES

1 NYNGAN MUSEUM MEETING

151/2019 RESOLVED that the Minutes of the Nyngan Museum Committee Meeting held on 1 May 2019 at the Nyngan Museum be received and noted. **(Elias/Douglas)**

2 ORANA JO EXTRAORDINARY BOARD MEETING

152/2019 RESOLVED that the Minutes of the Extraordinary JO Board Meeting held on 29 April 2019 at the Gilgandra Shire Council Chambers be received and noted. **(Ryan/Elias)**

3 SHOWGROUND / RACECOURSE USERS MEETING

153/2019 RESOLVED that the Minutes of the Showground / Racecourse Users Meeting held on Monday 15 April 2019 at the Council Chambers be received and noted. **(Ryan/Dutton)**

REPORT TO ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

1 ROADWORKS PROGRAM

The Minute to be considered as a submission to the Operational Plan and Budget.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 23 May 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	Consult with community to gauge interest in the project before making a decision on which location & how many units to build.	DDES	<p>Public Information Meeting 14 December 2016.</p> <p>Community expressed a preference for the Cobar/Dandaloo Streets site.</p> <p>Application under Stronger Country Communities successful.</p> <p>Project to go to tender May 2019.</p> <p>Demolition programmed for July 2019.</p>

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the
Council Chambers on 23 May 2019 at 9.30am**

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 31/12/2019.
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.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 23 May 2019 at 9.30am

4	27/09/2018	294/2018	Nyngan / Cobar Water Security Project	Council pursue the necessary processes to secure funding for the construction of a second off-river storage & an allocation to fill the completed off-river storage.	DES	Business Case has been completed and submitted. Business Case is being assessed. Letter received from Department of Industry. Funding received and water purchased.
5	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.
6	28/02/2019	021/2019	Drought Works	The General Manager continues to pursue grant funding opportunities to meet the cost to improve water security for Girilambone & Hermidale.	DES	Application submitted, awaiting response. Funding for water carting to the villages has been approved.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 23 May 2019 at 9.30am

				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.		NSW Government advice at this stage is that individual tanks do not meet the drought funding criteria.
7	28/02/2019	047/2019	Plaque at Nyngan Airport Terminal for Bill Taylor	Council have a plaque made in recognition of Bill Taylor & his contribution to local aviation. Plaque to be placed outside the terminal. Final suggestions for wording on the plaque in consultation with local pilots & family.	DES	Plaque has been ordered.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 23 May 2019 at 9.30am

8	28/03/2019	062/2019	<p>Nyngan to Gunningbar Creek Confluence Bogan River Association</p>	<p>At no cost to Council, Council engage a consultant to carry out the necessary work to facilitate the following:-</p> <ol style="list-style-type: none"> 1. Obtain a 3,000 megalitre allocation for the Recreation/Lower Weir. <hr/> 2. Change the classification of the Recreation/Lower Weir to enable environmental & high security water to be out in the weir. <hr/> 3. Have a pipeline constructed from the Recreation/Lower Weir to the Bogan River Confluence with the Gunningbar Creek to enable stock and domestic users to obtain their licence from the pipeline. 	GM	In progress.
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Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 23 May 2019 at 9.30am

9	28/03/2019	083/2019	Drought Management Plan	Council urgently request the Department of Industry-Water to investigate the availability, quality and quantity of ground water to the east of Nyngan.	MES	Letter has been forwarded to the Minister for financial assistance to investigate.
10	24/04/2019	117/2019	Cobar Water Board	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.	GM	

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 23 May 2019 at 9.30am

				<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> <hr/> <p>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.</p>		
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154/2019 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 MODEL CODE OF MEETING PRACTICE

Summary:-

The purpose of this report is for Council to adopt the Model Code of Meeting Practice.

155/2019 RESOLVED that Council adopt the Model Code of Meeting Practice for Local Councils in NSW 2018, effective Friday 24 May 2019. **(Ryan/Elias)**

3 VILLAGE TOURS 2019

156/2019 RESOLVED that the Village Tours conducted on 1 May 2019, Report, be received and noted. **(Dutton/Neill)**

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

1 LIBRARY REPORT

Summary:-

The purpose of this report is to provide Council with information both statistical and informative in regards to the Library’s function over the past three months.

157/2019 RESOLVED that the Library Report February, March and April 2019 be received and noted. **(Jackson/Boag)**

Council adjourned for morning tea at 10.30am and resumed at 10.55am.

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

1 INVESTMENTS APRIL 2019

Summary:-

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

At 30 April 2019 Council had \$11.6 million invested. There has been a decrease of \$1.2 million due to a number of large creditor payments being made for road works and capital projects as well as the purchase of water for the Nyngan Water Storage Facility for which 75% in grant funding has not yet been received.

158/2019 RESOLVED that the Investments Report for the month of April 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 30 April 2019, with the same period last year.

Total arrears have increased from \$365,481 as at 30 April 2018 to \$397,206 as at 30 April this year.

159/2019 RESOLVED that the Rates and Annual Charges Collection Report for the month of April 2019 be received and noted. **(Jackson/Elias)**

Council now moved into a Closed and Confidential Section of the Meeting.

After discussion Council returned to the Ordinary Meeting of Council.

3 RESTRICTED ASSETS APRIL 2019

Summary:-

The report is to advise Council of the expected restricted balance as at 30 June 2019.

160/2019 RESOLVED that the Restrictions Report of the expected restricted balance as at 30 June 2019 be received and noted. **(Ryan/Elias)**

4 RELATED PARTY DISCLOSURES POLICY

Summary:-

This report seeks the adoption of the Related Party Disclosures Policy.

Council is required to have a Related Party Disclosure Policy. This policy relates only to relationships with persons and entities identified as Related Parties under the definitions provided within this policy. Council will use its judgement to determine when such a relationship exists and whether the information provided requires disclosure.

161/2019 RESOLVED that Council adopt Policy FIN006 known as Bogan Shire Council's "Related Party Disclosures Policy" until May 2021 with no amendments to the previous policy. **(Ryan/Douglas)**

5 CONCEALED WATER LEAK POLICY

Summary:-

This report seeks the review and adoption of the Concealed Water Leaks Policy.

162/2019 RESOLVED that Council adopt Policy FIN005 known as Bogan Shire Council's "Concealed Water Leak Policy" until May 2021 with no amendments to the previous policy. **(Douglas/Boag)**

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

1 OPERATIONAL REPORT

163/2019 RESOLVED that the Operational Report for the reporting period from 15 April 2019 to 10 May 2019, including Civil Works, Community Services and Roads be received and noted. **(Jackson/Dutton)**

2 2019/2020 ROADWORKS BUDGET

Summary:-

This report is to provide Council with details of proposed road works for the 2019/2020 financial year.

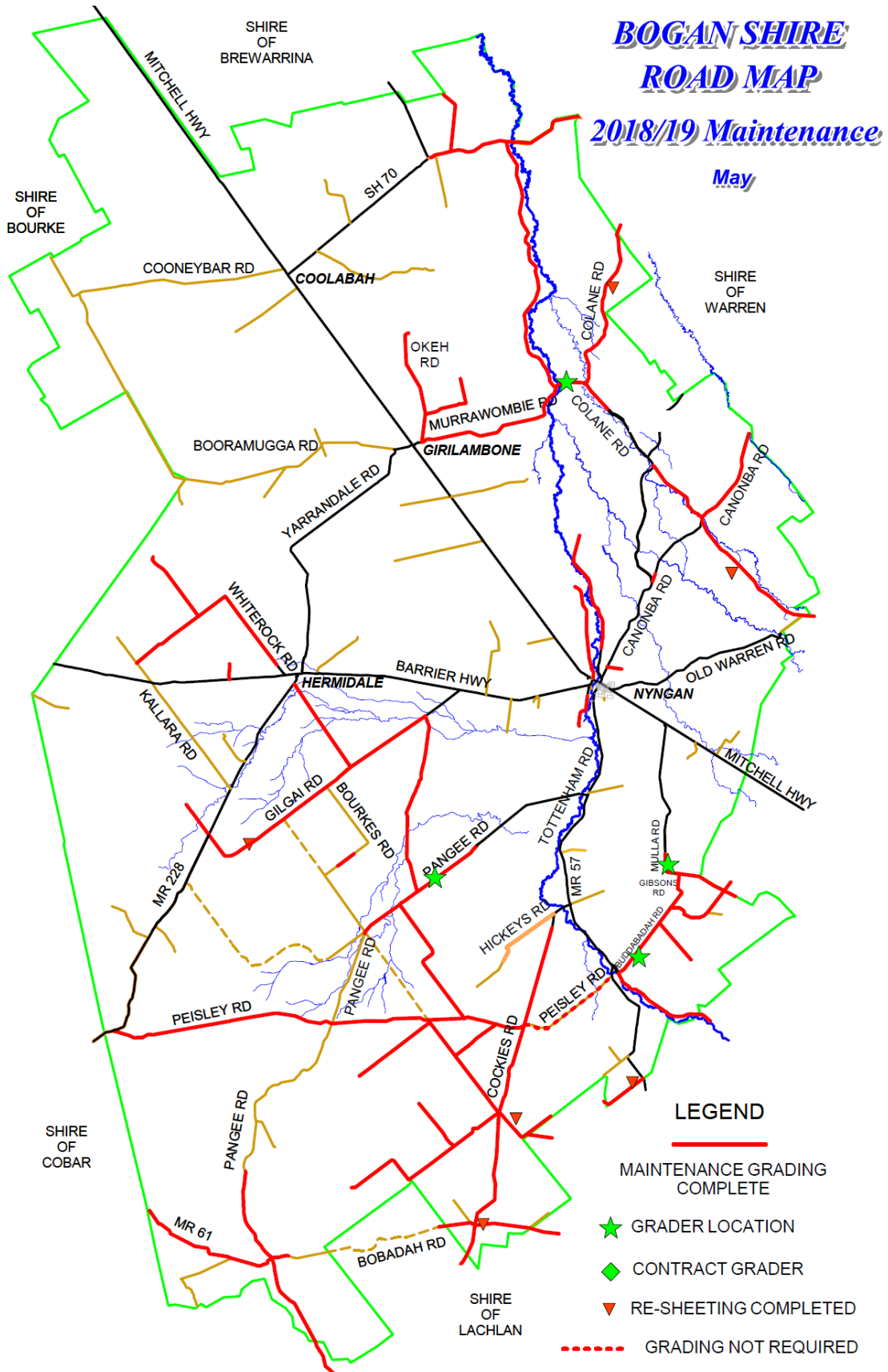
This item will be dealt with at the June 2019 Council meeting.

Other Matters:

- Nyngan/Cobar Water Security

164/2019 RESOLVED that Council notes with concern that Cobar Water Board appears to have used more than their allocation of water this year and that the General Manager raises this concern with the Secretary of Cobar Water Board. **(Ryan/Douglas)**

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 23 May 2019 at 9.30am



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

1 DEVELOPMENT APPLICATIONS

165/2019 RESOLVED that the Development Application Report since the 24 April 2019 Council Meeting be received and noted. **(Jackson/Deacon)**

2 OPERATIONAL REPORTS

166/2019 RESOLVED that the Operational Report, including Council's Parks and Gardens Team and Noxious Weeds Officer since 24 April 2019 Council Meeting be received and noted. **(Boag/Jackson)**

PRECIS OF CORRESPONDENCE

1 LOUISE BATTYE

167/2019 RESOLVED that Council provide support to the amount of \$2,469.00 for the cost of the workshop and hire of the CWA rooms, to provide an artist from Quilpie to come to Nyngan to host a 2 day workshop, on condition that all participants are ratepayers or residents of Bogan Shire. **(Douglas/Ryan)**

2 CHARMAINE LYNCH

168/2019 RESOLVED that the complaint received from Charmaine Lynch concerning Council's decision to demolish the Palais Theatre be received and noted. **(Ryan/Neill)**

3 LGNSW PRESIDENT

169/2019 RESOLVED that the copy of correspondence received from Clr Linda Scott, President LGNSW concerning *Renew Our Libraries Campaign Wrap-Up Report* be received and noted. **(Deacon/Jackson)**

4 NSW GOVERNMENT – OFFICE OF STATE REVENUE

170/2019 RESOLVED that:-

1. The correspondence received from the Office of State Revenue concerning this year's Emergency Services Levy be received and noted.
2. The General Manager advises the Minister of Council's concern regarding the large increase at such short notice and that Council does not have the available budget funds to cover the increase. **(Ryan/Dutton)**

5 BREWARRINA SHIRE COUNCIL

171/2019 RESOLVED that the General Manager informs Brewarrina Shire that Council believes any reforming of Orana Regional Organisations of Councils (OROC) would achieve very little while ever Joint Organisations of Councils (JOs) exist. **(Ryan/Neill)**

6 WEEKLY CIRCULARS

172/2019 RESOLVED that the Local Government Weekly Circulars dated 19 April 2019, 26 April 2019, 3 May 2019, and 10 May 2019 be noted. **(Dutton/Boag)**

173/2019 RESOLVED that Council deal with the late item of correspondence received from the Nyngan Swimming Club concerning suggestions to closing times in February and March to 8.00pm and opening the additional month of April until 6.00pm. **(Elias/Deacon)**

174/2019 RESOLVED that the correspondence received from the Nyngan Swimming Club be received and included in consideration for the proposed Expression of Interest for the management of the Nyngan Swimming Pool. **(Boag/Douglas)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 23 May 2019 at 9.30am

175/2019 RESOLVED that Council deal with as a matter of urgency the correspondence tabled at the meeting, received from the Nyngan Rugby League Football Club concerning the naming of the new dressing shed at Larkin Oval. (Ryan/Neill)

176/2019 RESOLVED that the new dressing shed at Larkin Oval be named the *Alister Quarmby Dressing Shed* and incorporate the words *Egg Shed*, in recognition of Alister’s contribution to Rugby League, both Junior and Senior over the many years. (Neill/Jackson)

Council conduct the Annual Road Tour – Wednesday 26 June 2019 at 8.00am.

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

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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MAYOR

