



BOGAN SHIRE COUNCIL

Minutes

28 July 2022



Published Recording of Council Meeting

This Council Meeting is being recorded for publishing on Council's website as a public record. By speaking at the Council Meeting you agree to being recorded and for this recording to be published. Please ensure that if and when you speak at this Council Meeting that you are respectful to others and use appropriate language at all times. Bogan Shire Council accepts no liability for any defamatory or offensive remarks made during the course of this Council Meeting.



**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 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).

APOLOGIES: Nil

DISCLOSURE OF INTEREST: Nil

159/2022 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 23 June 2022, copies of which have been circulated to Councillors be taken as read and confirmed. **(Boag/Bright)**

Business Arising: Nil

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 28 July 2022:

156/2022 RESOLVED 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. **(Boag/Deacon)**

157/2022 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 23 June 2022, copies of which have been circulated to Councillors be taken as read and confirmed. **(Elias/Deacon)**

Business Arising: Nil

158/2022 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Menzies/Milligan)**



**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

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. UPDATE: Mayor and GM held site visit with Scott Barrett MLC.
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. COMPLETED

**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

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.



**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

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.



**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

	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>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><u>UPDATE:</u> Principal Nyngan Public School and representative of NSW Government – Education invited to attend Council Meeting.</p>
--	------------	----------	--	---	--

**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

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	UPDATE: Board installed. COMPLETED



**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

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	UPDATE: DES Report to Council on new residential subdivision refers.
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	UPDATE: Engagement with business community, including agricultural sector, commenced 18/07/22 with online and paper-based survey. Refugee recruitment specialist invited to attend August Council Meeting.



**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

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. Awaiting Report from Internal Auditor.
11	25/11/2021 24/03/2022	331/2021 068/2022	Recycling Bins in Town Main Street Recycling Bin Waste Stickers	Recycling bins be made available in town main street. 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.	DDES	UPDATE: Eight recycling bins received – considered in Council’s best interest to delay installation until main street paving completed. UPDATE: In Progress – stickers now received.



**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

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>UPDATE: Grant application submitted.</p> <p>COMPLETED</p> <p>UPDATE: Event Coordinator appointed.</p> <p>COMPLETED</p> <p>UPDATE: Invitations made to Community Members.</p> <p>COMPLETED</p>
----	------------	----------	---	--	--------------------	--

Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022

13	23/06/2022	126/2022	New Water Treatment Plant Site	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.	DES	UPDATE: Public Works currently investigating suitability of substation site.
14	23/06/2022	141/2022	Dolly Parton's Imagination Library Australia	Council establishes an Imagination Library in partnership with United Way Australia.	DPCS	UPDATE: Initial meeting held with United Way to progress.
15	23/06/22	148/2022	Pangee Street Paving	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.	DES	UPDATE: Most appropriate method of disposal would appear to be removing old pavers to a non-Council-owned site to enable public access to the pavers free of charge. Further investigations continuing.

**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

160/2022 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.
(Jackson/Elias)

Kylee Pearce, Principal Nyngan Public School, addressed the meeting with an update on Before/After School Care.

2 ACCOUNTING TREATMENT FOR RURAL FIRE SERVICE FIRE-FIGHTING EQUIPMENT

Summary: *The purpose of this report is to bring to Council’s attention an issue concerning the recording of the Rural Fire Service’s so-called red fleet (tankers) in Council’s annual financial statements.*

161/2022 RESOLVED that:

1. Taking into consideration the risks involved in potentially receiving a qualified audit report for 2021/22 Council nevertheless, as a matter of principle, does not include Rural Fire Service Red Fleet assets in Bogan Shire Council’s 2021/22 annual financial statements based on the fact that Council does not control, manage, or govern Rural Fire Service assets, nor is it able to obtain a list of red fleet assets from the NSW Government.
2. Council makes representation to the Local Member, the Minister for Emergency Services, the Minister for Local Government and the Deputy Premier on this matter.
(Douglas/Deacon)

3 BOGAN RIVER SIGNAGE

Summary: *The purpose of this report is to seek Council’s approval for wording relating to the Bogan River Massacre to be placed on proposed information signs near the river and flood memorial park.*

162/2022 RESOLVED that:

1. Council approves the attached signage wording relating to the Bogan River Massacre, with the inclusion of miles as well as kilometres in paragraph 4.
(Douglas/Menzies)
2. The General Manager, in consultation with the Mayor and Deputy Mayor, have discussions with the NALC as to whether the wording should be placed on an individual sign or as part of an information sign, as well as their preference for sign location. **(Milligan/Douglas)**

**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

EXAMPLE OF BOGAN RIVER SIGNAGE



The Bogan River is significant for Aboriginal peoples - water is life, a resource for environmental, social, cultural and economic purposes.

During the early settler years, the Bogan River area experienced numerous conflicts between Aboriginal peoples and European settlers. Many people lost their lives during these conflicts, which included massacres of Aboriginal peoples.

One well-documented encounter concerns a party of stockmen who in October 1841 had driven several hundred cattle for a period of 16 days over a hundred kilometres beyond the limits of their licence into a prohibited area.

Using the lack of water as a reason to move their cattle from near Peak Hill into the Bogan River area, the stockmen encountered Aboriginal people at a waterhole. Wishing to preserve the only precious water within 120 kilometres for their own use rather than have cattle consuming and contaminating the water, the Aboriginal people defended their rights, which resulted in the death of three of the stockmen. During a parliamentary debate in 1842 concerning the incident, Bishop Lord Broughton, a member of the Legislative Council of the day is recorded as having said:

"Anyone who goes among Aborigines and interferes with their natural right of procuring the necessities of existence is an aggressor and whatever proceedings may arise out of these acts are chargeable upon him who first gave the provocation".

One of the remaining stockmen made his way to Bathurst to report the incident to the magistrate. In the absence of the Police Commandant, who was subsequently dismissed for being absent without leave, the Magistrate, together with the Military Officer in Command at Bathurst despatched a mounted force. The mounted force, which had been joined by several civilians, was ordered to Wellington for further instructions from the Crown Lands Commissioner, but unfortunately decided for themselves to proceed directly to the site of the conflict.

Arriving at the waterhole, according to a contemporary account of one of the troopers, the mounted force galloped in upon the Aboriginal people, firing at them and cutting them down with sabres indiscriminately. An unknown number of Aboriginal people were massacred in this incident.

We acknowledge and pay our respect to the families of all Aboriginal peoples for the hurt and suffering this has caused.

This account pays tribute to the massacres that occurred to allow spiritual healing of Wangaaypuwan Country.

**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

4 COUNCILLOR AND MAYORAL FEES

Summary: *The purpose of this report is to advise Council of the determination of the Local Government Remuneration Tribunal and to recommend that Council fixes Councillor and Mayoral Fees for the 2022/23 financial year based on this determination.*

163/2022 RESOLVED that Council accepts and sets the fees payable to Councillors, Deputy Mayor and Mayor of Bogan Shire Council, effective from 1 July 2022, in line with the Local Government Remuneration Tribunal’s determination as follows:

	Councillor Fee	Mayor Fee	Total Fee
Councillors	\$9,560	-	\$9,560
Deputy Mayor	\$9,560	\$4,178	\$13,738
Mayor	\$9,560	\$16,715	\$26,275

(Jackson/Menzies)

The Meeting adjourned at 7.00pm for supper and resumed at 7.20pm.

**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

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

1 BOGAN BUSH MOBILE – TERM 2 REPORT

Summary: The purpose of this report is to advise Council on the Term 2 activities of the Bogan Bush Mobile service.

164/2022 RESOLVED that the Bogan Bush Mobile report be received and noted.
(Jackson/Deacon)

2 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.

165/2022 RESOLVED that:

1. The Operational Report for the Bogan Shire Medical Centre be received and noted.
2. Council thank staff involved in the running of The Bogan Shire Medical Centre, especially the recent accreditation process.

(Jackson/Menzies)

**3 BUSH BURSARIES AND COUNTRY WOMEN'S ASSOCIATION
SCHOLARSHIPS PROGRAM**

Summary: The purpose of this report is to recommend that Council provides funding towards medical, midwifery and nursing students work placements at the Bogan Shire Medical Centre under the Bush Bursaries and Country Women's Association Scholarships Program.

166/2022 RESOLVED that:

1. Council provides funding of \$3,000 in the 2022/2023 budget for the work placements of two medical students at the Bogan Shire Medical Centre under the Bush Bursaries and Country Women's Association Scholarships Program.
2. Council considers, at its annual estimates meeting, ongoing funding of up to four medical students per year at a cost of \$6,000 per year (based on current Bush Bursary amounts) under the Bush Bursaries and Country Women's Association Scholarships Program.

(Douglas/Boag)

**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

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

1 INVESTMENTS JUNE 2022

Summary: *The report is to outline the performance of Council's Investment Portfolio for the month of June 2022. The Investment Report for June 2022 is shown below. At the 30th June 2022 Council had \$17.3 million invested. There has been a decrease of \$600,000 due to expenditure paid out and not yet claimed as at 30th June 2022 on both Transport for NSW projects and Water Storage projects.*

167/2022 RESOLVED that the Investments Report be received and noted.
(Jackson/Deacon)

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary: *This report is to provide a comparison of rate collections as at 30th June 2022, with the same period last year. Total arrears have decreased from \$804,138 as at the 30th June 2021 to \$669,139 as at 30th June this year.*

Rate Collections	2021-2022	2020-2021
Arrears Prior to 30/06/2021	502,677	501,257
First Instalment in arrears as at 30/6/2022	-55,945	19,309
Second Instalment in arrears as at 30/6/2022	52,462	79,996
Third Instalment in arrears as at 30/6/2022	62,313	83,836
Fourth Instalment arrears as at 30/6/2022	107,632	119,740
Total Arrears	669,139	804,138
Total Outstanding	669,139	804,138
Monthly Transactions		
Amount Levied & B/Fwd	5,867,648	6,049,583
Add: Adjustments	44,232	22,187
Less: Payments to end of May	-5,162,280	-5,185,419
Less: Rebates	-80,462	-82,213
Add: Postponed	0	0
Gross Total Balance	669,139	804,138
Arrears of total amount levied %	11%	13%

168/2022 RESOLVED that the Rates and Annual Charges collection report be received and noted. (Jackson/Elias)

**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

3 CARRY FORWARDS AND REVOTES FROM 2021/2022 CAPITAL BUDGET

Summary: *The purpose of this report is to advise Council of the carry-forward amounts for the 2022/2023 budget and to ask Council to revoke on projects that had not commenced or were not contracted to commence as at 30th June 2022.*

169/2022 RESOLVED that:

1. The Carry Forwards from 2021/2022 to 2022/2023 be noted.
2. Council approves the revotes on items that had not commenced prior to the 30th June 2022.

(Deacon/Bright)

REPORT TO THE ORDINARY MEETING OF COUNCIL – DIRECTOR 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.*

170/2022 RESOLVED that the Operational Report be received and noted, with thanks from Council to the Engineering staff for ongoing works. **(Milligan/Elias)**

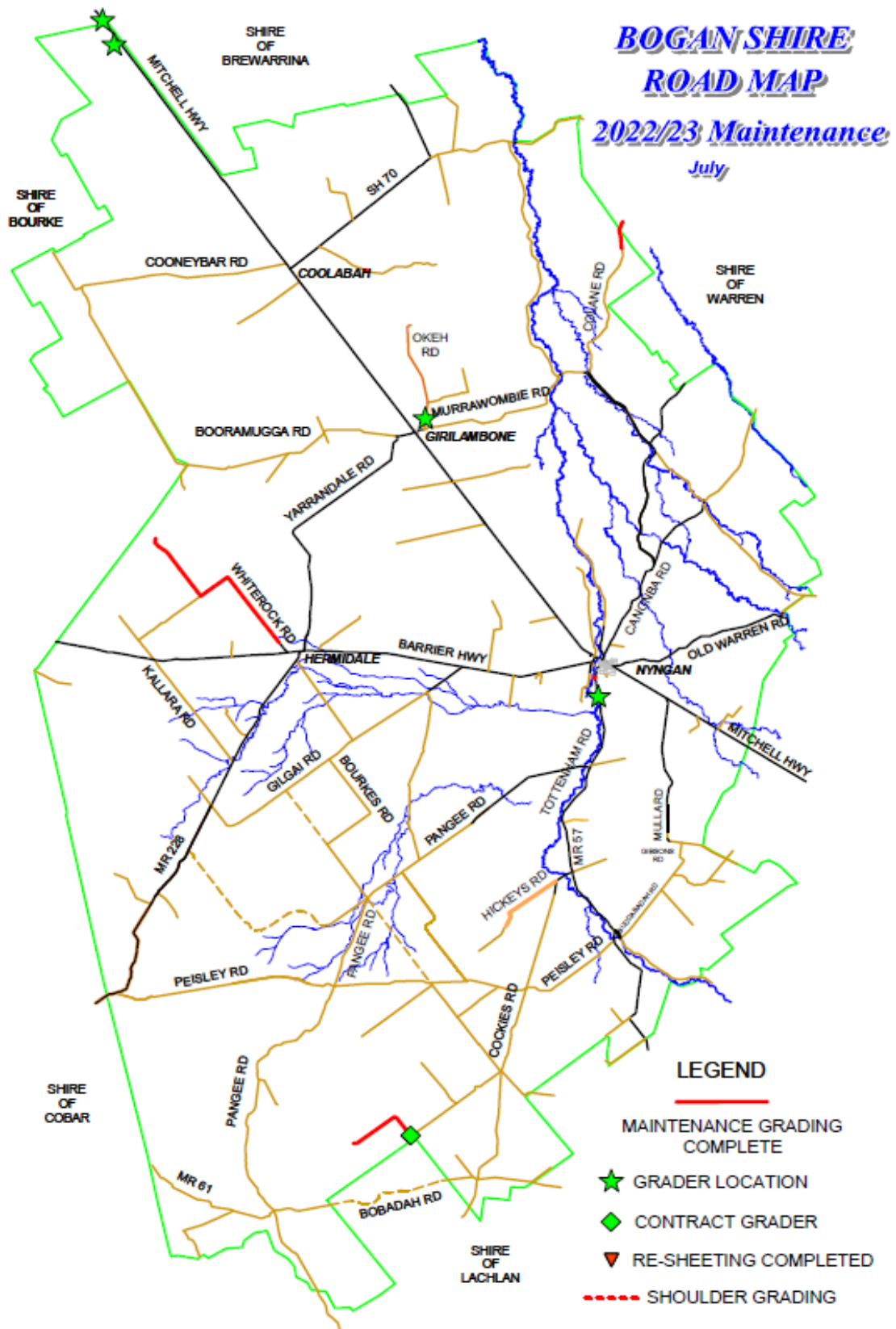
2 HOSKINS STREET SUBDIVISION

Summary: *The purpose of this report is for Council to consider a draft lot layout design for the Hoskins Street subdivision adjacent to the Nyngan showground.*

171/2022 RESOLVED that:

1. Council approves the draft subdivision layout, with the following amendments:
 - Inclusion of a laneway between lots 18-23 and lots 28-33.
 - Accordingly reduce the number of affected blocks to retain an average size of around 1000m².
2. Strong representation is made to the Minister for Western New South Wales in relation to Biodiversity Fund contributions.
(Jackson/Menzies)

Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022





Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022

**REPORT TO THE ORDINARY MEETING OF COUNCIL – DIRECTOR
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.*

172/2022 RESOLVED that the Development and Environmental Services Departmental Activity Report be received and noted. **(Boag/Milligan)**



**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

PRECIS OF CORRESPONDENCE

1 NAIDOC CELEBRATIONS 2022

173/2022 RESOLVED that Council makes the Nyngan Showground and Walker Pavilion available for Naidoc Day **(Elias/Milligan)**

2 NSW GOVERNMENT SENIORS LEADERS TOUR

174/2022 RESOLVED that correspondence from the Coordinator General of the NSW Regional Health Division be received and noted. **(Douglas/Jackson)**

3 REGIONAL GROWTH FUND

175/2022 RESOLVED that correspondence from The Hon. Paul Toole MP be received and noted. **(Bright/Deacon)**

4 CHERYL BURNS

176/2022 RESOLVED that correspondence from Cheryl Burns received and noted and this matter be considered as part of the next round of Stronger Country Communities funding. **(Elias/Deacon)**



**Minutes of the Ordinary Meeting
of Bogan Shire Council held on 28 July 2022**

There being no further business, the meeting closed at 8.30pm

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

.....

GENERAL MANAGER

.....

MAYOR

