



# **BOGAN SHIRE COUNCIL**

## **Minutes**

**27 August 2020**





### **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 in the Training Room of the Engineering Department on 27 August 2020 at 9.30am**

**PRESENT:** Councillors RL Donald OAM (in the Chair), VJ Boag, WG Deacon, JL Douglas, AJ Elias, VJ Dutton, GN Jackson, GRJ Neill, and KM Ryan.

Also present were Mr Derek Francis (General Manager), Mrs Debb Wood (Director People and Community Services), Graeme Bourke (Director Engineering Services), Mr Jim Boyce (Acting Director Development and Environmental Services), Mrs Cathy Black (Manager Environmental Services), and Mrs Cathy Ellison (Executive Assistant).

**DECLARATION OF INTEREST:** Nil

**219/2020 RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 23 July 2020 copies of which have been circularised to Councillors be taken as read and confirmed. **(Neill/Deacon)**

Business Arising: Nil

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 27 August 2020.

**215/2020 RESOLVED** that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 23 July 2020, copies of which have been circularised to Councillors be taken as read and confirmed. **(Elias/Boag)**

**216/2020 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, Clause 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. **(Neill/Ryan)**

**217/2020 RESOLVED** that:-

1. Council accept the tender of Westrac for the Caterpillar 140M at a cost of \$377,900 (exclusive of GST).
2. The General Manager be authorised to dispose of plant 431 in the best interest of Council. **(Ryan/Douglas)**

**218/2020 INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting move into open Council. **(Elias/Ryan)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department on 27 August 2020 at 9.30am

## COMMITTEE MEETING MINUTES

### 1 MUSEUM COMMITTEE MINUTES

**220/2020** RESOLVED that the Minutes of the Nyngan Museum Committee Meeting held at the Nyngan Museum on Wednesday 5 August 2020 be received and noted. (Dutton/Douglas)

### 2 ORANA JOINT ORGANISATION

**221/2020** RESOLVED that the Minutes of the Orana Joint Organisation Meeting held on Monday 13 July 2020 at Narromine Council Chambers be received and noted. (Boag/Ryan)

#### Other matters:

- National Australia Bank

Councillor Jackson declared an interest and did not participate in the discussion.

**222/2020** RESOLVED that Council send a strong letter to National Australia Bank expressing Council's concern about the cut back in opening hours of many banks, including Nyngan. Council believe this could be the forerunner of some branches shutting their doors. If staff are remaining inside the branches carrying out other duties, why can't the doors remain open for the customers. (Neill/Boag)

- Volunteering Initiatives

Council was advised of a letter to the different volunteering organisations informing them of the Nyngan High School curriculum for Year 9/10 students next year visiting their organisations and participating in the activities the members carry out.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department on 27 August 2020 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	23/07/2020	208/2020	<b>Seniors Living – Rental Units</b>	Council hold & advertise an open day to visit the units.	<b>DPCS</b>	
2	28/09/2017	283/2017	<b>Medical Centre</b>	The General Manager in consultation with PHN proceeds to recruit & engage a second doctor for the BSMC.	<b>GM</b>	Recruitment agencies engaged to source locum / permanent second doctor.  Locums secured until 31/12/2020. Renewed recruitment effort underway for permanent doctor with the Rural Doctors Network.
3	21/12/2017	392/2017	<b>Increase of train speed through Nyngan</b>	Strong letter of concern & a request to address Council be sent to the relevant rail authorities & a copy to local member.	<b>GM</b>	Letter sent to Minister for Transport & Infrastructure, with copy to Kevin Humphries.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department on 27 August 2020 at 9.30am

	21/06/2018	293/2018		<p>Council seek further follow up from the responsible Minister, reiterating Council's safety concerns for pedestrians &amp; road users due to the nature of the crossing &amp; variation of speeds.</p>		<p>406 Petitions received.</p> <p>On-site meeting held with Deputy Premier.</p> <p>Met with Minister for Regional Transport &amp; Roads in Bourke on 25 November 2019.</p>
				<p>The best control measures would be to erect flashing lights at the Hoskins Street Crossing.</p>	<b>DES</b>	<p>Council advised that this crossing is not a priority for John Holland Rail.</p>
	28/05/2020	110/2020		<p>Council engage a Safety Consultant to inspect the Hoskins Street Level Crossing &amp; to provide a report documenting the safety factors of the Crossing which can then be forwarded to the John Holland Rail &amp; Minister for Regional Transport &amp; Roads.</p>		<p>Safety Consultant has been engaged to inspect crossing at the end of July &amp; will be preparing a risk audit for Council.</p> <p>In contact with Safety Consultant – awaiting site visit.</p>



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department on 27 August 2020 at 9.30am**

4	24/04/2019	117/2019	<b>Cobar Water Board</b>	<p>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>	<b>GM</b>	<p>Further correspondence sent to CWB. Following meeting with CWB held on 11 January 2020, further agreements are to be negotiated.</p> <p>Agreed with Secretary CWB on the need for a further meeting to negotiate arrangements. Meeting on hold in current pandemic circumstances.</p> <p>Preparations for meeting under way.</p>
---	------------	----------	--------------------------	--	-----------	---

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department on 27 August 2020 at 9.30am

5	22/08/2019	264/2019	<b>Stronger Country Communities Fund – Round 3</b>	Council works with community orgs who deliver youth and other community support services to investigate methods of funding for ongoing employment of a part-time Youth Worker & further upgrading to the facility.	<b>DPCS</b>	Discussions yet to commence – reprioritised due to current pandemic circumstances.  No further updates – unable to meet due to COVID-19.  Funding for Youth Worker to be considered as part of Resources for Regions funding.
6	26/09/2019 <hr/> 24/10/2019	292/2019	<b>Garford Fire Engine</b>	Council proceed with the respray of the Garford Fire Engine, with funds to be provided from the Historical Society \$5,224, Community Arts & Culture Fund \$15,362 & Accumulated Funds \$9,414. <hr/> Council examine options on the best way forward.	<b>DES</b>	Quotes for the Garford to be resprayed and the exterior restored have been requested.  <hr/> Verbal report to meeting.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department on 27 August 2020 at 9.30am

7	28/11/2019	359/2019	<b>Burrendong Dam</b>	Council contact the relevant departments to request that as a matter of priority, a system be put in place which would have trigger points as to the level of Burrendong Dam and the release of water for use for fodder crops.	<b>GM</b>	Original letter sent 9 January 2020.  Follow-up letter sent 25 May 2020.  Response from Minister Marshall 25 May 2020 – “Letter is with the Minister’s Office for consideration”.
8	28/11/2019	366/2019	<b>Regional Water Supply Pipe Network</b>	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.	<b>GM</b>	Water NSW is progressing investigation for pipeline from Narromine bore fields to Nyngan.  Water NSW investigating bores in the Warren Shire and will notify land owners in the surrounding area.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department on 27 August 2020 at 9.30am

9	28/11/2019	368/2019	<b>Repairs to Nyngan &amp; Cobar Emergency Water Storage</b>	The General Manager be authorised to procure sufficient quantities of 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.	<b>DES</b>	Remediation work in progress.  Remediation work postponed due to wet weather and soft floor.
10	23/07/2020	192/2020	<b>Crown Land to convert the Perpetual Special Lease 78218 (Saleyards) to freehold &amp; transfer title to Council.</b>	1. Council purchase the Nyngan saleyards from the Crown at a cost of \$35,100 funded from Council's reserves.	<b>GM</b>	In progress.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department on 27 August 2020 at 9.30am

				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.		
11	23/04/2020	086/2020	<b>ACM – Rural Press Publications</b>	Council respond to the Australian Community Media correspondence acknowledging the Covid-19 Pandemic and also requesting assurance that the Nyngan Observer will resume publication when current restrictions have been lifted.	<b>GM</b>	Report to June 2020 Council Meeting refers.  No further information received from ACM regarding the future of the Nyngan Observer.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department on 27 August 2020 at 9.30am

	26/06/2020	159/2020		General Manager makes further enquiries into the feasibility of a proposal to support the publication of some form of community newspaper to replace the Nyngan Observer should it not resume publication, & provides a further report to Council for consideration.		Letters sent to: - Western Herald - Condobolin Argus - Gilgandra Newspapers - Dubbo Photo News asking them to present their ideas for establishing a new weekly newspaper for Nyngan.
12	23/07/2020	193/2020	<b>Speed limit in Nyngan CBD</b>	The survey responses received for reducing speed limit in the Nyngan CBD to 40km/hr between Terangion & Dandaloo Streets be presented to the Traffic Committee Meeting to be held in August 2020.	<b>DES</b>	Verbal update at meeting following Traffic Committee Meeting.

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department on 27 August 2020 at 9.30am**

At 10.00am Water NSW presented to Council (via video link) a presentation update on the Nyngan and Cobar Drought Water Security Project.

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

- **Regional Water Supply Pipe Network**

**223/2020 RESOLVED** that:-

Council corresponds with all landowners adjoining the site of the Old Warren Road test bore bringing the content of NRAR's (National Resources Access Regulator) public notice to their attention, advising them that the application process has been suspended until 30 September 2020 and that, if they wish to do so, they should make representation to NRAR. Council invites any other ratepayers who wish to make comment on this matter to also contact NRAR, with contact details to be advised by Council. **(Donald/Neill) Unanimous**

**224/2020 RESOLVED** that Council approaches the relevant State and Federal Ministers and Government Agencies to seek clarification of the following three issues:-

1. that underground water is only used for critical human needs when all other sources of supply have been exhausted;
2. that an urgent review of the amount of water held in Burrendong Dam by the Federal Government for environmental purposes be carried out; and
3. seek clarification that the 20% of the capacity of Burrendong Dam previously reserved for flood mitigation be now used for storage.  
**(Donald/Neill)**

**225/2020 RESOLVED** that the report relating to the Monthly Checklist be received and those items marked as "Completed" be removed from the checklist.  
**(Elias/Jackson)**



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department on 27 August 2020 at 9.30am**

**2 VILLAGE MEETINGS**

**Summary:-**

*This report is to inform Councillors of the recent meetings held between the Mayor, Deputy Mayor, General Manager and representatives of the Shire's villages.*

**226/2020 RESOLVED** that the Village Meetings (12 August 2020) Report be noted. **(Ryan/Dutton)**

Other Matters:

**227/2020 RESOLVED** that Council consider relocating the park and toilets to the Phillip Dutton area and ask for comments from Hermidale residents, to be received by end of September 2020. **(Neill/Jackson)**





Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department on 27 August 2020 at 9.30am

**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.*

**228/2020 RESOLVED** that the Library Report for the quarter April 2020 to June 2020 be received and noted, noting the Statistics for the period have been affected by COVID-19. **(Boag/Deacon)**

**2 CHARGING STATION FOR ELECTRIC VEHICLES**

**Summary:-**

*The purpose of this report is to seek Council's support for installation of an electric vehicle charging station in the parking area adjacent Vanges Park.*

**229/2020 RESOLVED** that Council authorises the General Manager to enter into a licence agreement with National Roads and Motorists' Association Limited covering the area of one parking bay as well as an area for a Charging Station and electrical switchboard in the parking area adjacent Vanges Park for a period of 5 years, from 1 December 2020, at \$1 per year. **(Ryan/Jackson)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department of 27 August 2020 at 9.30am

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

### 1 INVESTMENTS JULY 2020

**Summary:-**

*The report is to outline the performance of Council's Investment Portfolio for the month of July 2020.*

*At 31 July 2020 Council had \$12.4 million invested. There has been a decrease of \$1 million due to a number of TfNSW projects awaiting payment for the claim.*

**230/2020 RESOLVED** that the Investments Report for the month of July 2020 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 31 July 2020, with the same period last year.*

*Total arrears have increased from \$414,553 as at 31 July 2019 to \$672,133 as at 31 July this year.*

**231/2020 RESOLVED** that the Rates and Annual Charges Collection Report for July 2020 be received and noted. **(Douglas/Neill)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department of 27 August 2020 at 9.30am

### 3 AUDIT OF 2019/2020 FINANCIAL ACCOUNTS

**Summary:-**

*This report is to advise Council of the timeline for the Audit of the 2019/2020 Statutory Accounts.*

**232/2020 RESOLVED** that Council refer the 2020 Annual Financial Statements for Audit and that the necessary elected members and staff be authorised to sign the Statement by Councillors and Management on the General Purpose and Special Purpose Financial Statements for the year ended 30 June 2020. **(Ryan/Elias)**

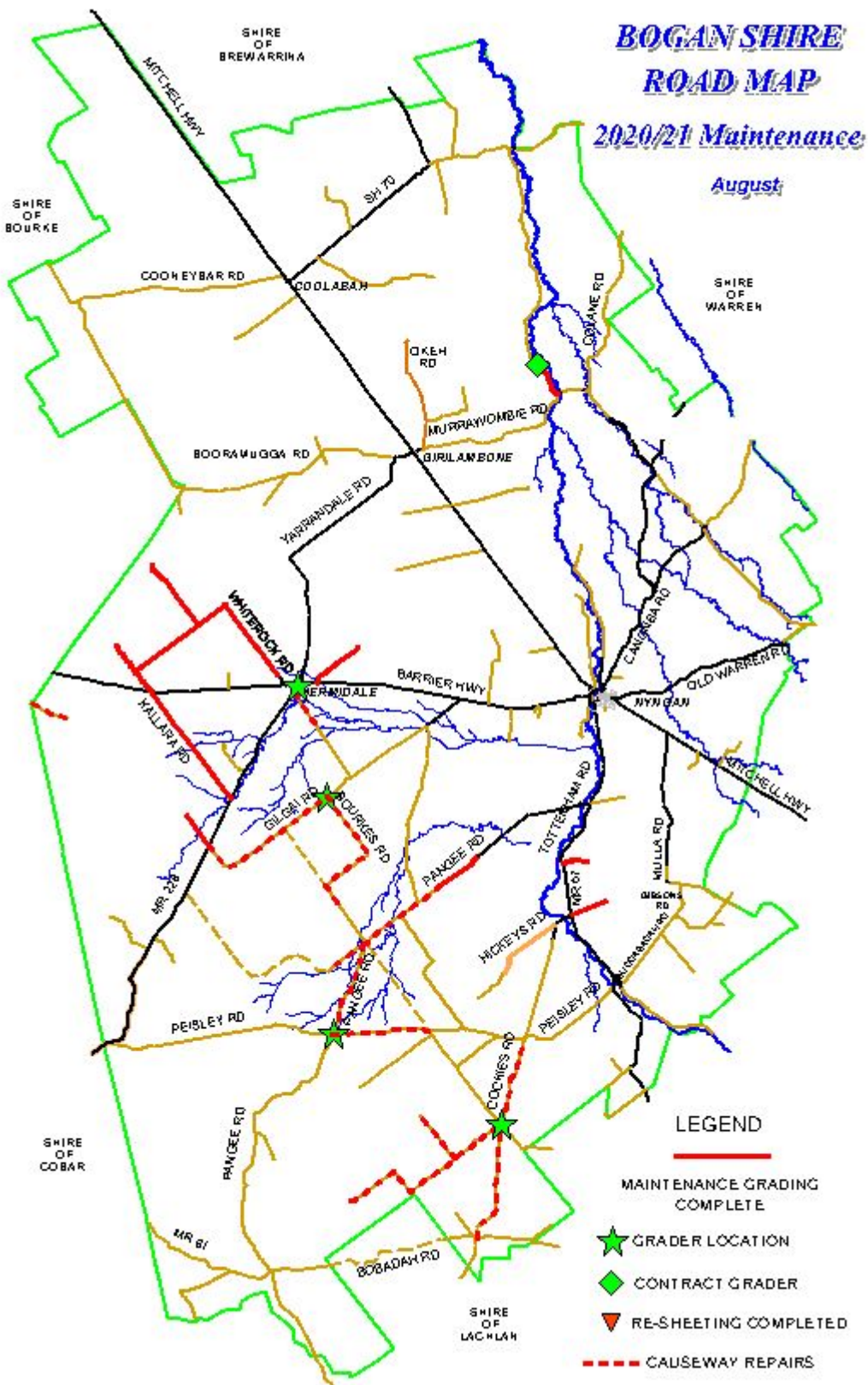
Appreciation was extended to staff involved in Finance Department.

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

#### 1 OPERATIONAL REPORT

**233/2020 RESOLVED** that the Operational Report for the reporting period 13 July 2020 to 14 August 2020 including Roads, Civil Works, Community Facilities and Water and Wastewater be received and noted. **(Douglas/Deacon)**

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department of 27 August 2020 at 9.30am





Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department of 27 August 2020 at 9.30am

## 2 ROADWORKS PROGRAM 2020-2021

**Summary:-**

*The purpose of this report is to advise Council of the proposed Roadworks Program for the 2020-2021 financial year.*

**234/2020** RESOLVED that the Roadworks Program 2020-2021 be received. (Neill/Boag)

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

### 1 DEVELOPMENT APPLICATIONS

**235/2020** RESOLVED that the Development Applications Report since Council's Meeting 23 July 2020 be received and noted. (Deacon/Dutton)

**236/2020** RESOLVED that Council encourages the proponent of State Significant Development – Solar Farm No 2 to support local businesses. (Ryan/Jackson)

### 2 OPERATIONAL REPORTS

**237/2020** RESOLVED that the Operational Report, including Council's Gardening Team, Ranger and Noxious Weeds Officer for the reporting period 13 July 2020 to 14 August 2020 be received and noted. (Neill/Elias)

Appreciation was extended to the staff for the commendable appearance of the town.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department of 27 August 2020 at 9.30am

**3 PROPOSED AMENDMENT TO BOGAN DEVELOPMENT CONTROL PLAN 2012**

**Summary:-**

- This report is submitted for Council to finalise the proposed amendments to the Bogan Shire Development Control Plan 2012.
- It is recommended that Council adopt the proposed amendments.

**238/2020 RESOLVED** that Council adopt the proposed amendments to the *Bogan Shire Development Control Plan 2012* as displayed below. **(Ryan/Douglas)**

Lot size (Zones R1, R5, RU5)	Maximum height to eave/gutter	Maximum floor area of Outbuilding	Setback from side and rear boundaries	Setback from front boundary/street
<4000m <sup>2</sup>	3.6m	120m <sup>2</sup>	BCA	6m
4000m <sup>2</sup> >	4.8m	240m <sup>2</sup>	5m	10m
<p><b>NOTE:</b></p> <ul style="list-style-type: none"> <li>• The Ridge height in all above cases shall not exceed in 5.5 metres.</li> <li>• Outbuildings shall not be forward of the building line of the associated dwelling</li> </ul>				
RU1	N/A	N/A	10m	20m



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department of 27 August 2020 at 9.30am

**PRECIS OF CORRESPONDENCE**

**1 LOCAL GOVERNMENT NSW**

**239/2020** RESOLVED that the correspondence received from Local Government NSW advising of the Local Government NSW Annual Conference be noted. (Ryan/Neill)

**240/2020** RESOLVED that the Mayor be Council's Voting Delegate at the Conference. (Neill/Douglas)

**2 OFFICE OF LOCAL GOVERNMENT NSW**

**241/2020** RESOLVED that the information received reminding Councils that elected Mayors and Deputy Mayors elected to office in September 2018 must have Mayoral and Deputy Mayoral Elections in September 2020 be noted. (Boag/Douglas)

**3 CHANTS FAMILY CARNIVAL**

**242/2020** RESOLVED that Chants Amusements proposal for a "Pop Up" Carnival in Nyngan around October / November 2020 be approved subject to evidence of compliance with COVID-19 Regulations being provided to the satisfaction of the Mayor and General Manager. (Ryan/Jackson)



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Training Room of the Engineering Department of 27 August 2020 at 9.30am

**4 THE HON. JOHN BARILARO MP**

**243/2020 RESOLVED** that Council forward a thank you letter to the Deputy Premier The Hon John Barilaro MP thanking him for funding and support for regional communities, including Bogan Shire Council. Noting that Bogan Shire has received Government Funding including the Stronger Country Communities Fund. These programs bring economic opportunity and social benefit to Nyngan, making a real and positive difference in our community. **(Ryan/Neill)**

**5 WEEKLY CIRCULARS**

**244/2020 RESOLVED** that the Local Government Weekly Circulars dated 17 July 2020, 23 July 2020, 31 July 2020, 6 August 2020 and 13 August 2020 be received and noted. **(Dutton/Douglas)**

There being no further business the meeting closed at 12.20pm.

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

.....

.....

**GENERAL MANAGER**

**MAYOR**



