



BOGAN SHIRE COUNCIL

Minutes

28 April 2022



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

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

APOLOGIES: Councillor DJ Menzies (Boag/Elias)

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 & Community Services), Mrs Stephanie Waterhouse (Director of Finance & Corporate Services), and Mrs Melissa Salter (Executive Officer).

REMEMBRANCE: A minute's silence was observed for the late Bonnie Ryan, wife of former Councillor and General Manager Kevin Ryan and mother of Stephanie Waterhouse, Director of Finance and Corporate Services.

DECLARATION OF INTEREST: Nil

076/2022 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 24 March 2022, copies of which have been circulated to Councillors be taken as read and confirmed. **(Milligan/Deacon)**

Business Arising: Nil

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

073/2022 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. **(Douglas/Jackson)**

074/2022 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 24 March 2022, copies of which have been circulated to Councillors be taken as read and confirmed. **(Jackson/Deacon)**

075/2022 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Boag/Bright)**



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

COMMITTEE MEETING MINUTES

1 MUSEUM COMMITTEE MINUTES

077/2022 RESOLVED that the minutes of the Nyngan Museum Committee meeting held at the Nyngan Museum on 6 April 2022 be received and noted. **(Jackson/Bright)**

078/2022 RESOLVED that Council defer a decision on the purchase of a water cooler for the Museum until the Estimates Meeting. **(Jackson/Bright)**



**Minutes of the Ordinary Meeting
of Bogan Shire Council 28 April 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.
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.



**Minutes of the Ordinary Meeting
of Bogan Shire Council 28 April 2022**

3	25/02/2021	010/2021	Regional Water Supply Pipe Network	Council seeking urgent clarification from the Minister on: Issuing of the licence for the Nyngan Emergency Bore and licence.	GM	NRAR have refused Council's application for water supply works at the Nyngan Emergency Bore on the grounds that it is within 200m of adjoining landowner's boundary fence.
	24/02/2022	015/2022		Council seek to engage with the relevant landholder via a meeting with the Mayor, Deputy Mayor, General Manager, Director of Engineering Services, to gain the Landholder consent to Councils water Supply works and report back to the next council meeting.		Meeting invitation issued to landholder, awaiting response. UPDATE: Representatives of NSW Government invited to attend May Council meeting to discuss.



**Minutes of the Ordinary Meeting
of Bogan Shire Council 28 April 2022**

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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**Minutes of the Ordinary Meeting
of Bogan Shire Council 28 April 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	<p>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.</p> <p>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.</p>
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**Minutes of the Ordinary Meeting
of Bogan Shire Council 28 April 2022**

	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.		Letter sent to the Hon. Sarah Mitchell, MLC, Minister for Education and Early Learning.
6	25/02/2021	012/2021	Nyngan Railway Wool Dump	<p>A colour information sign be erected at the Nyngan Railway Wool Dump on a stand adjacent to the dump.</p> <p>A cement path from the existing walkway to the sign be constructed, with available funding</p>	DES	<p>Pending commencement of grant- funded works.</p> <p>Pending commencement of grant- funded works.</p>
7	25/02/2021	013/2021	Honour Board	That recipients of National Awards, prior to the 1980's, be recognised on an Honour Board. The board to include all National awards	GM	<p>Honour Board ordered.</p> <p>UPDATE: Delay with manufacture of order, now expected delivery June 2022.</p>



**Minutes of the Ordinary Meeting
of Bogan Shire Council 28 April 2022**

				including recipients of the British Empire Medal (BEM), Australian Fire Service Medal (AFSM), and Victoria Cross.		
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: Planning for new residential subdivision commenced.

Minutes of the Ordinary Meeting
of Bogan Shire Council 28 April 2022

9	24/02/2022	009/2022	Refugee Employment	Council coordinates an approach to local businesses, schools and any other interested groups to gauge the level of interest in such a program and then liaises with the relevant authorities to progress the idea	DPCS	<u>UPDATE:</u> Report to Council refers.
10	24/06/2021	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. <u>UPDATE:</u> Referred to Audit & Risk Committee



**Minutes of the Ordinary Meeting
of Bogan Shire Council 28 April 2022**

11	25/11/2021	331/2021	Recycling Bins in Town Main Street	Recycling bins be made available in town main street.	DDES	<u>UPDATE:</u> Eight Recycling Bins have been ordered.
	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 them to stick it to their household recycling bin.		<u>UPDATE:</u> In Progress - Design under review

Minutes of the Ordinary Meeting
of Bogan Shire Council 28 April 2022

079/2022 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Jackson/Elias)**

2 VILLAGE MEETINGS

Summary: The purpose of this report is to record matters raised during the 2022 Village Tour as well as progress made with items raised in previous meetings with community representatives.

080/2022 RESOLVED that the Village Tours Report be received and noted. **(Jackson/Milligan)**

3 COMMUNITY STRATEGIC PLAN

Summary: The purpose of this report is to present a draft of the 2022/2032 Community Strategic Plan (CSP) for Council’s consideration and approval for public exhibition as required under the provisions of the Local Government Act 1993.

081/2022 RESOLVED that the draft 2022/2032 Community Strategic Plan be considered and approved for public exhibition. **(Jackson/Deacon)**

4 DELIVERY PROGRAM 2022/23 TO 2024/25

Summary: The purpose of this report is for Council to consider approval of the draft 2022/23 to 2024/25 Delivery Program for exhibition.

082/2022 RESOLVED that the draft 2022/23 to 2024/25 Delivery Program be advertised and exhibited for a period of 28 days. **(Bright/Boag)**

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

1 BOGAN BUSH MOBILE – TERM 1 REPORT

Summary: *The purpose of this report is to advise Council on the Term 1 activities of the Bogan Bush Mobile service.*

083/2022 RESOLVED that the Bogan Bush Mobile report be received and noted.
(Douglas/Elias)

2 OUTBACK ARTS MEMBERSHIP

Summary: *The purpose of this report is to for Council to consider its ongoing membership of Outback Arts and the Regional Arts Development Program.*

084/2022 RESOLVED that Council continues its ongoing membership of Outback Arts and the Regional Arts Development Program. **(Douglas/Deacon)**

3 REFUGEE EMPLOYMENT

Summary: *The purpose of this report is to recommend that Council funds, and encourages the Bogan Shire’s business community to participate in, a skills and labour shortage mapping exercise and that following this a refugee employment expert be invited to address Council.*

085/2022 RESOLVED that:

1. Council funds, and invites the Bogan Shire’s business community to participate in a skills and labour shortage mapping exercise.
2. Following the skills and labour shortage mapping exercise, representatives from identified Refugee Recruitment service providers be invited to a meeting with Council.

(Deacon/Douglas)

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

1 INVESTMENTS MARCH 2022

Summary: The report is to outline the performance of Council's Investment Portfolio for the month of March 2022.

At the 31st March 2022 Council had \$12.8 million invested. There has been a decrease of \$425,000 due to a large number of creditor payments made for funded projects and the funds have not yet been received.

086/2022 RESOLVED that the Investments Report be received and noted. (Douglas/Jackson)

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary: The report is to provide a comparison of rate collections as at 31st March 2022, with the same period last year.

Total arrears have decreased from \$830,593 as at the 31st March 2021 to \$698,146 as at 31st March this year.

The Director of Finance and Corporate Services reported at the meeting, that at the date of the meeting, current arrears had decreased to \$674,349.

Rate Collections	2021-2022	2020-2021
Arrears Prior to 01/07/2021	514,318	516,790
First Instalment in arrears as at 31/03/2022	8,212	38,426
Second Instalment in arrears as at 31/3/2022	61,621	109,040
Third Instalment in arrears as at 31/3/2022	90,198	166,337
Fourth Instalment Outstanding as at 31/3/2022	948,773	999,911
Total Arrears	674,349	830,593
Total Outstanding	1,623,123	1,830,504
Monthly Transactions		
Amount Levied & B/Fwd	5,867,649	6,046,697
Add: Adjustments	33,497	12,842
Less: Payments to end of March	-4,198,880	-4,146,504
Less: Rebates	-79,584	-82,531
Gross Total Balance	1,663,721	1,830,504
Arrears of total amount levied %	11%	13.7%

087/2022 RESOLVED that the Rates and Annual Charges collection report be received and noted. (Jackson/Douglas)

3 DELIVERY PROGRAM PROGRESS REPORT

Summary: *This report is to provide information regarding progress with respect to the principal activities detailed in Council's adopted Delivery Program.*

088/2022 RESOLVED that the Delivery Program Report be received and noted.
(Milligan/Boag)

4 CLASSIFICATION OF PUBLIC LAND AS OPERATIONAL OR COMMUNITY

Summary: *When Council acquires land it is required to classify the land as either Community or Operational within three months of acquisition. Council acquired a parcel of land under section 570 of the Local Government Act 1993, being a parcel of land Lot 14 DP 209984 in lieu of outstanding rates and costs associated with the demolition of this property and therefore will need to classify the land as operational in order to recoup costs.*

089/2022 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. **(Boag/Jackson)**

090/2022 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Douglas/Jackson)**

091/2022 RESOLVED that:

1. Under Sections 25 and 31 of the Local Government Act 1993, Lot 14 DP 209984 be classified as Operational.
2. Council sells Lot 14 DP 209984 by private treaty.
3. The Mayor and General Manager be delegated authority to accept an offer for the sale in the best interests of Council.

(Boag/Milligan)



Minutes of the Ordinary Meeting
of Bogan Shire Council 28 April 2022

5 APPLICATION FOR A SPECIAL VARIATION TO IPART

Summary: *The purpose of this report is for Council to resolve that they intend to apply for an additional special variation to increase the 0.7% allowable increase for 2022-2023 by the NSW Independent Pricing and Regulatory Tribunal (IPART) to 2% and to make the increase permanent for the coming years in addition to any allowable rate peg.*

092/2022 RESOLVED:

1. That Council, having considered the impact on ratepayers and the community in 2022-23 and beyond and the need to continue Councils current levels of service applies for a Special Rate Variation of 2% for 2022/23, under Section 508(2) of the Local Government Act, 1993
2. That Council notes this will yield an additional \$39,518 on top of the \$21,278 the 0.7 increase would have allowed making a total increase of ordinary rate income of \$60,796.
3. That Council requests that this 2% be incorporated into Councils notional income for rating purposes from 2023-24 onwards, in addition to any future allowable rate peg increases determined by IPART. **(Jackson/Douglas)**



Minutes of the Ordinary Meeting
of Bogan Shire Council 28 April 2022

**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.*

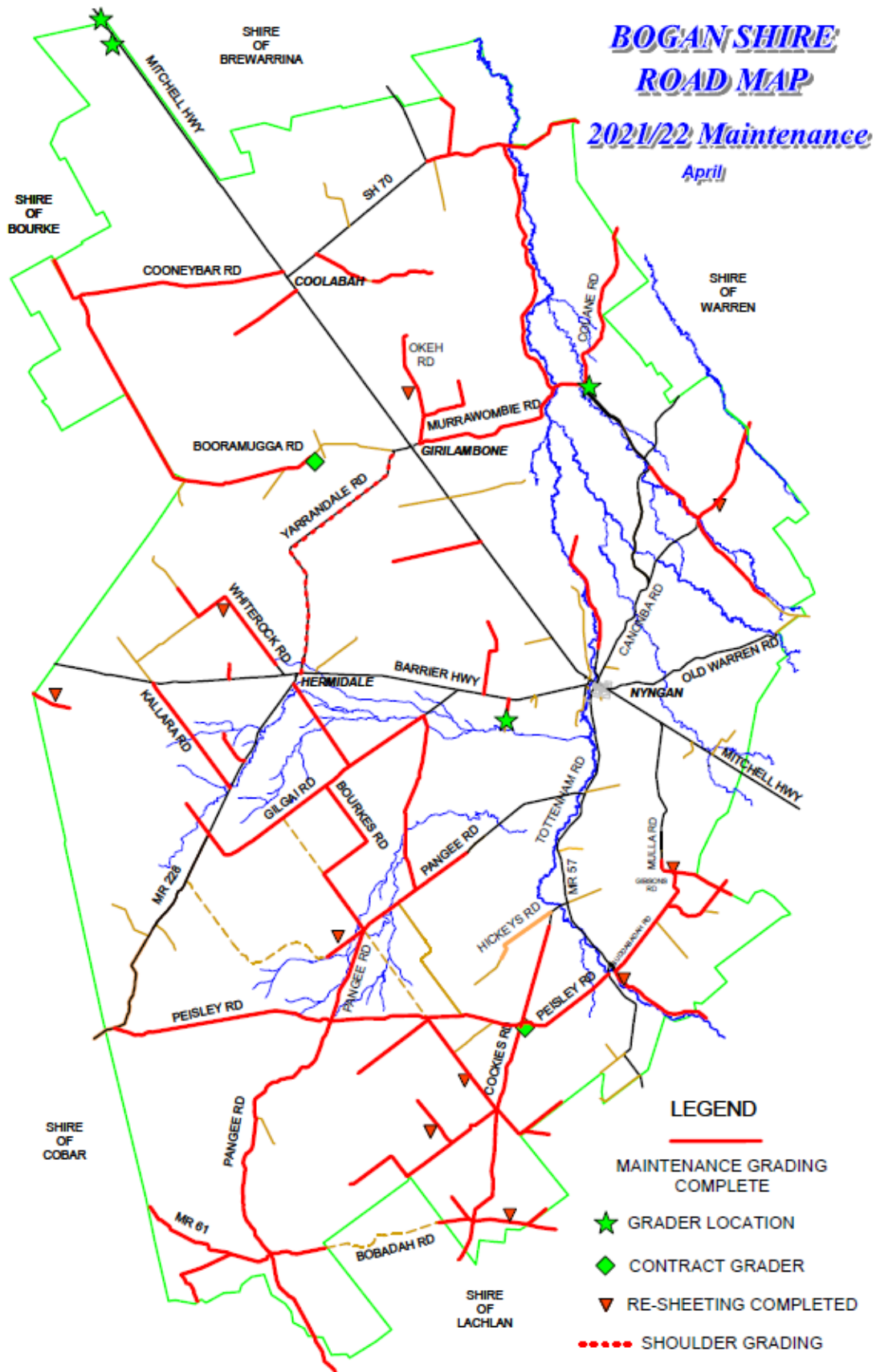
093/2022 RESOLVED that the Engineering Services Departmental Report be received and noted. **(Deacon/Jackson)**

2 PURCHASE OF TRIAXLE BULK “A” SIDE TIPPING SEMI TRAILER

Summary: *The purpose of this report is to provide details of an investigation into the purchase of a second semi trailer for Council’s new Kenworth prime mover to provide a B Double combination of side tipping trailers.*

094/2022 RESOLVED that Council does not purchase a triaxle bulk “A” side tipping trailer. **(Jackson/Douglas)**

Minutes of the Ordinary Meeting
of Bogan Shire Council 28 April 2022





Minutes of the Ordinary Meeting
of Bogan Shire Council 28 April 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.*

095/2022 RESOLVED that the Development and Environmental Services Departmental Activity Report be received and noted. **(Elias/Deacon)**



Minutes of the Ordinary Meeting
of Bogan Shire Council 28 April 2022

PRECIS OF CORRESPONDENCE

1 HON. PAUL TOOLE MP

096/2022 RESOLVED that the General Manager provides a report to the May Council Meeting on a Big Bogan themed community festival. **(Jackson/Elias)**

2 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

097/2022 RESOLVED that correspondence from the Australian Local Government Association be received and noted. **(Douglas/Elias)**

3 HERMIDALE FUTURE FARMERS

098/2022 RESOLVED that Council make a financial contribution to the Hermidale Future Farmers of \$2,500 for this year. **(Boag/Douglas)**



**Minutes of the Ordinary Meeting
of Bogan Shire Council 28 April 2022**

There being no further business, the meeting closed at 7.00pm

These Minutes were confirmed by resolution at a meeting held on

..... and were signed as a true record.

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GENERAL MANAGER

MAYOR

