



# **BOGAN SHIRE COUNCIL**

## **Minutes**

**27 February 2020**





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**Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am**

**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), 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 Melissa Salter (Acting Executive Assistant).

**REMEMBRANCE:** Mr Paul Wearne former Bogan Shire Council General Manager.

**DECLARATION OF INTEREST:**

Councillor Neill – Checklist Items:-

No. 14 – Repairs to Nyngan & Cobar Emergency Water Storage.

No. 15 – Second Water Storage Project Delivery.

No. 16 – Beleringer Creek Syphon Replacement Delivery.

**004/2020 RESOLVED** that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 19 December 2019, copies of which have been circularised to Councillors be taken as read and confirmed. **(Jackson/Ryan)**

Business Arising: Nil

**005/2020 RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 19 December 2019 copies of which have been circularised to Councillors be taken as read and confirmed. **(Elias/Dutton)**

Business Arising: Nil

**Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am**

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

**001/2020 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 Section 10A (2) (a) because it is information of a confidential nature involving personal matters concerning particular individuals (other than Councillors). **(Deacon/Boag)**

**002/2020 RESOLVED** that Council having reviewed the performance of the General Manager over the last 12 months, have assessed his performance at a 4+ based on the following scale of 5 – Outstanding, 4 – More than satisfactory, 3 – Satisfactory, 2 – Some concerns or 1 – Unsatisfactory. **(Neill/Ryan)**

**003/2020 INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting move into open Council. **(Deacon/Boag)**

## **COMMITTEE MEETING MINUTES**

### **1 NYNGAN MUSEUM MEETING**

**006/2020 RESOLVED** that the Minutes of the Nyngan Museum Committee Meeting held on 5 February 2020 at the Nyngan Museum be received and noted. **(Boag/Elias)**

### **2 ORANA JOINT ORGANISATION OF COUNCILS**

**007/2020 RESOLVED** that the Minutes of the Orana Joint Organisation of Councils Meeting held at the Mid-Western Regional Council Chambers on 9 December 2019 be received and noted. **(Ryan/Jackson)**



**Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am**

**MAYORAL REPORT TO ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE**

**1 GENERAL MANAGER’S PERFORMANCE REVIEW**

This item was discussed in the Closed and Confidential Section of the meeting.

**2 WEATHER STATION AT THE NYNGAN AIRPORT**

**008/2020 RESOLVED** that Council approach the Bureau of Meteorology and strongly recommend that daily weather readings resume being recorded at Nyngan Airport. **(Jackson/Boag)**

Other matters:

**009/2020 RESOLVED** that Council write a letter of appreciation to the Minister of Agriculture for waiving Local Land Services’ rates. **(Boag/Dutton)**

**Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am**

**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	<b>Seniors Living – Rental Units</b>	Ensure compliance with Stronger Communities grant milestones	<b>DDES</b>	Site established, internal plumbing completed, slab poured for all units. Estimated completion date of June 2020 on track.
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.  Second Locum secured until 22/5/2020. Renewed recruitment effort underway for permanent doctor with the Rural Doctors Network.



**Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am**

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.
	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.	<b>GM</b>	406 Petitions received.  On-site meeting held with Deputy Premier.  Met with Minister for Regional Transport & Roads in Bourke on 25 November 2019.  Council advised that this crossing is not a priority for John Holland Rail.

**Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am**

4	25/10/2018	340/2018	<b>Palais Theatre</b>	Council has been approached by interested parties to construct seniors living accommodation at the site.	<b>DDES</b>	Demolition works commenced.  Contractor has advised that expected completion date now extended to 28 February 2020.
5	28/02/2019	021/2019	<b>Drought Works</b>	<p>The General Manager continues to pursue grant funding opportunities to meet the cost to improve water security for Girilambone &amp; 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>	<b>DES</b>	<p>No additional funding currently available from NSW Government.</p> <p>Request resubmitted via Town Water Supply Commissioner. Currently no funding available.</p> <hr/> <p>NSW Government advice at this stage is that individual tanks do not meet the drought funding criteria.</p> <p>Currently no funding available.</p>

**Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am**

6	24/04/2019	117/2019	<b>Cobar Water Board</b>	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.	<b>GM</b>	Further correspondence sent to CWB.  Following meeting with CWB held on 11 January 2020, further agreements are to be negotiated.
7	22/08/2019	263/2019	<b>Stronger Country Communities Fund – Round 3</b>	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.	<b>DPCS</b>	Application submitted.  Letter sent to Deputy Premier regarding length of approval process.

**Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am**

	22/08/2019	264/2019		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 commencing March 2020.
8	26/09/2019	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 and Culture Fund \$15,362 and Accumulated Funds \$9,414.	<b>DES</b>	Quotes for the Garford to be resprayed and the exterior restored have been requested.

**Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am**

	24/10/2019			Council examine options on the best way forward.		Verbal report to be given at meeting.
9	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>	Letter sent.

**Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am**

10	28/11/2019	360/2019	<b>Weirs along Bogan River</b>	Council approach the relevant departments that, as a matter of urgency, landholders along the Bogan River where weirs were previously located be allowed to reinstate these immediately and be subsidised for the work under a drought strategy plan.	<b>GM</b>	Letter sent.
11	28/11/2019	366/2019	<b>Regional Water Supply Pipe Network</b>	1. 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>	Meeting held 11 February 2020 with Water NSW at their request. Water NSW is progressing investigation for pipeline from Narromine bore fields to Nyngan.

**Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am**

12	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>GM</b>	Three quotations received and being reviewed.  Remediation work in progress.
13	28/11/2019	369/2019	<b>Second Water Storage Project Delivery</b>	That Council consider project delivery experience to date, explore further options to appoint a firm of consultants to undertake complete contract, project and construction management of the project.	<b>DES</b>	Options being investigated  Verbal update at Meeting.

**Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am**

14	28/11/2019	372/2019	<b>Beleringar Creek Syphon Replacement Delivery</b>	Council explore further options to appoint a firm of consultants to undertake complete contract, project & construction management of the Beleringar Creek Syphon Replacement Project.	<b>DES</b>	Options being investigated.  Verbal update at Meeting.
15	28/11/2019	385/2019	<b>EPA – Clean Up Notice</b>	Clean up Notices under POEO Act received from NSW EPA for suspected asbestos contamination at Nyngan Waste Facility and Pangee Street Works Depot.	<b>DDES</b>	Survey conducted by Council staff in lieu of external contractors as agreed by EPA.  Clearance Certificate obtained from external agency for Pangee Street Depot.  Proposed staged asbestos removal plan for Nyngan Waste Facility submitted to EPA for consideration.





**Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am**

Mayor Donald declared an interest and left the room during the discussion for the Checklist Item No.4 – Palais Theatre and returned to the room for Item No.5.

Councillor Neill declared an interest and left the room for the below Checklist Items and returned to the room for Item No. 17.

No. 14 – Repairs to Nyngan & Cobar Emergency Water Storage.

No. 15 – Second Water Storage Project Delivery.

No. 16 – Beleringar Creek Syphon Replacement Delivery.

**010/2020 RESOLVED** that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.  
**(Douglas/Elias)**

**011/2020 RESOLVED** that Council appoint NSW Public Works to undertake works for the completion of the Second Water Storage Facility and Replacement of Beleringar Creek Syphon. **(Ryan/Deacon)**

## **2 REVISION OF COUNCIL POLICY AP004 TONGLING EXCHANGE PROGRAM**

***Summary:-***

*This report is to review Policy AP004 Tongling Exchange Program.*

**012/2020 RESOLVED** that Council adopt the revised Policy AP004 Tongling Exchange Program until February 2022 with an amendment to the Composition of Delegations to now read - “*In 2020, the delegation from Nyngan High School will consist of eight students and **two** teachers*”. **(Ryan/Douglas)**

Council adjourned for morning tea at 10.30am and resumed at 10.50am.



Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am

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

**1 BOGAN SHIRE 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.*

**013/2020 RESOLVED** that the Library Report for the period October to December 2019 be received and noted. **(Douglas/Elias)**

**2 BOGAN BUSH MOBILE – TERM 4 REPORT**

**Summary:-**

*The purpose of this report is to advise Council on the Term 4 activities of the Bogan Bush Mobile Service.*

**014/2020 RESOLVED** that the Bogan Bush Mobile Report Term 4 be received and noted. **(Ryan/Jackson)**



Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am

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

**1 INVESTMENTS DECEMBER 2019 AND JANUARY 2020**

**Summary:-**

*The report is to outline the performance of Council's Investment Portfolio for the months of December 2019 and January 2020.*

*At 31 January 2020 Council had \$12.7 million invested. There has been a decrease of \$985,000 due to the payment of creditors during December and January.*

**015/2020 RESOLVED** that the Investments Report for the months of December 2019 and January 2020 be received and being noted. **(Ryan/Jackson)**

**2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION**

**Summary:-**

*This report is to provide a comparison of rate collections as at 31 January 2020, with the same period last year.*

*Total arrears have increased from \$421,692 as at 31 January 2019 to \$542,706 as at 31 January this year.*

**016/2020 RESOLVED** that the Rates and Annual Charges Collection Report as at 31 January 2020 be received and being noted with the following up to date percentages being provided:-

Arrears of total amount levied 9.4%

First instalment arrears 4.1%

Second instalment arrears 8.9%

Additional amount collected \$351,826. **(Boag/Jackson)**

Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am

### 3 REVISION OF PROCUREMENT POLICY

**Summary:-**

*The purpose of this report is to review policy FIN004 Procurement Policy. The Policy was last adopted in February 2019 and is due to be updated and reviewed.*

**017/2020 RESOLVED** that Council adopt the revised Council Procurement Policy FIN004. (Neill/Elias)

### 4 SECOND QUARTER 2019/2020 BUDGET REVIEW

**Summary:-**

*Council remains in a sound financial position and is broadly on budget.*

*Cash Balance is strong although decreasing as expected due to advance payments being expended.*

*Second quarter adjustments to the year-end position are a nett unfavourable amount of \$20,480.*

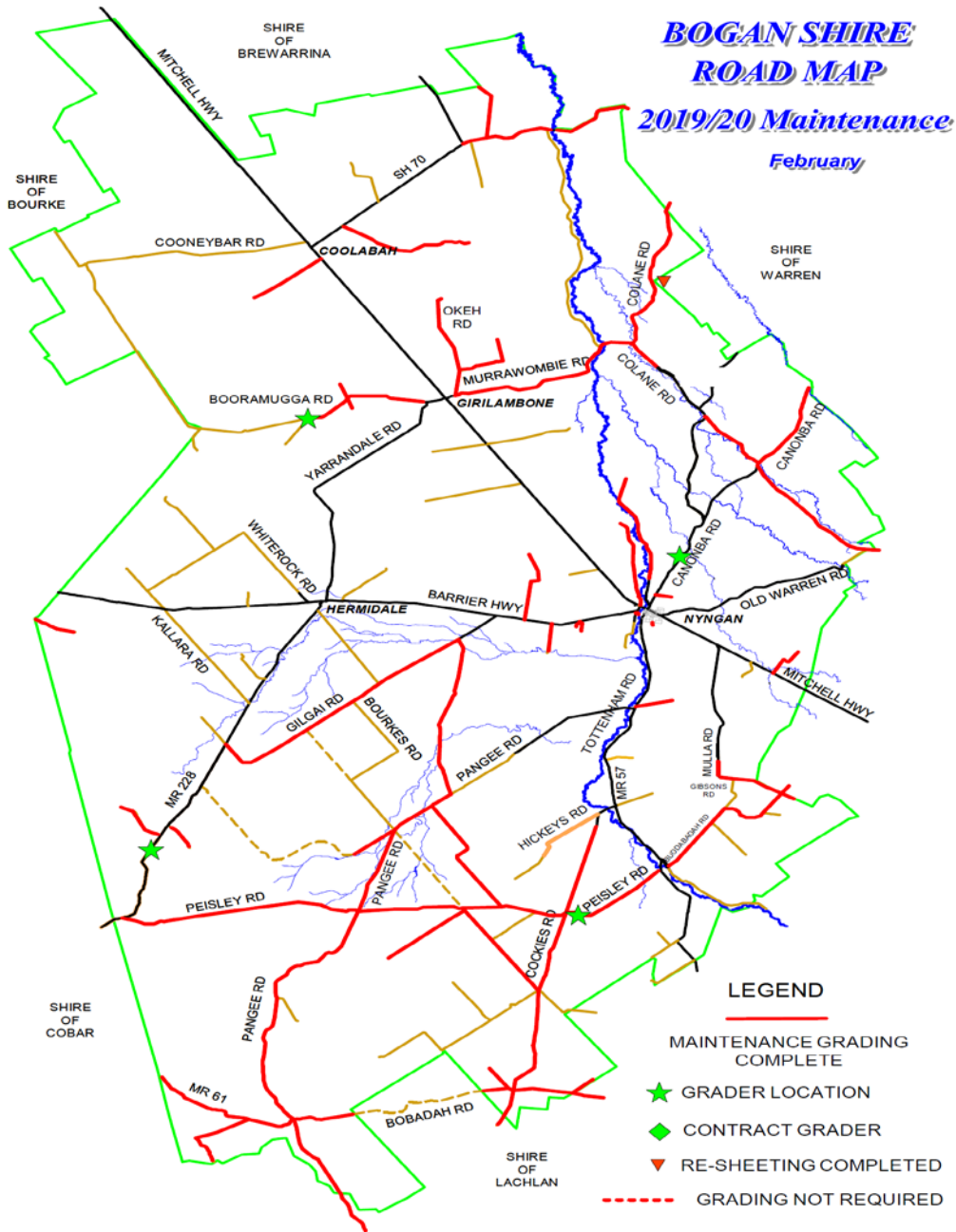
**018/2020 RESOLVED** that:

1. The Second Quarter Budget Review 2019/2020 Report be received and noted.
2. Council adopts the budget amendments shown on the Budget Review Statement for the 2019/2020 Operating and Capital Budgets.
3. Appreciation noted from Council to be extended to the Finance staff for the thorough reports tabled and accuracy of reports.

**(Ryan/Boag)**

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

**019/2020 RESOLVED** that the Operational Report, including Civil Works, Community Facilities and Roads for the reporting period 9 December 2019 to 14 February 2020 be received and noted. **(Jackson/Neill)**





Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am

## 2 ABANDONED VEHICLES ON HIGHWAYS

**Summary:-**

*The purpose of this report is to inform Council of the current process for removing abandoned vehicles on the state highways.*

**020/2020 RESOLVED** that:

1. The Abandoned Vehicles on Highways Report be received and noted.
2. Council uses local contractors for vehicle removal if the contractor can complete the work in a nominated time. If a local contractor is not available, Council would proceed to remove the vehicle/s themselves.  
**(Neill/Jackson)**

## 3 CAPITAL ROAD WORKS PROGRAM 2019-2020

**Summary:**

*This report is to provide Council with a draft Road Works Program for the first and second quarter, 2020.*

**021/2020 RESOLVED** that the draft Capital Road Works Program 2019-2020 for the periods Quarters 1 and 2, 2020 be received and noted. **(Ryan/Dutton)**



Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am

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

**1 DEVELOPMENT APPLICATIONS**

**022/2020 RESOLVED** that the Development Applications Report since 19 December 2019 Council Meeting be received and noted. **(Ryan/Deacon)**

**2 OPERATIONAL REPORTS**

**023/2020 RESOLVED** that the Operational Report, including Parks and Garden Team and Noxious Weeds Officer be received and noted. **(Jackson/Neill)**

**3 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – DRAFT LSPS**

**024/2020 RESOLVED** that:

1. The title of the document to be changed from “Bogan Community Participation Plan” to “Bogan Shire Council Community Participation Plan”.
2. The draft Bogan Shire Council Community Participation Plan be placed on public exhibition for a period of twenty eight (28) days. **(Neill/Boag)**

**4 HOUSEHOLD CHEMICAL CLEAN OUT AND CHEM CLEAR PROGRAMS**

**025/2020 RESOLVED** that:

1. Council opt to participate in the next Netwaste House Hold Chemical Clean Out.
2. Council actively promote Chem Clear to the community to create awareness about the Program and encourage AgVet chemical holders to register unwanted chemicals for disposal.
3. Council investigate household collection of Chemicals for residents who register with Council with a genuine need. **(Ryan/Jackson)**



Minutes of the Ordinary Meeting of Bogan Shire Council  
held in the Council Chambers on 27 February 2020 at 9.00am

**PRECIS OF CORRESPONDENCE**

**1 ESTHER CROSS**

**026/2020 RESOLVED** that correspondence received from Esther Cross regarding the drought and heat concerns for native birds in Davidson Park be received and noted. (Ryan/Neill)

**2 MAYOR – COBAR SHIRE COUNCIL**

**027/2020 RESOLVED** that the correspondence received from Mayor Lillian Brady OAM, thanking Council for the beautiful flowers sent to her during her recent stay in hospital be received and noted. (Neill/Douglas)

**3 HERMIDALE CWA**

**028/2020 RESOLVED** that the request from the CWA Hermidale to install memorial plaques of past members in a section of the Hermidale Cemetery be approved. (Ryan/Deacon)

**4 WEEKLY CIRCULARS**

**029/2020 RESOLVED** that the Local Government Weekly Circulars dated 12 December 2019, 10 January 2020, 14 January 2020, 28 January 2020, and 31 January 2020 be received and noted. (Ryan/Dutton)

There being no further business the meeting closed at 11.40am.

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

.....  
**GENERAL MANAGER**

.....  
**MAYOR**



