



BOGAN SHIRE COUNCIL

Minutes

25 July 2019



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am**

PRESENT: Councillors RL Donald OAM, (in the Chair), VJ Boag, WG Deacon, VJ Dutton, AJ Elias, GN Jackson, 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

226/2019 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 27 June 2019 copies which have been circularised to Councillors be taken as read and confirmed with the following amendment.

- **Minute 207/2019** – Adoption of the 2019/2020 Operational Plan and Budget, include the words - *Council retains a small surplus across all funds of \$15,000.*

Business Arising:-

- **Minute 197/2019** – Council commended Duck Creek Picnic Races Committee on another successful event.
- **Minute 214/2019** – Nyngan Memorial Swimming Pool.

227/2019 RESOLVED that Council delegates the authority to a Sub-Committee of Council, consisting of the Mayor, Deputy Mayor, General Manager and Director of Development and Environmental Services to review the Expressions of Interest for the management of the Nyngan Memorial Swimming Pool and offer the contract to the most advantageous proponent in the best interests of Council. **(Ryan/Deacon)**

- Nyngan Flood – Council take ownership in organising the celebrations.



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am**

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 25 July 2019.

221/2019 RESOLVED that the apologies received from Councillor JL Douglas and Councillor GRJ Neill be received and they be granted leave of absence from both meetings. **(Jackson/Dutton)**

222/2019 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. **(Ryan/Elias)**

223/2019 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 27 June 2019, copies of which have been circularised to Councillors be taken as read and confirmed. **(Deacon/Boag)**

224/2019 RESOLVED that the current lessee of the Pound Paddock be offered the lease again for a twelve month period at the proposed offer. **(Ryan/Jackson)**

225/2019 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Ryan/Deacon)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am

COMMITTEE MEETING MINUTES

1 NYNGAN MUSEUM MEETING

228/2018 RESOLVED that the Minutes of the Nyngan Museum Committee Meeting held on 3 July 2019 at the Nyngan Museum be received and noted. **(Boag/Elias)**

REPORT TO ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

1 MORTEN BAY FIG TREE

Summary:

Consideration of the large Morten Bay Fig Tree on the vacant block on the edge of the Mitchell Highway opposite the Flood Memorial Car Park to be a tourist attraction.

This item was deferred for discussion to the August Council Meeting.



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 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	Director Development and Environmental Services working closely with external Project Manager to ensure compliance with Stronger Communities grant milestones	DDES	Tenders called for via external Project Manager by advertising through Sydney Morning Herald, Dubbo Liberal and Nyngan Observer newspapers as well as on Council’s website. Closing date for tenders is 5pm on 26 July 2019. Demolition works completed.
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.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am

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.
4	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. Quotations currently being sought for demolition.



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am**

5	28/02/2019	021/2019	Drought Works	<p>The General Manager continues to pursue grant funding opportunities to meet the cost to improve water security for Girilambone & 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>	DES	<p>Application submitted, awaiting response.</p> <p>Funding for water carting to the villages has been approved.</p> <p>No additional funding currently available from NSW Government.</p> <hr/> <p>NSW Government advice at this stage is that individual tanks do not meet the drought funding criteria.</p>
---	------------	----------	----------------------	---	------------	--



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am**

6	24/04/2019	117/2019	Cobar Water Board	<p>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.</p> <hr/> <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>	GM	<p>Advice from CWB is that they disposed of their licence in 2010.</p> <hr/> <p>Council staff to investigate implications.</p>
---	------------	----------	--------------------------	--	-----------	--

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am

				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.		Point 2 above refers.
7	23/05/2019	164/2019	Nyngan/Cobar Water Security	Council notes with concern that CWB appears to have used more than their allocation of water this year & that the General Manager raises this concern with the Secretary of CWB.	GM	Meeting held on 18 June 2019 with Secretary of CWB and staff. Further discussions currently being planned.
8	23/05/2019	170/2019	NSW Government – Office of State Revenue – Emergency Services Levy	The General Manager advises the Minister of Council's concern regarding the large increase at such short notice & that Council does not have the available budget funds to cover the increase.	GM	Letter sent.



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am**

9	27/06/2019	201/2019	Drought Communities Program	The General Manager makes application the Federal government to: 1. Transfer any unused funds of the projects. 2. Seeks an extension of time to complete any remaining projects up to at least 26 July 2019.	GM	Letter sent to Department of Industry, Innovation and Science on 10 July 2019, seeking extension to complete projects and transfer of unused funds.
10	27/06/2019	222/2019	Nyngan Regional Cultural Centre	Council engage Ian Bassett & Partners to prepare a detailed cost estimates for the construction of the Nyngan Regional Cultural Centre for purposes of a grant submission.	GM	In progress.
11	27/06/2019	179/2019	Purchase of Land – Pangee Street	General Manager approach the owner of the identified property with a view to ascertaining whether they are interested in selling the property & on what terms.	GM	



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am**

12	27/06/2019	187/2019	Proposed Solar Farm Lease Agreement	Council agree in principle to the proposed Solar Farm Lease subject to further investigations and negotiations with the company.	GM	
----	------------	----------	--	--	-----------	--



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am

229/2019 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist, including item 10 –Solar Panels for Larkin Oval Canteen. **(Ryan/Dutton)**

2 DRAFT LICENCE AGREEMENT WITH NYNGAN RUGBY UNION CLUB INC.

Summary:-

The report is to:

- (a) update Council on negotiations with the Nyngan Rugby Union Club Inc. in relation to the draft licence agreement for use of the Clubhouse at Larkin Oval; and*
- (b) recommend that Council consider charging the Nyngan Rugby Union Club Inc. the statutory minimum rental applicable to tenures under the Crowns Land Act 1989 (NSW).*

230/2019 RESOLVED that Council:-

- (a) charge Nyngan Rugby Union Club Inc. the statutory minimum rental applicable to tenures under the *Crowns Land Act 1989 (NSW)*; and
- (b) authorise the General Manager and the Mayor to continue negotiations with Nyngan Rugby Union Club Inc. on other clauses in the licence, including on the basis of the Dol’s instructions. **(Ryan/Elias)**

231/2019 RESOLVED that Council make a donation to the Nyngan Rugby Union Club Inc for \$498.00. **(Ryan/Elias)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am

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

1 STRONGER COUNTRY COMMUNITIES FUND – ROUND 3

Summary:-

The purpose of this report is to advise Council of availability of funding under Round 3 of the NSW Government's Stronger Country Communities Fund and to recommend an approach for community consultation to select projects.

232/2019 RESOLVED that:-

1. This report be received and noted.
2. Council consult with the community on the suggestion that Council applies to Round 3 of the NSW Government's Stronger Country Communities Fund for a Community Centre at the disused Tennis Courts and for the employment of a Youth Worker for 3 years.
3. Community consultation includes:-
 - a. A consultation workshop in the week of 5 to 9 August 2019 to discuss eligible projects with invited community groups, schools and other stakeholders.
 - b. Community surveys with targeted questions relating to Council's nominated projects. **(Jackson/Dutton)** Unanimous

2 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.

233/2019 RESOLVED that the Bogan Bush Mobile Term 2 Report be received and noted. **(Ryan/Jackson)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am

3 BOGAN SHIRE RAILWAY REVITALISATION TOURISM PROJECT

Summary:-

The purpose of this report is to advise Council of a grant funding announcement made by the Deputy Premier.

234/2019 RESOLVED that:-

1. The Bogan Shire Railway Revitalisation Tourism Project Report be received and noted.
2. The Press Release for the Railway Tourism Project prepared by the General Manager be received and noted and be included in the Minutes. **(Elias/Deacon)**



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am**

Railway Tourism Project

Bogan Shire Council has been successful in obtaining a \$1 Million grant aimed at getting more tourists to the Shire for overnight stays. The grant will fund improvements to the Nyngan Railway Station so that it can expand into the area formerly occupied by the SES, including an outdoor area around the existing shed which will be used as a display area for larger museum items. The grant will also fund the restoration of the historic Girilambone Railway Station, improvements to the overnight camping area and be used to purchase historic railway carriages.

General Manager, Derek Francis, says that the grant application was originally made in 2017 under the NSW Government's Environment and Tourism Fund. "Projects had to be over \$500,000 to be eligible under the Fund, which was set up by the NSW Government to protect and enhance environmental and tourism assets," said Mr Francis, "so combining the work needed at both stations was a way to meet this requirement."

Mr Francis also said that the Council had been successful in motivating for the full cost of the project to be funded by the NSW Government. "Normally, these grants require a 25% contribution from the Shire towards project costs but we were successful in motivating for this to be waived."

Bogan Shire Council will consult with the Girilambone community about the future use of the Railway Station with such options as local museum, art gallery and café being put forward.

Mr Francis said that it was exciting to see the preservation of such an historic building as the Girilambone Railway Station and that the increase in passing tourists stopping over will benefit Girilambone. "Whilst there are many other worthy projects and needs within the Shire on which \$1 Million could be spent," said Mr Francis, "it is important to recognise that this grant application was part of a specific tourism-focussed Fund, with particular requirements, and it was not an option for Council to allocate the money to general community projects such as the recent work at the pool and the oval."

During construction, the Council will employ local people and purchase supplies locally, wherever possible, to maximise the economic benefit of this phase of project to ensure as much of the \$1 Million stays circulating in our local economy.



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am**

Council adjourned for morning tea at the Library and resumed 11.20am.

Morning Tea was held at the Library to celebrate the official launch of the Bogan Shire Council State Library Grant and to support the Biggest Cup of Morning Tea Cancer Fund.

Appreciation to Maria and staff for hosting the Morning Tea and congratulations for the on going management of the Library.

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

1 INVESTMENTS JUNE 2019

Summary:-

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

At 30 June 2019 Council had \$14 million invested. There has been a increase of \$2.18 million due to the 2019/2020 1st and 2nd quarter FAG Grant being received in advance.

235/2019 RESOLVED that the Investments Report for the month of June 2019 be received and noted. **(Ryan/Deacon)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

The report is to provide a comparison of rate collections as at 30 June 2019, with the same period last year.

Total arrears have increased from \$282,476 at 30 June 2018 to \$386,607 as at 30 June this year.

236/2019 RESOLVED that the Rates and Annual Charges Collection Report for the month of June 2019 be received and noted. **(Boag/Elias)**

3 LONG TERM FINANCIAL PLAN

Summary :-

The report is to present to Council a Long Term Financial Plan, projected for 10 years, and updated annually as part of the development of the Operational Plan. A revised Long Term Financial Plan was presented to Council in May 2019 in line with Council's integrated planning and reporting. This current plan has updated Budget figures for 2017/2018 actuals, 2018/2019 adopted revised Budget and 2019/2020 adopted Budget and will be sent to T-Corp as part of our loan funding requirements.

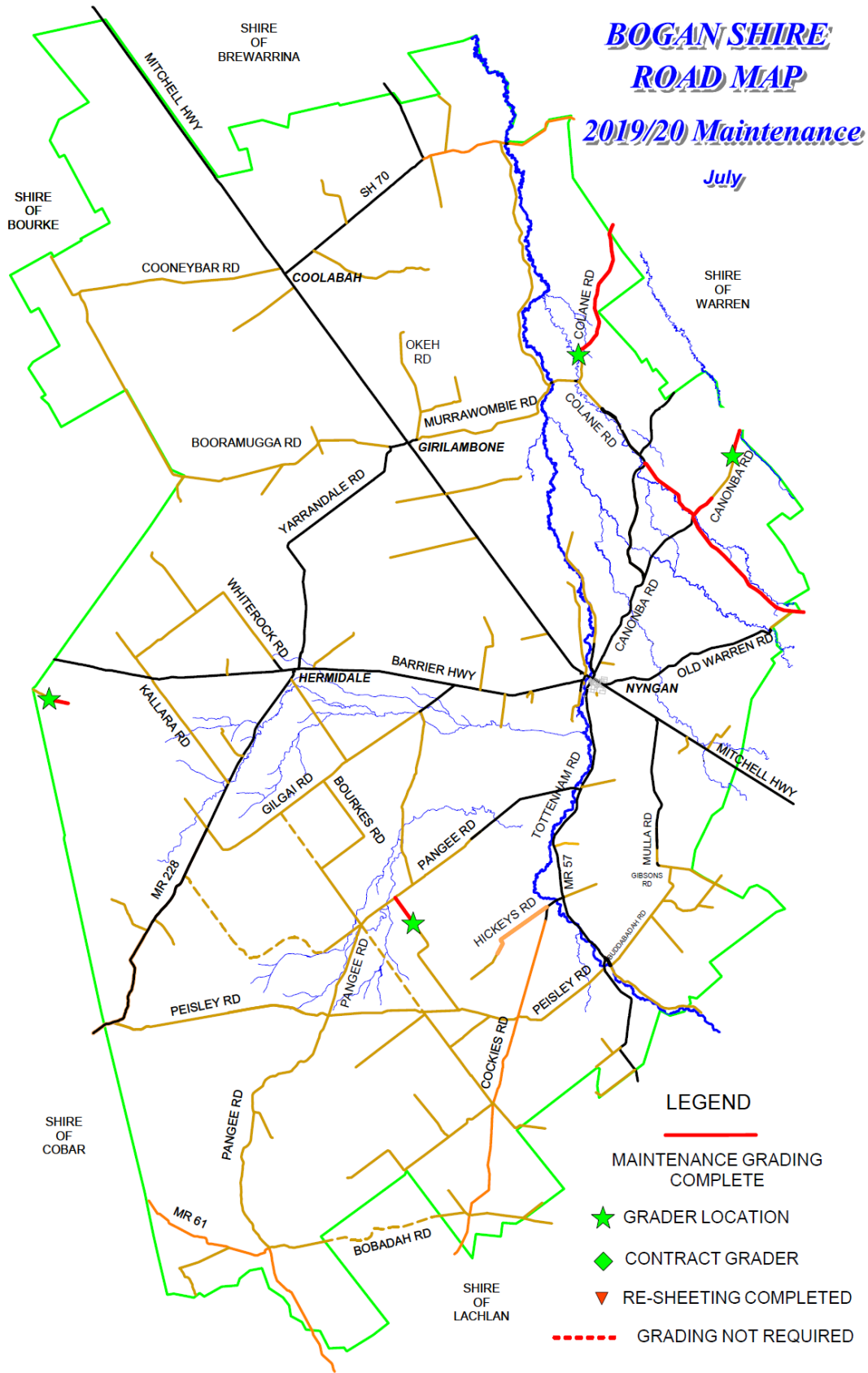
237/2019 RESOLVED that Council adopt the Long Term Financial Plan as presented, and appreciation be extended to all staff involved with the work. **(Ryan/Boag)**

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

1 OPERATIONAL REPORT

238/2019 RESOLVED that the Operational Report for the reporting period 16 June 2019 to 15 July 2019, including Civil Works, Communities Facilities and Roads be received and noted. **(Jackson/Ryan)**

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am





Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am

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

1 DEVELOPMENT APPLICATIONS

239/2019 RESOLVED that the Development Applications Report since the 27 June 2019 Council Meeting be received and noted. **(Dutton/Jackson)**

2 OPERATIONAL REPORTS

240/2019 RESOLVED that the Operational Reports, including Parks and Gardens Team and the Noxious Weeds Officer be received and noted. **(Ryan/Jackson)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am

3 PROPOSED CREMATION ROW AND RESERVATION OF BURIAL PLOTS AT THE NYNGAN LAWN CEMETERY

Summary:-

This report is for Council to consider the construction of additional cremation plots within the lawn section of the Nyngan Cemetery and the ability for the public to reserve burial plots for future use at the Lawn Cemetery, including the Cremation Section.

241/2019 RESOLVED that a new Cremation Row be constructed in the Lawn Cemetery. **(Elias/Jackson)**

242/2019 RESOLVED that Council's Cemetery Policy DES001 be amended to address reservations of Lawn Cemetery Burial Plots as follows:

3.3.A Reservation of Burial Place

3.3.A.1 - Lawn Cemetery Burial Plots

Applications may be made to the General Manager for reservation of Burial Plots in the Lawn Cemetery.

*The General Manager may grant permission for plots to be reserved provided that access to unused sites is not restricted by such reservation. (Note - Typically this means that only the unused plots at either end of the headwall may be reserved or those adjacent to an internal roadway). **(Ryan/Boag)***

243/2019 RESOLVED that Council not permit reservation of Lawn Cemetery Cremation Row Plots. **(Ryan/Deacon)**

244/2019 RESOLVED that Council's Cemetery Policy DES001 be amended to make provision for up to two ashes memorials to be placed in one lawn cremation row plot if required. **(Ryan/Deacon)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am

PRECIS OF CORRESPONDENCE

1 NYNGAN AG EXPO

245/2019 RESOLVED that the correspondence received from the Nyngan Ag Expo advising of their donation of \$3,000 towards the cost of works at the Nyngan Showground for the underground drainage in the Ag Expo's Food and Wine Area be received and noted and Council forward a *thank you* letter to the Expo. **(Jackson/Elias)**

2 THE HONOURABLE MELINDA PAVEY MP – MINISTER FOR WATER, PROPERTY & HOUSING

246/2019 RESOLVED that the correspondence received from The Honourable Melinda Pavey MP in response to Council's correspondence regarding Emergency Drought Funding Request be received and noted and Council forward a *thank you* letter to the Minister for the funding for projects in Bogan Shire Council. **(Ryan/Jackson)**

3 NYNGAN RIVERSIDE TOURIST PARK

247/2019 RESOLVED that Council not contribute to the colourbond fence on the Rotary Park boundary. **(Ryan/Boag)**

4 THE MURRAY DARLING ASSOCIATION MDA

248/2019 RESOLVED that Council not join the Murray Darling Association. **(Ryan/Deacon)**

5 REBEL MEDIA

249/2019 RESOLVED that Council not participate in the Council self help program with Radio BREEZE FM and REBEL FM radio station. **(Ryan/Jackson)**

6 WEEKLY CIRCULARS

250/2019 RESOLVED that the Local Government Weekly Circulars dated 20 June 2019, 27 June 2019, 4 July 2019 and 12 July 2019 be noted. **(Elias/Jackson)**



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 25 July 2019 at 9.30am**

Councillor Dutton reported on the recent Outback Arts Meeting.

Bill Taylor Plaque – suggestion to have an unveiling – photo and letter advising family members.

There being no further business the meeting closed at 12.15pm.

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

.....

GENERAL MANAGER

.....

MAYOR

