



# **BOGAN SHIRE COUNCIL**

## **Minutes**

**26 May 2022**





### **Published Recording of Council Meeting**

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**Minutes of the Ordinary Meeting  
of Bogan Shire Council held on 26 May 2022**

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

**103/2022 APOLOGIES:** Councillor VJ Boag (**Douglas/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 and Community Services), Mrs Stephanie Waterhouse (Director of Finance and Corporate Services), and Mrs Melissa Salter (Executive Officer).

**DECLARATION OF INTEREST:**

**104/2022 RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 28 April 2022, copies of which have been circulated to Councillors be taken as read and confirmed. (**Jackson/Deacon**)

**Business Arising: Nil**

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 26 May 2022:

**099/2022 APOLOGIES:** Councillor VJ Boag (**Douglas/Elias**)

**100/2022 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. (**Jackson/Elias**)

**101/2022 RESOLVED** that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 28 April 2022, copies of which have been circulated to Councillors be taken as read and confirmed.  
(**Deacon/Bright**)

**Business Arising: Nil**

**102/2022 INCLUSION OF PRESS AND PUBLIC: RESOLVED** that the meeting move into open Council. (**Milligan/Menzies**)



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**NOTICE OF MOTION**

**105/2022 RESOLVED:** That Council makes a formal approach to the Bureau of Meteorology to install an automatic weather station at Nyngan and makes representation to our Federal Member on this matter also. **(Douglas/Milligan)**

**COMMITTEE MEETING MINUTES**

**1 MUSEUM COMMITTEE MINUTES**

**106/2022 RESOLVED** that the minutes of the Nyngan Museum Committee meeting held at the Nyngan Museum on 4 May 2022 be received and noted. **(Milligan/Bright)**



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**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	<b>Increase of train speed through Nyngan</b>	Prior to the next state Election, Council raise the issue of the Hoskins Street Level Crossing & Train Speeds with Barwon candidates.	<b>GM</b>	Pending discussions closer to State Elections.
2	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.  Meeting held with CWB 30.11.2021. Further discussion to take place.



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3	25/02/2021	010/2021	<b>Regional Water Supply Pipe Network</b>	Council seeking urgent clarification from the Minister on: Issuing of the licence for the Nyngan Emergency Bore and licence.	<b>GM</b>	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.  <b>UPDATE:</b> Representatives of NSW Government invited to attend May Council meeting to discuss.  Report to Council refers.



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4	28/11/2019	368/2019	<b>Repairs to Nyngan &amp; Cobar Emergency Water Storage</b>	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.	<b>DES</b>	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.
5	17/12/2020	373/2020	<b>Lack of Vacation Care/Before and After School Care in Nyngan</b>	Council approach both primary schools in Nyngan. Council bring this matter to the attention of local State Member and Hon. Sam Farraway MLC.	<b>DPCS</b>	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.  Response received from Hon. Bronnie Taylor, indicating support for funding application by Nyngan Public



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	24/02/2022	010/2022		<p>Council make enquiries from the State Government to find out why progress has halted on before and after school care.</p>	<p>School to the Department of Education for the construction of a purpose built building for Before and After School Care.</p> <p>Letter sent to the Hon. Sarah Mitchell, MLC, Minister for Education and Early Learning.</p> <p><b>UPDATE:</b> Response received from Executive Director, Business Enablement - School Infrastructure NSW responding on behalf of the Hon. Sarah Mitchell, MLC, Minister for Education and Early Learning. The Department is liaising with the school principal to explore the feasibility of</p>
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						options to establish a service and expects to be in a position to confirm an initiative to support the creation of places for parents in the coming weeks.
6	25/02/2021	012/2021	<b>Nyngan Railway Wool Dump</b>	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.	<b>DES</b>	Pending commencement of grant- funded works.  Pending commencement of grant- funded works.
7	25/02/2021	013/2021	<b>Honour Board</b>	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	<b>GM</b>	Honour Board ordered. <b>UPDATE:</b> Delay with manufacture of order, now expected delivery June 2022.



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				Medal (AFSM), Victoria Cross.		
8	27/05/2021	126/2021	<b>Addressing Local Job Vacancies</b>	Council delays the launch of the marketing campaign until progress is made with establishing more housing accommodation in Nyngan.	<b>DPCS</b>	<b><u>UPDATE:</u></b> Planning for new residential subdivision commenced.
9	28/05/2022	085/2022	<b>Refugee Employment</b>	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	<b>DPCS</b>	<b><u>UPDATE:</u></b> Communication to business community currently under development.

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				a meeting with Council.		
10	28/10/2021	162/2021	<b>Section 355 Committee – Nyngan Museum</b>	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.	<b>GM</b>	Initial meeting held with Museum Committee.  Draft delegations prepared for further discussions with Museum Committee.  <b>UPDATE:</b> Referred to Audit & Risk Committee
11	25/11/2021	331/2021	<b>Recycling Bins in Town Main Street</b>	Recycling bins be made available in town main street.	<b>DDES</b>	<b>UPDATE:</b> Eight recycling bins have been ordered.
	24/03/2022	068/2022	<b>Recycling Bin Waste Stickers</b>	That Council, as part of the recycling education program that will be conducted through schools, supply students with a sticker		<b>UPDATE:</b> In Progress – Design under review.



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				and encourage to stick it to their household recycling bin.		
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**107/2022 RESOLVED** that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.  
**(Jackson/Deacon)**

**108/2022 RESOLVED** that Council defer consideration of the Nyngan Emergency Bore Report until later in the meeting. **(Jackson/Douglas)**

**3 INTERGRATED PLANNING AND REPORTING – 2022/2032 RESOURCING STRATEGY**

***Summary:-***

*This report is to present Council’s 2022/2032 Resourcing Strategy to Council for adoption.*

**109/2022 RESOLVED** that the draft 2022/32 Resourcing Strategy be adopted.  
**(Jackson/Menzies)**

## REPORT TO 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.*

**110/2022 RESOLVED** that the Library Report be received and noted.  
**(Jackson/Bright)**

### 2 NYNGAN'S BIG BOGAN FESTIVAL

**Summary:-**

*The purpose of this report is to confirm Council's intention to host a Big Bogan Community Festival and to make recommendations for the Festival to enable a grant application to be submitted.*

**111/2022 RESOLVED** that:

1. 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.
2. The Festival be centred around Larkin Oval precinct, includes the area around the Big Bogan at Teamsters Rest and, depending on demand, the closure of Tabratong Street between the Medical Centre and Nyngan Pool.
3. The General Manager appoints a part time event coordinator for the Festival,
4. The Festival includes a headline country music act for entertainment in the evening together with supporting entertainment throughout the day.
5. The Festival seeks to encourage participation from all local artists, entertainers, community groups and business owners.
6. Interested Bogan Shire community members be invited to participate in a committee / working group.

**(Milligan/Elias)**



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

### 1 INVESTMENTS APRIL 2022

**Summary:**

*The report is to outline the performance of Council's Investment Portfolio for the month of April 2022.*

*At the 30 April 2022 Council had \$14.2 million invested. There has been an increase of 1.3 million due to receiving 75% of the 2022/2023 Financial Assistance Grant payment in advance.*

**112/2022** RESOLVED that the Investments Report 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 30 April 2022, with the same period last year.*

*Total arrears have decreased from \$792,067 as at 30 April 2021 to \$669,240 as at 30 April this year.*

<b>Rate Collections</b>	<b>2021-2022</b>	<b>2020-2021</b>
Arrears Prior to 01/07/2021	508,194	513,445
First Instalment in arrears as at 30/4/2022	11,468	25,352
Second Instalment in arrears as at 30/4/2022	58,137	103,745
Third Instalment in arrears as at 30/4/2022	75,155	149,525
Fourth Instalment Outstanding as at 30/4/2022	676,967	958,853
<b>Total Arrears</b>	<b>630,018</b>	<b>792,067</b>
<b>Total Outstanding</b>	<b>1,306,985</b>	<b>1,750,920</b>
<b>Monthly Transactions</b>		
Amount Levied & B/Fwd	<b>5,867,648</b>	<b>6,046,697</b>
Add: Adjustments	36,869	17,237
Less: Payments to end of April	-4,518,125	-4,230,483
Less: Rebates	-79,690	-82,531
Add: Postponed	0	0
<b>Gross Total Balance</b>	<b>1,611,897</b>	<b>1,750,920</b>
<b>Arrears of total amount levied %</b>	<b>10.7%</b>	<b>13%</b>



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The Director of Finance and Corporate Services reported at the meeting, that at the date of the meeting, current arrears had decreased to \$630,018.

**113/2022 RESOLVED** that the Rates and Annual Charges collection report be received and noted. **(Douglas/Deacon)**

**3 THIRD QUARTER 2021/2022 BUDGET REVIEW**

**Summary:**

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

*Cash Balance is strong and expected to stay strong over the next two months due to the 75% payment of the Financial Assistance Grant in advance.*

**114/2022 RESOLVED** that :

1. The Third Quarter 2021/2022 Budget Review Report be received and noted.  
**(Jackson/Douglas)**
2. Council adopts the budget amendments shown on the Budget Review Statement (Appendix A) for the 2021/2022 Operating and Capital Budgets.  
**(Jackson/Douglas)**
3. Essential Energy be requested to make a donation for the costs of the sub-station upgrade for the Bogan Shire Youth and Community Centre.  
**(Jackson/Menzies)**



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

**1 DEPARTMENTAL ACTIVITY REPORT**

**Summary:**

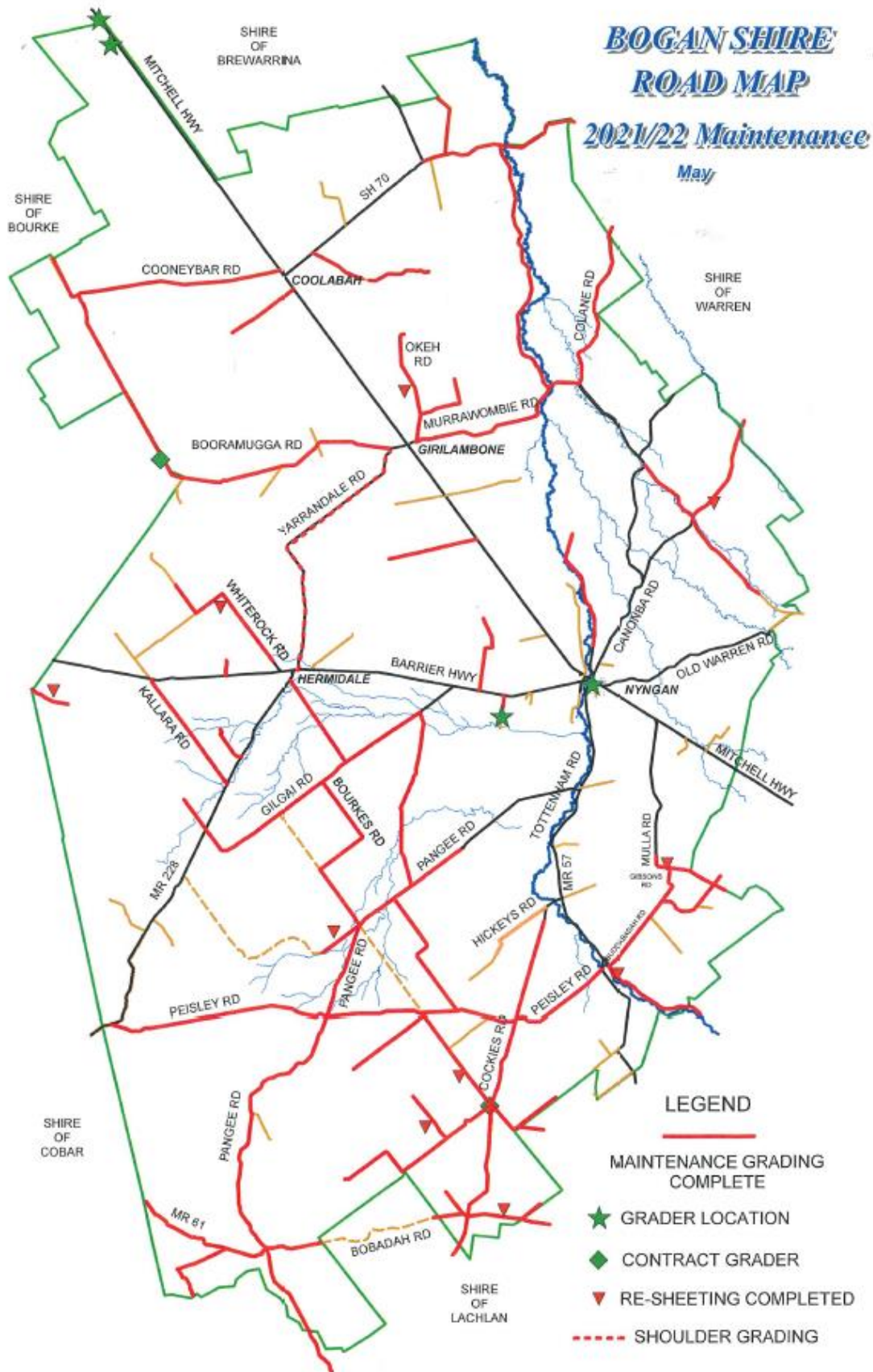
*The purpose of this report is to provide Council with information that is both statistical and informative in regards to the activities of the Engineering Services Department.*

**115/2022 RESOLVED** that the Engineering Departmental Report be received and noted, and the staff concerned be thanked for the preparation and setting up for the Nyngan Show and the work that was undertaken. **(Milligan/Menzies)**

**116/2022 RESOLVED** that the Meeting be adjourned until 7.30pm to allow time for supper and an informal discussion. **(Menzies/Jackson)**

Meeting resumed after supper at 7.40pm.

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**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.*

**117/2022 RESOLVED** that the Development and Environmental Services Departmental Activity Report be received and noted. **(Douglas/Jackson)**

**PRECIS OF CORRESPONDENCE**

**1 NSW GOVERNMENT EDUCATION – SCHOOL INFRASTRUCTURE**

**118/2022 RESOLVED** that 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. **(Douglas/Jackson)**

**2 HOLLY ROBB**

**119/2022 RESOLVED** that correspondence from Holly Robb be received and noted. **(Jackson/Deacon)**

## REPORT TO ORDINARY MEETING OF COUNCIL – GENERAL MANAGER’S REPORT

Council returned to consideration of the Nyngan Emergency Bore Report

**120/2022 RESOLVED** that Council suspend standing orders to allow for discussion about this matter. **(Elias/Jackson)**

### 1 NYNGAN EMERGENCY BORE

Council returned to this report at 7.48pm

***Summary:** The purpose of this report is to provide Council with updated information in relation to this matter and to seek direction from Council on a possible approach to the Minister for Water in this regard.*

**121/2022 RESOLVED** that:

1. Council proceed with the installation of the emergency bore at the existing site. **(Douglas/Bright)**

**122/2022 RESOLVED** that:

1. Council accepts the grant offer for the Nyngan emergency bore and associated infrastructure and proceeds with the installation of the pipeline and whatever other infrastructure can lawfully be constructed.
2. Council notes, that permission from the Minister for Water would be required under Section 39A of the Water Management (General) Regulation 2018 to operate the bore for emergency Bogan Shire town water supply (Nyngan, villages and domestic supply to rural properties), under drought conditions.
3. Council notes that extraction of water is limited to 200ML/year and is to be used for Bogan Shire town water supply only.
4. 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 lawfully extract water from the bore at this stage.

**(Douglas/Menzies) unanimous**



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There being no further business the meeting closed at 8.40 pm.

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

.....

**GENERAL MANAGER**

.....

**MAYOR**





