



BOGAN SHIRE COUNCIL

Ordinary Business Paper

I hereby give notice that an Ordinary Council Meeting will be held on:

Date: Thursday, 27 July 2023

Time: 5.30pm

**Location: Bogan Shire Council
Council Chambers
81 Cobar Street
Nyngan**

**Derek Francis
General Manager**



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.

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- 1 OPENING PRAYER**
- 2 REMEMBERANCES**
- 3 APOLOGIES**
- 4 DISCLOSURE OF INTERESTS**
- 5 CONFIDENTIAL MATTERS**

Recommended that Council move into a closed session of Council with the public excluded, in accordance with the *Local Government Act 1993* section 10A(2).

Sergeant Tony Wood invited to address Council in the Confidential section of Meeting to discuss policing Matters

5.1 VOLUNTARY PLANNING AGREEMENT - FEDERATION MINE

This matter is considered to be confidential under Section 10A(2) of the *Local Government Act 1993*, and discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with:

- information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6 CONFIRMATION OF ORDINARY MINUTES

6.1 MINUTES OF ORDINARY MEETING - 22 JUNE 2023

The minutes of the Ordinary Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 22 June 2023 have been circulated to Council.

Recommendation

That the minutes of the Ordinary Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 22 June 2023, be received and noted.



BOGAN SHIRE COUNCIL

Minutes

Date: Thursday, 22 June 2023

Time: 5:30pm

**Location: Bogan Shire Council
Council Chambers
81 Cobar Street
Nyngan**

**Derek Francis
General Manager**



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Minutes Ordinary Council Meeting
Bogan Shire Council

22 June 2023

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

Also present were Mr Derek Francis (General Manager), Mr Graeme Bourke (Director of Engineering Services), Mrs Stephanie Waterhouse (Director of Finance and Corporate Services) Mrs Debb Wood (Director of People and Community) and Melissa Salter (Executive Officer)

REMEMBRANCES – Nil

APOLOGIES - Nil

DISCLOSURES OF INTEREST

Mayor Neill declared an interest in the Confidential Section of the Meeting:

- 6.1 Annual Gravel Haulage Services Tender
- 6.2 Annual Road Base Crushing Tender
- 6.3 Annual Plant Hire Tender

Reason: Due to position as a Director of Neill Earthmoving, who have lodged a tender response for Annual Gravel Haulage Services Tender, Annual Road Base Crushing Tender and Annual Plant Hire Tender.

Mayor Neill declared an interest in the Ordinary Council Meeting

- 13.5 Pangee Street Pavers

Reason: Due to position as a Director of Neill Earthmoving, who are one of the interested parties.

7 CONFIRMATION OF ORDINARY MINUTES

7.1 MINUTES OF ORDINARY MEETING - 25 MAY 2023

117/2023 RESOLVED That the minutes of the Ordinary Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 25 May 2023, be received and noted. **(Bright/Jackson)**

Business Arising: Nil

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The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 22 June 2023:

5 CONFIDENTIAL MATTERS

111/2023 RESOLVED EXCLUSION OF PRESS AND PUBLIC: that Council move into a closed session of council with the public excluded, in accordance with the *local government act 1993*, section 10a (2). **(Jackson/Menzies)**

5.1 MINUTES OF CONFIDENTIAL MEETING - 25 MAY 2023

112/2023 RESOLVED that the minutes of the Confidential Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 25 May 2023, be received and noted. **(Jackson/Deacon)**

6.1 ANNUAL GRAVEL HAULAGE SERVICES TENDER

113/2023 RESOLVED that the tenders for gravel haulage services to Council for the period to 30th June 2024 be accepted as submitted to form a panel of contractors, to be used in the best interests of Council, subject to the plant and operators meeting Council's requirements. **(Jackson/Elias)**

6.2 ANNUAL ROAD BASE CRUSHING TENDER

114/2023 RESOLVED that the tenders for road base crushing to Council for the period to 30th June 2024 be accepted as submitted to form a panel of contractors, with the exclusion of Fenworx Pty Ltd trading as Newpave Ashphalt, to be used in the best interests of Council, subject to the plant and operators meeting Council's requirements. **(Douglas/Jackson)**

6.3 ANNUAL PLANT HIRE TENDERS

115/2023 RESOLVED that the tenders for the hire of plant for the period to 30th June 2024 be accepted as submitted to form a panel of contractors to be used in the best interests of Council, subject to the plant and operators meeting Council's requirements. **(Menzies/Milligan)**

116/2023 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Boag/Elias)**

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8 CITIZENSHIP CEREMONY

A Citizenship Ceremony was held at the Bogan Shire Council Chambers on 22 June 2023, at 6.00pm.

9 COMMITTEE MEETING MINUTES

Nil

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10 GENERAL MANAGER'S REPORTS

10.1 CHECKLIST

Item	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	TfNSW has informed Council that it is considering trialling a Rail Active Crossing System at Hoskins Street crossing. This is a solar powered, wireless, flashing lights system. UPDATE: Discussed with Roy Butler 07/06/2023, for follow-up.
2	27/05/2022	122/2022	Nyngan Emergency Bore	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 extract water from the bore at this stage.	GM	Letter written to Minister for Water. Letter sent to the Minister for Lands and Water, Kevin Anderson, on 02/02/2023, raising this matter again, and advising him that NSW Public Works have provided Council with new project estimates. Due to the delays in project commencement, rising costs of pipe materials and other costs of construction, the estimated project cost has more than doubled to \$8.7M from \$4M.

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Item	Date	Minute No	Matter	Action Required	Officer	Status
	23/02/2023	010/2023	Nyngan Emergency Bore	Council vote for a 200ml pipe instead of 375ml pipe, on the basis of water consumption.	GM	Minister's office has advised that the question of amending the Water Sharing Plan has been referred to Department of Planning and Environment. DPE have advised that no additional funding is available for the project. UPDATE: Letter written to new Minister for Water, advising them of resolution 122/2022 and seeking clarification on funding.
	23/02/2023	010/2023	Nyngan Emergency Bore	A decision on the request for a meeting be deferred until Council receives a response from the NSW Government on whether the emergency		Public Works & DPE have been advised of Council's resolution to request a 200mm pipeline. On hold pending response.

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Item	Date	Minute No	Matter	Action Required	Officer	Status
	27/04/2023	081/2023		bore hole project is to be funded. Virginia and Richard Woodlock be requested to provide Council with specific concerns of concerned landholders and rate payers in writing, so that responses can be prepared, and arrangements made for appropriate NSW Government staff to be available.		Letter sent to Richard and Virginia Woodlock advising them of Council's resolution.
3	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	A contract variation has been issued to the Contractor for change of scope for repairs to inside batters. Work recommenced. UPDATE: Repairs complete – awaiting project sign-off by NSW Public Works.

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Item	Date	Minute No	Matter	Action Required	Officer	Status
4	25/02/2021	012/2021	Nyngan Railway Wool Dump	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.	DES	Pending commencement of grant-funded works.
5	27/05/2022 27/04/2023	126/2021 061/2023	Addressing Local Job Vacancies	Council delays the launch of the marketing campaign until progress is made with establishing more housing accommodation in Nyngan. Council make a preliminary start with the Marketing campaign by producing a short promotional video which can be distributed and uploaded by social media.	DPCS	Planning for new residential subdivision has commenced. Work commenced on promotional video.
6	28/10/2021	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	GM	Initial meeting held with Museum Committee. Referred to Audit & Risk Committee.

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Item	Date	Minute No	Matter	Action Required	Officer	Status
	15/12/2023	281/2022		Section 355 Management Committee of Council with a further report to Council. Council progress investigations and discussion to progress to Section 355 or an incorporated body for the functions of managing and operating the Nyngan Museum.		Investigations commenced regarding benefits of incorporation. UPDATE: Discussion paper circulated to Museum executive. Awaiting response.
7	25/11/2021	331/2021	Recycling Bins in Town Main Street	Recycling bins be made available in town main street.	DDES	Eight recycling bins received – considered in Council’s best interest to delay installation until main street paving completed.
8	23/06/2022	126/2022	New Water Treatment Plant Site	A further report to Council be considered for location of the New Water Treatment Plant, including the location as presented to Council, as well as other options outside/adjacent to the levy bank.	DES	Public Works to discuss with Crown Lands use of site adjacent to electricity sub-station at the end of Dandaloo Street.

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Item	Date	Minute No	Matter	Action Required	Officer	Status
	23/03/2023	011/2023		Council request NSW Public Works to provide a report to Council on the relative cost of the proposed substation and existing pump station sites, including relative pros and cons.		Public Works has been requested to prepare a report on comparing the Dandaloo Street site with the raw water pumpstation site when funding deed has been signed.
9	27/10/2022	246/2022	Pangee Street Paving	Council seek expressions of interest from interested parties to have old pavers delivered to an appropriate site of theirs for public to collect, for a set time, then review matter.	DES	To be advertised when a construction schedule has been finalised. UPDATE: Advertisement posted on Facebook 05/06/2023. Report to Council refers.
	15/12/2022	314/2022		The Pangee Street CBD footpath be completed with a coved trowel finish including rows of pavers installed across the path at regular intervals to break up the large areas of concrete.		Successful tenderer has advised that the commencement of work will be delayed to July due to acceptance of other contracts before ours.
10	28/07/2022	171/2022	Hoskins Street Subdivision	Council approves the draft subdivision layout, with following amendments	DES	Amended plan sent back to consultants.

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Item	Date	Minute No	Matter	Action Required	Officer	Status
				<p>Inclusion of a laneway between lots 18-23 and lots 28-33.</p> <p>Accordingly reduce the number of affected blocks to retain an average size of around 1000m².</p> <p>Strong representation is made to the Minister for Western New South Wales in relation to Biodiversity Fund contributions.</p>		<p>Meetings between Alliance of Western Council and NSW Government held of 17/08/22 and 19/08/22 to discuss.</p> <p>Alliance of Western Councils working with Urban Taskforce and making representation to Premier and Minister for Environment.</p>
11	25/08/2022	207/2022	Removal of Athel Pines	<p>Council removes all Athel Pines located adjacent to the airport.</p> <p>Council plants native species to replace the Athel Pines that will be removed, with funding to be allocated at the next budget review.</p>	DDES	<p>All Athel Pines have been removed. Replacement trees have been delivered.</p> <p>UPDATE: Trees are now expected to be planted in late June 2023.</p>

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Item	Date	Minute No	Matter	Action Required	Officer	Status
12	27/10/2022	260/2022	Kerbside Waste	<p>Council trial the bulky kerbside collection, as a once of collection and the take-up be gauged, and a further report to Council.</p>	DDES	<p>Currently seeking quotations from contractors to complete the kerbside collection.</p> <p>Estimating the anticipated uptake to engage contractors has been difficult. To assist with this, a community survey has been prepared which will better inform Council's decision-making. Survey was run for a four-week period ending 19 May 2023.</p> <p>UPDATE: A report has been prepared for Council's consideration at this meeting.</p>
13	27/10/2022	261/2022	Proposed Amendment to Bogan Local Environmental Plan	<p>The General Manager investigates a process to identify suitable land, for large lot residential and undertakes community consultation, with a further report to Council.</p>	DDES	<p>In progress.</p>
14	24/11/2022	274/2022	Voluntary Planning Agreement – Aurelia Resources	<p>The General Manager negotiates a VPA with Aurelia Resources in the best interest of Council in</p>	GM	<p>UPDATE: Negotiations ongoing in relation to draft VPA.</p>

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Item	Date	Minute No	Matter	Action Required	Officer	Status
				consultation with the Mayor and Deputy Mayor.		
15	24/11/2022 23/03/2023	296/2022 051/2023	Memorial Wall at Nyngan Cemetery	Council investigate cost, options and suitable location for new memorial wall at Nyngan Cemetery. Council allocate \$2,500 to provide a memorial wall at the Nyngan cemetery at the 2023-24 estimates meeting, and that council investigate the cost to render the three walls in full, on both sides.	DES	UPDATE: Included in 2023/24 Capital Budget. COMPLETED
16	23/02/2023	027/2023	Bureau of Meteorology	Council approach interested parties to undertake the manual weather observations, with a report back to Council.	GM	Notice placed in Nyngan Weekly newspaper. Names of interested parties forwarded to Bureau of Meteorology.

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Item	Date	Minute No	Matter	Action Required	Officer	Status
17	23/03/2023	053/2023	Reclassification of Land – 8 Tabratong Street	Council submits a planning proposal under Section 28 of the Local Government Act to reclassify Lot 1 DP102113, Lot 2 DP355559 and Lot 3 DP 945184 from Community Land to Operational Land.	DDES	Council has requested Department of Planning to consider undertaking the reclassification as part of its Minor Amendments Project. UPDATE: Awaiting DoP consideration and advice.
18	27/04/2023	080/2023	Precis – John and Penny Hoy	Council request John and Penny Hoy to meet with the Mayor and General Manager to discuss their concerns.	GM	Letter sent to John and Penny Hoy advising them of Council's resolution. UPDATE: Meeting held 01/06/2023. Agreement that Bogan Shire Council would seek comment from NSW Public Works as to action required.
17	25/05/2023	107/2023	Temporary Workers Accommodation	Report be prepared for Councils consideration regarding the costs and implications to change the land zoning using contents in RU1 – Primary Production under the Bogan Local Environmental Plan (LEP) 2011 from a 'closed zone' to an 'open zone'.	DDES	UPDATE: Report for future Council Meeting

118/2023 RESOLVED the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the Checklist. **(Jackson/Elias)**

10.2 SHOWGROUND USERS ADVISORY GROUP

The purpose of this report is to present, for Councillors information, the minutes of the Showground Users Advisory Group held on 4 May 2023.

119/2023 RESOLVED that Council receives and notes the Showground Users Advisory Group report. **(Boag/Deacon)**

10.3 COUNCILLOR AND MAYORAL FEES

The purpose of this report is to advise Council of the determination of the Local Government Remuneration Tribunal and to recommend that Council fixes Councillor and Mayoral Fees for the 2023/24 financial year based on this determination.

120/2023 RESOLVED that Council sets the fees payable to Councillors, Deputy Mayor and Mayor of Bogan Shire Council, effective from 1 July 2023, in line with the Local Government Remuneration Tribunal’s determination, as tabled below:

2023/24:

	Councillor Fee	Mayor Fee	Total Fee
Councillors	\$9,850	-	\$9,850
Deputy Mayor	\$9,850	\$4,304	\$14,154
Mayor	\$9,850	\$17,218	\$27,068

(Boag/Jackson)

11 PEOPLE AND COMMUNITY SERVICES REPORTS**11.1 RECRUITMENT AND SELECTION POLICY**

The purpose of this report is to recommend to Council an updated Recruitment and Selection Policy for consideration and adoption.

121/2023 RESOLVED that Council adopts HR007 Recruitment and Selection Policy. **(Douglas/Jackson)**

11.2 OUTBACK ARTS MEMBERSHIP

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

122/2023 RESOLVED that Council continues its ongoing membership of Outback Arts and the Regional Arts Development Program. **(Deacon/Menzies)**

12 FINANCE AND CORPORATE SERVICES REPORTS

12.1 INVESTMENTS REPORT MAY 2023

The purpose of this report is to outline the performance of Council's investment portfolio for the month of May 2023.

123/2023 RESOLVED that Council receive and note the Investments Report May 2023.
(Jackson/Douglas)

12.2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

The purpose of this report is to provide a comparison of rate collections as at 31st May, 2023, with the same period last year.

Rate Collections	2022-2023	2021-2022
Arrears Prior to 01/07/2022	419,271	510,807
First Instalment in arrears as at 31/05/2023	-56,910	-18,535
Second Instalment in arrears as at 31/05/2023	47,379	57,404
Third Instalment in arrears as at 31/05/2023	65,590	74,722
Fourth Instalment Outstanding as at 31/05/2023	301,501	263,368
Total Arrears	503,143	624,398
Total Outstanding	776,830	887,766
Monthly Transactions		
Amount Levied & B/Fwd	6,045,433	5,867,648
Add: Adjustments	46,040	40,482
Less: Payments to end of May	-5,234,198	-4,940,221
Less: Rebates	-82,240	-80,143
Add: Postponed	0	0
Gross Total Balance	895,366	887,766
Arrears of total amount levied %	12.8%	10.6%

The Director of Finance and Corporate Services reported at the meeting updates to the Summary of Rate and Annual Charges collection table.

124/2023 RESOLVED that Council receive and note the Rates and Annual Charges collection report.

(Boag/Jackson)

12.3 ADOPTION OF THE 2023/2024 OPERATIONAL PLAN AND BUDGET

The purpose of this report is to present the draft 2023/2024 Operational Plan and Budget for adoption.

125/2023 RESOLVED that the 2023/2024 Operational Plan and Budget be adopted.
(Bright/Menzies)

12.4 MAKING OF RATES AND CHARGES FOR 2023/2024

The purpose of this report, following Council's compliance with sections 404,405 and 406 relating to the public display of the draft Operational Plan for 2023/2024 financial year, Council must now make the following rates and charges for the 2023/2024 financial year in accordance with sections 494,533,534,535 and 543 of the Local Government Act, 1993.

126/2023 RESOLVED that:

1. Council authorise the General Manager to prepare and serve the rate notices or in his absence they may be served by the Rates and Revenue Officer.
2. Pursuant to the Local Government Act, 1993, Council hereby resolves to make the ordinary rates for the 2023/2024 period as laid out below.
3. Council applies the interest rate of 8% in accordance with Section 566 of the Local Government Act 1993.

(Menzies/Jackson)

12.5 SALE OF LAND FOR UNPAID RATES AND CHARGES

The purpose of this report is to advise Council of parcels of land currently on Council's records that satisfy the conditions for Sale of Land for Unpaid Rates and Charges, under Section 713 of the *Local Government Act 1993* and in accordance with Council's Debt Recovery Policy.

127/2023 RESOLVED that:

1. Council implements proceedings to sell the properties listed in this report at a public auction at a time and place to be determined, pursuant to Section 713 and other relevant sections of the *Local Government Act 1993* and regulations.
2. The Centre for Sustainable Debt Recovery Pty Ltd (Recoupa) be appointed to administer the sale on Council's behalf.
3. Council authorises Council staff and Recoupa to proceed with the necessary arrangements pertaining to the sale of the properties listed in this report, as set out in the *Local Government Act 1993* and *Local Government (General) Regulation 2005*.
4. Council authorises the General Manager to withdraw from auction any property occupied by a ratepayer who in the General Manager's opinion is suffering extreme and unusual hardship or ill-health and who, prior to the commencement of the auction, has made an acceptable arrangement for the repayment of the outstanding rates and charges.
5. Council authorises the General Manager or their delegate to execute contracts and transfer documents pertaining to the properties specified in the body of the report.
6. Council reserves the right to withdraw the property from sale for technical or legal reasons.

(Jackson/Deacon)

13 ENGINEERING SERVICES REPORTS**13.1 DEPARTMENTAL ACTIVITY REPORT**

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

128/2023 RESOLVED that the Engineering Departmental Report be received and noted. **(Jackson/Menzies)**

13.2 ORANA WATER UTILITIES ALLIANCE DEED OF AGREEMENT

The purpose of this report is to seek Council's approval to enter into a new deed of agreement with member Councils of the Orana Water Utilities Alliance for a further five years.

129/2023 RESOLVED that Council enter into a new five-year Deed of Agreement with the Orana Water Utilities Alliance. **(Douglas/Deacon)**

13.3 DRAFT ACTIVE TRANSPORT PLAN

The purpose of this report is for Council approve the draft Bogan Shire Active Transport Plan for public exhibition.

130/2023 RESOLVED that Council approve the draft Bogan Shire Active Transport Plan for public exhibition for the period 3/7/2023 to 28/07/2023. **(Milligan/Menzies)**

13.4 ROAD WORKS BUDGET 2023-2024

The purpose of this report is to provide Council with a summary of road works projects included in the 2023-2024 budget.

131/2023 RESOLVED that the Roads Works Budget Summary of Projects included in the 2023-2024 budget, be received and noted. **(Jackson/Elias)**

13.5 PANGEE STREET PAVERS

The purpose of this report is to seek Council's direction for the disposal of the old pavers in the Pangee Street CBD.

Mayor Neill declared an interest and left the room, Deputy Mayor Clr Boag took the Chair.

Councillor Douglas **MOVED** that Council move into a Discussion to review the recommendation for the Pangee Street Pavers.

132/2023 RESOLVED that Council move into Discussion to review the recommendation for the Pangee Street Pavers. **(Douglas/Milligan)**

133/2023 RESOLVED that Council offers half the pavers to each of the interest parties on the following conditions:

- a. The pavers will be removed from Pangee Street and transported to the nominated property of the interested party / parties at Council's cost.
- b. That the interested party / parties allow Council and its contractors access to their property for delivery of the pavers on days nominated by Council so as to suit the demolition / construction schedule.
- c. Should weather conditions impede access to the property of an interested party / parties, pavers shall be disposed of at Council's discretion. This includes transportation to another interested party or Council's Waste and Recycling Facility.
- d. That the interested party / parties make suitable access to the pavers available on their property for the public and allow public access to their property for the purposes of collecting pavers within the times specified in (e) below.
- e. That the interested party / parties undertake to make the pavers available for members of the public to collect within set hours. These are to be a minimum of four hours per day, Monday through Sunday for a period of four weeks from the date the pavers are delivered.
- f. Council takes no responsibility and accepts no liability for the pavers or their disposal once they are delivered on site to the interested party / parties.
- g. That the interested parties undertake to use, store or dispose of any pavers remaining after the four-week period in a responsible manner that will not cause environmental harm or constitute a nuisance.
- h. That the interested parties be advised of the potential public liability risk.
- i. That the General Manager be authorised to vary the split of pavers between the parties, at the request of the interested parties.

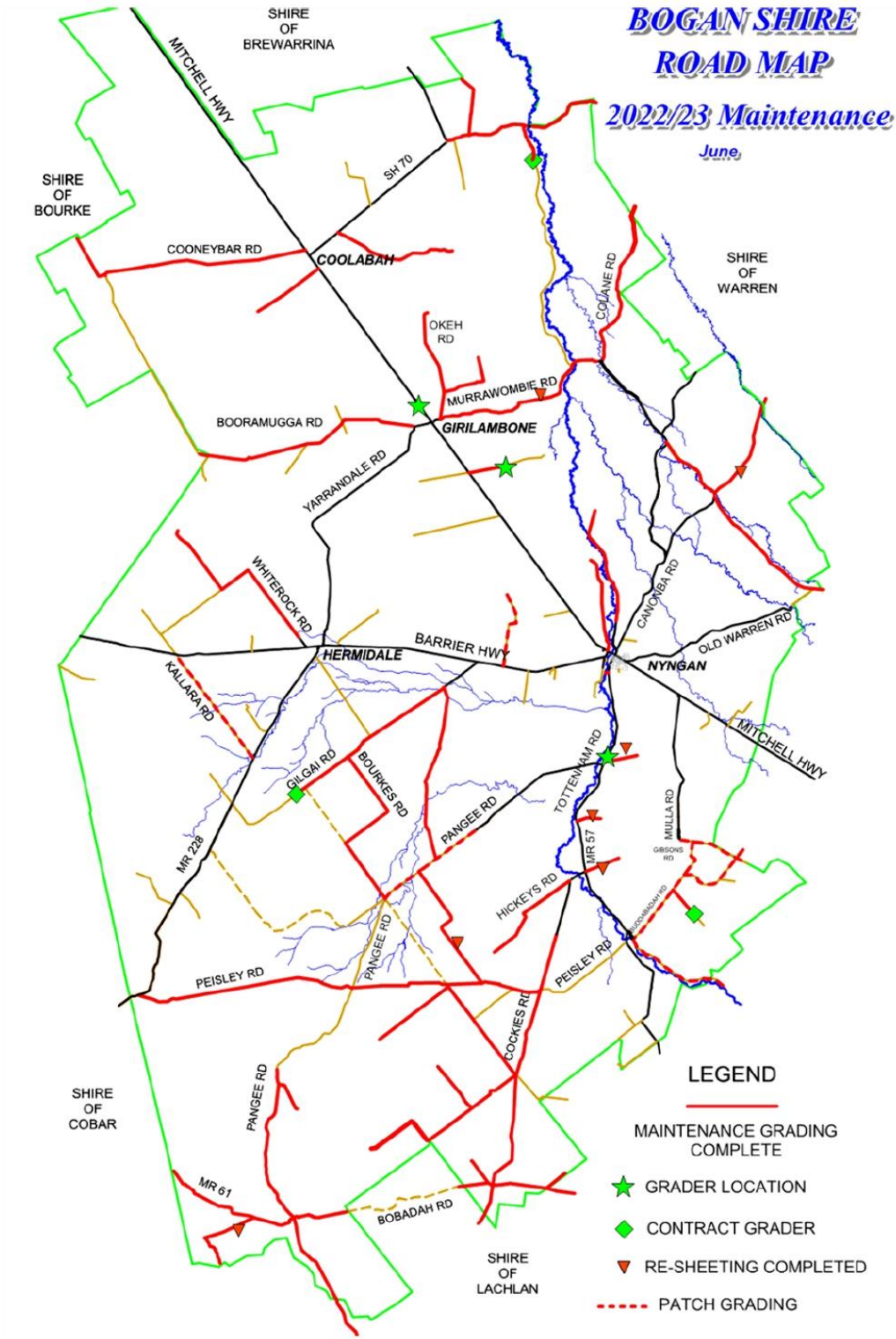
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- j. Once interested parties have accepted Council's offer and conditions, and pavers have been placed on their property, Council advertises the opportunity on its Facebook page and in The Nyngan Weekly for the public to collect pavers for a period of four weeks from a specified (delivery) date.

(Bright/Deacon)

Mayor Neill returned to the room and resumed the chair.



14 DEVELOPMENT AND ENVIRONMENTAL SERVICES REPORTS

14.1 DEPARTMENTAL ACTIVITY REPORT

The purpose of this report is to provide Council with information that is both statistical and informative regarding the activities of the Development and Environmental Services Department.

134/2023 RESOLVED that the Development and Environmental Services Departmental Activity Report be received and noted.

(Deacon/Boag)

14.2 COUNCIL POLICY DDES 004 - GRAFFITI AND VANDALISM REWARD POLICY

The purpose of this report is for Council to consider and adopt the Graffiti and Vandalism Reward Policy, DDES 004.

135/2023 RESOLVED that Council adopt the Graffiti and Vandalism Reward Policy, DDES004.

(Douglas/Deacon)

14.3 BOGAN RIVER BUSHCARE PROGRAM

The purpose of this report is to provide information to Council on the Bogan River Bushcare program including the establishment of a native plant nursery.

136/2023 RESOLVED that the Bogan River Bushcare Program report be received and noted.

(Boag/Milligan)

14.4 BULKY KERBSIDE COLLECTION

The purpose of this report is to update Council following a community survey to gauge the community's likely participation level in a kerbside bulky goods collection service.

137/2023 RESOLVED that:

1. Council not proceed to a one-off trial service of the Bulky Kerbside Collection.
(Milligan/Douglas)
2. Council invites people who cannot get out to the tip to register with Council, so that Council can help facilitate assistance.
(Douglas/Menzies)

15 PRECIS OF CORRESPONDENCE

**15.1 CORRESPONDENCE FROM THE HON TANYA PLIBERSEK MP, MINISTER FOR
 THE ENVIRONMENT AND WATER**

Correspondence from the Hon. Tanya Pliberseck MP, Minister for the Environment and Water

138/2023 RESOLVED that Correspondence from the Hon. Tanya Pliberseck MP, Minister for the Environment and Water be received and noted. **(Jackson/Boag)**

16 MAYORAL MINUTE

Banking situation in Nyngan

Clr Douglas left the room as she declared an interest

Clr Boag **MOVED** that Council write to the National Australia Bank regarding the future of the Nyngan Branch of the National Australia Bank

139/2023 RESOLVED THAT Council write to the National Australia Bank regarding the future of the Nyngan Branch of the National Australia Bank (**Boag/Deacon**)

Clr Douglas returned to the room.

16 MEETING CLOSURE

There being no further business, the meeting closed at 8.13pm.

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

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GENERAL MANAGER

.....

DEPUTY MAYOR

7 NOTICE OF MOTION

Nil

8 MAYORAL MINUTES

Nil

9 COMMITTEE MEETING MINUTES

Nil

10 GENERAL MANAGER’S REPORTS

10.1 CHECKLIST

Item	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	TfNSW has informed Council that it is considering trialling a Rail Active Crossing System at Hoskins Street crossing. This is a solar powered, wireless, flashing lights system. Discussed with Roy Butler 07/06/2023, for follow-up.
2	27/05/2022	122/2022	Nyngan Emergency Bore	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 extract water from the bore at this stage.	GM	Letter written to Minister for Water. Letter sent to the Minister for Lands and Water, Kevin Anderson, on 02/02/2023, raising this matter again, and advising him that NSW Public Works have provided Council with new project estimates. Due to the delays in project commencement, rising costs of pipe materials and other costs of construction, the estimated project cost has more than doubled to \$8.7M from \$4M.

Item	Date	Minute No	Matter	Action Required	Officer	Status
	23/02/2023	010/2023	Nyngan Emergency Bore			Minister’s office has advised that the question of amending the Water Sharing Plan has been referred to Department of Planning and Environment. DPE have advised that no additional funding is available for the project. UPDATE: Letter written to new Minister for Water, advising them of resolution 122/2022 and seeking clarification on funding.
	23/02/2023	010/2023	Nyngan Emergency Bore	Council vote for a 200ml pipe instead of 375ml pipe, on the basis of water consumption. A decision on the request for a meeting be deferred until Council receives a response from the NSW Government on whether the emergency	GM	Public Works & DPE have been advised of Council’s resolution to request a 200mm pipeline. On hold pending response.

Item	Date	Minute No	Matter	Action Required	Officer	Status
	27/04/2023	081/2023		bore hole project is to be funded. Virginia and Richard Woodlock be requested to provide Council with specific concerns of concerned landholders and rate payers in writing, so that responses can be prepared, and arrangements made for appropriate NSW Government staff to be available.		Letter sent to Richard and Virginia Woodlock advising them of Council's resolution.
3	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	Repairs complete – awaiting project sign-off by NSW Public Works. UPDATE: Currently filling storage with water.
4	25/02/2021	012/2021	Nyngan Railway Wool Dump	A colour information sign be erected at the Nyngan Railway Wool Dump on	DES	Pending commencement of grant-funded works.

Item	Date	Minute No	Matter	Action Required	Officer	Status
				stand adjacent to the dump. A cement path from the existing walkway to the sign be constructed, with available funding.		
5	27/05/202 27/04/2023	126/2021 061/2023	Addressing Local Job Vacancies	<p>Council delays the launch of the marketing campaign until progress is made with establishing more housing accommodation in Nyngan.</p> <p>Council make a preliminary start with the Marketing campaign by producing a short promotional video which can be distributed and uploaded by social media.</p>	DPCS	<p>Planning for new residential subdivision has commenced.</p> <p>UPDATE: Promotional video now completed. Report and presentation to Council refers.</p>
6	28/10/2021	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	<p>Initial meeting held with Museum Committee.</p> <p>Referred to Audit & Risk Committee.</p>

Item	Date	Minute No	Matter	Action Required	Officer	Status
	15/12/2023	281/2022		Council progress investigations and discussion to progress to Section 355 or an incorporated body for the functions of managing and operating the Nyngan Museum.		Investigations commenced regarding benefits of incorporation. Discussion paper circulated to Museum executive. UPDATE: Meeting to be held with Museum executive on 20/07/2023 to progress discussions.
7	25/11/2021	331/2021	Recycling Bins in Town Main Street	Recycling bins be made available in town main street.	DDES	Eight recycling bins received – considered in Council’s best interest to delay installation until main street paving completed.
8	23/06/2022 23/03/2023	126/2022 011/2023	New Water Treatment Plant Site	A further report to Council be considered for location of the New Water Treatment Plant, including the location as presented to Council, as well as other options outside/adjacent to the levy bank. Council request NSW Public Works to provide a report to Council on the relative cost of the proposed substation	DES	Public Works to discuss with Crown Lands use of site adjacent to electricity sub-station at the end of Dandaloo Street. Public Works has been requested to prepare a report on comparing the Dandaloo Street site with the raw

Item	Date	Minute No	Matter	Action Required	Officer	Status
				and existing pump station sites, including relative pros and cons.		water pumpstation site when funding deed has been signed. UPDATE: Awaiting funding deed from NSW Government for Safe and Secure Water Grant for initial investigation and design of new water treatment plant.
9	27/10/2022 15/12/2022	246/2022 314/2022	Pangee Street Paving	Council seek expressions of interest from interested parties to have old pavers delivered to an appropriate site of theirs for public to collect, for a set time, then review matter. The Pangee Street CBD footpath be completed with a coved trowel finish including rows of pavers installed across the path at regular intervals to break up the large areas of concrete.	DES	To be advertised when a construction schedule has been finalised. Advertisement posted on Facebook 05/06/2023. Report to Council refers. COMPLETED Successful tenderer has advised that the commencement of work will be delayed to July due to acceptance of other contracts before ours. UPDATE: Scheduled to start 25/07/2023.
10	28/07/2022	171/2022	Hoskins Street Subdivision	Council approves the draft subdivision layout, with following amendments	DES	Meetings between Alliance of Western Council and NSW

Item	Date	Minute No	Matter	Action Required	Officer	Status
				<p>Inclusion of a laneway between lots 18-23 and lots 28-33.</p> <p>Accordingly reduce the number of affected blocks to retain an average size of around 1000m².</p> <p>Strong representation is made to the Minister for Western New South Wales in relation to Biodiversity Fund contributions.</p>		<p>Government held of 17/08/22 and 19/08/22 to discuss.</p> <p>Alliance of Western Councils working with Urban Taskforce and making representation to Premier and Minister for Environment.</p>
11	25/08/2022	207/2022	Removal of Athel Pines	<p>Council removes all Athel Pines located adjacent to the airport.</p> <p>Council plants native species to replace the Athel Pines that will be removed, with funding to be allocated at the next budget review.</p>	DDES	<p>All Athel Pines have been removed. Replacement trees have been delivered.</p> <p>UPDATE: Site clean-up has been completed and planting commenced.</p>

Item	Date	Minute No	Matter	Action Required	Officer	Status
12	27/10/2022	260/2022	Kerbside Waste	Council trial the bulky kerbside collection, as a once of collection and the take-up be gauged, and a further report to Council.	DDES	Currently seeking quotations from contractors to complete the kerbside collection. Estimating the anticipated uptake to engage contractors has been difficult. To assist with this, a community survey has been prepared which will better inform Council’s decision-making. Survey was run for a four-week period ending 19 May 2023. COMPLETED
	22/06/2023	137/2023		Council not proceed to a one-off trial service of the Bulky Kerbside Collection. Council invites people who cannot get out to the tip to register with Council, so that Council can help facilitate assistance.		UPDATE: Community informed through local Newspaper, Facebook and radio. COMPLETED.

Item	Date	Minute No	Matter	Action Required	Officer	Status
13	27/10/2022	261/2022	Proposed Amendment to Bogan Local Environmental Plan	The General Manager investigates a process to identify suitable land, for large lot residential and undertakes community consultation, with a further report to Council.	DDES	In progress.
14	24/11/2022	274/2022	Voluntary Planning Agreement – Aurelia Resources	The General Manager negotiates a VPA with Aurelia Resources in the best interest of Council in consultation with the Mayor and Deputy Mayor.	GM	UPDATE: Negotiations completed. Report to Council refers.
15	23/02/2023	027/2023	Bureau of Meteorology	Council approach interested parties to undertake the manual weather observations, with a report back to Council.	GM	Notice placed in Nyngan Weekly newspaper. Names of interested parties forwarded to Bureau of Meteorology. UPDATE: Weather observations resumed at Nyngan Airport. COMPLETED

Item	Date	Minute No	Matter	Action Required	Officer	Status
16	23/03/2023	053/2023	Reclassification of Land – 8 Tabratong Street	Council submits a planning proposal under Section 28 of the Local Government Act to reclassify Lot 1 DP102113, Lot 2 DP355559 and Lot 3 DP 945184 from Community Land to Operational Land.	DDES	Council has requested Department of Planning to consider undertaking the reclassification as part of its Minor Amendments Project. UPDATE: Awaiting DoP consideration and advice.
17	27/04/2023	080/2023	Precis – John and Penny Hoy	Council request John and Penny Hoy to meet with the Mayor and General Manager to discuss their concerns.	GM	Letter sent to John and Penny Hoy advising them of Council’s resolution. Meeting held 01/06/2023. Agreement that Bogan Shire Council would seek comment from NSW Public Works as to action required. UPDATE: Response comments from NSW Public Works, which indicates that they don’t believe the storage dams are the cause of undue flooding on their property, forwarded to John and Penny Hoy.
18	25/05/2023	107/2023	Temporary Workers Accommodation	Report be prepared for Councils consideration regarding the costs and implications to change the land zoning using contents in	DDES	UPDATE: Report for future Council Meeting

Item	Date	Minute No	Matter	Action Required	Officer	Status
				RU1 – Primary Production under the Bogan Local Environmental Plan (LEP) 2011 from a ‘closed zone’ to an ‘open zone’.		
19	22/06/2023	139/2023	Banking Situation in Nyngan	Council write to the National Australia Bank regarding the future of the Nyngan Branch of the National Australia Bank.	GM	<u>UPDATE</u> – Letter written

1. Attachments

Nil

2. Recommendation

That the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the Checklist.

11 PEOPLE AND COMMUNITY SERVICES REPORTS

11.1 BOGAN BUSH MOBILE - TERM 2 REPORT

1. Introduction

The purpose of this report is to advise Council on the Term 2 activities of the Bogan Bush Mobile service.

2. Background

At the end of each term a report is provided to Council on the activities and statistics of the Bogan Bush Mobile service.

3. Discussion

Term 2 2023

April 24 – June 30, 2023

Statistics:

Total children enrolled: 95 official enrolments, 75 families

Term 2 attendance: 66 children

Term 2 sessions: 29 sessions

KM'S travelled: 5,446kms approx.

Current Areas being visited:

Tottenham, Nyngan, Marra, Mungery, Trangie, Hermidale, Marthaguy, Narromine, Duck Creek and Collie.

Term 2 2023 Activities

Term 2 for Bogan Bush Mobile has been a challenging term, with staff shortages leading to reduced play sessions being offered for the communities visited. Information regarding short-term changes have been communicated to families as they arise, keeping families updated and supporting the strong relationships BBM has with the communities they serve.

Existing families have provided feedback that sessions are highly valued in their communities and expressed desire that sessions continue to be offered where possible. New families have shown interest in different play sessions and a number of enquiries have been received about day care sessions at Marra and Collie. There have been new enrolments this term for both play sessions and long day care sessions.

Brittany Robb returned from leave, taking up the role of Service Leader. She has been welcomed back by staff, as well as children and families attending BBM.

The team continues to work with families, building strong bonds with children and parents, particularly those who are new to the service, as well as providing a welcoming and educational environment, founded on a play-based learning program each month.

4. Attachments

Nil

5. Recommendation

That the Bogan Bush Mobile report be received and noted.

11.2 BOGAN SHIRE YOUTH AND COMMUNITY CENTRE

1. Introduction

The purpose of this report is to provide information to Council on the operations and statistics of the Bogan Shire Youth and Community Centre (BSYCC).

2. Background

Since opening in October 2022, the BSYCC has been the venue for Bogan Shire Council's youth drop-in sessions and has also hosted a number of community events and groups.

In February 2023, drop-in sessions were increased from three days to five days per week and in June 2023 an Assistant Youth Officer was employed, using grant funding, to manage the increased numbers attending.

3. Discussion

Below are the activities and statistics of the Bogan Shire Youth and Community Centre for the period 10 October to 2 December 2022.

Statistics

Youth Drop-In Sessions	
Period	No. Attendees
October – December 2022	867
January – March 2023	1,216
April – June 2023	1,036

Staff at the Youth and Community Centre regularly receive inquiries and responding to emails for venue hire, room bookings and external providers wanting to run programs for all sections and age ranges of the community from the Centre.

Activities

The following activities have been hosted since the last report to Council:

- Nyngan High School - End of term reward for year groups, end of term BBQ, Year 11 Workshop, Outdoor education, camping cook sessions, and Troy and Boys
- Barnardos – Mums and Bubs Group, Reconciliation Day, and Bubble soccer
- Community Hub/ Red cross – Cooking Sessions
- Catholic Care – Communication with Teens Workshop
- Bogan Shire Council – staff training, staff meeting, Library story time, Library outdoor holiday activities, skate park community consultation, Waste 2 Art exhibition, Youth Week, National Rural Health Alliance Press Conference, and Winter holiday break
- Bogan Bush Mobile – regular sessions

- Nyngan Junior Rugby League committee - meeting
- The Boxing Shed – boxing training
- Nyngan Craft Group – weekly meetings
- Nyngan Garden Club - AGM
- Bogan Bush Fellas Social Group – fortnightly meetings
- Essential Energy – bushfire awareness training
- NSW Aboriginal Education Consultative Group Inc.– Nyngan AECG Committee Meeting
- Sight for All – Diabetes educational outreach program
- LBB Resin Art Supplies – Resin Workshop
- StormCo – Activities

It is pleasing to see the extent to which the BSYCC space has been used by the wider community this year.

StormCo once again returned to Nyngan and used the BSYCC as the base for their activities, as well as sleeping quarters for their volunteers. Until this year, StormCo had previously used the Nyngan Town Hall as their base and they were very appreciative of being able to use modern facilities, have warm showers, and use the large kitchen to prepare their meals from.

The Library craft sessions held for those aged under 12 were popular. Library staff also teamed up with Barnardos, Mission Australia, the Nyngan Community Hub, and Catholic Care to host two family fun mornings at the BSYCC, with 85 children plus their carers enjoying outdoor games and a BBQ each session.

During the recent winter school holidays, the Centre saw 150 youth attend a number of activities and events funded through the Winter Holiday Break Program grant. These included a boxing session, baking session, bubble soccer, a 3D printer workshop, laser tag, and resin workshop.

4. Attachments

Nil

5. Recommendation

That the Operational Report for the Bogan Shire Youth and Community Centre be received and noted.

11.3 BOGAN SHIRE SHORT PROMOTIONAL VIDEO

1. Introduction

The purpose of this report is to present to Council a short promotional video for distribution to local businesses, organisations, and government agencies to assist with recruitment efforts.

2. Background

In May 2021 Council resolved to provide \$30,000 for a relocation marketing campaign to promote the Bogan Shire as an attractive place to live and work. However, Council also resolved to delay the launch of this marketing campaign (126/2021), reasoning that it was necessary to first make progress on the establishment of the new residential subdivision prior to launching the campaign intended to stimulate interest in moving to Nyngan.

In April 2023 however, recognising the urgent need to fill many local jobs, Council resolved to make a preliminary start with the campaign by producing a short promotional video which could be distributed by social media (062/2023), using a portion of this budget.

3. Discussion

Council staff met with a local film maker in April to develop a brief for the development of the promotional video. Staff then proceeded to work with the film maker over the following months to develop the video, including making arrangements and gaining permissions for filming.

The video, which will be screened at the Council meeting is centred on Council's vision of "Comfortable Country Living" and several themes that contribute to this. These include:

- Families, housing, a sense of community, friendliness, safe community;
- Recreational and sporting opportunities, natural amenity, Nyngan's facilities;
- Healthcare, childcare, education;
- Various job opportunities across a range of industries including agriculture and mining; and
- "Working and living" in Nyngan in keeping with Council's resolution.

With this as the first of a series of promotional videos, it is envisaged that follow up videos could have specific themes such as:

- Employment in key areas of need,
- Housing development,
- A sense of community and culture,
- The natural amenity, recreational and sporting opportunities, and
- Facilities including healthcare and education.

A further report will be presented to Council to develop the brief for these videos.

4. Attachments

Nil

5. Recommendation

That the Bogan Shire short promotional video be made available for distribution to local businesses, organisations, and government agencies to assist with recruitment efforts.

12 FINANCE AND CORPORATE SERVICES REPORTS

12.1 INVESTMENTS JUNE 2023

1. Introduction

The purpose of this report is to outline the performance of Council's investment portfolio for the month of June 2023.

2. Background

In accordance with Clause 212 of the Local Government (General) Regulation 2005 a report must be presented to the Council setting out details of all the money that the Council has invested under section 625 of the Act.

3. Discussion

The Investment Report for June 2023 is shown below. At the 30th June 2023 Council had \$23.2 million invested. There has been an increase of \$636 thousand due to 100% of the Financial Assistance Grant received in advance.

Consideration of this report means that Council is complying with the Local Government (General) Regulation 2005.

Investment Movements for June2023

It is hereby certified that these investments have been made in accordance with the Local Government Act 1993 and the Regulations thereto.

REF	Source	Maturity	Days	% rate	Bal May 23	Bal June23
37908808	Commonwealth	15/12/2023	360	4.690%	6,000,000.00	6,000,000.00
87-912-8864	NAB	22/02/2024	365	5.050%	2,000,000.00	2,000,000.00
88-392-4994	NAB	29/05/2024	365	4.900%	2,000,000.00	2,000,000.00
43-308-2777	NAB	21/05/2024	365	4.900%	2,800,000.00	2,800,000.00
6894	NAB - Professional Funds	At Call		4.300%	9,821,945.42	10,458,376.59
	Balance <u>securities held</u>				22,621,945.42	23,258,376.59
	Balance Ledger 19010.8200.8200				22,621,945.42	23,258,376.59
	Summary by institution					
	NAB				16,621,945.42	17,258,376.59
	COMMONWEALTH				6,000,000.00	6,000,000.00
					22,621,945.42	23,258,376.59

4. Attachments

Nil

5. Recommendation

That Council receive and note the Investments Report for June 2023.

12.2 SUMMARY OF RATE AND ANNUAL CHARGES COLLECTION

1. Introduction

The purpose of this report is to provide a comparison of rate collections as at 30th June, 2023, with the same period last year.

2. Background

This report is provided for the information of Councillors.

3. Discussion

Rate Collections	2022-2023	2021-2022
Arrears Prior to 01/07/2022	421,385	502,677
First Instalment in arrears as at 30/06/2023	-71,667	-55,945
Second Instalment in arrears as at 30/06/2023	44,345	52,462
Third Instalment in arrears as at 30/06/2023	55,843	63,313
Fourth Instalment Outstanding as at 30/06/2023	273,105	107,632
Total Arrears	723,011	669,139
Total Outstanding	723,011	669,139
Monthly Transactions		
Amount Levied & B/Fwd	6,045,433	5,867,648
Add: Adjustments	55,689	44,232
Less: Payments to end of May	-5,295,618	-5,162,280
Less: Rebates	-82,493	-80,462
Add: Postponed	0	0
Gross Total Balance	723,011	669,139
Arrears of total amount levied %	11.9%	11%

Total arrears have increased from \$669,139 at 30 June 2022 to \$723,011 at 30 June this year.

Each instalment amounts to approximately \$1,511,000 (Total Rates, Waste, Water & Sewer Access Charges)

Council has 0 % in arrears on the first instalment. This is due to payments in advance coming off the first instalment figure.

Council has 2.9% in arrears on the second instalment.

Council has 3.6 % in arrears on the third instalment.

Council has 18 % in arrears on the third instalment.

As at the 30th June 2023 Council had collected \$133,338 more than at the same time last year. At the time of writing this report council has collected an additional \$208,122 reducing arrears to \$515,325 or 8.5% of the total amount levied.

The Sale of Land for unpaid rates is progressing with Recoupa currently preparing certificates for signing by the General Manager before the process can continue.

4. Attachments

Nil

5. Recommendation

That Council receive and note the Rates and Annual Charges Collection report.

12.3 ACCOUNTING TREATMENT FOR RURAL FIRE SERVICE FIRE-FIGHTING EQUIPMENT

1. Introduction

The purpose of this report is to bring to Council's attention again, the ongoing issue concerning the recording of the Rural Fire Service (RFS) red fleet assets in Council's annual financial statements. The Report also seeks confirmation that Council wishes to continue with the current accounting treatment of such assets – which is to not include them in Councils asset registers, even though this position will more than likely see Council with a qualified audit for 2022/2023.

2. Background

In 2020/2021 Bogan Shire Council did not recognise the (RFS) red fleet assets in its Financial Statements which led to the following comment under significant audit issues and observations in the Auditor General's letter to the Mayor:

Rural fire-fighting equipment not recognised in the financial statements

Council did not record rural fire-fighting equipment in the financial statements.

Rural firefighting equipment, specifically the red fleet vehicles, is controlled by the Council and should be recognised in their financial statements. This is supported by the requirements of the Rural Fires Act 1997 and service agreements between councils and the RFS.

The Department of Planning, Industry and Environment (inclusive of the Office of Local Government) confirmed in the 'Report on Local Government 2020' (tabled in Parliament on 27 May 2021) their view that rural firefighting equipment is not controlled by the NSW Rural Fire Service.

At the time of the 2020/2021 audit Council provided the following response to the NSW Audit Office

"Council has no control over the plant and equipment that the Rural Fire Service has in its possession. Council does not consider that it owns these assets and therefore has not included them in the Financial Statements for 2021.

Council does not have any knowledge of the extent of the RFS fleet operating within our district at any point in time and Council does not have any control over any of the RFS plant and equipment.

Council has no access to the plant and equipment nor is Council permitted to use any such equipment. Council does not insure this equipment or fix the equipment if there are damages to it.

Council does not have any input into decisions on the purchase or sale of any plant and equipment that the RFS has in its possession.

Council will not be including the plant and equipment in their asset registers unless this position changes.

In 2021/2022, a total of 43 Councils received qualifications for not recognising the Rural Fire Service (RFS) red fleet assets in their Financial Statements. Bogan Shire Council also did not record the RFS red fleet assets in their Financial Statements, however, due to the relatively small value which was required to be recorded in our Financial Statements being assessed as not material by Council and the auditors, a disclosure was added to the Financial Statements and we did receive a qualification.

3. Discussion

This matter has been the subject of much discussion within the NSW local government industry for a long time and is still continuing. The directions now from both the NSW Audit Office and the Office of Local Government (OLG) are that Councils need to bring firefighting equipment assets, “vested” in Councils under the provisions of the Rural Fires Act, 1997, to account in their balance sheets and consequently bear the cost of depreciating them.

Just to remind Council, Bogan Shire Council as well as many others, contributed to a fund so that Leeton Council could seek and receive advice from a very reputable “Top 5” accounting firm that supported the stance that Councils should not recognise the rural firefighting equipment in their year end financial statements. Nothing has changed in this regard.

Part of this advice argued that Councils do not control red fleet assets. Under Australian Accounting Standards, “Control of an asset refers to the ability to direct the use of, and obtain substantially all of the remaining benefits from, the asset. Control includes the ability to prevent other entities from directing the use of, and obtaining the benefits from, an asset.”

In general terms an unqualified opinion is expressed when the auditor is satisfied in all material respects that the financial statements are presented fairly. A qualified opinion is issued when a specific part of the financial statements contains a material misstatement, but the rest of the financial report is found to give a true and fair view.

On the 9th August 2022, before Bogan Shire Councils Financial Statements were finalised, LG NSW provided all Councils with a list of red fleet assets located within their RFS District together with the estimated cost, which was provided to them by the NSW Treasury. This meant that Council, if they wanted to, could assess the value of the red fleet assets. Bogan Shire Council did assess them and as the age of most of the assets contained in the schedule, meant they were already fully depreciated, there were only three assets left that were depreciable.

As stated, the value of these assets was deemed to be immaterial, therefore Council did not include the assets in their asset registers, as per Councils resolution, but also did not receive a qualification due to immateriality.

For 2022/2023 Council has again been provided with additional assets purchased during the year by the RFS and have again done an assessment. It is considered that the value is now material and would need to be added to Council's Asset Register or we would receive a qualified audit.

Council needs to consider if it is still their wish to not include the assets in Councils Asset registers for depreciation. If Council does include these assets, depreciation will amount to \$164,093.

Another option would be to only include the new assets in 2022/2023 which may help Council avoid a qualification. The depreciation if we chose this option would be \$72,750, however, that would mean Council would, more than likely, also include any future years purchases and there is no way to know what depreciation that might be.

The OLG, who have been directed by the Audit Office to address the RFS asset issues with Councils and have recently sent out "please explain" letters to the 43 Councils that received qualified audits due to not including the RFS assets in their balance sheets.

The letter states "*An unqualified audit opinion is a fundamental function of councils and failure to meet this requirement can be an indicator of poor financial management and council governance*"

The Councils were also requested by the OLG to provide them with.

- *The strategies implemented by Council to address the qualified audit opinion and address any significant audit risks raised; and*
- *A copy of the Audit Office's 2021-22 management letter and Council's response.*

Local Government NSW (LG NSW) have responded to the OLG and expressed serious concern and disappointment at the letter the OLG sent to the Councils that received qualifications. LG NSW have also gone as far as to say to the OLG that "LG NSW, and many Councils, don't believe the Auditor General is correct in her assessment that Councils are non-compliant with the Australian Accounting Standards by not recording the assets". This position is supported by a report commissioned by the OLG itself that found, 'Councils have no substantive rights for the control of fire-fighting equipment – vesting by itself does not confer control'. A copy of this letter is provided in the precis of correspondence.

To reiterate, Bogan Shire Council does not have any say in the acquisition, deployment, or disposal of Rural Fire Service assets, nor do we insure, repair, or even know where these assets are at any specific time. The Government's determination is inconsistent with the treatment of the comparable assets of other emergency service agencies such as Fire & Rescue NSW (FRNSW) and the State Emergency Service (SES). It makes sense that the entity that bought the RFS assets, vested them to Council, controls them, uses them, insures them, and sells them should be the same one that accounts for them.

For Councils reference and convenience, the below resolution comes from the July 2022 Ordinary Meeting of Council (161/2022):

1. *Taking into consideration the risks involved in potentially receiving a qualified audit report for 2021/22 Council nevertheless, as a matter of principle, does not include Rural Fire Service Red Fleet assets in Bogan Shire Council's 2021/22 annual financial statements based on the fact that Council does not control, manage, or govern Rural Fire Service assets, nor is it able to obtain a list of red fleet assets from the NSW Government.*
2. *Makes representation to the Local Member, the Minister for Emergency Services, the Minister for Local Government and the Deputy Premier on this matter.*

4. Attachments

Nil

5. Recommendation

That Council, considering the risks involved in receiving a qualified report for the 2022/2023 Financial Year, does not include Rural Fire Service Red Fleet assets in Bogan Shire Councils annual financial statements, based on the fact that Council does not control, manage, or govern Rural Fire Service assets

12.4 CARRY FORWARDS AND REVOTES FROM 2022/2023 CAPITAL BUDGET

1. Introduction

The purpose of this report is to advise Council of the carry-forward amounts for the 2023/2024 budget and to ask Council to revote on projects that had not commenced as at 30th June 2023.

2. Background

Division 5, Clause 211 of the Local Government (General) Regulation 2005, Authorisation of Expenditure, states that all prior approvals of a budget lapse at the end of the financial year except for any work, any service, any goods or materials, or any facilities, that has or have been started or provided or have been contracted to be carried out for the Council before the end of the year concerned.

If this is the case, then budgeted expenditure can be carried forward automatically to the next financial year where there are unspent budget amounts. However, if this is not the case then a revote is required.

3. Discussion

Council is required to revote on any projects or items of expenditure that had not commenced before the 30th June 2023 before work commences on these projects in the current budget year unless these projects were grant funded.

The attachments are :

1. A list of the carry forward items for noting by Council.

These are projects that have budget remaining or restricted funds from 2022/2023.

Either the work on these projects had commenced in the prior year and the Managers of these projects need to utilise the remaining budgets in the current year or they are grant funds not fully utilised in the 2022/2023 year for various reasons or specific projects that Council needs to restrict budgeted funds to ensure they are available in future years.

2. A list of projects that had not commenced before the end of June 2023 and Managers believe it was Councils intention to complete these projects or to add funds to them in prior years to enable the projects to be carried out. These projects require a revote from Council before they can be commenced in the current year or before the funds can be added to the current 2023/2024 budgets.

4. Attachments

1. Carry Forwards Revotes 2022-2023 - Budget remaining or restricted funds from 2022/2023 [↓](#)

2. Carry Forwards Revotes 2022-2023 - Projects not commenced before end of June 2023 [↓](#)

5. Recommendation

1. That Council note the Carry Forwards from 2022/2023 to 2023/2024.
2. That Council revoke the items listed that had not commenced prior to the 30th June 2023.

Carry Forwards Revotes 2022-2023

Projects that have budget remaining or restricted funds from 2022/2023.

Project	Source of Funds	Amount
Restrict Asset Girilambone Village Ameni	annual \$6k vote plus scrap metal less expended	28,564
Restrict Asset Village Ameni Coolabah	annual \$6k vote less expended	20,483
Restrict Asset Hermidale Village Ameni	annual \$6k vote less expended	31,736
Museum Activities/Projects	13-14 resolution not spent - c/o UF	5,357
Garford Engine - Proceeds from Historical Society	Funds Received 7/6/17	3,419
FAG Grant 2023/2024	2023/2024 Grant Received in Advance	5,563,766
Community Arts and Culture Fund	G/L 3890.460.603	4,995
Tongling Delegation	G/L 3853.460.603	4,185
Collerreina Hall	annual \$6k vote less expended	26,529
Recycling Facility	C/F 2022/2023	76,233
Waste Depot at Nyngan	C/F 2022/2023	24,414
Rural Fire Service	C/F 2022/2023	81,829
Renewal to 8A & B Dandaloo Street	2017/2018 Budget	24,479
Ground Tanks (Was W3720)	17/18, 18/19 & 19/20 Budget	22,984
Wyes Road Box Culvert	2017/2018 Budget	12,682
Crown Lands Management Act	Grant 18/19	34,866
Tree Planting Program - Nyngan Streets and Parks	Budget 2019/2020	13,081
Key System for Offices & Depot	Capital Budget 2020/2021	12,874
Workshop - Extension to Welding area	Capital Budget 2020/2021	30,463
Footpath Repair Program	Capital Budget 2020/2021	42,371
Kerb & Gutter Repair Program	Capital Budget 2020/2021	51,560
Hermidale/Nymagee Rd Maintenance	Hera Mine VPA	215,631
Nyngan Railway Heritage - R4R7	Grant 2020/2021	139,116
Davidson Park - R4R7	Grant 2020/2021	140,025
Youth Worker Program - R4R7	Grant 2020/2021	23,736

Project	Source of Funds	Amount
Street Lighting NCBA	Carbon Credit 2020/2021	50,078
Planning Portal Grant	Grant 2021/2022	72,026
Local Roads & Community Infrastructure Round 3	Grant 2021/2022	158,695
Rehabilitation on Local Roads - Fixing Local Roads Rnd 3	Grant 2021/2022	180,964
Lead in infrastructure residential Sub-division R4R8-032	Grant 2021/2022	735,279
ELC Extensions R4R8-033	Grant 2022/2023	150,923
Female Amenities for Larkin Oval R4R8-043	Grant 2021/2022	198,332
Youth Precinct at O'Reilly Park R4R8-045	Grant 2021/2022	154,615
Nyngan Waste and Resource Management Facility Upgrade - R4R8-048	Grant 2021/2022	83,531
Upgrade Pedestrian Footpath in Pangee St CBD - R4R8-062	Grant 2021/2022	243,099
New Pony Club Amenities Block - SCCF4-0331	Grant 2021/2022	35,260
Nyngan Golf Club - Ladies Toilet Block	Grant 2022/2023	50,800
Dog Pound - Additional Kennels and Flood Lights	Budget 2022/2023	28,409
GP Accommodation Furnishings	Budget 2022/2023	10,000
Magiq Budgeting Software - Migrate to Cloud	Budget 2022/2023	6,370
Shelter over Showground Broadcast Box	Donation Show Society 2021/2022	6,505
Resources for Regions Rnd 9 Projects	Grant 2022/2023	5,101,097
Stronger Country Communities 5 Projects	Grant 2022/2023	279,874
Fixing Local Roads Rnd 4 - Benah & Colane Rds	Grant 2022/2023	94,566
Fixing Local Roads Pothole Repair Grant	Grant 2022/2023	358,452
Regional & Local Roads Repair Program	Grant 2022/2023	2,942,419
Flood Emergency Grant AGRN1025	Grant 2022/2023	707,185
Public Library Infrastructure Grant 2022/2023	Grant 2022/2023	300,149

Carry Forwards Revotes 2022-2023

Projects that had not commenced before the end of June 2023

Project	Source of Funds	Amount
Pipe Culvert Renewals Rural roads (Was W3692)	17/18, 18/19, 19/20, 20/21, 22/23 Budget	120,000
Bridge Repair Program (Was W3691)	17/18, 18/19, 19/20, 20/21, 22/23 Budget	120,000
Waste Depot at Nyngan - Skip Drop Off From W4672 & W4357	Budget 2019/2020	45,000
Grid Removal Program	Budget 2018/2019	12,000
Purchase Hermidale Waste Facility Site	Budget 2021/2022	20,000
Bullock Wagon Display Shed at Nymagee St Wool Ramp	Budget 2021/2022	15,000
Extend Information Bays	Budget 2021/2022	5,000
Jack Hargreaves Park Signage	Budget 2021/2022	3,000

13 ENGINEERING SERVICES REPORTS

13.1 DEPARTMENTAL ACTIVITY REPORT

1. Introduction

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

2. Background

A regular activity report is provided for the information of Councillors.

3. Discussion

Roads

Road work undertaken for the reporting period 12th June 2023, to the 14th July 2023 consisted of the following:

No.	Name	Comments
	Local Roads	
81	Benah Road	Grading to improve formation completed
19	Cooneybar Road	Maintenance/re-sheeting grading commenced
67	Paynes Road	Grading to improve formation commenced
46	Drummy’s Road	Maintenance grading completed
12	Coffils Lane	Maintenance/re-sheeting grading continuing
22	Moonagee Road	Maintenance grading commenced
49	Temples Lane	Tree trimming commenced
24	Canonba Road	Heavy patching at Box Cowal completed
18	Elmore Road	Maintenance grading completed
61	O’Neill’s Road	Maintenance grading commenced

	Regional Roads	
57	The Bogan Way (Tottenham Road)	Heavy patching repairs completed
228	Hermdale Nymagee Road	Flood damage repairs continuing
57	The Bogan Way (Tottenham Road)	2km of re-construction and sealing completed
424	Monkey Bridge Road	Maintenance & flood damage repairs completed
	State Highways	
HW7	Mitchell Highway	Yarran Hut culvert installation continuing
HW7	Mitchell Highway	Mulla Road rehabilitation completed

Council’s jet patching truck has completed work on the following roads:

• Nyngan Town Streets	• HW7
• Hermdale Nymagee Road	• Yarrandale Road
• Cockies Road	• Tottenham Road
• Old warren Road	• Mulla Road
• Canonbar Road	• Cockies Road
• Murrawombie Road	• Pangee Road

The upcoming works program for Council’s Rural Works teams includes, but is not limited to the following works: -

- Commencing, or continuing maintenance grading, re-sheeting, or flood damage repairs on local roads.
- Commencing 10km’s of shoulder widening of the Mitchell Highway 14km north of Nyngan near the property Yarran Hut.
- Completing the construction of the culvert headwalls and wingwalls which is part of the Yarran Hut Shoulder Widening Project Mitchell Highway.

Works and Services

The work undertaken during this reporting period consisted of the following:

Civil Works

- Installed culvert for pedestrian crossing between Jack Hargreaves Park & the mine village car park
- New Toilet blocks erected Larkin Oval, lower weir (Jack Hargreaves Park), Girilambone Park, Teamsters Rest & Collerina Hall (contractors)
- Installed culvert for caravan access to Girilambone Park
- Upgrades to Davidson Park toilet block commenced (contractors)
- Repair and upgrade works carried out at Museum (contractors)
- Carrying out upgrades to BBQ shelter at Girilambone Park
- Erected information signage on levee bank walking tracks
- Carried out clean up at airport after tree removal
- Carried out maintenance at 8 Dandaloo Street
- Carried out mice baiting council depots and houses (ongoing)
- Installed pedestrian footbridges Junior league / Golf Club drains

Community Facilities

- Mowing/slashing and maintenance of ovals, reserves, and highway approaches to Nyngan (ongoing)
- Cleaning of town facilities.
- Cleaning and sweeping of the Nyngan CBD.
- Cleaning and maintenance of town streets and nature strips.
- Cleaning of town streets gutters and culverts.
- Assisted in installation of soft fall at Youth Centre & O'Reilly Park
- Weed spraying lane ways and culverts (ongoing)
- Carried out landscaping for new toilet block at Larkin Oval
- Pre and post works carried out at Showground and Racecourse for Duck Creek Races
- Ant spraying carried out on levee bank and nature strips (ongoing)
- Further landscaping carried out at upper weir camping area

Water & Wastewater

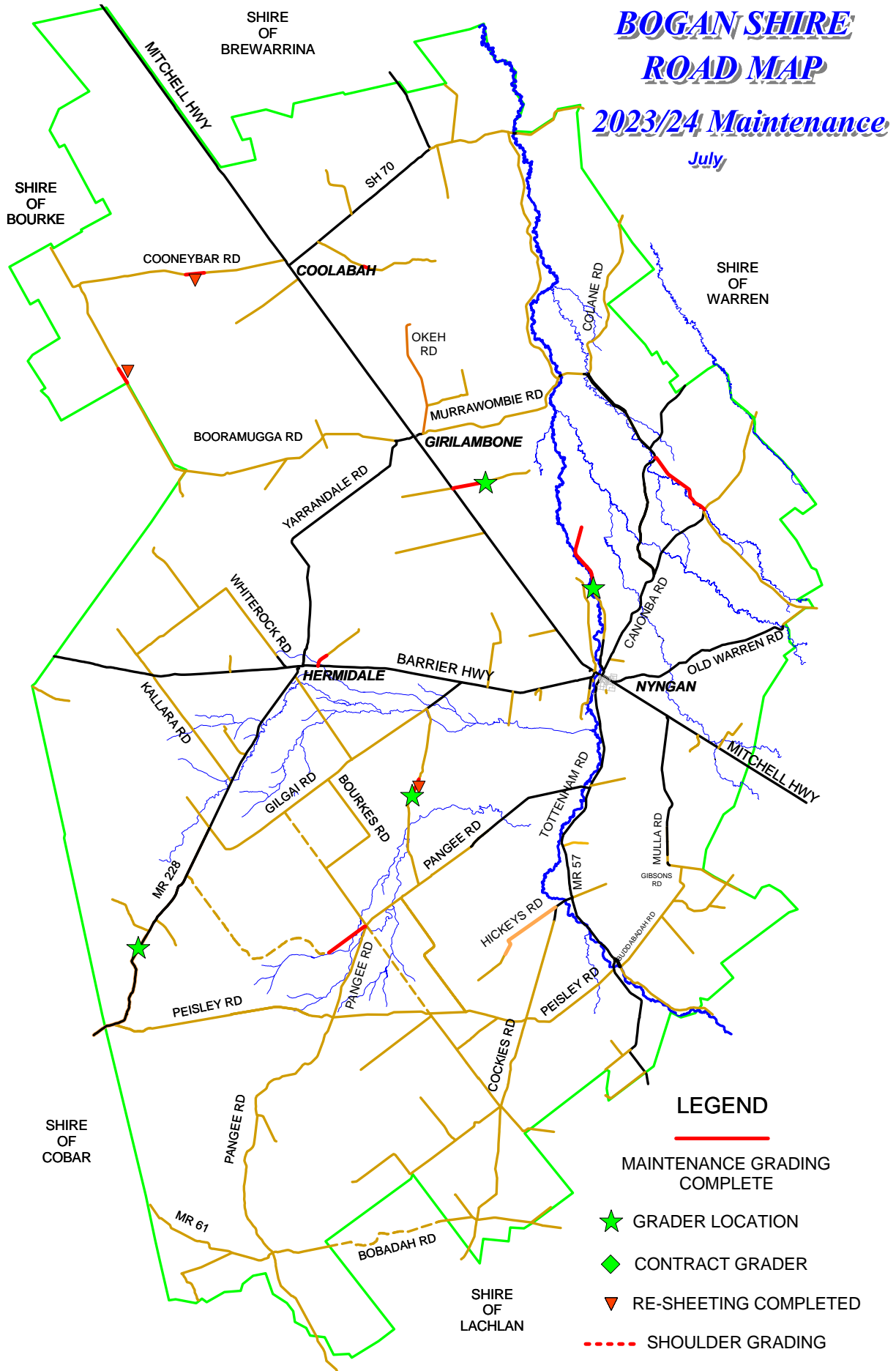
- Repaired broken water main at Mudal & Nymagee Streets intersection
- Repaired broken water service Nymagee Street
- Pumping from Wilga Tank to Girilambone ground tank (ongoing)
- Extended current Albert Priest Channel run to 31st July
- Started filling off river storage facility
- Carried out annual cleaning and condition assessment of overhead reservoirs Village water supplies
- Connected water & sewer to new toilet block at Larkin oval
- Assisted interflow with sewer relining (ongoing)
- Removed circulation pump at swimming pool for refurbishment

4. Attachments

1. Road Maintenance Map - July 2023 [↓](#)

5. Recommendation

That the Engineering Departmental Report be received and noted.



13.2 NYNGAN AERODROME LIGHTING

1. Introduction

The purpose of this report is to advise Council that the Nyngan aerodrome lighting system has completely failed and to recommend its replacement as soon as possible.

2. Background

The Nyngan Aerodrome runway and taxiway lighting was installed more than 50 years ago and has experienced increasing problems for several years.

The pilot activated system has not been operational in recent times, but lights could still be activated manually. Unfortunately, the wiring that is directly buried around the perimeter of the runway has now deteriorated enough to cause several breaks in the circuit which prevents all the lights from working.

3. Discussion

Of primary concern at the moment is not having suitable night-landing facilities for emergency flights including the Air Ambulance and Royal Flying Doctor Service. Aerodrome staff have advised that the number of night call outs averages about 15 per year with most of these being air ambulance landings. There have also been a couple of pilots requiring lights to be turned on for take-offs when they were unable to leave Nyngan before dark.

The estimated cost to replace the lighting system is \$330,000 which is made-up of materials and installation. Considering the cost of replacing the permanent lights, Council does not have the surplus funds available, leaving us with the option of borrowing funds or investigating grant opportunities.

Council was successful in receiving funds in 2020 under the Remote Airstrip Upgrade Program Round 7 for re-sealing the runway but was unsuccessful in round 8 for a lighting upgrade. This program is currently under review, and it is uncertain whether this funding will be available soon.

In the meantime, as a temporary measure, Council has purchased a full set of battery-operated emergency runway lighting to allow the aerodrome to be used at night by the air ambulance or the flying doctor service. These lights are only a temporary measure and consist of 48 lights that need to be individually turned on and placed on each side of the runway when an aircraft is scheduled to land.

The air ambulance advises Council's aerodrome reporting officer before they leave to fly to Nyngan and usually provide at least an hour's notice. This has allowed sufficient time for the existing permanent lights to be turned on and the runway to be checked for kangaroos before the aircraft arrives.

The temporary lighting takes some time to deploy and requires two staff to get them out quickly. In a situation where the notification period is reduced from one hour for some

reason, the lights will not be deployed in time. It is envisaged that Council would undertake to activate the lights for emergency services as part of the aerodrome operations but, it may be necessary to implement a fee for private pilots if they require staff to deploy the lights.

In summary, the temporary lights are an acceptable alternative in the short term only, leaving the replacement of the permanent lights as the only realistic alternative to Council should it wish to retain the capability to accommodate emergency night landings.

Council staff have commenced a review of available grant funding options which include the current Local Roads and Community Infrastructure grant, and upcoming Stronger Country Communities Fund and Resources for Regions grants. The restriction on how LRCI funding is to be spent may limit its use for this purpose:

“(May be spent on) improvements to council-owned assets (including natural assets) that are primarily for the direct use and benefit of the local community.

‘Direct use and benefit’ means the project, or the amenity provided by the project, is open for primary use by the local community and provides benefit to members of the local community. Projects involving public areas such as parks, playgrounds, footpaths, and roads generally meet this requirement.”

At this stage the preferred option is to seek a revision to our approved Resources for Regions Fund Round 9 grant allocation, as approval for this should happen within a relatively short time frame. Funding for the affected project could be reinstated from the next R4R round if Council wished to do so.

Grant funding options will be discussed in more detail at the Council meeting once further information is obtained.

4. Attachments

Nil

5. Recommendation

That:

1. Council consider and approve funding for the replacement of the Nyngan aerodrome lighting system.
2. That the General Manager makes arrangements to replace the Nyngan aerodrome lighting system as a matter of urgency in the best interests of Council given its vital role in enabling emergency night time landings.

13.3 NYNGAN CEMETERY LAWN SECTION HEADSTONES

1. Introduction

The purpose of this report is for Council to consider options for a headstone style for the new section of the Nyngan lawn cemetery.

2. Background

The original sections of the lawn cemetery have headwalls constructed by pouring a concrete base slab and the forming up and pouring a continuous strip headwall using steel formwork that was fabricated in Council’s workshop (FIGURE 1).



The current formwork is old and damaged and requires replacement. This formwork is expensive to replace, it is difficult to handle, and requires a lot of concrete and labour to construct a strip of headwall which results in significant cost to produce this style of headwall.

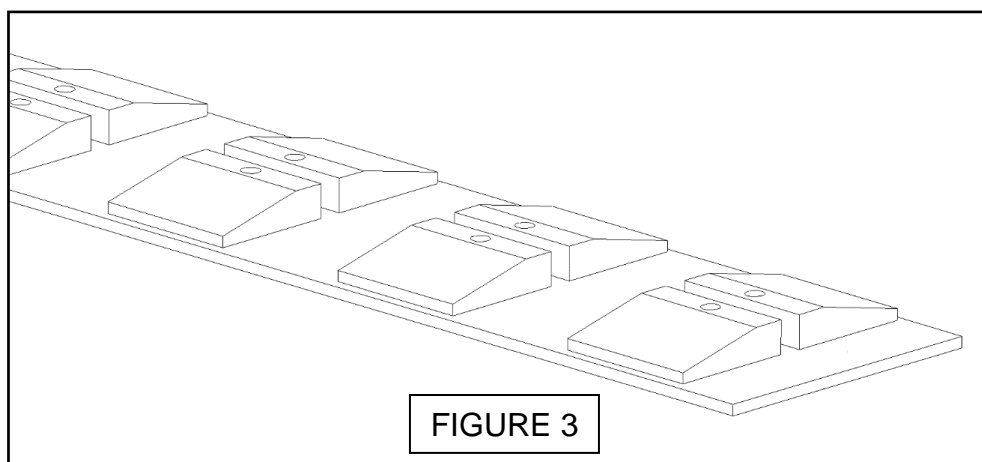
3. Discussion

Several years ago, Council was asked to construct a new section for the interment of ashes. This section was designed to facilitate construction and maintenance and consists of a concrete slab with separate individual, prefabricated concrete headstones that can be removed to place ashes (FIGURE 2).



Staff have suggested replicating this approach for the new section of the lawn cemetery, using individual precast concrete headstones that are poured off site and placed as required. These headstones can then have a brass or marble plaque fitted to the concrete as with the existing lawn and ashes sections.

A variation to the design of the cremations headstones has been proposed which incorporates a vase holder on a flat section at the top of the plaque and a steeper sloping face at the front for the plaque to be displayed (FIGURE 3).



There are many variations of headstones available for families to choose from, but the lawn cemetery is intended to follow a consistent simple design keeping maintenance in mind and allows the concrete headstones to be individualised with unique plaque designs. Council's cemetery policy states that no headstone, statue, or other structure is erected or constructed over an interment site in a lawn section.

The estimated cost to construct the strip headstone as per Figure 1 is currently \$188 per plot while the prefabricated headstone for Figure 3 is \$75 per plot. Either type will require new formwork to be manufactured by Council with the full strip style estimated at \$6,000 and the individual style at \$800.

4. Attachments

Nil

5. Recommendation

That Council introduces a new headstone style for the new section of the Nyngan lawn cemetery, as shown as figure 3 in this report, taking into consideration maintenance and construction cost.

14 DEVELOPMENT AND ENVIRONMENTAL SERVICES REPORTS

14.1 DEPARTMENTAL ACTIVITY REPORT

1. Introduction

The purpose of this report is to provide Council with information that is both statistical and informative regarding the activities of the Development and Environmental Services Department.

2. Background

A regular activity report is provided for the information of Councillors.

3. Discussion

Development Application Statistics

Two applications require additional information, one application is under assessment, one application was withdrawn and two applications were approved since Council’s meeting of 22 June 2023 as indicated in the table below:

DA NUMBER	APPLICANT	ADDRESS	DESCRIPTION	VALUE (\$)	PROGRESS
2022/040	A.T & B.M Burton	24 Pangee Street, Nyngan	New Serviced Apartments	\$700,000	Additional Information Required
2023/006	Mr P Rees	928 Moonagee Road, Nyngan	New Single Storey Dwelling	\$500,000	Approved
2023/007	Bloomfield Elliot Architects	11-13 Pangee Street, Nyngan	Extension to Existing Pre-School	\$249,500	Under Assessment
2023/010	Melissa Cain	66 Cobar Street Nyngan	Change of use	\$10,000	Approved
2023/011	Stanton Building	104-106 Nymagee Street Nyngan	Alterations & additions to a commercial building	\$757,316	Additional Information Required
CDC/001	Jason Billsborough	28 Dandaloo Street Nyngan	New single dwelling	\$664,010	Withdrawn

Included as Attachment 1 is statistical/historical information in relation to applications received including Development Applications, for information.

Council has taken a number of pre-Development Application enquiries since Council's meeting of 22 June 2023. Assistance continues to be provided to the community regarding the complexity in lodgment of applications on the NSW Planning Portal.

Waste Management

Kerbside recycling was transported to the Gilgandra Materials Recycling Facility for processing as normal in June and the Nyngan Waste Facility has also had an uninterrupted month of operations. Recycling tonnage was slightly down, as was the volume of materials recycled and the percentage of contamination was also slightly down but greater than the yearly average.

Statistics relating to Council waste management functions are contained in Attachment 2.

Compliance

Rehoming of animals continues to be challenging as the agencies Council deals with are experiencing increased numbers across the region due to Post Covid surrendering. Extra patrols were undertaken and advice given to owners about their responsibility to ensure their pets are microchipped and registered.

Compliance duties continued and are reflected in the statistics relating to these functions in Attachment 3.

Biosecurity

Biosecurity and Weed duties are reflected in the statistics outlined in Attachment 3. The Biosecurity Officer also attended meetings regarding the planning of the upcoming NSW Weeds Conference.

Town Gardens

Regular works and maintenance were carried out during the reporting period across all routine areas of responsibility with particular attention to high priority areas.

4. Attachments

1. Development Application Statistics [↓](#)
2. Waste Management Statistics [↓](#)
3. Compliance and Biosecurity [↓](#)

5. Recommendation

That the Development and Environmental Services Departmental Activity Report be received and noted.

Table 1: Building and Development

	Application Type							Application Value
	Totals		Breakup					
	DA	CDC	Dwellings	Shed/Garage/ Patio/Awning	Pool	Sub- division	Other	
July 2022	4		2	1			1	\$563,350.00
August 2022	4		1	2		1		\$631,140.00
September 2022	5		1	1	1	1	1	\$1,615,000.00
October 2022	7		1	5	1			\$964,473.00
November 2022	3			1			2	\$97,220.00
December 2022	1	-	-	-	-	-	1	\$700,000.00
January 2023	1	-	-	1	-	-	-	\$27,000.00
February 2023	-	-	-	-	-	-	-	-
March 2023	1	-	-	-	1	-	-	\$45,400.00
April 2023	5	-	1	1	1	-	2	\$1,368,799.00
May 2023	2	1	1	-	1	-	1	\$1,431,326.00
June 2023	0	0	-	-	-	-	-	-*
Total 2022/23	33	1	7	12	5	2	8	\$7,443,708.00
Total 2021/22	26	0	13	8	2	1	5	\$ 6,354,396.00
Total 2020/21	34	3	5	14	3	5	9	\$ 4,107,610.00
Total 2019/20	24	0	0	10	1	3	10	\$ 11,294,300.00

* Note 1: Due to staff absence, no applications were accepted by Council during the reporting period.

Table 2: Kerbside Waste Collection

	No of Premises with Service	Services Provided (Bins Emptied)	Tonnes Collected
July 2022	1,035	5235*	86.90
August 2022	1,035	5627*	103.70
September 2022	1,035	6065*	99.10
October 2022	1,035	6872*	105.90
November 2022	1,035	6035	94.80
December 2022	1,035	6,471	99.20
January 2023	1,035	6,529	106.50
February 2023	1,038	5,211	84.10
March 2023	1,038	5,391	87.70
April 2023	1,038	5,281	78** **
May 2023	1,038	6,323	90.80
June 2023	1,038	5,179	83.40
Total 2022/23	1,035	46,420	1042.10
Total 2021/22	1,036	65,737	1085.64
Total 2020/21	1,029	N/A	302.10

Note 1 - * estimation due to technical issues

Note 2 - ** one load not weighed due to fire in truck

Table 3: Kerbside Recycling Collection

	No of Premises with Service	Services Provided (Bins Emptied)	Tonnes Collected	Tonnes Recycled	% Contamination
July 2022	898	865*	10.60	8.10	24.00
August 2022	898	845*	13.30	10.31	22.00
September 2022	898	156*	2.80	2.17	22.00
October 2022	898	-	0.00	0	0
November 2022	898	-	0	0	0
December 2022	898	-	0	0	0
January 2023	898	880*	8.50	7.15	15.84
February 2023	891	1,203	11.50	8.80	22.59
March 2023	891	1,180	13.00	9.87	24.05
April 2023	891	851	8.40	6.57	21.76
May 2023	891	1,466	14.00	10.83	22.68
June 2023	891	1,112	10.40	8.04	22.66
Total 2022/23	898	5,812	92.50	71.84	16.47
Total 2021/22	898	7,635	110.10	78.62	21.72
Total 2020/21	896	N/A	117.50	90.92	22.53

Note 1 - * estimation due to technical issues

Note 2 - September tonnes down due to issues with the garbage truck, preventing transportation of recyclables to Gilgandra

Note 3 – October, November and December tonnes down due to road closures preventing transportation to Gilgandra

Note 4 – January tonnes down due to Covid shut down at MRF

Note 5 - April one week to landfill due to truck not going to Gilgandra

Table 4: Nyngan Landfill - Disposal, Recycling and Resource Recovery

	Mixed Waste (Tonnes)	Recoverable Materials (Tonnes)			Recyclable Materials (Tonnes)		
		Organic	Masonry	Soil	Paper / Cardboard	Metal / eWaste	Other
July 2022	170.33	61.54	2.24	-	5.10	6.54	4.01
August 2022	166.85	23.55	1.24	-	4.38	10.80	0.89
September 2022	166.02	35.57	0.62	-	2.46	11.10	1.01
October 2022	6.90	-	6.00	-	0.30	-	-
November 2022	18.36	11.22	-	-	0.30	2.40	0.02
December 2022	115.38	29.08	172.00	-	9.78	14.82	1.37
January 2023	103.23	90.25	19.10	-	6.12	11.40	0.85
February 2023	123.96	88.23	2.00	-	4.00	9.05	1.44
March 2023	151.00	89.28	12.00	-	2.58	9.42	1.81
April 2023	138.84	105.70	195.00	-	4.86	10.86	0.71
May 2023	99.29	36.95	24.20		3.48	3.90	0.01
June 2023	65.46	45.72	6.00		2.10	9.98	1.16
Total 2022/23	1,325.62	617.09	440.40	-	45.46	100.27	13.28
Total 2021/22	2,025.65	601.71	192.74	-	55.02	73.18	14.84
Total 2020/21	1,921.52	680.78	452.54	-	56.28	78.96	34.84

Note 1 - Other materials recycled include: used engine oil, batteries, gas bottles, fire extinguishers, mattresses, tyres mixed recyclables and cleaned chemical drums.

Note 2 - All weights are nominal weight converted from CuM or assumed tare weights.

Table 5: Vouchers and Expected Resource Recovery

	Vouchers			Out for Recycling / Recovery			
	No Issued	No Redeemed	Value Redeemed	Metal / eWaste	Mattresses	Tyres	Other
July 2022		293	\$ 14,900	-	3.40	4.10	0.004
August 2022		216	\$ 10,805	-	-	-	-
September 2022		235	\$ 11,540	-	-	-	-
October 2022		1	\$ 50	-	-	-	0.60
November 2022		78	\$ 3,830	2.40	0.02	-	-
December 2022		363	\$ 18,361	-	-	-	-
January 2023		314	\$ 16,275	-	-	-	-
February 2023		269	\$ 12,862	-	5.72	2.14	3,300.00
March 2023		306	\$ 15,334	82.38	0.18	0.84	-
April 2023		323	\$ 15,530	-	-	-	-
May 2023		216	\$ 10,164	-	-	-	-
June 2023		237	\$ 12,194	9.98	4.32	2.34	0.05
Total 2022/23	14,604	2,851	\$ 141,845	94.76	13.64	9.42	3,300.64
Total 2021/22	14,604	12,710.00	140,590.00	153.78	17.18	6.16	0.12
Total 2020/21	N/A	4,015	N/A	185.54	16.68	7.52	-

*Other- this is litres of used engine oil

Note - Redeemed voucher number and value have been edited throughout the table as a result of a reporting update.

Table 6: Compliance

	Animals Impounded	Animals Released		Complaints/ Enquires
		To Owner	Rehomed	
July 2022	11	8	3	24
August 2022	7	0	6	27
September 2022	4	2	2	22
October 2022	5	2	3	24
November 2022	8	2	0	17
December 2022	9	4	1	17
January 2023	10	4	3	31
February 2023	6	3	0	18
March 2023	4	3	3	7
April 2023	4	3	0	15
May 2023	3	4	0	12
June 2023	2	1	5	14
Total 2022/23	73	36	26	228
Total 2021/22	62	28	35	185

Note - Includes dog, cat, straying stock, dead animals, and general matters

Table 7: Biosecurity

	Inspections (Weeds Action Program)					Weed Control Spraying
	Private Land	Council Land	Roads (Km)	Waterways	Rail (Km)	
July 2022	3	2	482	0	0	18
August 2022	1	1	429	0	0	6
September 2022	6	1	283	0	0	23
October 2022	11	3	126	1	0	26
November 2022	19	4	450	0	0	16
December 2022	5	2	622	0	0	44
January 2023	13	0	0	0	0	17
February 2023	8	2	213	0	83	21
March 2023	7	0	1062	0	0	22
April 2023	2	1	243	0	0	18
May 2023	4	2	424	0	0	5
June 2023	3	3	181	167	35	6
Total 2022/23	82	21	4515	168	118	222
Total 2021/22	95	16	4247	9	200	228

Table 8: Nyngan War Memorial Pool

	Number of Visitors
October 2022	1,658
November 2022	2,168
December 2022	3,858
January 2023	4,265
February 2023	3,472
March 2023	2,643
April 2023	Closed
Total 2022/23	18,064
Total 2021/22	18,202

15 PRECIS OF CORRESPONDENCE**15.1 CORRESPONDENCE FROM NYNGAN HIGH SCHOOL, SPONSORSHIP REQUEST**

Attached is a copy of correspondence received from Nyngan High School, requesting sponsorship from Bogan Shire Council.

Directors of Finance and Corporate Services Note: Council has provided \$6,000 for sponsorship this financial year.

Attachments

1. Request for sponsorship from Nyngan High School [↓](#)

Recommendation

For Council's Consideration



NYNGAN HIGH SCHOOL

PO Box 156
 Telephone 02) 68 321004
 Facsimile 02) 68 321769

Principal: B Wright
 Deputy: T Buchanan

Email: nyngan-h.schools@det.nsw.edu.au

Dear Derek

Nyngan High School are again in 2023 striving for a 95% attendance rate from our students, and we need your help. We invite you to join us to make this a community initiative and to help recognise our students.

School attendance impacts students' academic achievement and other long-term outcomes. Key enablers for successful implementation of attendance improvement strategies in schools include leadership, community engagement and shared accountability.

To encourage and reward our students who achieve a 95% or higher attendance they are taken on a 4 day all expenses paid excursion.

This excursion provides a great opportunity for your organization to support our local students.

We hope that you will consider contributing to this very important goal we strive for. As a sponsor, Bogan Shire Council would be recognised in all the information disseminated about 95% attendance.

If 95% attendance is not something you would like to sponsor but would like to assist elsewhere, we have an extensive range of areas that would benefit greatly from your contribution.

I will follow up with you shortly to answer any questions you may have. If you wish, please take a moment to indicate that you will help to sponsor this yearly excursion by calling me on 6832 1004.

Thank you,

Benn Wright
 Principal
 Nyngan High School

BOGAN SHIRE COUNCIL	
FILE	R/N
03 JUL 2023	
ASSIGNEE	

15.2 GIRILAMBONE COMMUNITY ASSOCIATION

Attached is a copy of correspondence from The Girilambone Community Association.

Attachments

1. Outcome of Community War Memorial Fund Application [↓](#)

Recommendation

That the correspondence from the Girilambone Community Association be received and noted.

GIRILAMBONE COMMUNITY ASSOCIATION

3 Myall Street
Girilambone NSW 2831

ABN 72 510 454 950

Bogan Shire Council
The General Manager
PO Box 221
Nyngan NSW 2825

26 June 2023

Dear Derek, Haylee and Jackson

Re: Outcome of Community War Memorial Fund application for CWA War Memorial

We are writing this letter to express our sincerest gratitude for providing us with your letters of support during our funding application process for the CWA War Memorial in Girilambone.

We truly appreciate the time and effort you all dedicated to putting together these letters which highlighted the importance of our project. Your endorsement not only added credibility to our proposal but also helped to showcase the value of our endeavour to the funding committee.

We would like to let you know that we were able to secure the much-needed funding for the CWA War Memorial and that your support played a big role in our success in securing it, and we recognize that it would not have been possible without your contribution.

We are immensely grateful for your continuous support. The funding received will be used to put together the required condition assessment which will assist us in the future in completing required works in an appropriate manner as discussed in the meeting with Derek late last year.

Once again, thank you for your support. We look forward to keeping you updated on our progress and the positive difference you made in our little community.

With sincerest appreciation,

Girilambone Community Association

President
Carmel Walsh
0419 297 351

Secretary
Anthony Gibson
0429 683 313

Treasurer
Shirley Boothman
0448 217 526

girilamboneca@gmail.com

15.3 CORRESPONDENCE FROM SCOTT PHILLIPS, CHIEF EXECUTIVE LG NSW

Attached is a copy of correspondence from Scott Phillips, Chief Executive LG NSW

Attachments

1. Correspondence from Scott Phillips, Chief Executive LG NSW to Office of Local Government [↓](#)

Recommendation

For Council's Consideration:

- Correspondence be received and noted.



Our ref: R90/1033-16 Out-35962

27 June 2023

Mr Ashley Albury
A/ Deputy Secretary, Local Government
Office of Local Government

By email: olg@olg.nsw.gov.au

Dear Mr Albury

Qualified audit opinion and Rural Fire Service (RFS) mobile assets

I write to express serious concern and disappointment at the letter sent by the Office of Local Government (OLG) to councils late last week regarding qualified audit opinions issued by the NSW Auditor General.

As you would be aware, many councils have taken the principled and professional decision not to recognise RFS mobile assets (the 'red fleet') in their financial statements as councils have no control over the acquisition, deployment or disposal of these assets.

Councils were disappointed, but not deterred by the Auditor General's qualified opinions in 2022/23. Feedback from our members indicates they will not change their position and we anticipate many more councils will receive qualified positions next year unless the NSW Government reverses the nonsensical position of councils being responsible for State red fleet assets.

In the opinion of Local Government NSW (LGNSW) and many councils, the Auditor General is not correct in her assessment that councils are non-compliant with the Australian Accounting Standards if they decided not to record these assets.

The position of LGNSW and councils is supported by:

- The State Government's own Local Government Accounting Code of Practice and Financial Reporting, which provides for councils to determine whether or not they record the RFS assets as council assets based on their professional opinion.
- A 7 June 2022 letter from the Secretary of the Department of Planning and Environment to the Auditor General which makes clear that 'councils need to assess whether they control any rural firefighting equipment in accordance with Australian Accounting Standards'.
- An independent expert's 2018 report by GAAP Consulting commissioned by the OLG and only recently released after a successful GIPA request, which found that 'councils have no substantive rights for the control of fire-fighting equipment – vesting by itself does not confer control'. The expert report went on to recommend that:

LOCAL GOVERNMENT NSW
GPO BOX 7003 SYDNEY NSW 2001
L8, 28 MARGARET ST SYDNEY NSW 2000
T 02 9242 4000 F 02 9242 4111
LGNSW.ORG.AU LGNSW@LGNSW.ORG.AU
ABN 49 853 913 882

- *Fire-fighting equipment recognised by some councils should be derecognised.*
- *Fire-fighting equipment vested in councils should be recognised at cost in the RFS's financial statements.¹*

These positions are further supported by the opinions of accounting professionals in councils right across NSW who have reasonably determined that RFS mobile assets should be recorded in the financial statements of the RFS.

LGNSW is perplexed as to why the NSW Government is now taking such a hard line in insisting that the assets be recognised as local government property. It is logical that RFS assets be treated consistently and in the same way as assets of other emergency service agencies such as the State Emergency Service (SES) and Fire & Rescue NSW, with ownership vested in the respective agencies.

It is the clear position of LGNSW that councils should not record RFS mobile assets in their financial statements and LGNSW will continue to recommend that councils continue to consider their own position on this matter.

It is especially disappointing that contrary to its previous position the OLG is now requesting so many councils across NSW to divert already strained council resources to provide OLG with further information on strategies to respond to the nonsensical position that RFS mobile assets are not assets of the RFS. This diversion of resources will distract councils from their core work for the community and will not provide any public benefit.

Councils across NSW rely on the support of the OLG. I strongly urge the OLG to reconsider its current position on this matter and rightly recognise that RFS mobile assets should be recognised as assets of the RFS for accounting purposes – in line with the independent expert advice OLG commissioned on this matter in 2018.

For further information, please contact LGNSW Director Advocacy, Damian Thomas on 02 9242 4063 or at damian.thomas@lgnsw.org.au.

Yours sincerely



Scott Phillips
Chief Executive

Copy to: All General Managers and Chief Financial Officers of councils in NSW

¹ Colin Parker, Principal and Former Member of the Australian Accounting Standards Board, GAAP Consulting, 'Review of accounting for 'red truck' assets and other fire-fighting equipment in NSW', April 2018. The report is listed as a final draft, and notes that the Office of Local Government asked that the draft report first be considered by NSW Government before any consultation with the local government sector. This local government consultation on the report never occurred and the report was not shared publicly until it was successfully released under a Government Information (Public Access) Act request in 2022.

16 MEETING CLOSURE