



BOGAN SHIRE COUNCIL

Business Paper

March 2022



Published Recording of Council Meeting

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16 March 2022

COUNCIL MEETING NOTICE

The next Ordinary Meeting of Council will be held in the Council Chambers on Thursday 24 March 2022 at 5.30pm.

Prior to the commencement of the meeting, Councillors will inspect the construction of the Bogan Shire Youth and Community Centre at 5.00pm.

AGENDA

1. Opening Prayer
2. Remembrances
3. Apologies
4. Declarations of Interest
5. Confirmation of Minutes of Closed and Confidential Meeting held on 24 February 2022.
6. General Managers Closed and Confidential Report

1. Sale of Land – John Hoare OAM Business Park

The General Manager is of the opinion that consideration of these items is likely to take place when the meeting is closed to the public for the following reason: in accordance with the Local Government Act, 1993, Section 10A (2) (c) because it is information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

7. Director Development & Environmental Services' Closed and Confidential Report

1. Netwaste Household Chemical Clean Out

The General Manager is of the opinion that consideration of these items is likely to take place when the meeting is closed to the public for the following reason: in accordance with the Local Government Act, 1993, Section 10A (2) (c) because it is information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

8. Confirmation of the Ordinary Minutes of the Council Meeting held on 24 February 2022
9. Committee Meeting Minutes
10. General Manager's Report incorporating reports from:
 - People and Community Services
 - Finance and Corporate Services
 - Engineering Services
 - Development and Environmental Services
11. Correspondence

Your attendance at this meeting would be appreciated.

Yours sincerely

Melissa Salter
Executive Officer



Committee Meeting Minutes
to the Ordinary Meeting of Bogan Shire Council 24 March 2022

COMMITTEE MEETING MINUTES

1 NYNGAN MUSEUM MEEETING

Nyngan Museum Meeting Date: 2nd March 2022

Present:

Leonie Montgomery, Anna Corby, Collin Pardy, Yvonne Pardy, Anne Quarmby

Val Keighran, Donna Pumpa, Stewart

Apologies: *Ray Donald, Gwen Mathews, Vince Wren*

Guests

Minutes last meeting: Move: *Anna* second: *Val*

Business Arising

Ray followed up the welding of the pew, and it is now complete and looking good in its forever home in the Railway Refreshment Room.

We have not been notified yet who our new council representative will be.

The Coolabah Gaol will need some maintenance before it can be moved. It is with the Bogan Shire.

The broken window upstairs has been repaired.

The first of the boomerang bags are now in the VIC. Thanks Donna

Treasurers Report attached: read and moved: *Collin* 2nd: *Anna*

Correspondence In:

Requests from Robert Kennedy re David Priest

Adam Shand re 1880s flood house

Correspondence Out:



**Committee Meeting Minutes
to the Ordinary Meeting of Bogan Shire Council 24 March 2022**

Co Ordinator's Report:

All the weeds have been poisoned ready for the opening on 17th March. Thanks Donna for doing the work.

Louise Lovett has decided to join us and will be working on Thursdays. Welcome Louise.

The shed opening on 17th. We have invited Bogan Shire Councilors, schools and special visitors with previous museum connections. Two councilors have replied. Nine children and 2 adults will represent the primary School. Have no further RSVPs at this time. Shire will be contacted for the loan of chairs and possibly disposable cups. The ribbon will be cut about 10am in the yard outside the shed, then visitors will walk through the shed, through the museum and have morning tea on the platform.

Friends of the Museum. After paying visits, free entry will be available on the next visit with another paying customer. A card will be issued so that "friends" can be identified. All information will be put in local paper.

Donna has done new souvenirs, Bogan Bull Dust, \$4. Meeting moved she be paid for cost of bottles .passed

Wendy Clissold's T Towel and Hand towel will be on sale when we have stock

Louise and Leonie have washed the items in the shed ready for the opening.

New Arrivals for accessioning and display

Photographs that include the Parsons, White, Black sulky.

Wooden box and poison bottle donated by Donna Pumpa

A Larkins Chemist medicine bottle donated by Craig Dutton

Hat signed by Les Boyd, Dennis O'Callaghan, Philip Dutton and Shane McLaughlin on a Legends tour in Nyngan. Donated by Jonathon Corby

Posters from the Palais Theatre have been donated by the Ling Family

Meeting Closed: 10.35am



**Committee Meeting Minutes
to the Ordinary Meeting of Bogan Shire Council 24 March 2022**

Nyngan Museum Meeting AGM Date: 2nd March 2022

Present:

*Donna Pumpa, Leonie Montgomery, Anna Corby, Collin Pardy, Yvonne Pardy, Anne Quarmby
Val Keighran, Denice Simpson*

Apologies:

Ray Donald, Vince Wren, Gwen Mathews

ALL POSITIONS DECLARED VACANT

Position	Nomination	Declared
President	Ray Donald	Y
Vice President	Gwen Mathews	Y Letter accepting
Secretary	Anna Corby	Y
Treasurer	Collin Pardy	Y

Note: Suggested by Leonie we need a new position for events co ordinator. Gwen was nominated and declared successful, subject to her agreement,as her letter of nomination was for vice president only.

No further business, meeting declared closed @ 9.45am

General meeting opened 9.46am

**Committee Meeting Minutes
to the Ordinary Meeting of Bogan Shire Council 24 March 2022**

Nyngan Museum Treasures Report

<u>Nyngan Museum Support Group.</u>		
<u>Financial Statement for February 2022</u>		
Balance as at 31st January 2022		\$1,853.44
<u>Income:</u>		
Donation from Peter Tommerup	\$ 10.00	
	\$	
	\$	
	\$	
	\$	
	\$ 10.00	\$ 10.00
		\$ 1,863.44
<u>Expenditure:</u>		
Cheque 106-Murray Views Coolers & T/towels	\$708.62	
	\$	
	\$	
	\$	
	\$ 708.62	\$ 708.62
Cash Book Balance as at 28th Feb. 2022		\$ 1,154.82
<u>Bank Reconciliation:</u>		
Bank Statement as at 28th Feb.2022		\$1,863.44
Less Unpresented Cheques.106 Murray Views		\$708.62
Adjusted Bank Statement Balance as at 28 Feb. 2022		\$ 1,154.82



**General Manager's Report to the Ordinary Meeting
of Bogan Shire Council 24 March 2022**

REPORT TO ORDINARY MEETING OF COUNCIL – GENERAL MANAGER'S REPORT

Mayor and Councillors

The following reports are submitted for consideration:

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	23/09/2021	249/2021	Increase of train speed through Nyngan	Prior to the next state Election, Council raise the issue of the Hoskins Street Level Crossing & Train Speeds with Barwon candidates.	GM	Pending discussions closer to State Elections.
2	24/04/2019	117/2019	Cobar Water Board	Whilst Council is prepared to have discussion with CWB to explore options for delivery of water to minor users within the Bogan Shire LGA, it does not agree to the Board's proposal at this stage.	GM	Further correspondence sent to CWB. UPDATE: Meeting held with CWB 30.11.2021. Further discussion to take place.

**General Manager’s Report to the Ordinary Meeting
of Bogan Shire Council 24 March 2022**

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

**General Manager's Report to the Ordinary Meeting
of Bogan Shire Council 24 March 2022**

4	28/11/2019	368/2019	Repairs to Nyngan & Cobar Emergency Water Storage	The General Manager be authorised to procure sufficient quantities Geosynthetic Clay Liner & Geotextile material to complete the remediation works, according to specifications provided by NSW Public Works. The procurement be carried out by way of quotations.	DES	<p>Remediation work postponed due to wet weather and soft floor. Floor continues to be wet and soft from rain.</p> <p>Requires warm weather to dry out sub- base UPDATE: A contract variation has been issued to the Contractor for change of scope for repairs to inside batters.</p>
5	17/12/2020	373/2020	Lack of Vacation Care/Before and After School Care in Nyngan	Council approach both primary schools in Nyngan. Council bring this matter to the attention of local State Member and Hon. Sam Farraway MLC.	DPCS	<p>Meetings held with Principals of Nyngan Public and St Joseph's Schools. Letter sent to Hon. Bronnie Taylor MLC, Minister for Mental Health, Rural Youth and Women.</p> <p>Response received from</p>



**General Manager's Report to the Ordinary Meeting
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					<p>Hon. Bronnie Taylor, indicating support for funding application by Nyngan Public School to the Department of Education for the construction of a purpose built building for Before and After School Care.</p> <p>The Department of Education, BASC (Before and After School Care) Team have provided written confirmation to Principal of Nyngan Public School that the Community of Nyngan will have access to Before and After School Care by the end of the school year 2021. This may depend on if a standalone building is to be provided or if the program can be housed within the current school building.</p>
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General Manager's Report to the Ordinary Meeting
of Bogan Shire Council 24 March 2022

	24/02/2022	010/2022		<p>Council make enquiries from the State Government to find out why progress has halted on before and after school care.</p>	<p>DPCS</p>	<p>The BASC Team will communicate further with the principal of Nyngan Public School to determine if there is a need for a standalone building or if such a program can be accommodated within the current Nyngan Public School building.</p> <p>Principal of Nyngan Public School has advised that she has requested an update from the BASC team.</p> <p><u>UPDATE:</u></p> <p>Letter sent to the Hon. Sarah Mitchell, MLC, Minister for Education and Early Learning.</p>
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General Manager's Report to the Ordinary Meeting
of Bogan Shire Council 24 March 2022

6	25/02/2021	012/2021	Nyngan Railway Wool Dump	<p>A colour information sign be erected at the Nyngan Railway Wool Dump on a stand adjacent to the dump.</p> <p>A cement path from the existing walkway to the sign be constructed, with available funding</p>	<p>DES</p> <p>DES</p>	<p>Pending commencement of grant- funded works.</p> <p>Pending commencement of grant- funded works.</p>
7	25/02/2021	013/2021	Honour Board	<p>That recipients of National Awards, prior to the 1980's, be recognised on an Honour Board. The board to include all National awards including recipients of the British Empire Medal (BEM), Australian Fire Service Medal (AFSM), and Victoria Cross.</p>	GM	<p>Honour Board ordered. UPDATE: Delay with manufacture of order, now rectified and expected delivery April 2022.</p>

**General Manager's Report to the Ordinary Meeting
of Bogan Shire Council 24 March 2022**

8	27/05/2021	126/2021	Addressing Local Job Vacancies	Council delays the launch of the marketing campaign until progress is made with establishing more housing accommodation in Nyngan.	DPCS	<u>UPDATE:</u> Planning for new residential subdivision commenced.
	24/02/2022	009/2022	Refugee Employment	Council coordinates an approach to local businesses, schools and any other interested groups to gauge the level of interest in such a program and then liaises with the relevant authorities to progress the idea.	DPCS	<u>UPDATE:</u> Research into processes involved and funding available has commenced. Report to April Council Meeting.

General Manager's Report to the Ordinary Meeting
of Bogan Shire Council 24 March 2022

9	24/06/2021	162/2021	Section 355 Committee – Nyngan Museum	General Manager to proceed with discussions to formalise a constitution and associated delegations for Nyngan Museum Committee as a Section 355 Management Committee of Council with a further report to Council.	GM	Initial meeting held with Museum Committee. UPDATE: Draft delegations prepared for further discussions with Museum Committee.
10	25/11/2021	324/2021	Section 355 Committee – Bogan Shire Youth & Community Centre	Council has determined the nine members of the Bogan Shire Youth and Community Centre Section 355 Committee.	DPCS	UPDATE: Report to Council Refers. COMPLETED

**General Manager's Report to the Ordinary Meeting
of Bogan Shire Council 24 March 2022**

11	25/11/2021	331/2021	<p>Recycling Bins in Town Main Street</p> <p>Recycling Bin Waste Stickers</p>	<p>Recycling bins be made available in town main street.</p> <p>That all resident recycling bins be issued with a sticker on recycling waste.</p>	DDES	<p><u>UPDATE:</u></p> <p>Eight Recycling Bins have been ordered.</p> <p>Report to Council refers.</p>
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1.1 Recommendation

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

2 SECTION 355 COMMITTEE – GIRILAMBONE

Summary:

The purpose of this report is to recommend to Council to adopt the attached Delegation of Authority for the Girilambone Section 355 Management Committee, effective from 25 March 2022.

2.1 Introduction

The purpose of this report is to recommend to Council to adopt the attached Delegation of Authority for the Girilambone Section 355 Management Committee, effective from 25 March 2022.

2.2 Background

Section 355 Committees are a useful mechanism that benefits both Council and the community by providing interested persons with an opportunity to have an active role in the delivery / management of Council services / facilities. The community activity benefits through the protection given by operating under the banner of Council (particularly in insurance matters) and the Council benefits through the voluntary assistance given in carrying out its functions.

Section 355 Committees are established under Section 355 of the Local Government Act which allows Council to exercise its functions through such a committee and Section 377 which allows Council to delegate certain functions to others. Section 377 specifically prohibits the delegation of certain functions, such as the appointment of a General Manager or the fixing of a fee, which require a decision of the full Council.

It is important to clearly establish respective roles and responsibilities for these community committees and Council. This is both to avoid confusion in operational matters and, more importantly perhaps, in case of insurance cover and responsibilities under any legal action brought against the Committees or Council.

To achieve this, Council needs to formally delegate certain responsibilities to the Committees and to have Committee constitutions that align with these.

2.3 Discussion

Council was informed in 2020 of the formation of a Girilambone Community Association with the following objectives:

1. Representing the community of Girilambone with local government bodies, etc.
2. Maintaining and preserving heritage buildings and local environment'
3. Maintaining and beautifying the town and surrounds.

A copy of the Constitution of the Girilambone Community Association is attached

The General Manager was approached in December 2021 with a request to purchase a new mower from village funds to be used by the community to mow the grass within and around the village playground. This request was granted under delegated authority.

An informal arrangement has existed for some years in Girilambone but this should be regularised along the same lines as the mowing / slashing arrangement at Coolabah.

A mower has now been delivered and it is recommended that a Section 355 Committee be established to facilitate mowing by members of the Girilambone Community Association. Amongst the conditions of purchasing the mower was that it was to be securely housed and was not to be used for any private purposes.

It is envisaged that all members of the Girilambone Community Association are members of the Section 355 Committee.

A proposed Delegation of Authority has been drafted and is attached to this report.

A Councillor representative for the Section 355 Committee will also have to be nominated

2.4 Attachment

1. Copy of Constitution
2. Delegation of Authority

2.5 Recommendation

That:

1. Council adopts the attached Delegation of Authority for the Girilambone Section 355 Management Committee effective from 25 March 2022.
2. Council nominates a Councillor representative on the Girilambone Section 355 Committee

General Manager's Report to the Ordinary Meeting
of Bogan Shire Council 24 March 2022

**CONSTITUTION OF
GIRILAMBONE COMMUNITY ASSOCIATION**

NAME

The name of the Association shall be the Girilambone Community Association.

OBJECTS

1. Representing the Community of Girilambone with local government bodies, etc.
2. Maintaining and preserving heritage buildings and local environment.
3. Maintaining and beautifying the town and surrounds.

MEMBERSHIP

1. Shall be any person who pays the membership subscription at the beginning of each financial year of the Association.

SUBSCRIPTIONS

Every member shall pay an annual subscription of one dollar (\$1.00) or as determined by resolution at the Annual General Meeting and such subscription shall be payable on the first day of each financial year.

FINANCIAL YEAR

The financial year of the Association shall be the 1st June to the 31st May of each year.

MEETINGS

The Association will meet every two (2) months. Date, venue and time of meetings are to be advertised fourteen (14) days prior to the meeting.

QUORUM

A majority of members of the Association should be present. If a Quorum is not reached, matters on the agenda may be discussed but no decisions may be taken.

AGENDA

The Agenda should be prepared by the President and each member will be notified of same fourteen (14) days prior to the next meeting. Any members who wishes the Association to debate a particular matter is to submit the item in writing to the Secretary or to the President for inclusion on the agenda prior to its publication.

**General Manager's Report to the Ordinary Meeting
of Bogan Shire Council 24 March 2022**

ANNUAL GENERAL MEETING

The Annual General Meeting shall be within one (1) month of the close of the financial year. Fourteen (14) days notice will be given by the secretary to members and the public.

DUTIES OF OFFICE BEARERS

- | | |
|------------------------|--|
| 1. The President shall | (i) conduct all meetings
(ii) sign all documents |
| 2. The Secretary shall | (i) keep accurate minutes of meetings and all resolutions and proceedings in proper books. |
| 3. The Treasurer shall | (i) keep correct account of all monies received and expended. |

FINANCE

The Association shall operate a bank account or accounts in the name of GIRILAMBONE COMMUNITY ASSOCIATION into which all monies received shall be paid as soon as possible after receipt. All cheques drawn on such account on behalf of the Association shall be signed by two (2) members of the executive as authorised by the executive.

WINDING UP

The Association may be wound up upon a special resolution at an Extraordinary General Meeting. Upon such resolution all funds and assets shall not be distributed between members but after all liabilities are satisfied remaining funds will be distributed to specified charities or causes.



General Manager's Report to the Ordinary Meeting
of Bogan Shire Council 24 March 2022

BOGAN SHIRE COUNCIL
DELEGATION OF AUTHORITY
Girilambone Village
Section 355 Management Committee

In order to provide for the expedient exercise and performance of its functions, Bogan Shire Council hereby:

- (a) revokes all previous delegations to the Girilambone Village Section 355 Management Committee (Committee);
- (b) delegates to the Committee under Section 377 of the *Local Government Act, 1993*, the exercise of Council's functions specified in Schedule 1 subject to the limitations specified in Schedule 2.

It is understood and acknowledged that, according to its constitution (Attachment A), the Girilambone Community Association has as one of its objects "Maintaining and beautifying the town and surrounds".

It is further acknowledged that the membership and Office Bearers of the Girilambone Section 355 Committee shall be as for the Girilambone Community Association and that the Office Bearers of this body may exercise these delegations on behalf of the Committee.

This delegation shall commence on **25 March 2022** and remain in force until expressly amended or revoked by the Council by further resolution.



**General Manager's Report to the Ordinary Meeting
of Bogan Shire Council 24 March 2022**

SCHEDULE 1

(Functions)

1. To undertake mowing of grass within and around the Girilambone Village playground.
2. To undertake mowing of any other areas public areas of Girilambone Village subject to specific written approval from Council as to the areas to be mowed and adherence to Public Liability and Workplace Health and Safety condition set by Council.

SCHEDULE 2

(Limitations)

1. The Functions do not include any which are excluded from being delegated to the Committee by s377(1) of the Local Government Act 1993 or any other law as applicable from time to time including, but without limitation:
 - a. the fixing of a fee,
 - b. the borrowing of money,
 - c. the fixing of an amount or rate for the carrying out by the council of work on private land,
 - d. contributing money or otherwise granting financial assistance to persons.
2. The Functions do not include any of the following:
 - a. The sale, lease, sub-lease or surrender of property vested in its care.
 - b. The payment or making of a gift to its members from Council revenue. This includes the payment of allowances or travelling expenses for attending Committee meetings.



**General Manager's Report to the Ordinary Meeting
of Bogan Shire Council 24 March 2022**

3. Exercise of the Functions is subject to:
 - a. Decisions being made in accordance with appropriate meeting procedures as determined by the Committee (such as quorum, notice of meeting, agenda and voting).
 - b. Decisions being minuted and the minutes being signed by the President and Secretary.
 - c. Minutes being forwarded to Council for information and record-keeping.
 - d. Compliance with Council Workplace Health and Safety policy and guidelines.
 - e. Compliance with Council's adopted code of conduct. (Applies to all Councillors, members of staff and delegates of council, including Section 355 Committee members.).
4. The Committee shall liaise with Council staff in the performance of their duties.

Adopted by Council:

Council Resolution

3 2022 FEDERAL ELECTION CAMPAIGN

Summary:

The purpose of this report is to recommend that Council supports the Australian Local Government Association (ALGA) funding priorities and participates in advocacy for further Federal Government funding.

3.1 Introduction

The purpose of this report is to recommend that Council supports the Australian Local Government Association (ALGA) funding priorities and participates in advocacy for further Federal Government funding.

3.2 Background

The next Federal Election is expected to be held in May 2022.

Working in conjunction with its member state and territory associations, the Australian Local Government Association (ALGA) has developed a framework and resources for a national advocacy campaign that will run in the lead up to this election.

Based around the tagline of "Don't Leave Local Communities Behind", the goal is to secure funding and policy commitments that will support every Australian council and community, and ensure all Australians have an equal opportunity to share in the benefits of Australia's post-pandemic recovery.

All Australian councils have been asked to participate in this campaign to ensure a coordinated approach that will deliver the best possible outcomes.

ALGA has provided the template for this report to all Councils.

3.3 Discussion

The Don't Leave Local Communities Behind campaign will promote 17 priority asks in the portfolios of economic recovery, transport and community infrastructure, building resilience, circular economy and intergovernmental relations.

These priorities are based on motions passed by councils at ALGA's annual National General Assembly, and have been endorsed by ALGA's Board which is comprised of representatives from all state and territory Local Government Associations.

They have been assessed by independent economists and would add around \$6.46 billion per year to Australia's Gross Domestic Product while creating 43,444 jobs.

The Don't Leave Local Communities Behind campaign will run for five weeks, with each week focussing on one of the five portfolio areas.

The full list of national Federal Election priorities that will be promoted through this campaign is outlined below:

Economic Recovery

1. An initial injection of Financial Assistance Grants to local government of \$1.3 billion to support communities and jobs and also resolve the current practice of bringing forward two quarterly Financial Assistance Grant payments each year.
2. A commitment to return Financial Assistance Grants to at least one percent of Commonwealth taxation revenue via a phased approach.

Transport and Community Infrastructure

1. \$500 million per annum for a four-year continuation of the Local Roads and Community Infrastructure Program.
2. A strategic local roads investment program of \$300 million per annum over four years to address road transport first and last mile issues and congestion on local roads.
3. An increase in Roads to Recovery to \$800 million per annum (an additional \$300 million per annum) and the Black Spot Program to \$200 million per annum over four years, while addressing the South Australian road funding anomaly by making the additional \$20 million per annum to SA in 2021-22 and 2022-23 permanent.
4. Continuing the Stronger Regional Digital Connectivity Package at \$55 million over four years.



**General Manager's Report to the Ordinary Meeting
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5. \$200 million over four years to assist councils to develop and implement innovative housing partnerships.

Building Resilience

1. A targeted disaster mitigation program of \$200 million per annum for four years which will reduce the costs of response and recovery and strengthen community resilience.
2. A commitment to ensuring betterment funding as a core element of disaster recovery funding arrangements.
3. A commitment to include community infrastructure that is publicly accessible and owned, and local government waste, water and wastewater assets under Disaster Recovery Funding Arrangements.
4. A Local Government Climate Response Partnership Fund of \$200 million over four years to enable planning and preparation to minimise the impacts of climate change in local communities and enable councils to achieve climate neutrality as soon as practicable.
5. \$100 million per annum over four years provided directly to local governments to support the capabilities of Indigenous councils and the implementation of the Closing the Gap local/regional voice.

Circular Economy

1. Support to provide guidance and advice to councils on how to unlock the circular economy locally, particularly in rural, regional, and remote areas.
2. Support to investigate and, if feasible, implement a national bin harmonisation program that will improve kerbside recycling, reduce contamination, and maximise opportunities for reuse.
3. \$100 million per annum over four years to fund local government circular waste innovation projects.

Intergovernmental Relations

1. Reinstating local government representation to the primary intergovernmental forum in Australia, the National Cabinet.
2. Ensuring local government's ongoing voting membership of other relevant Ministerial forums.



**General Manager's Report to the Ordinary Meeting
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ALGA has developed free campaign resources that can be adapted and used by all councils to ensure a consistent and effective approach.

Participating in a national advocacy campaign does not preclude this council from advocating on additional local needs and issues, but it will strengthen the national campaign and support all 537 Australian local governments.

3.4 Recommendation

that:

1. Council supports the national funding priorities of the Australian Local Government Association (ALGA), which is expected to contribute an estimated \$6.46 billion per year to Australia's GDP and create 43,444 jobs; and
2. Council agrees to support and participate in the Australian Local Government Association's advocacy for their endorsed national funding priorities by writing to the local Federal Member of Parliament, all known election candidates in local Federal electorates and the President of the Australian Local Government Association to:
 - a. express support for ALGA's funding priorities;
 - b. identify both the Bogan Shire Early Learning Centre and Bogan Shire Medical Centre as local projects that require additional financial assistance from the Federal Government, as sought by ALGA; and seek funding commitments from the members, candidates and their parties for these projects.

4 COUNCILLOR SUPERANNUATION

Summary:

The purpose of this report is for Council to determine whether to make superannuation contribution payments for Councillors from 1 July 2022.

4.1 Introduction

The purpose of this report is for Council to determine whether to make superannuation contribution payments for Councillors from 1 July 2022.

4.2 Background

Following an amendment to the Local Government Act 1993 (the Act) last year, Councils may make payments as a contribution to a superannuation account nominated by their Councillors, starting from the financial year commencing on 1 July 2022.

The making of superannuation contribution payments for Councillors is optional and is at each council's discretion.

At its meeting in May 2021 Council resolved to adopt the following fees for 2021/2022 financial year which are paid monthly to Councilors:

	Councillor Fee	Mayor Fee	Total Fee
Councillors	9,370	-	9,370
Deputy Mayor	9,370	4,049	13,467
Mayor	9,370	16,387	25,757

4.3 Discussion

The NSW Government has provided the following information relevant to Councillor Superannuation:

- To exercise the option of making superannuation contribution payments for their Councillors, Councils must first resolve at an open meeting to make superannuation contribution payments for the Councillors.
- Where a council resolves to make superannuation contribution payments for its councillors, the amount of the payment is to be the amount the council would have been required to contribute under the *Commonwealth*



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Superannuation Guarantee (Administration) Act 1992 as superannuation if the Councillors were employees of the Council.

- As of 1 July 2022, the superannuation guarantee rate will be 10.5%. The rate will increase by half a percent each year until 1 July 2025 when it reaches 12%.
- The superannuation contribution payment is to be paid at the same intervals as the annual fee is paid to Councillors.
- To receive a superannuation contribution payment, each councillor must first nominate a superannuation account for the payment before the end of the month to which the payment relates. The superannuation account nominated by Councillors must be an account for superannuation or retirement benefits from a scheme or fund to which the Commonwealth Superannuation Guarantee (Administration) Act applies.
- Councils must not make a superannuation contribution payment for a Councillor if the Councillor fails to nominate an eligible superannuation account for the payment before the end of the month to which the payment relates.
- Individual Councillors may opt out of receiving superannuation contribution payments or opt to receive reduced payments. Councillors must do so in writing.
- Councils must not make superannuation contribution payments for Councillors during any period in which they are suspended from their civic office or their right to be paid any fee or other remuneration, or expense, is suspended under the Act.
- Councillors are also not entitled to receive a superannuation contribution payment during any period in which they are not entitled to receive their fee under section 254A of the Act because they are absent.

Based on the above, the cost of providing Superannuation Payments to Councillors in 2022/23 would be \$11,005 subject to increases in fees during that financial year.

4.4 Recommendation

That Council determines whether to make superannuation contribution payments for Councillors from 1 July 2022.

Derek Francis
General Manager

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

Mayor and Councillors

The following reports are submitted for consideration:

1 VISITOR INFORMATION CENTRE OPERATIONAL REPORT

Summary:

The purpose of this report is to provide information to Council on the operations of the Visitor Information Centre.

1.1 Introduction

The purpose of this report is to provide information to Council on the operations of the Visitor Information Centre.

1.2 Discussion

As COVID-19 restrictions have continued to lift, the Nyngan VIC has reported an increase in visitor numbers. This has been especially so with the recent border openings with Western Australia.

Staff have reported an increase in numbers of visitors and enquiries for this time of year, compared with other years and this is most likely due to the increase in and support for regional travel within NSW and now within all the Australian states.

There continues to be a strong demand for free camping, as many of these travellers are towing caravans. There are generally two to three caravans every night using the Flood Memorial free camp option. The weir free camping area is also being utilised by travellers with several people visiting the VIC to check on directions to their preferred camping spot.

The VIC is currently operated by Council staff seven days a week, Monday to Friday from 8.30am until 4.00pm, and on weekends from 10am until 2pm.

The Tourism Group which oversees accreditation, has advised all VICs that from 1 April 2022 they will need to operate in line with their pre-COVID Accreditation Levels.

The VIC's range of merchandise has continued to be popular, especially the Big Bogan stubby holders which have been the highest selling item consistently for years. Big Bogan magnets have also been a popular item.

A focus this quarter has been to encourage local craftspeople to place a sample of their products on display along with their contact and purchase details to showcase



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the amazing talent of Bogan Shire residents and also promoting locally made items instead of mass produced merchandise.

Statistics

The total number of visitors through the centre and / or enquiries was as follows:

Visitors: 183

Phone: 13

Email: 4

1.3 Recommendation

That the Operational Report for the Visitor Information Centre be received and noted.

2 BOGAN SHIRE MEDICAL CENTRE

Summary:

The purpose of this report is to provide information to Council on the operations and statistics of the Bogan Shire Medical Centre.

2.1 Introduction

The purpose of this report is to provide information to Council on the operations and statistics of the Bogan Shire Medical Centre.

2.2 Discussion

Below are the activities and statistics of the Bogan Shire Medical Centre for the July 2021 to February 2022 period.

Statistics

Totals as at 14/03/2022:

Registered patients	3,830
Active patients:	2,303
CDM (Chronic Disease Management) patients:	203
RAC (Residential Aged Care) patients:	28
75+ Health Assessment patients:	306
ATSI (Aboriginal and Torres Strait Islander) Health Assessment patients:	396

The Medical Centre is still consistently registering new patients.

Current waiting periods for a GP is either on the day or 1-2 days maximum, with appointments available for acute complaints (On the Day appointments) daily.

Activities

- The COVID-19 vaccination program continues with patients now receiving booster doses of the vaccine as well as initial doses for 5-18 year olds.



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Ultrasound Services

The Ultrasound service continues to operate two days per week (Tuesdays / Thursdays).

Pregnancy Entertainment Services

For the period July 2021 to February 2022, there were 4 pregnancy entertainment package services provided.

Medical Diagnostic Services

For the period July 2021 to February 2022, the following number of medical diagnostic services were provided.

July:	53
August:	0
September:	26
October:	27
November:	39
December:	25
January:	41
February:	45

There has been a good mix of medical pregnancy, general ultrasound services and musculoskeletal ultrasound services being performed.

The majority of our ultrasound patients are from Bogan Shire and Cobar Shire areas. Cobar residents have provided excellent feedback on accessing ultrasound services at a shorter distance and within a reasonable wait time. Patients from Brewarrina, Trangie, Warren, Tottenham, Nevertire and Bourke and even Dubbo (due to lengthy wait times elsewhere) have also been accessing the services on a semi regular basis.

The Sonographer has continued to liaise with doctors about the service, asking for quality feedback and making improvements to service delivery to ensure continued referring into the future. We have undertaken more advertising for the 3/4D services with more patients now enquiring and booking in for future appointments.

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Accreditation

The Medical Centre is currently working through the necessary stages of the AGPAL Accreditation. AGPAL Surveyors visited the Practice on Monday 14 February to conduct their site visit and interviews with staff and GPs. The process should be finalised within the coming weeks.

Allied Health Services

Allied Health services for the period July 2021 to February 2022 are as listed below.

Type of Service	Days	Times	Frequency	Service Accessed by
Cardiologist	Wednesday	9am-5pm	Two Monthly	Referral
Diabetes Educator	Wednesday	9.30am-3.00pm	Monthly	BSMC Referral
Dietician	Monday	9am-3pm	Fortnightly	BSMC Referral
Family Planning NSW	Monday	10am-5pm	Monthly	BSMC or Self-Referral
Pathology	Monday to Friday	8.30am - 11.30am	Weekly	Anyone holding a pathology request form – not required to be a patient of BSMC
Podiatrist	Wednesdays & Fridays	9.00am - 2.30pm	Weekly	Referral or Private appt.
Psychiatrist	Monday	9am-3pm	Monthly	BSMC Referral
Sexual Health – NSW Health	Thursday	10am-4pm	Monthly	BSMC or Self-Referral

- Podiatry services continue to be well supported 2 days a week.

Federal Government Funding

On 5 November 2021, the Rural Doctor's Network (RDN) hosted a national online conference known as RH21, which included a month of online rural health events and activities. The General Manager and Director People and Community Services were invited to give a presentation about the Bogan Shire Medical Centre (BSMC) on behalf of Bogan Shire Council. The RDN had suggested this as an appropriate forum to showcase Council's commitment and efforts at this event towards supporting access to primary health services across NSW.



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Following this presentation, the General Manager and Director People and Community Services were contacted by the National Rural Health Alliance (NRHA) and asked to be part of a delegation to meet with the Federal Minister for Regional Health, David Gillespie, to lobby for increased funding for community controlled healthcare organisations (such as the BSMC) in rural areas. This meeting took place on 25 November 2021 with the Minister showing an interest in our discussions about the Bogan Shire Medical Centre.

The NRHA highlighted that people living in rural and remote Australia have inferior access to health services than other Australians and the number of health professionals decreases as geographic isolation increases. Many communities have very limited access to health services and rural areas generally have up to 50 per cent fewer health providers than major cities (per capita).

The NRHA continues to lobby the Federal Government for increased funding to support rural health organisations, however it is recommended that Council also works through the Australian Local Government Association to obtain dedicated grant funding for the Bogan Shire Medical Centre to support ongoing bulk-billing GP services for our community. The General Manager's report to Council refers.

2.3 Recommendation

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

3 BOGAN SHIRE EARLY LEARNING CENTRE

Summary:

The purpose of this report is to advise Council of the activities and statistics of the operation of the Bogan Shire Early Learning Centre.

3.1 Introduction

The purpose of this report is to advise Council of the activities and statistics of the operation of the Bogan Shire Early Learning Centre.

3.2 Background

Statistics

- Total children enrolled as at 11/03/2022: 73
- Total children scheduled to attend for the week ending 11/03/2022: 57

Usage Capacity

	Monday	Tuesday	Wednesday	Thursday	Friday	Ave.
January 22	68%	65%	46%	34%	42%	50%
February 22	75%	69%	71%	68%	68%	70%
March 22	74%	68%	70%	66%	66%	69%

COVID

The start of the New Year brought some difficulties in regards to COVID-19, however we are now getting back to the normal day to day functioning of the centre. Staff are no longer required to wear masks in the centre.

EASTER

Staff are in the swing of making Easter craft with the children, which they are very excited about. Many discussions are taking place in regards to the Easter Bunny's visit.

EXCURSIONS

The Joeys room are looking at starting excursions again around the community, which will be great for the children to participate in community events and/or visiting



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the library. One of the Library staff visits the Centre on Wednesday's for story and craft time, which the children absolutely love and look forward to.

WAITLIST

Our waitlist has now grown to 48 children, with only 5 of those falling into the 3-5 year age group. This means that the bulk of children waiting for a place are aged between 6 weeks and 3 years, placing the highest need on the 0-3 room and needing cots as well. During discussions held with the Department of Education around our proposed extensions and the licencing and maximum numbers on our current licence, we were advised that increasing available places to 60 is allowable and should help ease the waitlist. It is important to note however, that with increased capacity for places, staffing levels will also need to be increased in order to meet the required educator to child ratios. The limiting factor will be the availability of qualified educators which is currently a national problem.

3.3 Recommendation

That the Early Learning Centre report be received and noted.

4 BOGAN SHIRE YOUTH & COMMUNITY CENTRE COMMITTEE

Summary:

The purpose of this report is to recommend to Council the establishment of a Consultative Committee for the Bogan Shire Youth and Community Centre.

4.1 Introduction

The purpose of this report is to recommend to Council the establishment of a Consultative Committee for the Bogan Shire Youth and Community Centre

4.2 Background

Construction of the Bogan Shire Youth and Community Centre should be completed by May 2022.

The success of the Centre depends very much on successfully engaging with community members including giving them a say on how the facility is run which promotes a real sense of community ownership.

In a report to Council on 25 October 2021, it was proposed that a Section 355 Committee be established to provide community input on how the Centre is operated with recommendations for example on opening hours and the nature of activities.

At this meeting, Council resolved as follows:

1. That Council agrees in principle to the creation of a Section 355 Bogan Shire Youth and Community Centre Management Committee
2. That Council nominates a preliminary membership of this Committee and that Council staff have initial discussions with individuals to gauge their interest.
3. That a draft constitution and associated delegations be prepared for the Bogan Shire Youth and Community Section 355 Management Committee of Council with a further report to Council.

At its meeting on 25 November 2021, Council resolved that membership of the committee be as follows:

- Nyngan High School Captain 1
- Nyngan High School Captain 2
- Nyngan High School Principal/Delegate
- Nyngan High School Staff Member
- Nyngan Aboriginal Education Consultative Group Member



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- Nyngan Community Hub Coordinator
- Bogan Shire Councillor
- General Manager Bogan Shire Council
- Director People and Community Services Bogan Shire Council

4.3 Discussion

Initial discussions were held with determined members at a meeting on Wednesday 9 March 2022, and the following functions of the committee were agreed:

- Provide feedback to Bogan Shire Council on:
 - What's working well at the Centre and what's not working
 - How to increase usage of the Centre
 - How to increase intergenerational opportunities
 - Member's consultation and suggestions from the community
 - Suggested Youth activities
- Provide access to existing networks and agencies for sharing of knowledge and expertise as well as funding opportunities.

The concept of a formal Section 355 Committee remains sound, however it is recommended that its establishment be deferred until such time as the operations of the Centre mature. At this stage it is recommended that a less formal Consultative Committee be established with the Terms of Reference set out above.

4.4 Recommendation

That:

1. A Consultative Committee be established for the Bogan Shire Youth and Community Centre with the following Terms of Reference:
 - Provide feedback to Bogan Shire Council on:
 - What's working well at the Centre and what's not working
 - How to increase usage of the Centre
 - How to increase intergenerational opportunities
 - Member's consultation and suggestions from the community
 - Suggested Youth activities
 - Provide access to existing networks and agencies for sharing of knowledge and expertise as well as funding opportunities.
2. The membership of the committee be as determined by Resolution 324/2021
3. The membership and terms of reference of the committee be amended from time to time as circumstances require.

5 HOLIDAY BREAK PROGRAM

Summary:

The purpose of this report is to recommend to Council applications for the Office of Regional Youth's Holiday Break program funding in 2022.

5.1 Introduction

The purpose of this report is to recommend to Council applications for the Office of Regional Youth's Holiday Break program funding in 2022.

5.2 Background

Councillors would be aware of previous funding from the NSW Government for Regional School Holiday Activities which was allocated as follows:

- January 2020 Free entry to Nyngan Pool
- January 2021 Inflatable movie screen and activities
- January 2022 Paddle boards, kayaks and activities

Funding in 2021 and 2022 was partially used to buy equipment that will be housed at the Bogan Shire Youth and Community Centre for future use.

5.3 Discussion

Council has now been advised that further funding of up to \$10,000 is available from the Office of Regional Youth's Autumn Holiday Break program to deliver youth activities, events, services and programs for young people aged 12-24 during the NSW April school holidays in certain eligible local government areas.

As part of the Office of Regional Youth's Holiday Break program, future funding opportunities will now also be available throughout each of the NSW school holidays in 2022.

In order to allow staff to proactively plan and make arrangements for holiday programs, it is recommended that the following forms the basis for Bogan Shire School Holiday grant applications in 2022:

1. Autumn 2022:

- Creative Arts workshops (e.g. Silversmith)

2. Winter 2022

- Sporting/recreational equipment for Bogan Shire Youth and Community Centre and running associated activities (e.g. Basketballs, indoor/outdoor games).

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3. Spring 2022.
 - IT equipment for the Bogan Shire Youth and Community Centre and running associated activities (e.g. 3D printer and resources)
4. Summer 2022/23.
 - Water sports equipment for the Bogan Shire Youth and Community Centre and running associated activities (e.g. kayaks)

Applications for the current round of funding close on 1 April 2022 and activities need to be delivered between 2 and 22 April 2022.

5.4 Recommendation

That Council apply for the following under the Office of Regional Youth's Holiday Break program funding allocations:

1. Autumn 2022:
 - Creative Arts workshops (e.g. Silversmith)
2. Winter 2022
 - Sporting/recreational equipment for Bogan Shire Youth and Community Centre and running associated activities (e.g. Basketballs, indoor/outdoor games).
3. Spring 2022.
 - IT equipment for the Bogan Shire Youth and Community Centre and running associated activities (e.g. 3D printer and resources)
4. Summer 2022/23.
 - Water sports equipment for the Bogan Shire Youth and Community Centre and running associated activities (e.g. kayaks).

6 COVID-19 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE GRANT

Summary:

The purpose of this report is to provide information to Council on funding from the Local Roads and Community Infrastructure Grant and for Council's consideration of eligible projects.

6.1 Introduction

The purpose of this report is to provide information to Council on funding from the Local Roads and Community Infrastructure Grant and for Council's consideration of eligible projects.

6.2 Background

Council was advised in 2021 of its eligibility under Phase 3 of the Australian Government's COVID-19 Local Roads and Community Infrastructure Grant (LRCI) with details of the associated funding guidelines released on 21 October 2021. Bogan Shire Council is eligible for funding for projects up to \$1,823,048.

The purpose of the LRCI Program is to support local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

The intended outcomes of the LRCI Program are to:

- provide stimulus to protect and create local short-term employment opportunities through funded projects following the impacts of COVID-19; and
- deliver benefits to communities, such as improved road safety, accessibility and visual amenity.

As an economic stimulus measure, the intent is that Eligible Funding Recipients undertake infrastructure projects which are additional to projects that they had planned to undertake using either their own funds or funds already available to the Eligible Funding Recipients by another opportunity. The funding is not intended to replace existing expenditure commitments but rather to enable further, additional expenditure as economic stimulus.

Under Phase 1, projects would be considered Eligible Projects if they were additional to the Eligible Funding Recipient's existing work plan for 2020-21; simply, LRCI funds could not be used on existing projects.

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Under Phase 2, Eligible Funding Recipients were required to maintain their overall capital spending on roads and community infrastructure, funded by their own revenue, at or above their 2020-21 capital spending level.

Under Phase 3, Eligible Funding Recipients will be required to maintain their overall capital spending on roads and community infrastructure, funded by their own revenue, at or above their 2021-22 capital spending level. The focus on overall capital spending provides Eligible Funding Recipients with greater flexibility to set and deliver the infrastructure priorities in their communities.

Eligible Local Roads Projects:-

Eligible Local Road Projects are projects that involve the construction or maintenance of roads managed by local governments. Local governments are encouraged to consider works that support improved road safety outcomes.

This could include projects involving any of the following associated with a road:

- traffic signs;
- traffic control equipment;
- street lighting equipment;
- a bridge or tunnel;
- a facility off the road used by heavy vehicles in connection with travel on the road (for example, a rest area or weigh station);
- facilities off the road that support the visitor economy; and
- road and sidewalk maintenance, where additional to normal capital works schedules.

Eligible Community Infrastructure Projects:-

Eligible Community Infrastructure Projects are projects that involve the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are generally accessible to the public.

'Generally accessible to the public' means that the project, or the amenity provided by the project, is generally accessible to the public at large. Some areas are clearly publicly accessible as they are areas that are open to all members of the public such as parks, playgrounds, footpaths and roads.

Projects will also be considered generally publically accessible if they are in a location that is:

- generally publically accessible to the wider public undertaking a specific activity (for example council operated sporting fields); or
- generally publically accessible for a limited age group of the community as a whole i.e. a kindergarten building; or

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- used for the provision of an essential service or community service, as determined by the Department, and the amenity of the asset is publicly accessible and benefits the community.

All projects whether carried out on council owned land, or another type of public land, must deliver benefits to the community, such as improved accessibility, visual amenity, and/or safety. Examples of eligible works include:

- Closed Circuit TV (CCTV);
- bicycle and walking paths;
- painting or improvements to community facilities;
- repairing and replacing fencing;
- improved accessibility of community facilities and areas;
- landscaping improvements, such as tree planting and beautification of roundabouts;
- picnic shelters or barbeque facilities at community parks;
- community/public art associated with an Eligible Project (Eligible Funding Recipients will need to provide a clear description of the conceptual basis of the artwork);
- playgrounds and skate parks (including all ability playgrounds);
- noise and vibration mitigation measures; and
- off-road car parks (such as those at sporting grounds or parks).

All eligible projects must be undertaken between 1 January 2022 and 30 June 2023.

Ineligible projects or expenditure:-

Eligible Funding Recipients cannot use grant money to pay for business as usual activities and costs, or any other activities and costs not associated with Eligible Projects. These activities are Ineligible Projects or Ineligible Expenditures.

The following are examples of Ineligible Projects and Ineligible Expenditures:

- costs incurred in the preparation of a Work Schedule or related documentation;
- costs incurred in the preparation of reporting documentation including Audit requirements;
- general administrative overheads and staff salaries not connected with Eligible Projects funded under the Program;
- subsidy of general ongoing administration of an organisation such as electricity, phone, rent, or costs incurred by the Council as a Landlord in the general course of a lease;
- commencement ceremonies, opening ceremonies or any other event associated with Eligible Projects;
- transport planning studies;
- road rehabilitation studies (if not part of an Eligible Project);

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- road building plant or other capital equipment especially moveable equipment (e.g. graders or trailers);
- land;
- purchase of or improvement to assets that will be 'handed off' to ineligible funding recipients under a cost sharing or minimisation strategy, or similar;
- training (if not part of an Eligible Project);
- public liability insurance;
- fringe benefits tax;
- GST payable component of a supply;
- finance leases on equipment;
- depreciation, except for depreciation of plant and equipment directly attributable to a grant funded Eligible Project;
- preliminary planning and stand-alone design that do not relate to an Eligible Project
- operating lease charges where the rental expense cannot be directly linked to the grant project (e.g. a grader may be hired for a period for a variety of tasks, only charges that specifically relate to the funded Eligible Project can be charged against the grant funds);
- overseas travel; and
- the covering of retrospective project costs undertaken prior to work schedule approval.

6.3 Discussion

At a Grants Workshop which was held on 14 July 2020, Councillors and management identified numerous projects and programs, indicating their relative community benefit in order to put a list of projects for consideration at the July 2020 Council meeting. The majority of these projects/programs have now been funded by grant programs since then.

As with previous grant applications it is suggested that Council prioritises projects in excess of allocated funding to facilitate substitution of projects in the grant application in the event the Government deems certain proposed projects ineligible.

Local Roads Projects

Road Construction

A report from the General Manager to Council in February 2022 included a copy of a Minute from Mayor Ray Donald (November 2021), suggesting Council consider using a large portion of the LRCI grant for road construction/works. Council resolved to consider this suggestion at its March 2022 meeting.



**People and Community Services' Report to the Ordinary Meeting
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Road Maintenance

Council's Director Engineering Services has indicated that currently 78km of gravel re-sheeting is required on our rural roads at an estimated cost of \$1,950,000. Two years of wet weather has resulted in a lot of gravel loss that is not being replaced in the government-funded flood restoration program. Assuming 20km of re-sheeting can be funded from the Roads to Recovery funding allocation in 2022/23, this still leaves a shortfall of 58km at an estimated cost of \$1,450,000.

As a result, the Director Engineering Services recommends that \$750,000 of LRCI funding be allocated to re-sheeting and \$150,000 towards 5km of re-sealing and has included as attachment 1 some comments on the relative costs and benefits of road construction versus maintenance.

Other Road Infrastructure

In the last round of LRCI funding, approximately half of the list of priority kerb and guttering replacement work was addressed.

It is recommended that another \$200,000 be allocated to address this backlog.

**People and Community Services' Report to the Ordinary Meeting
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Community Infrastructure Projects

Potential projects identified through community feedback, asset management, and input from Council's management are included in the following table:

	Potential Community Infrastructure Projects	Estimated Cost \$
1	Nyngan Showground Pavilion Upgrades	75,000
2	Pony Club Upgrades	50,000
3	Rodney Robb Arena Irrigation	50,000
4	Nyngan Showground Fencing and Yard Upgrades	25,000
5	Bogan Shire Youth and Community Centre (BSYCC)	150,000
6	Outdoor Recreation Drinking Fountains (x 4)	24,000
7	Nyngan Pool	196,000
8	Early Learning Centre (CCTV)	30,000
9	Early Learning Centre (Extensions)	230,000
10	Footpaths Priority Replacements	150,000
11	Showground Grandstand Seating	200,000
12	Electrical Infrastructure BSYCC	100,000
13	Car Park Upgrade for Electric Vehicle Charging Points	50,000
15	Dog Park Play Equipment – Obstacle Course	20,000
16	Tennis Court Resurfacing	80,000
	TOTAL	1,430,000

Councillors may of course wish to propose other eligible projects on behalf of the community at the Council meeting.



**People and Community Services' Report to the Ordinary Meeting
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6.4 Attachment

Director Engineering Services comments on road construction versus maintenance.

6.5 Recommendation

That:

1. Council considers, determines and prioritises which eligible projects to submit for funding under the Local Roads and Community Infrastructure Grant.
2. The General Manager applies for funding under the Local Roads and Community Infrastructure Grant for the projects determined above, in priority order, until all grant funds are exhausted

Debb Wood

Director People and Community Services

Attachment 1 - People and Community Service's Report

COVID-19 Local Roads and Community Infrastructure Grant

Director Engineering Services comments on the relative costs and benefits of road construction versus maintenance

- Currently the average cost of constructing and sealing a kilometre of road is \$160,000 while re-sheeting with 100mm of crushed rock averages \$25,000 per kilometre.
- 6.4 km of good quality re-sheeting can be completed for the cost of constructing 1 km.
- The amount of maintenance expenditure required to maintain both types of road surface varies depending on the weather conditions experienced.
- A newly re-sheeted section of unsealed road handles wet and dry conditions well but as it gets older, a lot of continuous wet weather, especially in winter, can cause significant damage to the pavement.
- Maintenance grading of a re-sheeted section of road can restore the pavement to as new condition but as material is eventually lost over the years, more crushed rock is required.
- A new sealed section of road protects the pavement below but as it ages, the flexibility of the bitumen is lost and it becomes brittle and cracks allowing water into the pavement. This requires an increasing amount of bitumen patching, especially in wet weather, and eventually a complete bitumen reseal is required.
- If bitumen patching is carried out as required, and reseals are completed before damage occurs, a long life can be expected from the pavement.
- Although there is a large difference in the capital cost of re-sheeting a kilometre road compared to constructing and sealing, it is estimated that that the average long term maintenance costs per kilometre per year is similar.
- If a sealed road deteriorates to beyond the level of normal routine maintenance and requires rehabilitation, the average cost to repair is \$90,000 per km.

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

Mayor and Councillors

The following reports are submitted for consideration:-

1 INVESTMENTS FEBRUARY 2022

Summary:

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

At the 28th February 2022 Council had \$13.3 million invested. There has been an increase of \$774,000 due to the third rates instalment falling due and emergency repairs claim for Flood Damage paid by TfNSW.

1.1 Introduction

The purpose of this report is to outline the performance of Council's investment portfolio for the month of February 2022.

1.2 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.

1.3 Discussion

The Investment Report for February 2022 is shown below. At the 28th February 2022 Council had \$13.3 million invested. There has been an increase of \$774,000 due to the third quarter rates instalment falling due and an emergency repairs claim for Flood Damage paid by TfNSW.

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

**Finance and Corporate Services' Report to the Ordinary Meeting
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Investment Movements for February 2022

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 Jan 22	Bal Feb 22
37908808	Commonwealth	02/03/2022	365	0.440%	2,800,000.00	2,800,000.00
9737369	Westpac	17/02/2023	365	0.950		2,000,000.00
6894	NAB - Professional Funds	At Call		0.200%	9,724,362.27	8,498,746.38
	Balance securities held				12,524,362.27	13,298,746.38
	Balance Ledger 19010.8200.8200				12,524,362.27	13,298,746.38
	Summary by institution					
	Commonwealth				2,800,000.00	2,800,000.00
	NAB				9,724,362.27	8,498,746.38
	Westpac				0	2,000,000.00
					12,524,362.27	13,298,746.38

1.4 Recommendation

That the Investments Report be received and noted.

2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:

The report is to provide a comparison of rate collections as at 28th February 2022, with the same period last year.

Total arrears have decreased from \$1,112,528 as at the 28th February 2021 to \$845,705 as at 28th February this year.

2.1 Introduction

The purpose of this report is to provide a comparison of rate collections as at 28th February, 2022, with the same period last year.

2.2 Discussion

This report is provided for the information of Councillors.

Rate Collections	2021-2022	2020-2021
Arrears Prior to 01/07/2021	505,992	520,203
First Instalment in arrears as at 28/2/2022	27,349	67,063
Second Instalment in arrears as at 28/2/2022	71,205	145,201
Third Instalment in arrears as at 28/2/2022	241,159	380,061
Fourth Instalment Outstanding as at 28/2/2022	1,017,466	1,015,014
Total Arrears	845,705	1,112,528
Total Outstanding	1,863,171	2,127,542
Monthly Transactions		
Amount Levied & B/Fwd	5,867,648	6,046,697
Add: Adjustments	27,827	8,190
Less: Payments to end of February	-3,953,464	-3,844,814
Less: Rebates	-78,840	-82,531
Add: Postponed	0	0
Gross Total Balance	1,863,171	2,127,542
Arrears of total amount levied %	14%	18%

Total arrears have decreased from \$1,112,528 at the 28th February 2021 to \$845,705 as at 28th February this year.

Each instalment amounts to approximately \$1,467,000 (Total Rates, Waste, Water & Sewer Access Charges)



**Finance and Corporate Services' Report to the Ordinary Meeting
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Council has 1.8% in arrears on the first instalment.

Council has 4.8 % in arrears on the second instalment

Council has 16.4 % in arrears on the third instalment

As at the 28th February Council had collected \$108,650 more than at the same time last year. At the time of writing this report council has collected an additional \$76,103.

2.3 Recommendation

That the Rates and Annual Charges collection report be received and noted.

3 REVISION OF COUNCIL'S INVESTMENT POLICY – FIN002

Summary:

The purpose of this report is to review Policy FIN002 Investment Policy.

3.1 Introduction

The purpose of this report is to review Policy FIN002 Investment Policy.

3.2 Background

The Investment Policy is an important Policy of Council that has an effect on how Council invests ratepayers' money from a viewpoint of both risk and return. It has a major effect on how Council invests ratepayers' money from a viewpoint of both risk and return. The Policy was last adopted on 20 December 2018 and is now due to be reviewed.

The objective of this Policy is to govern how staff invests Council's money so as to obtain the highest possible return for a given level of risk.

3.3 Discussion

There is a positive correlation between risk and return when placing investments. Council wants the highest return possible but only at an acceptable level of risk. The Investment Policy governs how much risk Council staff can take when investing Council funds.

The current Investment Policy was adopted in December 2018 in a moderately uncertain economic environment with low interest rates. It allows only conservative investments allowed by the most current investment order that has been issued by the Minister for Local Government.

A requirement of the Policy is that it be reviewed at least once every three years.

The economic environment is now, more than ever, uncertain due to different factors influencing interest rates and investments, and the policy, which is conservative, remains unchanged.

3.3 Attachment

FIN002 Investment Policy

3.4 Recommendation

That Council adopt the current Investment Policy FIN002 for 36 months.

4 WATER STAND PIPE – USAGE CHARGES

Summary:

The purpose of this report is to for Council to consider and adopt new user charges for access to Council's high flow Water Stand Pipe.

A new user access system is currently being installed to replace the old system for the stand pipe near the Hoskins Street railway crossing in Pangee Street.

4.1 Introduction

The purpose of this report is to for Council to consider and adopt new user charges for access to Council's high flow Water Stand Pipe. A new user access system is currently being installed to replace the old system for the stand pipe near the Hoskins Street railway crossing in Pangee Street.

4.2 Background

Council installed a water standpipe in this location when Grants funds of \$15,000 were received for a High Flow Standpipe for Emergency Water Carting during drought conditions in July 2007. Conditions of the grant at the time were that the standpipe needed to be connected to a potable water supply and accessible for large trucks.

User access systems to the standpipe have been updated a couple of times during this time. In the last few years the current user access system has been failing quite often and Council resources are often utilised trying to fix the system or to manually fill trucks. The system currently has 13 active users and during the recent drought there were 172 applications for requests for water from the stand pipe that were received by Council and approved.

4.3 Discussion

Council is currently replacing the user access system and need to set a new charge for users of this supply to ensure Council covers all associated costs and allows for renewal in future years.

A user fee per kilolitre of \$3 has been calculated based on the current number of users, estimated usage, cost of potable town water and ongoing administrative costs for Council and the access system. This charge would allow for maintenance, replacement of the user access system and standpipe infrastructure and administrative costs.

Council has currently been charging the usage charge of \$2.05 per kilolitre which is equal to the user fee that residences in the Nyngan township pay. However, residences also pay an access charges, in addition to the user fee, that is a minimum of \$603 per annum for a 20mm service up to \$15,558 for a 100mm service

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on their rates. By increasing the standpipe fee to \$3 per kilolitre, an allowance is made for increasing the access to the standpipe, would make the charge more equitable as the standpipe has a 200mm access.

The new user access system will be accessible by either an account card for Council approved users, or a credit card, for those casual users who do not have an account with Council.

Credit card users will also incur a 2% merchant fee and a .30 cent transtion fee for each transaction, including if the credit card is declined. Council may also need to pass this fee on to credit card users by increasing the \$3 per kilolitre charge for credit card users however this is yet to be determined. Council is waiting confirmation that this fee can be passed on to the user at the time of the transaction. If this fee cannot be passed on at the time of the transaction then a fee of \$3.20 is suggested for credit card payments and this can be set up separately in the system.

4.4 Recommendation

That:

1. Council adopts the recommended charge of \$3 per kilolitre for access to the new water stand pipe for account users .
2. If credit card fees cannot be passed onto the user at the time of transaction, a charge of \$3.20 per kilolitre be levied on credit card users.

Stephanie Waterhouse
Director Finance and Corporate Service



**Finance and Corporate Services' Report to the Ordinary Meeting
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**Engineering Services' Report to the Ordinary Meeting
of Bogan Shire Council 24 March 2022**

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

Mayor and Councillors

I submit the following report for consideration:

1 DEPARTMENTAL ACTIVITY REPORT

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

1.1 Introduction

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

1.2 Background

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

1.3 Discussion

Roads

Road work undertaken for the reporting period 14th February 2022, to the 11th March 2022 consisted of the following:

No.	Name	Comments
	Local Roads	
60	Whiterock Road	Re-sheeting, & maintenance grading continuing
25	Merryanbone Road	Emergency flood damage repairs continuing
56	Dickson's Road	Re-sheeting completed
86	Neeroc Road	Maintenance, & re-sheeting continuing
9	Glenn Garriff Road	Maintenance, & re-sheeting continuing
21	Gongolgon Road	Maintenance, & re-sheeting continuing
7	Bobadah Road	Maintenance grading, & re-sheeting commenced

**Engineering Services' Report to the Ordinary Meeting
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46	Drummy's Road	Re-sheeting completed
20	Murrawombie Road	Re-sheeting, & maintenance continuing
13	Bourkes Road	Re-sheeting, & maintenance completed
14	Gilgai Road	Re-sheeting, & maintenance completed
10	Pangee Road	Flood damage repairs commenced
10	Pangee Road	2km of construction continuing
Various	Rural Roads	Slashing of roadside continuing

	Regional Roads	
461	Condo Cobar Road	Emergency flood damage repairs to causeways continuing
7514	Cockies Road	Flood damage repairs & maintenance completed
	State Highways	
HW7	Mitchell Highway	Pothole patching continuing
HW7	Mitchell Highway	Resealing program continuing
HW7	Mitchell Highway	Mulla Road rehabilitation continuing
HW7	Mitchell Highway	Tree trimming continuing
HW8	Barrier Highway	Resealing program commenced
HW7	Mitchell Highway	Mulga Shoulder Widening Project commenced

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

- Nyngan Town Streets
- Herm/Nymagee Road
- Canonba Road
- Tottenham Road
- Moonagee Road
- HW7 & HW8

Engineering Services' Report to the Ordinary Meeting of Bogan Shire Council 24 March 2022

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

- Commencing, or continuing maintenance grading, re-sheeting, or flood damage repairs of the following roads:- Cobar Condo Road, Murrawombie Road, Piesley Road, Warrah Road, Gongolgon Road, Merryanbone Road, and Bobadah Road.
- Continuing 12km shoulder widening of the Mitchell Highway near Byrock.
- Completing the resealing program on the Mitchell, and Barrier Highways.
- Completing 2km of reconstruction, and sealing of Pangee Road.
- Commencing installation of pipe culverts as part of the Yarran Hut Shoulder Widening Project Mitchell Highway.
- Commencing construction and sealing 1km Colane Road
- Commencing construction and sealing of 900m between 2 sealed sections on Mulla Road.

Works and Services

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

Civil Works

- Carried out further preparation works for kerb & gutter replacement in Pangee St, Dandaloo Street, & Flood Memorial Park
- Redirected concrete stormwater drainage from Larkin oval to Canonbar St as part of the Youth and Community Centre construction (Contractor)
- Erosion control carried out on the recreation weir adjacent to Rotary Park (Contractors)
- Electricity extended to Jack Hargraves Park to operate BBQ
- Removed storm damaged roof from racecourse grandstand (Contractor)
- Removed play equipment and fence from Davidson Park in preparation for park upgrade
- Repaired culvert on intersection of Dandaloo & Pangee Sts
- Installed new colourbond and chain mesh fence at swimming pool
- Commenced upgrade of Cairn centre of NSW
- Replaced damaged bin surround at Truck & Travel
- Commenced town street name sign replacement

**Engineering Services' Report to the Ordinary Meeting
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Community Facilities

- Mowing and maintenance of ovals, reserves and highway approaches to Nyngan.
- Cleaning town facilities.
- Cleaning and sweeping Nyngan CBD.
- Cleaning and maintenance town streets and nature strips.
- Cleaning town streets gutters and culverts.
- Carried out clean up of compound at Girilambone railway station
- Weed spraying lane ways and culverts (ongoing)
- Aeration of ovals carried out
- Ovals and surrounds sprayed for Khaki weed (ongoing)

Water & Wastewater

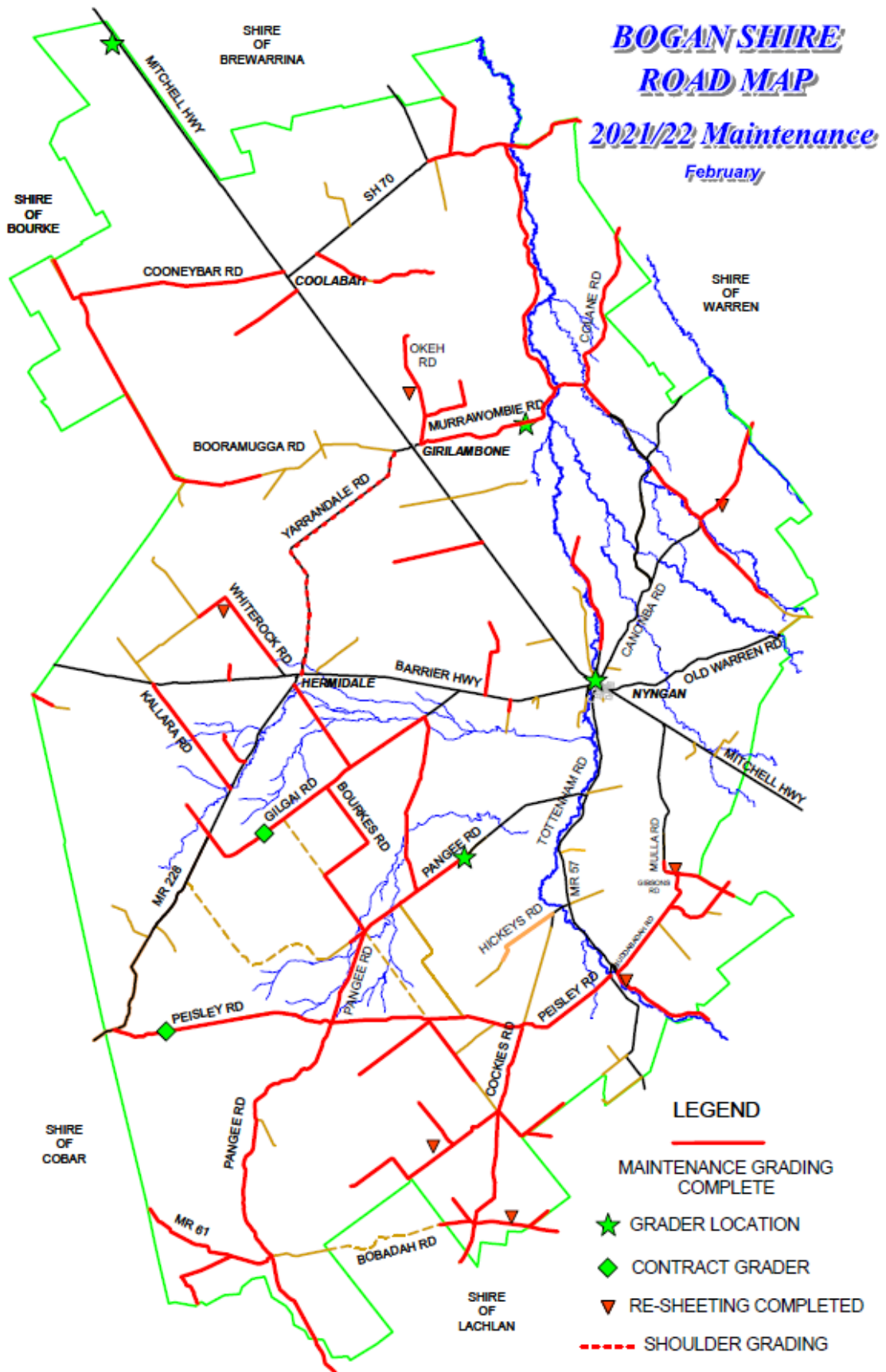
- Weeds spraying slashing carried out Albert Priest Channel (ongoing)
- Removed major sewer blockage Davidson Park
- De-silting APC (ongoing)
- Installed second service to new council residence Bogan St
- Water main repairs carried out Davidson Park
- Carried out lime treatment on sewer pump stations
- Flushing of reticulation system being carried out (ongoing)
- Assisted in circulation pump repairs at the swimming pool

1.4 Recommendation

That the Departmental Activity Report be received and noted.

Graeme Bourke
Director Engineering Services

Engineering Services' Report to the Ordinary Meeting
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Development and Environmental Services' Report to the Ordinary Meeting
of Bogan Shire Council Thursday 24 March 2022

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

Mayor and Councillors

I submit the following reports for consideration:

1 DEPARTMENTAL ACTIVITY REPORT

Summary:-

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

1.1 Introduction

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

1.2 Background

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

**Development and Environmental Services' Report to the Ordinary Meeting
of Bogan Shire Council Thursday 24 March 2022**

1.3 Discussion

Development Application Statistics

Four applications require additional informational, one application is under assessment and one application was approved since Council's meeting of 24 February 2022 as indicated in the table below:

DA NUMBER	APPLICANT	ADDRESS	DESCRIPTION	VALUE (\$)	PROGRESS
2021/019	Taylor Made Buildings Pty Ltd	4026 Cockies Road, Five Ways	New Transportable Dwelling	266,235	Additional Information Required
2021/020	Barnson Pty Ltd	8-10 Lawlor Street, Nyngan	New Concrete Batching Plant	300,000	Additional Information Required
2021/024	Taylor Made Buildings Pty Ltd	Parish of Kidgery, Nyngan	New Transportable Dwelling	715,635	Additional Information Required
2021/025	Mr BS Miles	214 Cooneybar Road, Coolabah	New Single Storey Dwelling	544,800	Additional Information Required
2021/027	Mr M Sheather	82-84 Cannonbar Street, Nyngan	New Single Storey Dwelling and New Private Shed	600,000	Approved
2022/003	Mr R and Mrs E Bennett	94 Cannonbar Street, Nyngan	New Swimming Pool	36,000	Under Assessment

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

Assistance continues to be provided to the community regarding lodgment of applications through the NSW Planning Portal.

Waste Management

Kerbside recycling continues to be transported to the Gilgandra Materials Recycling Facility for processing. The contamination rate for February was 21.75%.

Discussions with Netwaste continued and a draft waste education program has been developed.

The Nyngan waste facility continues to operate as normal.

Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire Council Thursday 24 March 2022

As per resolution 331/2021 from 25 November 2021 Council meeting, discussions with Netwaste regarding a recycling education program has been developed. The education program focuses not only on recycling but waste issues as a whole. The plan includes a field trip to the Gilgandra Materials Recycling Facility for interested parties, school and community workshops, media awareness and the introduction of Waste to Art as a category at the Nyngan Show.

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

Compliance

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

Biosecurity

Biosecurity and Weeds duties continued and included 542km of roadside inspections since Council's February meeting. These details and additional biosecurity statistics are outlined in Attachment 3.

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.

War Memorial Pool

The Nyngan War Memorial Pool continues to operate to the designated summer hours. Maintenance issues relating to an essential pump resulted in the pool being closed for a total of six (6) days. The total number of visitors to the Nyngan War Memorial Pool is outlined in Table 8.

1.4 Attachments

1. Development Application Statistics
2. Waste Management Statistics.
3. Compliance and Biosecurity Statistics
4. Nyngan War Memorial Pool Statistics

1.5 Recommendation

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

**Development and Environmental Services' Report to the Ordinary Meeting
of Bogan Shire Council Thursday 24 March 2022**

Attachment 1

Building Statistical / Historical Information

Table 1: Building and Development

	ApplicationType							Application Value
	Totals		Breakup					
	DA	CDC	Dwellings	Shed/Garage/ Patio/Awning	Pool	Sub- division	Other	
July 2021	5		2	2			1	\$ 800,620.00
August 2021	1						1	\$ 100,000.00
September 2021	2		1				1	\$ 566,200.00
October 2021	3		3					\$ 1,882,013.00
November 2021	1		1					\$ 544,800.00
December 2021	3		4	2				\$ 1,643,457.00
January 2022	1						1	\$ -
February 2022	1				1			\$36,000
March 2022								
April 2022								
May 2022								
June 2022								
Total 2021/22	17	0	11	4	1	0	4	\$ 5,573,090.00
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

**Development and Environmental Services' Report to the Ordinary Meeting
of Bogan Shire Council Thursday 24 March 2022**

**Attachment 2
Waste Management Statistics**

Table 2: Kerbside Waste Collection

	No of Premises with Service	Services Provided (Bins Emptied)	Tonnes Collected
July 2021	1,031	5,398	41.10
August 2021	1,031	6,883	94.50
September 2021	1,031	5,903	98.20
October 2021	1,031	6,061	96.10
November 2021	1,032	6,634	112.80
December 2021	1,035	5,627	102.30
January 2022	1,035	6,458	92.54
February 2022	1,035	5,297*	84.30
March 2022			
April 2022			
May 2022			
June 2022			
Total 2021/22	1,035	42,964	721.84
Total 2020/21	1,029	N/A	302.10

Note 1 - August figures are higher than usual due to temporary closure of Gilgandra MRF for two weeks of the reporting period.

Note 2 - September figures are higher than usual due to temporary closure of Gilgandra MRF for the whole of the reporting period.

Note 3 -February * estimation due to technical issues

Table 3: Kerbside Recycling Collection

	No of Premises with Service	Services Provided (Bins Emptied)	Tonnes Collected	Tonnes Recycled	% Contam-ination
July 2021	898	1,062	10.30	3.08	29.89
August 2021	898	158	5.20	1.54	29.60
September 2021	898	0.00	0.00	0.00	0.00
October 2021	898	902	8.80	6.2	29.5
November 2021	899	950	10.8	7.82	27.61
December 2021	902	840	6.2	5.24	15.52
January 2022	902	88	5.4	3.8	29
February 2022	902	862*	11.5	8.99	21.75
March 2022					
April 2022					
May 2022					
June 2022					
Total 2021/22	898	4,000	0.00	0	91.44
Total 2020/21	896	N/A	117.50	90.92	22.53

Note 1 - August figures are lower than usual due to temporary closure of Gilgandra MRF for two weeks of the reporting period.

Note 2 - September figures are nil due to temporary closure of Gilgandra MRF for the whole of the reporting period.

Note 3 - October figures are lower than usual due to temporary closure of Gilgandra MRF for one week of the reporting period.

Note 4 - December recycling down due to closure of Gilgandra MRF 1/22/29 of December

Note 5 -February * estimation due to technical issues

**Development and Environmental Services' Report to the Ordinary Meeting
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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 2021	112.97	100.47	36.00	-	4.14	12.67	0.80
August 2021	146.74	33.71	4.58	-	3.06	3.30	1.58
September 2021	146.54	17.76	21.60	-	4.32	6.53	0.93
October 2021	237.12	54.22	7.22	-	7.02	1.59	0.77
November 2021	165.75	49.65	1.00	-	2.22	4.14	1.07
December 2021	239.39	32.81	0.62	-	6.72	9.21	2.95
January 2022	177.91	132.54	0.62	-	7.38	6.60	1.40
February 2022	178.78	45.61	3.62	-	2.82	6.78	1.28
March 2022							
April 2022							
May 2022							
June 2022							
Total 2021/22	1,405.20	466.77	75.26	-	37.68	50.82	10.78
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 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	Matresses	Tyres	Other
July 2021		312	\$ 12,113	-	5.26	-	-
August 2021		489	\$ 7,446	-	-	-	-
September 2021		423	\$ 9,557	-	4.68	3.86	-
October 2021		1,053	\$ 13,694	-	-	-	-
November 2021		939	\$ 9,086	-	-	-	-
December 2021		1,605	\$ 13,178	-	-	-	-
January 2022		1,668	\$ 18,219	-	3.38	-	-
February 2022		1,402	\$ 14,752	-	-	-	-
March 2022							
April 2022							
May 2022							
June 2022							
Total 2021/22	14,604	7,891	\$ 98,045	-	13.32	3.86	-
Total 2020/21	N/A	4,015	N/A	185.54	16.68	7.52	-

**Development and Environmental Services' Report to the Ordinary Meeting
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Attachment 3

Compliance and Biosecurity Statistics

Table 6: Compliance

	Animals Impounded	Animals Released		Complaints
		To Owner	Rehomed	
July 2021	2	3	4	16
August 2021	4	2	2	10
September 2021	3	1	4	14
October 2021	6	0	6	11
November 2021	4	3	1	12
December 2021	4	3	1	10
January 2022	6	2	4	8
February 2022	8	3	1	29
March 2022				
April 2022				
May 2022				
June 2022				
Total 2021/22	37	17	23	110

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 2021	14	6	715	1		25
August 2021	3		535	3		18
September 2021	9		143		25	
October 2021	10	2	336		52	16
November 2021	12		448	1		17
December 2021	9		104		77	14
January 2022	11	2	90	1		12
February 2022	3	1	542			36
March 2022						
April 2022						
May 2022						
June 2022						
Total 2021/22	71	11	2,913	6	154	138

Development and Environmental Services' Report to the Ordinary Meeting
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Attachment 4

Nyngan War Memorial Pool Statistics

Table 8 Nyngan War Memorial Pool

	Number of Visitors
October 2021	1,824
November 2021	2,835
December 2021	4,446
January 2022	4,678
February 2022	2,744
March 2022	
April 2022	
Total	16,527

Development and Environmental Services' Report to the Ordinary Meeting
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2 RESIDENTIAL RECYCLING BINS

Summary:

The purpose of this report is to seek direction from Council on the placing of stickers on residential recycling bins.

2.1 Introduction

The purpose of this report is to seek direction from Council on the placing of stickers on residential recycling bins.

2.2 Background

At the November 25 2021 Council meeting, Council resolved that all resident recycling bins be issued with a sticker on recycling waste (331/2021) as an attempt to combat contamination within residential recycling.

2.3 Discussion

Residential recycling bins currently display clear signage on what can be recycled as shown in picture 1 below. All residential recycling bins have this sign located on the lid of the bin. The current sign is clear and concise displaying both words and pictures.



Picture 1. Existing signage on recycling bins.

**Development and Environmental Services' Report to the Ordinary Meeting
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It is recommended that no additional stickers be placed on bins as it would probably not serve any useful purpose and would incur extra cost.

2.4 Recommendation

That no additional stickers be placed on recycling bins.

3 STANDARD INSTRUMENT LEP AGRITOURISM AMENDMENT ORDER

Summary:

The purpose of this report is to seek Council's endorsement to adopt the proposed draft Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021.

3.1 Introduction

The purpose of this report is to seek Council's endorsement to adopt the proposed draft *Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021*.

3.2 Background

Due to the impacts of natural disasters and COVID-19, the Department of Planning and Environment is proposing to introduce the optional draft *Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021* that can be adopted by interested Councils. The proposed changes will make it easier for farmers to utilise their land in new and innovative ways such as farm experiences, cellar doors and farm stay accommodation.

3.3 Discussion

Following the exhibition of the explanation of intended effect (EIE) in March-April 2021, the draft *Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 (LEP Order)* has been prepared which will amend the Standard Instrument LEP.

The proposed framework means that the Local Environmental Plan will give owners of farming land the option to create an additional source of income following the economic effects of the COVID-19 pandemic and provide opportunities for extra tourism in the Bogan Shire.

Council nominations will be included in a State Environmental Planning Policy that will amend the Bogan LEP without the need for Council to prepare individual planning proposals. This process will save Councils time in making amendments to their local plans.



**Development and Environmental Services' Report to the Ordinary Meeting
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Council can now nominate to adopt the draft Order with final responses to the Standard Instrument LEP Agritourism Nomination and Council minutes or a letter due by 31 March 2022. If incorporated, it is expected the LEP Order will be in effect in mid-2022.

3.4 Attachment

Draft *Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021*.

3.5 Recommendation

That Council nominate to adopt the draft *Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 (LEP Order)*.

Cathy Black
Director, Development & Environmental Services

Development and Environmental Services' Report to the Ordinary Meeting
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draft

Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 [NSW]

**Standard Instrument (Local Environmental Plans) Amendment
(Agritourism) Order 2021**

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Amendment of Standard Instrument (Local Environmental Plans) Order 2006

Land Use Table

Insert in appropriate order in Direction 5—

- Agritourism;
- Farm experience premises;
- Farm gate premises;

Development and Environmental Services' Report to the Ordinary Meeting
of Bogan Shire Council Thursday 24 March 2022

draft

Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 [NSW]
Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental
Plans) Order 2006

**Schedule 1 Amendment of Standard Instrument prescribed
by Standard Instrument (Local Environmental
Plans) Order 2006**

- [1] Clause 5.4 Controls relating to miscellaneous permissible uses [compulsory]
Omit “not less than 8” from clause 5.4(8). Insert instead “not less than 9”.
- [2] Clause 5.18 Intensive livestock agriculture [compulsory if intensive livestock
agriculture permitted with consent]
Omit clause 5.18(4)(b)(v). Insert instead—
- (v) for a poultry farm used for breeding poultry—within 5,000 metres of another poultry farm, or
 - (vi) for a poultry farm not used for breeding poultry—
 - (A) within 5,000 metres of a poultry farm used for breeding poultry, or
 - (B) within 1,000 metres of a poultry farm not used for breeding poultry, or
 - (vii) for a pig farm—within 3,000 metres of another pig farm.
- [3] Clauses 5.23 and 5.24
Insert after clause 5.22—
- 5.23 Farm stay accommodation [optional]
- (1) The objectives of this clause are—
 - (a) to diversify the uses of agricultural land without adversely impacting the principal use of the land for a primary production business, and
 - (b) to balance the impact of tourism and related commercial uses with the use of land for primary production, the environment, scenic values, infrastructure and adjoining land uses.
 - (c) [set out other objectives of the clause]
 - (2) Development consent must not be granted to development for the purposes of farm stay accommodation on a landholding unless the consent authority is satisfied that—
 - (a) the maximum number of guests accommodated in bedrooms at any 1 time will not be more than the greater of—
 - (i) 3 times the number of bedrooms permitted under clause 5.4(5), or
 - (ii) 20 guests, and
 - (b) the gross floor area of a building used to accommodate guests will not be more than [insert number no less than 60] square metres, and
 - (c) the maximum number of guests accommodated in moveable dwellings on the landholding will not be more than [insert number no more than 20] at any 1 time, and
 - (d) the maximum number of moveable dwellings used for the accommodation of guests will not be more than [insert number no more than 6], and
 - (e) all buildings or moveable dwellings used to accommodate guests will be—
 - (i) on the same lot as an existing lawful dwelling house, or

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- (ii) on a lot—
 - (A) for which a minimum size is shown for a dwelling house on the Lot Size Map, and
 - (B) the size of which is not less than the minimum size shown.
 - (3) Subclause (2)(b) does not apply if the development is the change of use of an existing dwelling to farm stay accommodation.
 - (4) Development consent must not be granted to development for the purposes of farm stay accommodation on land unless the consent authority has considered—
 - (a) whether the development will result in noise or pollution that will have significant adverse impact on the following on or near the land—
 - (i) residential accommodation,
 - (ii) primary production operations,
 - (iii) other land uses, and
 - (b) whether the development will have significant adverse impact on the following on or near the land—
 - (i) the visual amenity, heritage or scenic values,
 - (ii) native or significant flora or fauna,
 - (iii) water quality,
 - (iv) traffic,
 - (v) the safety of persons, and
 - (c) whether the development is on bush fire prone land or flood prone land, and
 - (d) the suitability of the land for the proposed development, and
 - (e) the compatibility of the development with nearby land uses.
- 5.24 Farm gate premises [optional]
- (1) The objectives of this clause are—
 - (a) to allow for small scale tourism and related commercial uses on land used for primary production without adversely impacting the principal use of the land for primary production, and
 - (b) to balance the impact of tourism and related commercial uses with the use of land for primary production, the environment, scenic values, infrastructure and adjoining land uses.
 - (c) [set out other objectives of the clause]
 - (2) Development consent must not be granted to development for the purposes of farm gate premises on a landholding unless the consent authority is satisfied that—
 - (a) the gross floor area of a building used for farm gate premises will not be more than [insert number no more than 200] square metres, and
 - (b) the maximum number of persons that will be permitted on the landholding at any 1 time for the purposes of the farm gate premises will not be more [insert number not more than 50] persons.
 - (3) Development consent must not be granted to development for the purposes of farm gate premises on land unless the consent authority has considered—
 - (a) whether the development will result in noise or pollution that will have significant adverse impact on the following on or near the land—

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- (i) residential accommodation,
 - (ii) primary production operations,
 - (iii) other land uses, and
 - (b) whether the development will have significant adverse impact on the following on or near the land—
 - (i) the visual amenity, heritage or scenic values,
 - (ii) native or significant flora or fauna,
 - (iii) water quality,
 - (iv) traffic,
 - (v) the safety of persons, and
 - (c) whether the development is on bush fire prone land or flood prone land, and
 - (d) the suitability of the land for the proposed development, and
 - (e) the compatibility of the development with nearby land uses.
- [4] Dictionary
Insert after the definition of *agriculture*, paragraph (d)—
- (e) agritourism.
- [5] Dictionary
Omit the definition of *farm stay accommodation*.
Insert in alphabetical order—
- agritourism* means the following—
- (a) farm gate premises,
 - (b) farm experience premises.
- Note—** Agritourism is a type of *agriculture*—see the definition of the term in this Dictionary.
- farm stay accommodation* means a building or place—
- (a) on a farm —
 - (i) that is a primary production business, or
 - (ii) on land categorised as farmland under the *Local Government Act 1995*, section 515, and
 - (b) used to provide temporary accommodation to paying guests of the farm including in buildings or moveable dwellings.
- Note—** Farm stay accommodation is a type of *tourist and visitor accommodation*—see the definition of the term in this Dictionary.
- farm experience premises* means a building or place—
- (a) on a farm that is—
 - (i) a primary production business, or
 - (ii) on land categorised as farmland under the *Local Government Act 1995*, section 515, and
 - (b) that is ancillary to the farm, and
 - (c) that is used to provide visitors to the farm with small scale and low impact tourist or recreational services on a commercial basis including the following—
 - (i) horse riding,

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- (ii) farm tours,
- (iii) functions or conferences,
- (iv) farm field days.

Note— Farm experience premises is a type of *agritourism*—see the definition of the term in this Dictionary.

farm gate premises—

- (a) means a building or place—
 - (i) on a farm that is—
 - (A) a primary production business, or
 - (B) on land categorised as farmland under the *Local Government Act 1995*, section 515, and
 - (ii) that is ancillary to the farm, and
 - (iii) that is used to provide visitors to the farm with agricultural products predominantly from the farm or other farms in the region or with services or activities related to the products, including the following—
 - (A) processing, packaging and sale of the products, but not the processing of animals,
 - (B) a restaurant or cafe,
 - (C) a facility for holding tastings or workshops, or providing information or education, related to the products, and
- (b) includes cellar door premises.

Note— Farm gate premises is a type of *agritourism*—see the definition of the term in this Dictionary.

landholding means 1 or more lots of land that—

- (a) are constituted or worked as a single property, and
- (b) are contiguous or are separated only by a road or watercourse.

primary production business has the same meaning as in the *Income Tax Assessment Act 1997* of the Commonwealth and includes a business that—

- (a) was a primary production business, and
- (b) has temporarily ceased to be a primary production business because of a natural disaster, including a drought, flood or bush fire.

- [6] Dictionary, definition of “cellar door premises”
Omit “*retail premises*” from the note. Insert instead “*farm gate premises*”.
- [7] Dictionary, definition of “restaurant or cafe”
Insert “, but does not include a restaurant or cafe that is included as part of artisan food and drink industry or farm gate premises” after “provided”.
- [8] Dictionary, definition of “retail premises”
Insert “farm gate premises,” before highway service centres”.
- [9] Dictionary, definition of “retail premises”
Omit paragraph (b).

PRECIS OF CORRESPONDENCE

1 THE HON. WENDY TUCKERMAN MP, MINISTER FOR LOCAL GOVERNMENT AND OFFICE OF LOCAL GOVERNMENT CIRCULAR TO COUNCILS 22-0/7 MARCH 2022 / A811946 – GUIDELINES FOR ADDITIONAL SPECIAL VARIATION (ASV) PROCESS FOR 2022-23

Attached is correspondence received from The Hon. Wendy Tukerman MP, Minister for Local Government and correspondence received from the Office of Local Government.

General Managers Note: Based on information contained in Circular 2022-23, Bogan Shire Council could make application for a 2% rates increase which was the assumed 2022-23 rate peg as exhibited in its 2021-22 Long Term Financial Plan.

- 1.1 Recommendation:** That Council determines whether or not to include an assumption of 2% rates increase in the draft Operating Budget for 2022/23 for further consideration at the Estimates Meeting.

2 LOCAL GOVERNMENT NSW APPOINTMENT OF BOGAN SHIRE COUNCIL GENERAL MANAGER TO THE LGNSW INDUSTRIAL ADVISORY COMMITTEE (IAC)

Attached is correspondence received from the Office of Local Government NSW.

- 3.1 Recommendation:** Correspondence be received and noted.

3 WT & TS ROACH

Attached is correspondence received from WT & TS Roach

General Managers Note: This relates to Development Application 2021/020 – page 69 of the Business Paper refers.

- 3.1 Recommendation:** For Council's Consideration.



Precis of Correspondence to the Ordinary Meeting of
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The Hon. Wendy Tuckerman MP
Minister for Local Government

Mr Derek Francis
General Manager
Bogan Shire Council
PO Box 221
NYNGAN NSW 2825

Clr Glen Neill
Mayor
Bogan Shire Council

Via email: admin@bogan.nsw.gov.au

Dear Mr Francis and Clr Neill,

I am writing to advise that I have arranged for a new, special rates variation opportunity for the 2022-23 financial year. This one-off opportunity will support councils that had budgeted for a larger income increase than received when IPART announced its annual rate peg in December 2021.

I have carefully listened to the concerns of councils and others about the impact of the 0.7 per cent general rate peg and have taken immediate steps to respond. This new special rates variation opportunity, coupled with IPART's review of the methodology used to determine the general component of the annual rate peg, demonstrates that the NSW Government is serious about ensuring that our councils are financially sustainable so they can continue to deliver the key services and infrastructure communities need.

For councils wishing to avail themselves of this new opportunity, the Office of Local Government (OLG) has issued Circular 22-03 outlining the process to be followed. As advised in the Circular, IPART will release streamlined application forms and further information shortly.

I am pleased to be able to make this opportunity available to you, and would encourage your council to consider the guidance provided by OLG in Circular 22-03 when making its decision about whether to take it up.

Yours sincerely

The Hon. Wendy Tuckerman MP
Minister for Local Government

**Precis of Correspondence to the Ordinary Meeting of
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Circular Details	22-03 / 7 March 2022 / A811946
Previous Circular	20-38 Special Rate Variation and Minimum Rate Variation Guideline and Process
Who should read this	Councillors / General Managers / Rating and Finance Staff
Contact	Policy Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information

Subject

Guidelines for Additional Special Variation (ASV) Process for 2022-23

What's new or changing

- The Independent Pricing and Regulatory Tribunal (IPART) will accept and process an additional round of 2022-23 Special Variation (ASV) applications from councils.
- For applications made under the ASV process, the ASV Guidelines set out in this circular apply in place of the [Guidelines for the preparation of an application for a special variation to general income](#) issued by the Office of Local Government in 2020.
- For more information on when these ASV Guidelines apply, please see 'What this will mean for your council' below.
- This one-off ASV round is available for the 2022-23 financial year only.
- This one-off ASV round is for councils that can demonstrate the need for a special variation to meet the obligations they set for 2022-23 in their 2021-22 Integrated Planning and Reporting (IP&R) documentation.
- Councils seeking a permanent special variation will also need to demonstrate the financial need for the special variation to be included in their rate base on an ongoing basis.
- Separately, IPART has also agreed to undertake a broader review of its rate peg methodology, including the Local Government Cost Index, with outcomes from the review expected to shape rate peg determinations in future years.

What this will mean for your council

- The ASV Guidelines set out in this Circular apply where council is applying for:
 - a temporary or permanent single year special variation for 2022-23 under section 508(2) of the *Local Government Act 1993* (the Act), AND
 - the percentage sought in the application is the lower of:
 - 2.5% (including population factor) or
 - the council's assumed 2022-23 rate peg as exhibited in its 2021-22 Long Term Financial Plan (LTFP) (including population factor)

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

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- For ASV applications made under the Guidelines set out in this Circular, councils will need to demonstrate that:
 - Council has demonstrable financial need such that, in the absence of a special variation, council would not have sufficient funds to meet its obligations as identified in its 2021-22 LTFP as and when they fall due in 2022-23; and
 - Where councils are applying for a permanent special variation, in addition to the above criterion, the council has demonstrable financial need for the special variation to be retained in its rate base on an ongoing basis; and
 - Council's 2021-22 IP&R documentation budgeted for an income increase above the percentage specified for the council for 2022-23 under section 506 of the Act; and
 - Council has resolved to apply for the special variation under section 508(2) of the Act and that the resolution clearly states:
 - whether the resolution is for a temporary or permanent special variation under section 508(2) of the Act; and
 - the additional income that council will receive if the special variation is approved; and
 - why the special variation is required; and
 - that the council has considered the impact on ratepayers and the community in 2022-23 and, if permanent, in future years if the special variation is approved and considers that it is reasonable.
- The ASV application process will be a simpler more targeted application process.
- IPART will not require councils to demonstrate community consultation outside of the processes outlined above. To demonstrate community consultation, IPART will consider the consultation undertaken through the IP&R process and consider the resolution to apply for a ASV meets the requirements outlined above.
- IPART will release streamlined application forms and further information shortly.
- Under this ASV round of applications:
 - IPART will accept applications until 29 April 2022;
 - IPART will publish applications to enable community consultation for a period of at least three weeks; and
 - IPART will notify councils of its decision no later than 21 June 2022.

Key points

- In late 2021, IPART announced the rate peg for the 2022-23 financial year was set at an increase of between 0.7% and 5.0%.
- Special variations provide an opportunity for councils to vary general income by an amount greater than the annual rate peg. However IPART's normal period for special variation applications in relation to the 2022-23 rate peg has now passed.
- The Office of Local Government and IPART recognise that, due to the delayed council elections and the determination of the 2022-23 rate peg at a lower rate than councils had forecast, councils may not have had sufficient time to prepare special variation application within the normal timeframe.

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E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

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Our Ref: R19/0019 Out-34108
Contact: Anastasia.polites@lgnsww.org.au

10 March 2022

Mr Derek Francis
General Manager
Bogan Shire Council

Email: derek.francis@bogan.nsw.gov.au

Dear Mr Francis

Appointment to the LGNSW Industrial Advisory Committee (IAC)

I am writing to congratulate you on your re-appointment by the LGNSW Board to the LGNSW Industrial Advisory Committee (IAC) as a rural/regional member.

The IAC is established under the Association's rule 21A and is established

"...to assist and make recommendations to the [LGNSW] Board in relations issues that concern or are likely to concern more than one of the members of the Association currently on in the future".

Please find attached a copy of the IAC's terms of reference for your information.

The next meeting of IAC will be held:

Thursday 31 March 2022 via MS Teams from 3pm to 5pm

The agenda and papers will be available for review one week prior to the meeting. The second meeting of IAC for the year will be held on **19 August 2022** from 3pm to 5pm.

If you have any queries regarding the IAC and its operation, please don't hesitate to contact Anastasia Polites, Senior Industrial Officer on 9242 4113 or 0434 020 467.

Yours sincerely



Cr Dariea Turley AM
President

Incl: IAC terms

Industrial Advisory Committee: Terms of Reference

The functions of the IAC are as follows:

- to assist and make recommendations to the Board in relation to industrial relations issues that concern or are likely to concern more than one of the members of the Association either currently or in the future; and
- to assist the Board in formulating, and to advise the Board on implementing, policies affecting industrial relations and employment in NSW local government; and
- to advise the Board on legislative and policy proposals of industrial significance; and
- to advise the Board on how to promote, maintain and protect the employer interests, rights and privileges of Local Government in NSW; and
- to seek out, assess, respond and advise on the needs and aspirations of members of Local Government NSW in their capacity as employers in NSW; and
- to advise and make recommendations to the Board on any industry wide claims, disputes or proceedings; and
- for the purposes of award negotiations receive advice and recommendations from the Award Working Party; and
- to consider, consult and make recommendations on any industrial relations or employment related matter referred to the IAC by the Board.

Size and Composition of the IAC

The IAC is made up of 8 members comprised of:

- Two (2) Directors representing Metropolitan/Urban members of the Association elected in the immediately preceding elections; and
- Two (2) Directors representing Rural/Regional members of the Association elected in the immediately preceding elections; and
- Two (2) general managers (or their representatives) representing Metropolitan/Urban members of the Association, appointed by the Board following an expression of interest process; and
- Two (2) general managers (or their representatives) representing Rural/Regional members of the Association, appointed by the Board following an expression of interest process.



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- f) fails to attend three consecutive meetings of the IAC without leave.

Term

That the election of a director or the appointment of a general manager to serve on the IAC shall be for a term of no more than 2 years commencing with the term of the Board under which the election or appointment is made and concluding at the conclusion of the term of the Board.



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W.T & T.S Roach

PO Box 82 Nyngan 2825

MOB 0428 286 538

General Manager
Bogan Shire Council
81 Bogan Street
NYNGAN NSW 2825

Dear Derek

We are asking that Bogan Shire Council share the burden of the cost for the acoustic assessment required for our proposed development. The block of land was purchased in good faith to move our business location from a residential area to an industrial business park, thus reducing the noise factor amongst the community's homes.

Regards Wayne Roach

A handwritten signature in black ink that reads "W.T. Roach". The signature is written in a cursive, slightly slanted style.

NOTES

POLICY FIN 002

INVESTMENT POLICY



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Bogan Shire Council Investment Policy FIN002

Introduction

The purpose of this Investment Policy is to provide a framework to assist Councillors, the General Manager, the Responsible Accounting Officer and the Business Services Officer of Bogan Shire Council to invest surplus funds, not immediately required for any other purpose, in a prudent and appropriate manner. The Policy establishes limits in which Council officers must operate and determines the general level of risk that is acceptable for monies managed on behalf of the Bogan Shire residents.

Objectives

To provide a framework for the investing of Council's funds at the most favourable rate of interest available to it at the time whilst having due consideration of risk and security for that investment type and ensuring that its liquidity requirements are being met.

While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity, and the return of investment.

- Preservation of capital is the principal objective of the investment portfolio. To prevent any loss to the amount invested, while gaining the most advantageous rate of return with minimum risk. Investments are to be placed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.
- Investments should be allocated to ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring the risk of significant costs due to the unanticipated sale of an investment.
- Investments are expected to achieve a market average rate of return in line with the Council's risk tolerance.

Legislative Requirements

All investments are to comply with the following:

- Ministerial Investment Order; (Attachment 1) issued 12/1/2011
- Local Government (General) Regulation 2005 (LGGR);
- Local Government Act 1993;
- Local Government Code of Accounting Practice and Financial Reporting;
- Australian Accounting Standards;
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14;
- Office of Local Government Circulars.

Delegation of Authority

Authority for implementation of the Investment Policy is delegated by Council to the General Manager in accordance with the *Local Government Act 1993*.

The General Manager may in turn delegate the day-to-day management of Council's Investment to the relevant Finance Staff.

Officers' delegated authority to manage Council's investments shall be recorded and they are required to acknowledge they have received a copy of this policy and understand their obligations in this role.

Prudent Person Standard

The investment will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolio to safeguard the portfolio in accordance with the spirit of this Investment Policy, **and not for speculative purposes.**

Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the General Manager.

Independent advisors are also required to declare that they have no actual or perceived conflicts of interest and receive no inducements in relation to Council's investments.

Approved Investments

Investments are limited to those allowed by the most current Ministerial Investment Order that has been issued by the Minister for Local Government and include:

- Commonwealth/State/Territory Government security eg bonds;
- Interest bearing deposits issued by an authorised deposit-taking institution (ADI);
- Bills of exchange, (< 200 days duration), guaranteed by an authorised deposit-taking institution;
- Debentures issued by NSW Local Government under Local Government Act (1993);
- Deposit with NSW Treasury Corporation (T-Corp) &/or Investments in T-Corp Hour-Glass Facility;

Bogan Shire Council Investment Policy FIN002

Prohibited Investments

In accordance with the Ministerial Investment Order, this investment policy prohibits but is not limited to any investment carried out for speculative purposes including:

- Derivative based instruments;
- Principal only investments or securities that provide potentially nil or negative cash
- Standalone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

This policy also prohibits the use of leveraging (borrowing to invest) for an investment. However, nothing in the policy shall prohibit the short-term investment of loan proceeds where the loan is raised for non-investment purposes and there is a delay prior to the expenditure of loan funds.

Risk Management Guidelines

Investments obtained are to be considered in light of the following key criteria:

- **Preservation of Capital** – the requirement for preventing losses in the investment portfolio's capital value;
- **Diversification** - the requirement to place investments in a range of products so as not to be over exposed to a particular sector of the investment market;
- **Credit risk** - The risk that a party or guarantor to a transaction will fail to fulfil its obligations. In the context of this document it relates to the risk of loss due to the failure of an institution/entity with which an investment is held to pay the interest and/or repay the principal of an investment;
- **Market Risk** - the risk that the fair value or future cash flows (Market Value) of an investment will fluctuate due to changes in market prices;
- **Liquidity Risk** - the risk an institution runs out of cash, is unable to redeem investments at a fair price within a timely period, and thereby Council incurs additional costs (or in the worst case is unable to execute its spending plans);
- **Maturity Risk** - the risk relating to the length of term to maturity of the investment. The larger the term, the greater the length of exposure and risk to market volatilities.
- **Rollover Risk** – the risk that income will not meet expectations or budgeted requirement because interest rates are lower than expected in future.

Council's Attitude to Risk

All Bogan Shire Council's investments must be made subject to the following minimum constraints:

Bogan Shire Council Investment Policy FIN002

- All investments must be of “investment grade” credit rating which implies that there is a **better than** “adequate” or “satisfactory” capacity to meet obligations.
- All investments should be dealt through reputable institutions with a Long Term Credit rating of at least “A” or a Short Term Credit Rating of “A-2” unless deposits with the institution are covered by the Government Guarantee. As per Table 1
- All investments must be for a period no longer than the period over which the underlying liability could reasonably be expected to arise.
- Where there is no identified underlying liability the term to maturity of the investments must not exceed 3 years.
- The investment portfolio must be managed in such a way that Council is able to meet its cash flow obligations at all times.
- Preservation of the capital component of all investments must be the highest priority.

Investment Guidelines/Strategy

I. Quotations on Investments

Not less than three (3) quotations shall be obtained from authorised institutions when an investment is proposed.

II. Assessment of Cashflow

Investments should be placed for a term which best suits the cash flow requirements of Council but for no longer than the 2 years prescribed by this policy.

III. Preservation of Capital

a) Credit Risk

There are two types of Credit Ratings; Short- term credit ratings and Long-term credit ratings. N.B. The credit rating is as determined by S&P, Fitch and Moody's.

Short-term credit ratings are an indication of the institutions capacity to meet short term financial commitments, i.e. less than 12 months.

Long-term credit ratings are an indication of the institutions capacity to meet financial commitment over the long term, i.e. greater than 12 months and generally apply to the rating of the institution.

b) Diversification Risk

The following tables represent the maximum allowable investment with any one Financial Institution.

Bogan Shire Council Investment Policy FIN002

Short Term Investments – Up to 12 months

Long – Term Credit Rating (Institution Rating)	Short – Term Credit Rating	Maximum % of Portfolio	
		<u>With one institution</u>	<u>Per Long Term Credit Rating</u>
AAA Category	A1	100%	100%
AA Category or Major Bank	A1	50%	100%
A Category	A1	15%	30%

Long Term Investments – Greater than 12 months but less than 3 years

Long-Term Credit Rating (Institution Rating)	Maximum % of Portfolio	
	<u>With one institution</u>	<u>Per Long Term Credit Rating</u>
AAA	80%	100%
AA + or -	30%	100%
A + or -	10%	25%

Major Banks to include Commonwealth Bank, NAB and Westpac.

Investment Advisor

An investment advisor may be appointed by the General Manager and they must be licensed by the Australian Securities and Investment Commission. The advisor must be independent and must confirm in writing that they have no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of the investment policy. Independence includes receiving no commissions or other benefits in relation to the investments being recommended or reviewed, except as fully rebated to Council, promptly. Council will continue to make all decisions in relation to the placement of investments.

Benchmarking

The performance of the investment portfolio shall be compared as follows:

- (a) Cash – 11am Cash rate
- (b) Direct Investments – BBSW Rate: Average Mid - 90 day

Bogan Shire Council Investment Policy FIN002

Reporting and Reviewing of Investments

Documentary evidence must be held for each investment and details thereof maintained in an Investment Register. The documentary evidence must provide Council legal title to the investment.

Certificates must be obtained from the financial institutions confirming the amounts of investments held on the Council's behalf as at 30 June each year and reconciled to the Investment Register.

All investments are to be appropriately recorded in Council's financial records and reconciled at least on a monthly basis.

A monthly report will be provided to Council. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio, maturity date and market value.

This Investment Policy will be reviewed at least every three years or as required in the event of legislative changes. The Investment Policy may also be changed as a result of other amendments that are to the advantage of Council and in the spirit of the policy.

Any amendment to the Investment Policy must be reported to Council at the next Council meeting.

Bogan Shire Council Investment Policy FIN002

Authority

Council Resolution No.

Policy Owner / Further Assistance

Director Finance & Corporate Services

Related Information

Local Government Act 1993 Investment Order

Review Date

March 2025

Revision History

Date	Description of Change	Sections Affected
26 September 2013	Adopted by Council	All
23 October 2014	Adopted by Council	All
22 October 2015	Adopted by Council	All
15 December 2016	Adopted by Council	All
21 December 2017	Adopted by Council	All
20 December 2018	Adopted by Council	All
24 March 2022		All

Bogan Shire Council Investment Policy FIN002

LOCAL GOVERNMENT ACT 1993 – INVESTMENT ORDER

(Relating to investments by councils)

I, the Hon. Barbara Perry MP, Minister for Local Government, in pursuance of section 625(2) of the *Local Government Act 1993* and with the approval of the Treasurer, do, by this my Order, notify for the purposes of section 625 of that Act that a council or county council may only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- (a) any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory;
- (b) any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993* (NSW));
- (c) interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (as defined in the *Banking Act 1959* (Cwth)), but excluding subordinated debt obligations;
- (d) any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- (e) a deposit with the New South Wales Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation;

All investment instruments (excluding short term discount instruments) referred to above include both principal and investment income.

Transitional Arrangements

- (i) Subject to paragraph (ii) nothing in this Order affects any investment made before the date of this Order which was made in compliance with the previous Ministerial Orders, and such investments are taken to be in compliance with this Order.
- (ii) Paragraph (i) only applies to those investments made before the date of this Order and does not apply to any restructuring or switching of investments or any re-investment of proceeds received on disposal or maturity of such investments, which for the avoidance of doubt must comply with this Order.

Key Considerations

An investment is not in a form of investment notified by this order unless it also complies with an investment policy of council adopted by a resolution of council.

All councils should by resolution adopt an investment policy that is consistent with this Order and any guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet, from time to time.

The General Manager, or any other staff member, with delegated authority by a council to invest funds on behalf of a council must do so in accordance with the council's adopted investment policy.

Councils have a fiduciary responsibility when investing. Councils should exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

When exercising the power of investment councils should consider, but not be limited by, the risk of capital or income loss or depreciation, the likely income return and the timing of income return, the length of the term of the proposed investment, the liquidity and marketability of the proposed investment, the likelihood of inflation affecting the value of the proposed investment and the costs (including commissions, fees, charges and duties payable) of making the proposed investment.

Dated this 12th day of January 2011


Hon BARBARA PERRY MP
Minister for Local Government