



# **BOGAN SHIRE COUNCIL**

## **Business Paper**

**23 March 2023**





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

This Council Meeting is being recorded for publishing on Council's website as a public record. By speaking at the Council Meeting you agree to being recorded and for this recording to be published. Please ensure that if and when you speak at this Council Meeting that you are respectful to others and use appropriate language at all times. Bogan Shire Council accepts no liability for any defamatory or offensive remarks made during the course of this Council Meeting.



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**16 March 2022**

## **COUNCIL MEETING NOTICE**

The next Ordinary Meeting of Council will be held in the Council Chambers on Thursday 23 March at 5.30pm.

### **AGENDA**

1. Opening Prayer
2. Remembrances
3. Apologies
4. Disclosure of Interest
5. Confirmation of the Closed and Confidential Minutes of the Council Meeting held on 23 February 2023
6. Director Engineering Services Closed and Confidential Report
  1. Pangee Street CBD Footpath Concreting  
The General Manager is of the opinion that consideration of this item 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, Clause 10A (d) (i) it involves commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
7. Director People and Community Services Closed and Confidential Report
  1. Tender – Bogan Shire Early Learning Centre  
The General Manager is of the opinion that consideration of this item 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, Clause 10A (d) (i) it involves commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
8. Confirmation of the Ordinary Minutes of the Council Meeting held on 23 February 2023.
9. General Manager's Report incorporating reports from:-
  - People and Community Services
  - Finance and Corporate Services
  - Engineering Services
  - Development and Environmental Services
10. Correspondence

Your attendance at this meeting would be appreciated.

Yours sincerely

**Melissa Salter**  
**Executive Officer**







**General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
held on 23 March 2023**

**REPORT TO ORDINARY MEETING OF COUNCIL – GENERAL MANAGER'S REPORT  
Mayor and Councillors**

The following report is submitted for consideration:

**1 CHECKLIST**

| Item No. | Date       | Minute No | Matter  | Action Required   | Officer   | Status  |
|----------|------------|-----------|---|---|-----------|---|
| 1        | 23/09/2021 | 249/2021  | <b>Increase of train speed through Nyngan</b> | Prior to the next state Election, Council raise the issue of the Hoskins Street Level Crossing & Train Speeds with Barwon candidates. | <b>GM</b> | Letter written to Annette Turner NSW Nationals and Roy Butler MP on 19/12/2022.<br><br>TfNSW has informed Council that it is considering trialling a Rail Active Crossing System at Hoskins Street crossing. This is a solar powered, wireless, flashing lights system. |



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| Item No. | Date       | Minute No | Matter                           | Action Required   | Officer   | Status  |
|----------|------------|-----------|----------------------------------|---|-----------|---|
| 2        | 27/05/2022 | 122/2022  | <b>Nyngan<br/>Emergency Bore</b> | Council seeks advice from the Minister for Water, as to a mechanism for periodic extraction of water for maintenance purposes, given that it is understood that Council is unable to extract water from the bore at this stage. | <b>GM</b> | <p>Letter written to Minister for Water.</p> <p>Letter sent to the Minister for Lands and Water, Kevin Anderson, on 02/02/2023, raising this matter again, and advising him that NSW Public Works have provided Council with new project estimates. Due to the delays in project commencement, rising costs of pipe materials and other costs of construction, the estimated project cost has more than doubled to \$8.7M from \$4M.</p> <p>Minister's office has advised that the question of amending the Water Sharing Plan has been referred to Department of Planning and Environment.</p> |

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| Item No. | Date       | Minute No | Matter   | Action Required   | Officer    | Status  |
|----------|------------|-----------|--|---|------------|---|
|          | 23/02/2023 | 010/2023  | <b>Nyngan<br/>Emergency Bore</b>   | Council vote for a 200ml pipe instead of 375ml pipe, on the basis of water consumption.   |            | <p><b><u>UPDATE:</u></b><br/>Precis item refers. DPE have advised that no additional funding is available for the project.</p> <p><b><u>UPDATE:</u></b><br/>Public Works &amp; DPE have been advised of Council's resolution to request a 200mm pipeline.</p> |
| 3        | 28/11/2019 | 368/2019  | <b>Repairs to Nyngan<br/>&amp; Cobar<br/>Emergency Water<br/>Storage</b> | The General Manager be authorised to procure sufficient quantities Geosynthetic Clay Liner & Geotextile material to complete the remediation works, according to specifications | <b>DES</b> | <p>Remediation work postponed due to wet weather and soft floor.<br/>Floor continues to be wet and soft from rain.</p> <p>Requires warm weather to dry out sub-base<br/>A contract variation has been issued to the Contractor</p>                            |

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|----------|------------|-----------|---------------------------------|---|------------|---|
|          |            |           |                                 | provided by NSW Public Works. The procurement be carried out by way of quotations.  |            | for change of scope for repairs to inside batters.<br><br><b>UPDATE:</b><br>Work recommenced. |
| 4        | 25/02/2021 | 012/2021  | <b>Nyngan Railway Wool Dump</b> | A colour information sign be erected at the Nyngan Railway Wool Dump on stand adjacent to the dump. A cement path from the existing walkway to the sign be constructed, with available funding. | <b>DES</b> | Pending commencement of grant- funded works.  |



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|----------|------------|-----------|--|---|-------------|--|
| 5        | 27/05/2021 | 126/2021  | <b>Addressing Local Job Vacancies</b>        | Council delays the launch of the marketing campaign until progress is made with establishing more housing accommodation in Nyngan.  | <b>DPCS</b> | Planning for new residential subdivision has commenced.                                |
| 6        | 28/10/2021 | 162/2021  | <b>Section 355 Committee – Nyngan Museum</b> | General Manager to proceed with discussions to formalise a constitution and associated delegations for Nyngan Museum Committee as a Section 355 Management Committee of Council with a further report to Council. | <b>GM</b>   | Initial meeting held with Museum Committee.<br><br>Referred to Audit & Risk Committee. |

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| Item No. | Date       | Minute No | Matter                                    | Action Required  | Officer     | Status  |
|----------|------------|-----------|---|--|-------------|---|
|          | 15/12/2023 | 281/2022  |   | Council progress investigations and discussion to progress to Section 355 or an incorporated body for the functions of managing and operating the Nyngan Museum. |             | <b>UPDATE:</b><br>Investigations commenced regarding benefits of incorporation.<br>Discussions with Museum Committee 21/03/2023 |
| 7        | 25/11/2021 | 331/2021  | <b>Recycling Bins in Town Main Street</b> | Recycling bins be made available in town main street.  | <b>DDES</b> | Eight recycling bins received – considered in Council's best interest to delay installation until main street paving completed. |
|          | 24/03/2022 | 068/2022  | <b>Recycling Bin Waste Stickers</b>       | That Council, as part of the recycling education program that will be conducted  |             | <b>UPDATE:</b><br>NetWaste rescheduled workshops for 16 <sup>th</sup> and 17 <sup>th</sup> March 2023.                          |



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| Item No. | Date       | Minute No | Matter                                | Action Required  | Officer    | Status   |
|----------|------------|-----------|---------------------------------------|--|------------|--|
|          |            |           |                                       | through schools, supply students with a sticker and encourage to stick it to their household recycling bin.  |            | Schools are to be invited and stickers are to be distributed to students attending the workshops. A follow up visit to occur at the schools towards the end of Term 1.<br><br><b>COMPLETED</b> |
| 8        | 23/06/2022 | 126/2022  | <b>New Water Treatment Plant Site</b> | A further report to Council be considered for location of the New Water Treatment Plant, including the location as presented to Council, as well as other options outside/adjacent to the levy bank. | <b>DES</b> | Public Works to discuss with Crown Lands use of site adjacent to electricity sub-station at the end of Dandaloo Street.  |

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|----------|------------|-----------|-----------------------------|---|------------|--|
|          | 23/03/2023 | 011/2023  |                             | Council request NSW Public Works to provide a report to Council on the relative cost of the proposed substation and existing pump station sites, including relative pros and cons.            |            | <b>UPDATE:</b><br>Public Works has been requested to prepare a report on comparing the Dandaloo Street site with the raw water pumpstation site when funding deed has been signed. |
| 9        | 27/10/2022 | 246/2022  | <b>Pangee Street Paving</b> | Council seek expressions of interest from interested parties to have old pavers delivered to an appropriate site of theirs for the public to collect, for a set time, then review the matter. | <b>DES</b> | To be advertised when a construction schedule has been finalised.  |



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| Item No. | Date       | Minute No | Matter                            | Action Required  | Officer    | Status  |
|----------|------------|-----------|-----------------------------------|--|------------|---|
|          | 15/12/2022 | 314/2022  |                                   | The Pangee Street CBD footpath be completed with a coved trowel finish including rows of pavers installed across the path at regular intervals to break up the large areas of concrete.  |            | Tender advertised, report to March Council Meeting<br><br><b>UPDATE:</b><br>Report to March meeting refers.<br><br><b>COMPLETED</b>                 |
| 10       | 28/07/2022 | 171/2022  | <b>Hoskins Street Subdivision</b> | Council approves the draft subdivision layout, with following amendments<br>Inclusion of a laneway between lots 18-23 and lots 28-33.<br>Accordingly reduce the number of affected blocks to retain an average size of around 1000m <sup>2</sup> . | <b>DES</b> | Amended plan sent back to consultants.<br>Meetings between Alliance of Western Council and NSW Government held of 17/08/22 and 19/08/22 to discuss. |

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|----------|------|-----------|--------|--|---------|--|
|          |      |           |        | <p>Strong representation is made to the Minister for Western New South Wales in relation to Biodiversity Fund contributions.</p> |         | <p>Strong representation made to Minister for the Environment and Heritage James Griffin, via Alliance of Western Councils as well as Country Mayor's Association. Chair of Alliance of Western Councils, Cr Craig Davies has also raised the matter with the Shooters, Fishers and Farmers Party, as well as the Labor Party, ahead of NSW elections.</p> <p><b><u>UPDATE:</u></b><br/>Draft subdivision (engineering) design plans received for review.<br/>Report to Council on Biodiversity Trust matter refers.</p> |

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| Item No. | Date       | Minute No | Matter                        | Action Required   | Officer     | Status  |
|----------|------------|-----------|-------------------------------|---|-------------|---|
| 11       | 25/08/2022 | 207/2022  | <b>Removal of Athel Pines</b> | <p>Council removes all Athel Pines located adjacent to the airport.</p> <p>Council plants native species to replace the Athel Pines that will be removed, with funding to be allocated at the next budget review.</p> | <b>DDES</b> | <p>All Athel Pines have been removed.</p> <p>Planting of replacement species schedule for March/April 2023.</p>   |
| 12       | 27/10/2022 | 260/2022  | <b>Kerbside Waste</b>         | <p>Council trial the bulky kerbside collection, as a once of collection and the take-up be gauged, and a further report to Council.</p>   | <b>DDES</b> | <p>Currently seeking quotations from contractors to complete the kerbside collection. Estimating the anticipated uptake to engage contractors has been difficult. To assist with this, a community survey has been prepared which will better inform Council's decision-making.</p> |

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| Item No. | Date       | Minute No | Matter  | Action Required  | Officer   | Status  |
|----------|------------|-----------|---|--|-----------|---|
| 13       | 27/10/2022 | 261/2022  | <b>Proposed Amendment to Bogan Local Environmental Plan</b> | The General Manager investigates a process to identify suitable land, for large lot residential and undertakes community consultation, with a further report to Council. | <b>GM</b> | <b>UPDATE:</b><br>In Progress<br>Staff workshop held 09/02/2023 with a further report to Council pending. |
| 14       | 24/11/2022 | 274/2022  | <b>Voluntary Planning Agreement – Aurelia Resources</b>     | The General Manager negotiates a VPA with Aurelia Resources in the best interest of Council in consultation with the Mayor and Deputy Mayor.                             | <b>GM</b> | In progress<br><br><b>UPDATE:</b><br>Discussions held with Aurelia and Department of Planning.            |



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|----------|------------|-----------|---|--|------------|--|
| 15       | 24/11/2022 | 296/2022  | <b>Memorial Wall at Nyngan Cemetery</b> | Council investigate the cost, options and suitable location for a new memorial wall at the Nyngan Cemetery       | <b>DES</b> | <b><u>UPDATE:</u></b><br>Report to March meeting refers            |
| 16       | 23/02/2023 | 027/2023  | <b>Bureau of Meteorology</b>            | Council approach interested parties to undertake the manual weather observations, with a report back to Council. | <b>GM</b>  | <b><u>UPDATE:</u></b><br>Notice placed in Nyngan Weekly newspaper. |

## 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 RESIDENTIAL SUBDIVISION – HOSKINS STREET

### **Summary:**

*The purpose of this report is to update Council on the process and timeframes involved in obtaining development consent for the proposed Hoskins Steet residential subdivision.*

### 2.1 Introduction

The purpose of this report is to update Council on the process and timeframes involved in obtaining development consent for the proposed Hoskins Steet residential subdivision.

### 2.2 Background

Council received funding via the Resources for Regions Fund to create a new residential subdivision on Hoskins Street in the area known as the Pound Paddock.

As part of the subdivision design and Development Application (DA) process, Council's consultants carried out preliminary biodiversity assessments. These assessments identified that significant native vegetation, largely in the form of native grasses, was to be cleared to facilitate the proposed subdivision. The following summary was provided:

*Most of the Subject Land contains good to moderate condition derived native grassland (DNG). There are also two patches of moderate condition remnant woodland. The remainder of the site consists of poor condition DNG and bare ground patches.*

The consultants advised Council that, as a consequence, we would have an obligation to make payments under the Biodiversity Conservation Act 2016 (the Act) with regards to developing the site. It was estimated that Council's liability under the Act for this site could be \$177,992 adding a considerable cost to the project and selling price of the blocks.

Bogan Shire Council, together with many other regional councils has made representation to the NSW Government on this matter via the Alliance of Western Councils and the Council of Mayors raising concerns about the calculation methodology used to determine financial liability under the Act.

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**2.3 Discussion**

Regardless of the quantum of the final payment to the Biodiversity Conservation Trust, Council is still obliged to undertake a Biodiversity Development Assessment Report (BDAR) under the Act as part of the process of obtaining Development Assessment approval.

A BDAR is required to assess the potential biodiversity impacts, identify mechanisms to avoid, minimise or mitigate these and to determine any biodiversity credit (financial) liability.

A key factor for Council is that the timing of the field survey work in the preparation of the BDAR will adversely affect the timeframes for the project in that the required target survey periods are September and November 2023 as follows:

| <b>Species</b>   | <b>Required Survey Period</b>  | <b>Proposed Timing</b> |
|--|--|------------------------|
| <i>Lepidium monoplacoides</i><br>Winged Peppergrass        | Sept-Dec<br>1-2 months after above average rainfall (Plants emerge 1 month after rain and only persist for a few months) | September 2023         |
| <i>Swainsona murrayana</i><br>Slender Darling Pea          | September  |                        |
| <i>Haliaeetus leucogaster</i><br>White-bellied Sea-Eagle   | July-Dec   |                        |
| <i>Lophochroa leadbeateri</i><br>Major Mitchell's Cockatoo | Sept-Dec   |                        |
| <i>Atriplex infrequens</i><br>A saltbush                   | Nov - Feb  | November 2023          |

It is expected that the rest of the documentation for the DA, such as engineering design drawings, will be completed by May 2023.

Once the DA documentation has been finalised there is no impediment to lodging the DA however the DA cannot be determined (finalised) until such time as the BDAR targeted surveys have been completed and the BDAR is submitted. The tender pathway may be commenced as a parallel process to the DA however no site works can begin prior to approval.

It is unlikely that the determination of the DA will be issued before the end of 2023.

It should be noted that as Council is both the owner of the subject land and the developer, in order to avoid perceived conflict of interest, Council officers will not be involved in the assessment of the DA and that the assessment report, as prepared by an independent third party, will be presented to Council for determination.

General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
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## 2.4 Recommendation

That this report be received and noted.

## 3 LG NSW ELECTION PRIORITIES

### **Summary:**

*The purpose of this report is to inform Council of LGNSW's election priorities for the NSW State Election.*

### 3.1 Introduction

The purpose of this report is to inform Council of LGNSW's election priorities for the NSW State Election.

### 3.2 Background

The NSW state election is to be held on Saturday 25 March 2023.

### 3.3 Discussion

LGNSW have provided the attached document for the information of Councillors.

### 3.4 Attachments

1. LGNSW NSW Electoral Priorities.

### 3.5 Recommendation

That this report be received and noted.

**Derek Francis**

**General Manager**





**General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
held on 23 March 2023**

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General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
held on 23 March 2023



*Local Government NSW acknowledges and pays respect to the past, present and future Traditional Custodians and Elders of this nation.*

*We celebrate the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples, and their rich contribution to Australia.*

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## General Manager's Report to the Ordinary Meeting of Bogan Shire Council held on 23 March 2023



# PRESIDENT'S FOREWORD

The 2023 NSW Election takes place at a critical juncture for the local government sector, with councils and their communities facing unprecedented challenges.

The financial model for councils is almost at breaking point due to continual cost shifting from other levels of government, and a defective rate peg system that is not representative of the economic reality.

This is occurring at a time when councils continue to lead the recovery effort for our communities to rebuild from repeated natural disasters that have caused devastation and destruction across large swathes of our State.

Meanwhile, rising costs are placing great strain on council and household budgets, leading to what many believe will be the biggest cost of living crisis of our generation.

These challenges may appear daunting, but they also present an opportunity for politicians of all persuasions to support local government over the next political term so that together we can deliver better outcomes for our communities.

The election priorities that we have set out in this document outline how this can be achieved by ensuring local government is equipped with the appropriate resources and support that we require.

Crucially, these priorities include measures that are not just critical to our short-term future, but also for the benefit of future generations as we face shifting demographics and a changing climate.

We look forward to working with all sides of politics to ensure these priorities come to fruition because when local government is allowed to thrive, everyone benefits.



Cr Darriea Turley AM  
LGNSW President

## OVERVIEW OF THE LOCAL GOVERNMENT SECTOR



Local government in NSW employs **55,000 people**



Local government in NSW looks after more than **\$177 billion of community assets**



Local government in NSW spends more than **\$2.2 billion each year on caring for the environment**, including recycling and waste management, stormwater management and preserving and protecting native flora and fauna



NSW has more than **350 council-run libraries** that attract tens of millions of visits each year, and **more than 400 public swimming and ocean pools**



Local government in NSW is responsible for about **90% of the State's roads and bridges**



NSW councils manage an estimated **4 million tonnes of waste each year**



NSW councils own and manage more than **600 museums, galleries, theatres and art centres**

# ELECTION PRIORITIES 2023

Local Government NSW's 2023 Election Priorities highlight the critical issues facing the local government sector and detail what must be done if councils are to continue providing the services our communities deserve.

The priorities are informed by the local experience of councils across the State. They are designed to ensure we can all navigate the economic headwinds already placing immense financial pressure on households, businesses and society in general.

They place an emphasis on the need to strengthen the resilience of our infrastructure, services and systems to ensure our communities can accommodate growth while withstanding the extreme weather events that have become all too common in recent years.

There is also an acknowledgement of the impact climate change is having on the environment and liveability, as well as the need to increase productivity and workforce participation in all areas of the State.

Crucially, the priorities call for greater cooperation between State and local government, which will ultimately benefit the entire NSW community.

LGNSW seeks the commitment of all political parties and individual candidates to support these priorities in the 2023 NSW Election and ensure that together we can continue to deliver for the people of NSW.

General Manager's Report to the Ordinary Meeting of Bogan Shire Council held on 23 March 2023



**FINANCIAL SUSTAINABILITY**



The financial sustainability of councils has been undermined by rate-pegging, cost shifting onto local government, and State and federal funding arrangements that are no longer fit for purpose.

This has been exacerbated by the cumulative financial impact of successive natural disasters and the pandemic.

With the appropriate financial support, councils can provide the infrastructure and services our communities expect and deserve.

1. Amend the rate peg methodology to prevent future financial shocks to the sector and to ultimately remove rate pegging.
2. Continue to rebate increases in council Emergency Services Levy (ESL) contributions and eventually replace the levy with a broad-based property tax.
3. Hold a public inquiry into cost shifting in NSW to address the financial sustainability of local government, with a view to ending cost shifting.
4. Legislate to make clear that Rural Fire Service mobile assets are vested in the Rural Fire Service.
5. Commit to fairness, transparency, integrity and certainty of grant funding to councils.



**RESILIENCE TO NATURAL DISASTERS**



Local government is central to driving a locally led economic recovery from a series of natural disasters.

The sheer scale of these disasters demands a far greater emphasis on resilience and adaptation, to ensure communities are better prepared for future events.

1. Increase financial support and funding for restoration, remediation and betterment of local community infrastructure, including water and sewerage assets, in advance of disasters where the risks are identified and in the recovery stage.
2. Permanently embed State and federal government funded Community Recovery Officers into councils across NSW in recognition of the increasing frequency, scale and long recovery timeframes of natural disasters.
3. Commit to proactive strategies to respond to natural disasters and adapt to climate risks.





**General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
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**ROADS AND  
INFRASTRUCTURE**



**Local government must be appropriately funded to maintain roads and essential infrastructure.**

**Adequate support must also be provided to strengthen the resilience of the road network and other infrastructure if it is to withstand extreme weather events in the future.**

1. Boost road funding significantly to respond to unprecedented damage (washaways, potholes) as a result of severe flooding and ongoing La Niña rains.
2. Pledge that local government will not be worse off under any future infrastructure contributions reforms.
3. Protect local government ownership and management of council water utilities and invest in them to bolster water security.



**HOUSING AND  
HOMELESSNESS**



**Access to secure, affordable housing is a basic human need and key to a prosperous and equitable society.**

**A lack of affordable housing compounds intergenerational inequality and harms social cohesion.**

**The NSW Government must do its part to ensure everyone – and especially the most vulnerable members of the community – has access to a safe and secure home.**

1. Build 5,000 additional units of social housing each year for the next 10 years to contribute to addressing the homelessness and housing affordability crisis right across NSW.
2. Minimum targets of 5-10% social and affordable housing across NSW and 25 per cent for government-owned land.
3. Establish a ministry solely dedicated to addressing homelessness and the housing crisis.



General Manager's Report to the Ordinary Meeting of Bogan Shire Council held on 23 March 2023



ENVIRONMENT AND THE CIRCULAR ECONOMY



LGNSW continues to call for greater investment in initiatives that will improve environmental outcomes.

This includes urgent action to address the climate crisis, better policies to reduce waste and fit-for-purpose protections for biodiversity of native habitats.

1. Introduce policies and programs to achieve the 2030 greenhouse gas emissions reduction target of 50% and the 2050 net zero emissions target.
2. Reinvest 100% of the waste levy to fund the delivery of priority infrastructure and programs as outlined in the Waste and Sustainable Materials Strategy.
3. Amend the Biodiversity Offsets Scheme to address barriers to regional development, deliver offsets in the areas experiencing impacts, and improve the quality assurance of accredited assessors.



INTERGOVERNMENTAL AGREEMENT



Progress can be achieved only when all levels of government work together on behalf of the communities we serve.

A new model for collaboration between the State and local governments is required, underpinning a shared commitment to working in partnership to achieve positive social, economic, environmental and civic outcomes.

1. Sign an [intergovernmental agreement](#) between the Premier and the LGNSW President, setting out key principles for an equal partnership between the two spheres of government to improve outcomes for communities across NSW.



**General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
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**STRONGER  
COMMUNITIES**



**Equitable access to essential infrastructure and services is the cornerstone of a democratic society, and councils must be supported in their critical efforts to ensure no communities are left behind.**

1. Introduce a local government Closing the Gap grant program to ensure councils can contribute to the success of Closing the Gap.
2. Provide funding to support councils to implement the Domestic and Family Violence Prevention Toolkit for local government.
3. Commit to council-run early childhood education and care facilities being eligible for all new funding opportunities and grant programs for the early childhood education sector.
4. Distribute arts and culture funding equitably across NSW.



**RURAL, REGIONAL  
AND COMMUNITY HEALTH**



**Access to health services in rural, regional and remote areas is a critical issue for rural and regional communities.**

**Improved funding for councils to operate youth centres and other health services will help ensure this access is maintained at an appropriate standard.**

1. Commit to implementing in full the recommendations of the parliamentary inquiry into rural and regional health services.
2. Increase funding for specialised and appropriate youth and community wellbeing and mental health services to bolster resilience, particularly following disasters.



General Manager's Report to the Ordinary Meeting of Bogan Shire Council held on 23 March 2023



PLANNING



Successive State governments have gradually diminished the ability of councils and communities to determine what and how development occurs in their own area. Councils must be supported with a planning system that enables them to determine local and regional planning processes according to the needs and expectations of their communities.

1. Commit to democratically elected councils being empowered to make decisions about development that affects their communities.
2. Make urgent improvements to address issues with operation of the Planning Portal and commit to ongoing funding to councils to implement it.
3. Adopt new accessibility standards for housing that have been recently inserted into the National Construction Code (in line with other States and territories across Australia).



SKILLS AND LABOUR SHORTAGES



Councils and communities across NSW are suffering from the impacts of skills and labour shortages.

This is hampering the economic recovery and hindering the ability of councils to deliver the level of services their communities require.




1. Invest in training to support para-professional, trades and entry-level pathways to employment in local government and to upskill councils' workforces in response to new and emerging jobs and work.
2. Allow for greater flexibility/overcoming barriers to accreditation/registration of professional and trades employees.
3. Ensure all areas of need have equitable access to VET and tertiary courses and educational institutions – including face-to-face training.
4. Drive local economic recovery through initiatives to address labour shortages impacting primary producers, businesses and councils across NSW.
5. Commit to incentives (such as scholarships, cadetships, wage subsidies) to address critical local government skills shortages.



**General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
held on 23 March 2023**



 **LOCAL  
GOVERNMENT  
NSW**

 (02) 9242 4000  [lgnsw@lgnsw.org.au](mailto:lgnsw@lgnsw.org.au)  [lgnsw.org.au](http://lgnsw.org.au)

Authorised by Scott Phillips, CEO, LGNSW, Level 8, 28 Margaret Street, Sydney NSW 2000



**General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
held on 23 March 2023**

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

### Mayor and Councillors

The following reports are submitted for consideration:

#### 1 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.*

##### **1.1 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 (ELC).

##### **1.2 Discussion**

##### Statistics

- Total children enrolled as at 12/03/2023: 79
- Total children scheduled to attend for the week ending 12/03/2023: 58

##### Usage Capacity

|             | Monday | Tuesday | Wednesday | Thursday | Friday | Ave. |
|-------------|--------|---------|-----------|----------|--------|------|
| January 23  | 66%    | 60%     | 43%       | 50%      | 55%    | 56%  |
| February 23 | 70%    | 64%     | 58%       | 59%      | 65%    | 63%  |
| March 23    | 70%    | 65%     | 63%       | 57%      | 66%    | 64%  |

##### Staffing

Our capacity is currently constrained by the number of appropriately qualified staff (educators) that we have employed. There are now 60 children on our waitlist so our capacity could be much closer to 100% with more staff.

The shortage of staff mirrors a nationwide trend in early childhood education. One current estimate by the Australian Childcare Alliance of NSW puts the shortage of early childhood educators in NSW alone at up to 17,000.

**People and Community Services' Report to the Ordinary Meeting of Bogan Shire Council  
held on 23 March 2023**

It is recognised that demand for educators and early childhood teachers has substantially increased as a result of a number of factors including changes to qualification requirements and disincentives for people to enter the field, including generally lower rates of pay, longer working hours and fewer holidays than primary school teachers. Also, since 2014, the Productivity Commission has flagged that the population of children aged birth to 13 years in Australia was projected to grow by 23% between 2011 and 2025.

Council has done extensive advertising to recruit educators including Seek, radio, Facebook, newspapers, and other social media. Staff are examining other ways to attract and retain staff including a Priority of Access policy and childcare fee incentives which are discussed in Reports 2 and 3 following this Report in the Business Paper.

School Based Trainees:

The ELC has had five school-based trainees start with us and they are doing well, not only in the centre but with their studies as well. Their trainer will be attending the Centre next month to support them in their studies and to advise them of any outstanding assessment tasks they may require and sign them off on some of their units. It is hoped that they will become full time employees after they have completed school to address some of our workforce need.

Easter and Anzac Day:

Staff are currently preparing for Easter activities and Anzac Day with the children and are looking forward to recommencing community excursions once new staff come on board.

Work Placement:

The ELC currently has two people who are currently undertaking early childhood studies attending the Centre for work placement. Management and staff look forward to supporting them with their placement requirements.

Fees:

Start Strong Long Day Care funding has commenced for families of children who are 4 years and older, which means those families will receive some fee relief. Council also received Start Strong 2023 three-year-old trial funding, which is to support the Centre with funds for programming resources, professional development and additional staffing costs.

**1.3 Recommendation**

That the Early Learning Centre report be received and noted.



## 2 BOGAN SHIRE EARLY LEARNING CENTRE – PRIORITY ACCESS

### **Summary:**

*The purpose of this report is to recommend the adoption of a Priority Access policy for managing the Bogan Shire Early Learning Centre (ELC) waitlist.*

### **2.1 Introduction**

The purpose of this report is to recommend the adoption of a Priority Access policy position for managing the Bogan Shire Early Learning Centre (ELC) waitlist.

### **2.2 Background**

Pressure has been growing on the ELC waitlist for some time. In March 2021 there were no children on the waitlist, whilst there are now currently 59.

Influencing this growth appears to be simply increased demand for ELC places, possibly as a result of the increase in population of children. On the other hand, the supply of ELC places is constrained by the maximum place numbers under our licence conditions, but also by the number of educators currently employed as mentioned in Report 1 preceding this Report in the Business Paper.

One way of addressing the waitlist is to increase the supply of places to create more capacity at the ELC and Council is expected to shortly award a tender for the construction of building extensions. It is envisaged that this will increase the number of child places at the ELC from 43 to 60.

Naturally increased building capacity is only beneficial if staff can be employed to educate and care for the additional children that are to be accommodated.

As mentioned in the previous Report, there is a nationwide shortage of early childhood educators and teachers and Council staff are examining ways of addressing the effects of this.

One way of increasing the number of educators and teachers at the ELC is to facilitate, that is prioritise, the return to work of staff currently on parental leave.

### **2.3 Discussion**

Since inception the ELC has managed the waitlist on a first come first served basis.

Commonwealth arrangements govern enrolment processes and there are no legislated requirements for how to fill vacancies from a waitlist. Each Provider can set their own rules for deciding who receives a place and it is therefore up to Council to determine whether to introduce a policy to prioritise certain children for places.

**People and Community Services' Report to the Ordinary Meeting of Bogan Shire Council  
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There are currently four educators who wish to return to work at the ELC but are unable to because there are no places for their children and they are currently on the waitlist.

Whilst there is a natural tendency not to want to be seen to give preference to Council staff at the ELC for places there is a very sound reason for doing so.

It is recommended that children of ELC educators and early childhood teachers be prioritised on the waitlist over other children (i.e. bumped up to the top) simply because any additional educator or teacher that can be brought back to work gives us more capacity to look after other children as well. Put another way, bringing back one of our educators means we can reduce the waitlist by at least a further three children – increasing capacity by their own as well as other people's children.

This may also be an opportunity for Council to consider whether there are sound reasons for extending the Priority Access to the children of people employed in other sectors. These include:

1. Bogan Shire Medical Centre employees – these staff not only provide / support crucial clinical care to our community but are also essential for the ongoing financial sustainability of this key community service.
2. Nurses, paramedics, police and teachers in consideration of the essential services they provide to our community.

**People and Community Services' Report to the Ordinary Meeting of Bogan Shire Council  
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An analysis of the current waitlist shows parents employed in the following industries:

| Parent Employment Type            | Total | # Children requiring care |
|-----------------------------------|-------|---------------------------|
| ELC Educator                      | 6     | 6                         |
| BSMC employee                     | 1     | 1                         |
| Bogan Shire Council employee      | 3     | 3                         |
| Police, Ambulance, Nurse, Teacher | 15    | 16                        |
| Industrial / Construction         | 2     | 3                         |
| Mining                            | 9     | 9                         |
| Retail                            | 2     | 2                         |
| Agriculture                       | 9     | 10                        |
| Other                             | 4     | 4                         |
| Unknown                           | 5     | 5                         |

Any priority access policy position needs to be carefully considered and dealt with sensitively and there will be varying views on the relative benefit to the community / local economy of certain groups of people being able to return to the workplace sooner than others. Reasons for giving priority access need to be clearly stated and articulated to the community that Council does not consider one group of people more important or deserving of preferential treatment over another.

## **2.4 Recommendation**

1. That Council adopts a Priority of Access policy position when waitlisting and allocating childcare places for the Bogan Shire Early Learning Centre that gives first priority to children of Bogan Shire Council Children's Services educators and early childhood teachers.
2. That Council considers extending the Priority of Access policy position when waitlisting and allocating childcare places for the Bogan Shire Early Learning Centre to give priority to children of parents employed in the specified sectors in the order given:
  - a. Children of Bogan Shire Medical Centre employees
  - b. Children of nurses, paramedics, police and teachers in the order they were to first placed on the waitlist

### **3 BOGAN SHIRE EARLY LEARNING CENTRE – FEE INCENTIVES**

#### **Summary:**

*The purpose of this report is to recommend to Council the adoption of an Early Learning Centre (ELC) fee discount to help attract and retain an adequate early childhood workforce at the Bogan Shire ELC, to ensure its sustainability for the ongoing delivery of long day care services to the Bogan Shire community.*

#### **3.1 Introduction**

The purpose of this report is to recommend to Council the adoption of an Early Learning Centre (ELC) fee discount to help attract and retain an adequate early childhood workforce at the Bogan Shire ELC, to ensure its sustainability for the ongoing delivery of long day care services to the Bogan Shire community.

#### **3.2 Background**

As mentioned in the previous Reports in this Business Paper, there is a nationwide shortage of Early Childhood Educators and Council staff are examining ways of addressing the effects of this.

#### **3.3 Discussion**

One way of increasing the number of educators at the ELC is to provide a 10% fee discount as an attraction and retention strategy for educators and early childhood teachers.

This is consistent with a Commonwealth announcement that Providers can offer discounts of up to 95% to these employees without affecting their Child Care Subsidy entitlements. This was implemented by the Commonwealth in recognition of the need to provide such incentives in the industry.

The potential financial impact of this on Council is the loss of approximately \$18,000 per year calculated based on 9 children currently enrolled at the ELC. Whilst this is not insignificant it is considered worthwhile as a way of helping to attract and retain an adequate early childhood workforce at the ELC, to ensure its sustainability for the ongoing delivery of long day care services to the Bogan Shire community.

#### **3.4 Recommendation**

A discount of 10% for each session of care be applied to the fees paid by Bogan Shire children's services educators and early childhood teachers as an attraction and retention strategy to address early childhood workforce shortages.

## 4 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.*

### **4.1 Introduction**

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

### **4.2 Discussion**

Below are the activities and statistics of the Bogan Shire Medical Centre for the period November 2022 to February 2023:

#### Statistics

|  |       |
|--|-------|
| Total registered patients as of February 2023:                                 | 4,120 |
| Total active patients:   | 3,616 |
| Total CDM (Chronic Disease Management) patients:                               | 324   |
| Total RAC (Residential Aged Care) patients:                                    | 26    |
| Total 75+ Health Assessment patients:  | 143   |
| Total ATSI (Aboriginal and Torres Strait Islander) Health Assessment patients: | 79    |

The current waiting period to see a GP is either on the day or 1-2 days maximum, with daily appointments available for acute complaints (On the Day appointments).

#### COVID-19 Vaccinations

Between November 2022 and February 2023 staff have provided 33 Pfizer vaccinations which includes third and fourth booster injections.

Bookings for a vaccination clinic in March have opened for people to receive their 5th booster injection. The Omicron BA.4/BA.5-adapted bivalent Pfizer vaccine will be available only for people having their 3rd, 4th or 5th boosters. Those having their 1st or 2nd dose are not eligible for this Pfizer vaccine.

#### Influenza Vaccinations

The Medical Centre has ordered flu vaccines for 2023 which should arrive late April / early May 2023.

**People and Community Services' Report to the Ordinary Meeting of Bogan Shire Council  
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### Japanese Encephalitis Virus Vaccinations

November and December 2022 saw clinical staff vaccinate 46 patients for the Japanese Encephalitis virus.

### Online Bookings

The BSMC has introduced an online booking system with AutoMed which can be used from the BSMC website or on a mobile phone. The AutoMed app displays doctor's availability and also displays what services are offered at the Medical Centre. Patients can choose what type of appointment they require, such as a standard or long appointment.

### Residential Aged Care (RAC) Patients

Dr Daniel Kim continued to provide full time care to the 26 Residential Aged Care (RAC) patients residing at the Nyngan Facility, visiting every Friday afternoon before returning to Korea for family reasons.

Arrangements have been made with Dr Abraham to make application to NSW Health to allow him to visit the RAC patients and we are awaiting this approval. It is expected that Dr Abraham will be a regular locum at the Medical Centre in 2023 for a month at a time.

### Pre-Employment Medicals

The Bogan Shire Medical Centre completed a number of pre-employment Medicals for various businesses in the Bogan Shire between November 2022 and February 2023.

BSMC staff have completed accredited courses to be able to conduct pre-employment medicals and this is identified as a way to grow revenue by increasing the number of businesses using this service.

### Ultrasound Services

The Ultrasound service continues to operate two days per week (Tuesday and Thursday) and on an as-needed basis for emergency purposes on other days.

**People and Community Services' Report to the Ordinary Meeting of Bogan Shire Council  
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***Medical Diagnostic Services***

For the period November 2022 to February 2023, the following number of medical diagnostic services were provided.

November: 70

December: 49

January: 50

February: 70

Three pregnancy entertainment packages have also been provided during the period.

**Allied Health Services**

Allied Health services for the period November 2022 to February 2023 are as listed below.

| Type of Service               | Days                          | Times            | Frequency   | Service Accessed by  |
|-------------------------------|-------------------------------|------------------|-------------|--|
| Dietician                     | Wednesday                     | 9am-3pm          | Fortnightly | Care Plan and EPC  |
| Family Planning NSW           | Monday                        | 11am-5pm         | Monthly     | BSMC or Self-Referral  |
| Mental Health Nurse           | Tuesday, Wednesday & Thursday | 9am-4pm          | Monthly     | BSMC Referral  |
| Pathology                     | Monday to Friday              | 8.30am - 11.30am | Weekly      | Anyone holding a pathology request form – not required to be a patient of BSMC |
| Physiotherapy                 | Mondays & Thursdays           | 8.30am – 4.30pm  | Weekly      | Referral or Private appt.  |
| Podiatrist                    | Wednesdays & Fridays          | 9.00am - 2.30pm  | Weekly      | Referral or Private appt.  |
| Diabetes Educator             | Wednesday                     | 9.00am - 12.30pm | Monthly     | Care Pan and EPC   |
| Alcohol and other Drug worker | Tuesday                       | 9.30am-3pm       | Fortnightly | BSMC or Self-Referral  |

**4.3 Recommendation**

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



## 5 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.*

### **5.1 Introduction**

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

### **5.2 Discussion**

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.

Staff have reported that numbers of visitors and enquiries for this time of year are returning to pre-covid levels but the flooding, subsequent poor road conditions, fuel prices and heatwaves have restricted and/or changed people's travel plans.

There continues to be a strong demand for free camping, as many of these travellers are fully self-contained in caravans or motorhomes. Numbers of vans overnighting at the Flood Memorial free camp option have decreased, as usual, this quarter due to there being less travellers on the road at this time of year. The Upper Weir free camping area is once again being used since its reopening after the Bogan River flooding, with many travellers visiting the VIC to check on directions to their preferred camping spot.

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, Bogan Country stickers and Flannelette Shirts have also been popular.

With the railway station building turning 140 years old this year, a focus this quarter has been to inform visitors of this unique occurrence whilst promoting Nyngan and its historic buildings and sights. The Nyngan Museum's cookbook "Dining Through the Decades", written to celebrate the building's 140<sup>th</sup> birthday, has been promoted through social media channels, websites, newspapers, and radio, with enquiries for its purchase coming from all over Australia. This has been a wonderful opportunity to further promote our town through the Visitor Information Centre.



**People and Community Services' Report to the Ordinary Meeting of Bogan Shire Council  
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**Statistics**

The total number of visitors through the Visitor Information Centre (Dec 2022 - Feb 2023) and / or enquiries was as follows:

Visitors: 699

Phone: 36

Email: 4

It is interesting to note that for the 12 month period during 2022, the total number of VIC visitors was around 6,000.

**5.3 Recommendation**

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

**Debb Wood**  
**Director People and Community Service**

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

### Mayor and Councillors

The following reports are submitted for consideration:

#### 1 INVESTMENTS FEBRUARY 2023

##### **Summary:**

*The report is to outline the the performance of Council's Investment Portfolio for the month of February 2023.*

*At the 28th February 2023 Council had \$26.6 million invested. There has been an increase of \$1 million due to the 3rd quarter Financial Assistance Grant funding and the Regional and Local Roads Repair Program Grant funding having been received.*

#### 1.1 Introduction

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

#### 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 2023 is shown below. At the 28th February 2023 Council had \$26.6 million invested. There has been an increase of \$1 million due to the 3rd quarter Financial Assistance Grant funding and the Regional and Local Roads Repair Program Grant funding having been received.

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 of Bogan Shire Council  
held On 23 March 2023**

**Investment Movements for February 2023**

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 23           | Bal Feb 22           |
|-------------|-----------------------------------|------------|------|--------|----------------------|----------------------|
| 32-045-6998 | NAB                               | 03/03/2023 | 365  | 0.950% | 2,800,000.00         | 2,800,000.00         |
| 9737369     | Westpac                           | 17/02/2023 | 365  | 0.950% | 2,000,000.00         | 0.00                 |
| 37908808    | Commonwealth                      | 30/05/2023 | 365  | 3.030% | 2,000,000.00         | 2,000,000.00         |
| 37908808    | Commonwealth                      | 15/12/2023 | 360  | 4.690% | 6,000,000.00         | 6,000,000.00         |
| 87-912-8864 | NAB                               | 22/02/2024 | 365  | 5.050% | 0.00                 | 2,000,000.00         |
| 6894        | NAB - Professional Funds          | At Call    |      | 3.550% | 12,832,131.29        | 13,832,640.76        |
|             | Balance securities held           |            |      |        | <b>25,632,131.29</b> | 26,632,640.76        |
|             |                                   |            |      |        |                      |                      |
|             | Balance Ledger<br>19010.8200.8200 |            |      |        | <b>25,632,131.29</b> | <b>26,632,640.76</b> |
|             |                                   |            |      |        |                      |                      |
|             | <b>Summary by institution</b>     |            |      |        |                      |                      |
|             | WESTPAC                           |            |      |        | 2,000,000.00         | 0.00                 |
|             | NAB                               |            |      |        | 15,632,131.29        | 18,632,640.76        |
|             | COMMONWEALTH                      |            |      |        | 8,000,000.00         | 8,000,000.00         |
|             |                                   |            |      |        | <b>25,632,131.29</b> | <b>26,632,640.76</b> |

**1.4 Recommendation**

That the Investments Report be received and noted.

## 2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

### **Summary:**

*This report is to provide The report is to provide a comparison of rate collections as at 28th February 2023, with the same period last year.*

*Total arrears have increased from \$845,705 as at the 28th February 2022 to \$948,046 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 2023, with the same period last year.

### 2.2 Discussion

This report is provided for the information of Councillors.

| <b>Rate Collections</b>                       | <b>2022-2023</b> | <b>2021-2022</b> |
|---|------------------|------------------|
| Arrears Prior to 01/07/2022                   | 582,018          | 505,992          |
| First Instalment in arrears as at 28/2/2023   | 24,667           | 27,349           |
| Second Instalment in arrears as at 28/2/2023  | 72,284           | 71,205           |
| Third Instalment in arrears as at 28/2/2023   | 269,077          | 241,159          |
| Fourth Instalment Outstanding as at 28/2/2023 | 1,008,082        | 1,017,466        |
| <b>Total Arrears</b>                          | <b>948,046</b>   | <b>845,705</b>   |
| <b>Total Outstanding</b>                      | <b>1,956,128</b> | <b>1,863,171</b> |
| <b>Monthly Transactions</b>                   |                  |                  |
| Amount Levied & B/Fwd                         | <b>6,045,306</b> | <b>5,867,648</b> |
| Add: Adjustments                              | 30,875           | 27,827           |
| Less: Payments to end of February             | -4,038,770       | -3,953,464       |
| Less: Rebates                                 | -81,283          | -78,840          |
| Add: Postponed                                | 0                | 0                |
| <b>Gross Total Balance</b>                    | <b>1,956,128</b> | <b>1,863,171</b> |
| <b>Arrears of total amount levied %</b>       | 15%              | 14%              |

Total arrears have increased from \$845,705 at the 28th February 2022 to \$948,046 as at 28th February this year.

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



**Finance and Corporate Services' Report to the Ordinary Meeting of Bogan Shire Council  
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Council has 1.6% in arrears on the first instalment.

Council has 4.7 % in arrears on the second instalment

Council has 17.8 % in arrears on the third instalment

As at the 28<sup>th</sup> February Council had collected \$85,306 more than at the same time last year. At the time of writing this report council has collected an additional \$125,428 reducing the arrears on the third instalment to 11.5% and the arrears overall to \$828,857 and the arrears of total amount levied to 13.7%.

### **2.3 Recommendation**

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

**Stephanie Waterhouse**  
**Director Finance and Corporate Services**

**Engineering Services' Report to the Ordinary Meeting of Bogan Shire Council  
held on 23 March 2023**

**REPORT TO THE ORDINARY MEETING OF COUNCIL – DIRECTOR  
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 10<sup>th</sup> February 2023, to the 10<sup>th</sup> March 2023 consisted of the following:

| No. | Name               | Comments                                     |
|-----|--------------------|--|
|     | <b>Local Roads</b> |  |
| 92  | Colane Road        | Re-sheeting commenced                        |
| 31  | Wera Road          | Maintenance & flood damage repairs completed |
| 32  | Simpson's Road     | Maintenance & flood damage repairs completed |
| 39  | Hickey's Road      | Maintenance & flood damage repairs completed |
| 17  | Booramugga Road    | Flood damage repairs commenced               |
| 10  | Pangee Road        | 2km of construction commenced                |
| 64  | West Bogan Road    | Flood damage repairs continuing              |

**Engineering Services' Report to the Ordinary Meeting of Bogan Shire Council  
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|    |                 |   |
|----|-----------------|---|
| 81 | Benah Road      | De-grassing of shoulders completed            |
| 42 | Colbain Road    | Re-sheeting completed                         |
| 1  | Mulla Road      | Maintenance grade completed                   |
| 40 | Plummer's Road  | Maintenance & flood damage repairs continuing |
| 24 | Canonba Road    | Re-sheeting commenced                         |
| 48 | Ford's Road     | Flood damage repairs continuing               |
| 16 | Yarrandale Road | Flood damage & maintenance continuing         |
| 10 | Pangee Road     | Maintenance & flood damage repairs continuing |
| 5  | Peisley Road    | Maintenance & flood damage repairs continuing |
| 63 | Westlyn Road    | Maintenance & flood damage repairs continuing |
| 8  | Bobadah Road    | Maintenance & flood damage repairs continuing |
| 79 | New Bogan Road  | Maintenance & flood damage repairs completed  |
|    | Pangee Street   | Line marking completed                        |

|      |                                   |   |
|------|-----------------------------------|---|
|      | Regional Roads                    |   |
| 57   | The Bogan Way<br>(Tottenham Road) | Maintenance & flood damage repairs continuing                                   |
| 461  | Condo Cobar Road                  | Maintenance & flood damage repairs continuing                                   |
| 7514 | Cockies Road                      | Maintenance & flood damage repairs continuing                                   |
|      | State Highways                    |   |
| HW7  | Mitchell Highway                  | Mulla Road rehabilitation on hold<br>Yarran Hut culvert installation continuing |
| HW7  | Mitchell Highway                  | Heavy patching completed  |
| HW8  | Barrier Highway                   | Heavy patching completed  |
| MR70 | Arthur Hall VC Way                | Heavy patching completed  |
| HW7  | Mitchell Highway                  | Shoulder grading commenced  |



**Engineering Services' Report to the Ordinary Meeting of Bogan Shire Council  
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Council's jet patching truck has completed work on the following roads:

- Nyngan Town Streets
- HW7
- Pangee Road
- Colane road
- HW8
- MR70
- Girilambone streets
- Mulla Road

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

- Commencing, or continuing maintenance grading, re-sheeting, or flood damage repairs on local roads.
- Continuing with 2km of construction of Pangee Road from the end of the existing bitumen seal.
- Completing the Mulla Road rehabilitation on the Mitchell Highway.
- Commencing rehabilitation of 900m of Buckiinguy Road.
- Continuing shoulder grading of the Mitchell Highway, Barrier Highway, & Arthur Hall VC Way.
- Commencing construction and sealing of 900m of Mulla Road.
- Commencing 10km of shoulder widening of the Mitchell Highway 14km north of Nyngan near the property Yarran Hut.
- Commencing the construction of the culvert headwalls and wingwalls which is part of the Yarran Hut Shoulder Widening Project Mitchell Highway.
- Commencing construction and sealing of 2km on Cockies Road, Tottenham Road, and Pangee Road.

### **Works and Services**

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

#### **Civil Works**

- Carried out works at Girilambone railway station (ongoing)
- Poured slab for pressure tank to toilet block at Hermidale Sports Ground
- Installed culvert in preparation for pedestrian access to golf club
- Assisted in flood restoration works on the levee bank
- Poured slabs at Flood Memorial Park and installed picnic tables
- Erected shade areas for bogan bush care nursery
- Replaced old toilet pan at the cemetery toilet block
- Removed sewer choke at the youth and community centre
- Carried out maintenance and repairs at 8B Dandaloo Street
- Carried out repairs to shower block at the showground
- Carried out mice baiting at council depots and houses

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**Community Facilities**

- Mowing/slashing and maintenance of ovals, reserves and highway approaches to Nyngan.(ongoing)
- Cleaning of town facilities.
- Cleaning and sweeping of the Nyngan CBD.
- Cleaning and maintenance of town streets and nature strips.
- Cleaning of town streets gutters and culverts.
- Assisted in setting up bushfire headquarters at the showground
- Weed spraying laneways and culverts (ongoing)
- Assisted in setting up for official opening of youth & community centre
- Removal of rubbish in Wambianna Street
- Ant spraying carried out on levee bank and nature strips (ongoing)

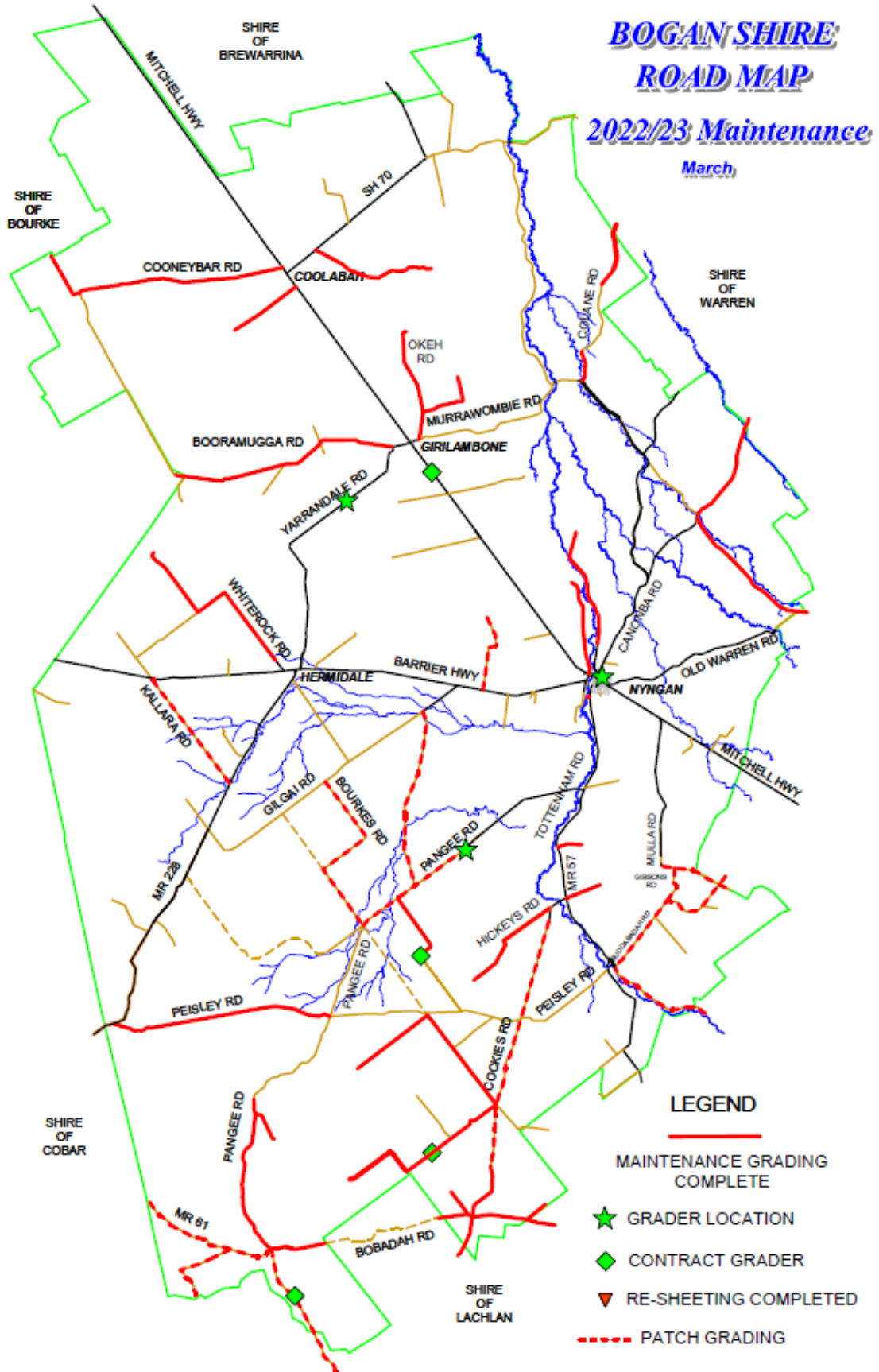
**Water & Wastewater**

- Repaired broken main in front of mine village in Hermidale
- Repaired broken main corner of Mudal & Nymagee Street
- Replaced service in Bogan Street
- Replaced manholes in Bogan Lane
- Removed major blockage from sewer system in Moonagee Street
- APC shut down 10/3/23, will commence again mid-April
- Assisted in installation of water system for dust control in the Rodney Robb Arena
- Flood damage repairs carried out on the APC
- New chemical dosing systems installed as part of emergency upgrades to water filtration plant
- Released water to lower weir for blue green algae control

**1.4 Recommendation**

That the Engineering Services Departmental Report be received and noted.

Engineering Services' Report to the Ordinary Meeting of Bogan Shire Council  
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**2 NYNGAN CEMETERY MEMORIAL WALL**

**Summary:**

*The purpose of this report is for Council to consider the construction of a memorial wall at the Nyngan cemetery for remembrance plaques of people not interred in Nyngan.*

**2.1 Introduction**

The purpose of this report is for Council to consider the construction of a memorial wall at the Nyngan cemetery for remembrance plaques of people not interred in Nyngan.

**2.2 Background**

Council resolved at the November 2022 meeting to investigate the cost, options and suitable location for a new memorial wall at the Nyngan after a suggestion from Michelle Simpson.

The following photo was provided as an example from another cemetery.



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**2.3 Discussion**

Currently at the Nyngan cemetery we have three separate brick cremation memorial walls for the interment of ashes and installation of a plaque. Two of those walls have been filled on the eastern side with nothing on the western side.



Eastern side of cremation memorial walls



Western side of cremation memorial walls

The rear of the southern wall was originally constructed without the provision for ashes interment at the rear.

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To keep the new memorial wall in a central location it is suggested that we utilise the above existing wall and still have 34 spaces remaining for ashes interment.

It is recommended that the wall be rendered on the western face, a suitable plaque be placed at the top, and the adjacent tree be lopped. The estimated cost for these proposed works is \$2,500.

#### **2.4 Recommendation**

That Council consider allocating \$2,500 to provide a memorial wall at the Nyngan cemetery at the 2023-24 estimates meeting.

**Graeme Bourke**

**Director Engineering Services**



Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire  
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**REPORT TO THE ORDINARY MEETING OF COUNCIL – ACTING DIRECTOR  
DEVELOPMENT & ENVIRONMENTAL 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 regard 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 regard 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 held on 23 March 2023**

### 1.3 Discussion

#### Development Application Statistics

Four applications require additional information, one application has been withdrawn and three applications were approved since Council's meeting of 23 February 2023 as indicated in the table below:

| DA NUMBER | APPLICANT              | ADDRESS                         | DESCRIPTION                             | VALUE (\$) | PROGRESS                        |
|-----------|------------------------|---------------------------------|---|------------|---------------------------------|
| 2022/025  | Mr A Witherby          | 4081 Yarrandale Road, Hermidale | Freight Transport Facility              | \$800,000  | Additional Information Required |
| 2022/026  | Mr J Cox               | 42 Merilba Street, Nyngan       | New Private Shed                        | \$45,000   | Additional Information Required |
| 2022/027  | Mr S Bell              | Bexon Street, Nyngan            | Subdivision                             | -          | Withdrawn                       |
| 2022/030  | Mr L Smith             | 20-22 Lawlor Street, Nyngan     | New Industrial Shed                     | \$40,000   | Additional Information Required |
| 2022/034  | Mrs C Watt             | 81-95 Terangion Street, Nyngan  | New Private Shed/Temporary Accomodation | \$80,000   | Approved                        |
| 2022/037  | Nyngan Pre-School Inc. | 11-13 Pangee Street, Nyngan     | New Sign                                | \$22,220   | Approved                        |
| 2022/040  | A.T & B.M Burton       | 24 Pangee Street, Nyngan        | New Serviced Apartments                 | \$700,000  | Additional Information Required |
| 2023/001  | Ms C Burns             | 39 Terangion Street, Nyngan     | New Private Veranda                     | \$27,000   | Approved                        |

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

Council has taken a number of pre-Development Application enquiries since Council's meeting of 23 February 2023. Assistance continues to be provided to the community regarding the complexity in lodgment of applications on the NSW Planning Portal.



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Waste Management

Kerbside recycling has been transported to the Gilgandra Materials Recycling Facility for processing as normal in February and the Nyngan waste facility has also had an uninterrupted month of operations. Excavation work of the new waste cell and the leachate evaporation pond have been completed with drainage and pumping works being scoped.

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 Weed duties continued and are reflected in the statistics 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.

**1.4 Attachments**

1. Development Application Statistics
2. Waste Management Statistics.
3. Compliance and Biosecurity 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 held on 23 March 2023**

Attachment 1

**Building and Statistical/Historical Information**

**Table 1: Building and Development**

|                      | Application Type |          |           |                          |          |              |          | Application Value      |
|----------------------|------------------|----------|-----------|--------------------------|----------|--------------|----------|------------------------|
|                      | Totals           |          | Breakup   |                          |          |              |          |                        |
|                      | DA               | CDC      | Dwellings | Shed/Garage/Patio/Awning | Pool     | Sub-division | Other    |                        |
| July 2022            | 4                | -        | 2         | 1                        | -        | -            | 1        | \$ 563,350.00          |
| August 2022          | 4                | -        | 1         | 2                        | -        | 1            |          | \$ 631,140.00          |
| September 2022       | 5                | -        | 1         | 1                        | 1        | 1            | 1        | \$ 1,615,000.00        |
| October 2022         | 7                | -        | 1         | 5                        | 1        |              |          | \$ 964,473.00          |
| November 2022        | 3                | -        | -         | 1                        | -        | -            | 2        | \$ 97,220.00           |
| December 2022        | 1                | -        | -         | -                        | -        | -            | 1        | \$ 700,000.00          |
| January 2023         | 1                | -        | -         | 1                        | -        | -            | -        | \$ 27,000.00           |
| February 2023        | -                | -        | -         | -                        | -        | -            | -        | -                      |
| March 2023           |                  |          |           |                          |          |              |          |                        |
| April 2023           |                  |          |           |                          |          |              |          |                        |
| May 2023             |                  |          |           |                          |          |              |          |                        |
| June 2023            |                  |          |           |                          |          |              |          | -                      |
| <b>Total 2022/23</b> | <b>25</b>        | <b>0</b> | <b>5</b>  | <b>11</b>                | <b>2</b> | <b>2</b>     | <b>5</b> | <b>\$ 4,598,183.00</b> |
| Total 2021/22        | 26               | 0        | 13        | 8                        | 2        | 1            | 5        | \$ 6,354,396.00        |
| Total 2020/21        | 34               | 3        | 5         | 14                       | 3        | 5            | 9        | \$ 4,107,610.00        |
| Total 2019/20        | 24               | 0        | 0         | 10                       | 1        | 3            | 10       | \$ 11,294,300.00       |

**Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire Council held on 23 March 2023**

Attachment 2

**Waste Management Statistics**

**Table 2: Kerbside Waste Collection**

|                      | <b>No of Premises with Service</b> | <b>Services Provided (Bins Emptied)</b> | <b>Tonnes Collected</b> |
|----------------------|------------------------------------|---|-------------------------|
| July 2022            | 1,035                              | 5235*                                   | 86.90                   |
| August 2022          | 1,035                              | 5627*                                   | 103.70                  |
| September 2022       | 1,035                              | 6065*                                   | 99.10                   |
| October 2022         | 1,035                              | 6872*                                   | 105.90                  |
| November 2022        | 1,035                              | 6035                                    | 94.80                   |
| December 2022        | 1,035                              | 6,471                                   | 99.20                   |
| January 2023         | 1,035                              | 6,529                                   | 106.50                  |
| February 2023        | 1,038                              | 5,211                                   | 84.10                   |
| March 2023           |                                    |   |                         |
| April 2023           |                                    |   |                         |
| May 2023             |                                    |   |                         |
| June 2023            |                                    |   |                         |
| <b>Total 2022/23</b> | <b>1,035</b>                       | <b>24,246</b>                           | <b>780.20</b>           |
| <b>Total 2021/22</b> | <b>1,036</b>                       | <b>65,737</b>                           | <b>1085.64</b>          |
| <b>Total 2020/21</b> | <b>1,029</b>                       | <b>N/A</b>                              | <b>302.10</b>           |

Note 1 - \* estimation due to technical issues

**Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire Council held on 23 March 2023**

**Table 3: Kerbside Recycling Collection**

|                      | No of Premises with Service | Services Provided (Bins Emptied) | Tonnes Collected | Tonnes Recycled | % Contamination |
|----------------------|-----------------------------|----------------------------------|------------------|-----------------|-----------------|
| July 2022            | 898                         | 865*                             | 10.60            | 8.1             | 24              |
| August 2022          | 898                         | 845*                             | 13.30            | 10.31           | 22              |
| September 2022       | 898                         | 156*                             | 2.80             | 2.17            | 22              |
| October 2022         | 898                         | 0*                               | 0*               | 0*              | 0*              |
| November 2022        | 898                         | 0*                               | 0*               | 0*              | 0*              |
| December 2022        | 898                         | 0*                               | 0*               | 0*              | 0*              |
| January 2023         | 898                         | 880*                             | 8.50             | 7.15            | 15.84           |
| February 2023        | 891                         | 1,203                            | 11.50            | 8.8             | 22.59           |
| March 2023           |                             |                                  |                  |                 |                 |
| April 2023           |                             |                                  |                  |                 |                 |
| May 2023             |                             |                                  |                  |                 |                 |
| June 2023            |                             |                                  |                  |                 |                 |
| <b>Total 2022/23</b> | <b>898</b>                  | <b>1,203</b>                     | <b>46.70</b>     | <b>36.53</b>    | <b>21</b>       |
| <b>Total 2021/22</b> | <b>898</b>                  | <b>7,635</b>                     | <b>110.10</b>    | <b>78.62</b>    | <b>21.72</b>    |
| <b>Total 2020/21</b> | <b>896</b>                  | <b>N/A</b>                       | <b>117.50</b>    | <b>90.92</b>    | <b>22.53</b>    |

Note 1 - \* estimation due to technical issues

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

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

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

**Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire Council held on 23 March 2023**

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

|                      | Mixed Waste (Tonnes) | Recoverable Materials (Tonnes) |               |          | Recyclable Materials (Tonnes) |                |              |
|----------------------|----------------------|--------------------------------|---------------|----------|-------------------------------|----------------|--------------|
|                      |                      | Organic                        | Masonry       | Soil     | Paper / Cardboard             | Metal / eWaste | Other        |
| July 2022            | 170.33               | 61.54                          | 2.24          | -        | 5.10                          | 6.54           | 4.01         |
| August 2022          | 166.85               | 23.55                          | 1.24          | -        | 4.38                          | 10.80          | 0.89         |
| September 2022       | 166.02               | 35.57                          | 0.62          | -        | 2.46                          | 11.10          | 1.01         |
| October 2022         | 6.90                 | -                              | 6.00          | -        | 0.30                          | -              | -            |
| November 2022        | 18.36                | 11.22                          | -             | -        | 0.30                          | 2.40           | 0.02         |
| December 2022        | 115.38               | 29.08                          | 172.00        | -        | 9.78                          | 14.82          | 1.37         |
| January 2023         | 103.23               | 90.25                          | 19.10         | -        | 6.12                          | 11.40          | 0.85         |
| February 2023        | 123.96               | 88.23                          | 2.00          | -        | 4.00                          | 9.05           | 1.44         |
| March 2023           |                      |                                |               |          |                               |                |              |
| April 2023           |                      |                                |               |          |                               |                |              |
| May 2023             |                      |                                |               |          |                               |                |              |
| June 2023            |                      |                                |               |          |                               |                |              |
| <b>Total 2022/23</b> | <b>871.03</b>        | <b>339.44</b>                  | <b>203.20</b> | <b>-</b> | <b>32.44</b>                  | <b>66.11</b>   | <b>9.59</b>  |
| <b>Total 2021/22</b> | <b>2,025.65</b>      | <b>601.71</b>                  | <b>192.74</b> | <b>-</b> | <b>55.02</b>                  | <b>73.18</b>   | <b>14.84</b> |
| <b>Total 2020/21</b> | <b>1,921.52</b>      | <b>680.78</b>                  | <b>452.54</b> | <b>-</b> | <b>56.28</b>                  | <b>78.96</b>   | <b>34.84</b> |

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

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

**Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire Council held on 23 March 2023**

**Table 5: Vouchers and Expected Resource Recovery**

|                      | Vouchers      |                  |                     | Out for Recycling / Recovery |              |             |              |
|----------------------|---------------|------------------|---------------------|------------------------------|--------------|-------------|--------------|
|                      | No Issued     | No Redeemed      | Value Redeemed (\$) | Metal / eWaste               | Mattresses   | Tyres       | Other        |
|                      |               |                  |                     |                              |              |             |              |
| July 2022            |               | 1,937            | 15,937              | -                            | 3.40         | 4.10        | 0.004        |
| August 2022          |               | 466              | 10,805              | -                            | -            | -           | -            |
| September 2022       |               | 634              | 11,540              | -                            | -            | -           | -            |
| October 2022         |               | 1                | 50                  | -                            | -            | -           | 0.60         |
| November 2022        |               | 196              | 9,854               | 2.40                         | 0.02         | -           | -            |
| December 2022        |               | 1,481            | 18,361              | -                            | -            | -           | -            |
| January 2023         |               | 1,317            | 16,275              | -                            | -            | -           | -            |
| February 2023        |               | 653              | 9,974               | -                            | 5.72         | 2.14        | 3,300*       |
| March 2023           |               |                  |                     |                              |              |             |              |
| April 2023           |               |                  |                     |                              |              |             |              |
| May 2023             |               |                  |                     |                              |              |             |              |
| June 2023            |               |                  |                     |                              |              |             |              |
| <b>Total 2022/23</b> | <b>14,604</b> | <b>6,685</b>     | <b>\$ 92,796</b>    | <b>2.40</b>                  | <b>9.14</b>  | <b>6.24</b> | <b>0.604</b> |
|                      |               |                  |                     |                              |              |             |              |
| <b>Total 2021/22</b> | <b>14,604</b> | <b>12,710.00</b> | <b>140,590</b>      | <b>153.78</b>                | <b>17.18</b> | <b>6.16</b> | <b>0.12</b>  |
| <b>Total 2020/21</b> | <b>N/A</b>    | <b>4,015</b>     | <b>N/A</b>          | <b>185.54</b>                | <b>16.68</b> | <b>7.52</b> | <b>-</b>     |

\*Other- this is litres of used engine oil

**Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire Council held on 23 March 2023**

Attachment 3

**Compliance and Biosecurity Statistics**

**Table 6: Compliance**

|                      | Animals Impounded | Animals Released |           | Complaints/Enquires |
|----------------------|-------------------|------------------|-----------|---------------------|
|                      |                   | To Owner         | Rehomed   |                     |
|                      |                   |                  |           |                     |
| July 2022            | 11                | 8                | 3         | 24                  |
| August 2022          | 7                 | 0                | 6         | 27                  |
| September 2022       | 4                 | 2                | 2         | 22                  |
| October 2022         | 5                 | 2                | 3         | 24                  |
| November 2022        | 8                 | 2                | 0         | 17                  |
| December 2022        | 9                 | 4                | 1         | 17                  |
| January 2023         | 10                | 4                | 3         | 31                  |
| February 2023        | 6                 | 3                | 0         | 18                  |
| March 2023           |                   |                  |           |                     |
| April 2023           |                   |                  |           |                     |
| May 2023             |                   |                  |           |                     |
| June 2023            |                   |                  |           |                     |
| <b>Total 2022/23</b> | <b>60</b>         | <b>25</b>        | <b>18</b> | <b>180</b>          |
|                      |                   |                  |           |                     |
| <b>Total 2021/22</b> | <b>62</b>         | <b>28</b>        | <b>35</b> | <b>185</b>          |
|                      |                   |                  |           |                     |

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

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**Table 7: Biosecurity**

|                      | Inspections (Weeds Action Program) |              |             |           |            | Weed Control Spraying |
|----------------------|------------------------------------|--------------|-------------|-----------|------------|-----------------------|
|                      | Private Land                       | Council Land | Roads (Km)  | Waterways | Rail (Km)  |                       |
| July 2022            | 3                                  | 2            | 482         | 0         | 0          | 18                    |
| August 2022          | 1                                  | 1            | 429         | 0         | 0          | 6                     |
| September 2022       | 6                                  | 1            | 283         | 0         | 0          | 23                    |
| October 2022         | 11                                 | 3            | 126         | 1         | 0          | 26                    |
| November 2022        | 19                                 | 4            | 450         | 0         | 0          | 16                    |
| December 2022        | 5                                  | 2            | 622         | 0         | 0          | 44                    |
| January 2023         | 13                                 | 0            | 0           | 0         | 0          | 17                    |
| February 2023        | 8                                  | 2            | 213         | 0         | 83         | 21                    |
| March 2023           |                                    |              |             |           |            |                       |
| April 2023           |                                    |              |             |           |            |                       |
| May 2023             |                                    |              |             |           |            |                       |
| June 2023            |                                    |              |             |           |            |                       |
| <b>Total 2022/23</b> | <b>66</b>                          | <b>15</b>    | <b>2605</b> | <b>1</b>  | <b>83</b>  | <b>171</b>            |
|                      |                                    |              |             |           |            |                       |
| <b>Total 2021/22</b> | <b>95</b>                          | <b>16</b>    | <b>4247</b> | <b>9</b>  | <b>200</b> | <b>228</b>            |

**Table 8 Nyngan War Memorial Pool**

|                      | Number of Visitors |
|----------------------|--------------------|
| October 2022         | 1,658              |
| November 2022        | 2,168              |
| December 2022        | 3,858              |
| January 2023         | 4,265              |
| February 2023        | 3,472              |
| March 2023           |                    |
| April 2023           |                    |
| <b>Total 2022/23</b> | <b>15,421</b>      |
|                      |                    |
| <b>Total 2021/22</b> | <b>18,202</b>      |



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## 2 RECLASSIFICATION OF LAND – 8 TABRATONG STREET

### **Summary:**

*The purpose of this report is to advise Council of the process to reclassify the former Palais Theatre site and to seek direction as to whether to proceed with the process.*

### **2.1 Introduction**

The purpose of this report is to advise Council of the process to reclassify the former Palais Theatre site and to seek direction as to whether to proceed with the process.

### **2.2 Background**

On 28 November 2019 Council resolved as follows:

- 1. Council provide a Letter of Support to the Nyngan Community Homes Association to accompany their application to the Building Better Regions Fund Program Round 4 for funding to construct senior's living units on the former Palais Theatre site in Cobar Street, Nyngan.*
- 2. Should the Nyngan Community Homes application to the Building Better Regions Fund Program Round 4 be successful, Council will donate the land to the Association. (358/2019)*

This resolution was conditional on Nyngan Community Homes being successful with their application under Round 4 of the Building Better Regions Fund. Unfortunately, they were not successful in this instance.

At its meeting held on 23 February 2023 Council received a request from Nyngan Community Homes to transfer ownership of these lots to them as a prerequisite for them to receive funding under the Community Housing Innovation Fund.

The site of the former Palais Theatre comprising three lots, Lot 1 DP102113, Lot 2 DP355559 and Lot 3 DP 945184 at 8 Tabratong Street Nyngan is currently classified as community land under Section 25 of the Local Government Act, 1993 (the Act).

**Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire Council held on 23 March 2023**

Section 45 of the Act does not permit the disposal of community land which is intended to held intact on behalf of the community for general public use:

**45 What dealings can a council have in community land?**

- (1) *A council has no power to sell, exchange or otherwise dispose of community land.*
- (2) *A council may grant a lease or licence of community land, but only in accordance with this Division.*
- (3) *A council may grant any other estate in community land to the extent permitted by this Division or under the provisions of another Act.*

*Note -*

*The word estate has a wide meaning. See the Interpretation Act 1987, section 21(1).*

- (4) *This section does not prevent a council from selling, exchanging or otherwise disposing of community land for the purpose of enabling that land to become, or be added to, Crown managed land or to become, or be added to, land that is reserved or dedicated under the National Parks and Wildlife Act 1974.*

### **2.3 Discussion**

Should Council wish to dispose of this land to Nyngan Community Homes or any other person it will be necessary to follow the process set out in the Local Government Act to reclassify the land as Operational.

Sections 25 to 34 of the Act detail the process of classification and reclassification of public land. As such there appears to be only one option which is outlined in Section 27 of the Act namely by amending the Local Environmental Plan (LEP).

This process requires the preparation of a planning proposal under Section 28 of the Act which will require the approval of the Minister for Planning.

Funding may be available from the Department of Planning for a consultant to undertake the application.

### **2.3 Recommendation**

1. That Council determines whether, in principle, it wishes to dispose of (transfer ownership of) Lot 1 DP102113, Lot 2 DP355559 and Lot 3 DP 945184.
2. That Council determines whether it wishes to submit a planning proposal under Section 28 of the Local Government Act to reclassify Lot 1 DP102113, Lot 2 DP355559 and Lot 3 DP 945184 from Community Land to Operational Land.

**Chris Foley**

**Acting Director Development and Environmental Services**



Precis of Correspondence  
Ordinary Meeting of Council 23 March 2023

**PRECIS OF CORRESPONDENCE**

**1 DEPARTMENT OF PLANNING AND ENVIRONMENT**

Attached is correspondence received from The Department of Planning and Environment.

**1.1 Recommendation:** For noting.

**2 NYNGAN AMATEUR SWIMMING CLUB**

Attached is correspondence received from Nyngan Amateur Swimming Club.

**2.1 Recommendation:** For Council's Consideration

Precis of Correspondence  
Ordinary Meeting of Council 23 March 2023

Department of Planning and Environment



Our ref: MF23/394  
Ms Stephanie Waterhouse  
Acting General Manager  
Bogan Shire Council  
PO Box 221  
NYNGAN NSW 2825  
admin@bogan.nsw.gov.au  
2 March 2023

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Subject: Bogan Shire Council's request for additional funding for DWS027 – Albert Priest Channel and Related Emergency Works and DWS083 – Nyngan Pipeline to Town Bore Project.

Dear Stephanie,

Thank you for your letters of 30 January and 2 February 2023 to the Hon Kevin Anderson MP, Minister for Lands and Water. The Minister has asked that I respond to you on his behalf.

I am writing to you to advise you of the Department's position regarding Bogan Shire Council's request for additional funding for DWS027 – Albert Priest Channel and Related Emergency Works and DWS083 – Nyngan Pipeline to Town Bore Project. The funding programs which these projects were supported are fully committed.

The most recent release of new Safe and Secure Water Program funding prioritised water risks across regional NSW and is currently only available for risks assessed as being a risk 5 (the highest risk). At this stage the funding to resolve prioritised risks is fully allocated to enable eligible projects to complete works up to the point of being ready to proceed to tender.

Should funding become available to provide additional funding to existing projects, the Department will be in contact with Council to discuss funding assistance.

Alternative funding may be available through [T-Corp](#), or through other [NSW Grant Funding](#) opportunities.

Should you require any further information, please contact Kirsty Fenton, A/Director Grants Management on 0417 014 673 or email [Kirsty.fenton@dpie.nsw.gov.au](mailto:Kirsty.fenton@dpie.nsw.gov.au).

Yours sincerely,



Jason Gordon  
Acting CEO Water Infrastructure NSW

Precis of Correspondence  
Ordinary Meeting of Council 23 March 2023

PO Box 208, Nyngan NSW 2825  
ABN 56 796 876 365  
nynganswimmingclub@gmail.com

Nyngan Amateur  
Swimming Club



Dear Bogan Shire Council Committee Members,

On behalf of Nyngan Amateur Swimming Club I would like to ask permission to place our Swimming Club logo on the wall between the Clubhouse and chemical shed at the Nyngan Memorial Pool. Each year we have swimmers competing in many western carnivals throughout the season representing Nyngan, host a carnival of our own, swimming club each friday night and our championships. We have so many up and coming little swimmers. It's wonderful to see our club growing. We would love for our club logo to be seen at Nyngan pool as a reflection of the great club we have here at Nyngan alongside the many other great clubs.

Please see images below of the logo and requested placement.

Thankyou for taking the time to consider our request and I look forward to hearing from you soon.

Kyri Martin

Committee Member

Nyngan Amateur Swimming Club.





