



# **BOGAN SHIRE COUNCIL**

## **Business Paper**

**28 November 2019**



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**21 November 2019**

## **COUNCIL MEETING NOTICE**

The next Ordinary Meeting of Council will be held in the Council Chambers, Nyngan on Thursday 28 November 2019 at 9.30am.

At 10.00am, Mr Charles de Beer will address the meeting, concerning the Town Hall.

At 10.30am, Tongling No 15 Middle School Delegation will attend morning tea and then introduce themselves at the meeting.

At 11.00am, Mr Tim Collins, Department of Planning, Industry and Environment will address the meeting concerning the Local Strategic Planning Statement. (Director of Development & Environmental Services Report No. 4)

Mr & Mrs Col and Jan Davison will join Councillors and Staff for lunch in recognition of Col and Jan's fifty years' service to Australia Post and the community.

## **AGENDA**

1. Opening Prayer
2. Remembrances
3. Apologies
4. Declarations of Interest
5. Confirmation of the Closed and Confidential Minutes of the Council Meeting held on 24 October 2019
6. Finance and Corporate Services' Closed and Confidential Report
  1. Transfer of Land to Council  
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 because it is information that would, if disclosed, confer the personal hardship of any resident or ratepayer.
7. Confirmation of the Ordinary Minutes of the Council Meeting held on 24 October 2019
8. Committee Meeting Minutes
9. Mayoral Minute
10. General Manager's Report incorporating reports from:-
  - People and Community Services
  - Finance and Corporate Services
  - Engineering Services
  - Development and Environmental Services
11. Correspondence

Your attendance at this meeting would be appreciated.

Yours sincerely

*Cathy Ellison*  
**Executive Assistant**





**Committee Meeting Minutes to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019**

**COMMITTEE MEETING MINUTES**

**1 NYNGAN MUSEUM MEETING**

Attached are the Minutes of the Nyngan Museum Committee Meeting held on 6 November 2019 at the Nyngan Museum.

**1.1 Recommendation**

That the Minutes of the Nyngan Museum Committee Meeting held on 6 November 2019 at the Nyngan Museum be received and noted.



Committee Meeting Minutes to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019

Nyngan Museum Meeting Date: 6<sup>th</sup> November 2019

Present:

*Glad Eldridge, Leonie Montgomery, Anna Corby, Collin Pardy, Yvonne Pardy, Anne Quarmby  
Val Keighran, Bay Lovett, Margaret Sibbald, Abigail,*

Apologies:

*Ray Donald, Veneta*

Guests:

*Mr and Mrs Dennis Burns Bottle Collectors*

Minutes last meeting: Move: Anna second: Margaret Sibbald  
*Minutes for last month Point 1 Business Arising amended to read  
"Bogan Shire Council have agreed to consider funding the plaques for Girilambone and  
Canonbar Cemeteries next year."*

Business arising from previous minutes:

*Worked has started on the 2 storey building. Sadly we have been  
advised that the downstairs floor wont be renovated, it will be replaced  
with a modern look alike of some sort. Perhaps vinyl planks or floating  
floor. Cementing has begun for ramp access.*

Treasurers Report attached: read and moved: Collin 2<sup>nd</sup>: Glad

Correspondence In:

*Family search for Leeding family from 1940s  
Research of 1950s floods for Frank on email*

**Committee Meeting Minutes to the Ordinary Meeting of Bogan Shire Council  
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**Correspondence Out:**

*Results from family search for Leeding family from 1940s*

*A problem at the 2 storey building meant the water was turned on without notice, so the rooms were flooded. Several cms of water are in the basement, and the gyprock ceiling will need to be replaced on the main floor. Some problems with walls upstairs. Work is progressing and should be done by December.*

*HSC will finish on Monday 18<sup>th</sup> November.*

*Donations: 12 seats from the Palais Theatre. They are in quite poor condition, but are certainly able to be restored and recovered. They will provide the seating for the flood video area.*

*A set of glass slides from the Palais was saved from the rubbish pile and given to us. They are mostly blank, but there are several that show the ads used during the showings.*

*A brass padlock from SRA*

**General business**

*Christmas meeting will be 4<sup>th</sup> December. Bring a morning tea to share. A quick meeting first, then relax.*

*We will close on 20<sup>th</sup> December and not reopen until March. This time should allow us time to move into the 2 storey building and re organize the rest of the museum.*

***Special guest.** Dennis Burns and his wife were our guests for this meeting. Dennis spent much of his younger life working around the shearing sheds in the western area with his father and grandfather. He has a soft spot for it still. Dennis is a bottle collector, but has also researched cordial makers, chemists and breweries from this area. He and his wife were able to give a very informative report on the*

**Meeting Closed: 11.20am**



**Mayoral Minute to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019**

**REPORT TO ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE**

**Councillors**

The following report is submitted for consideration:-

**1 DONATION TO THE SALVATION ARMY BUSHFIRE APPEAL**

As a community with a lifetime memory of a Natural Disaster, our sympathetic thoughts go out to all those victims of the ongoing severe fires in the north of the state. Sadly there have been fatalities and many hundreds of homes lost, domestic and native animals burnt and thousands of hectares burnt out. Following agreement from all the Councillors and General Manager, Council has sent \$10,000 to the Salvation Army Appeal to help provide cash to people who have lost everything in the fires.

**1.1 Recommendation:** For Council's Endorsement.

**Ray Donald OAM  
Mayor**



General Manager’s Report to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019

**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	27/10/2016	423/2016	<b>Seniors Living – Rental Units</b>	Director Development and Environmental Services working closely with external Project Manager to ensure compliance with Stronger Communities grant milestones	<b>DDES</b>	Development Application and Construction Certificate lodged with Council for assessment.  Project Manager and Planning Consultant working together to provide information required under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

General Manager's Report to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019

2	28/09/2017	283/2017	<b>Medical Centre</b>	The General Manager in consultation with PHN proceeds to recruit & engage a second doctor for the BSMC.	<b>GM</b>	Recruitment agencies engaged to source locum / permanent second doctor.  Second Locums secured until 22/5/2020.
3	21/12/2017	392/2017	<b>Increase of train speed through Nyngan</b>	Strong letter of concern & a request to address Council be sent to the relevant rail authorities & a copy to local member.	<b>GM</b>	Letter sent to Minister for Transport & Infrastructure, with copy to Kevin Humphries.
	21/06/2018	293/2018		Council seek further follow up from the responsible Minister, reiterating Council's safety concerns for pedestrians & road users due to the nature of the crossing & variation of speeds & that the best control measures would be to erect flashing lights at the Hoskins Street Crossing.	<b>GM</b>	406 Petitions received.  On-site meeting held with Deputy Premier.  <b>UPDATE:</b> <b>Request made to meet with Deputy Premier in Bourke on 25 November 2019.</b>

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019**

4	25/10/2018	340/2018	<b>Palais Theatre</b>	Council has informally advertised via Nyngan Observer that the Palais Theatre site is available for interested parties to construct seniors living accommodation.	<b>DDES</b>	Demolition works commenced.
5	28/02/2019	021/2019	<b>Drought Works</b>	The General Manager continues to pursue grant funding opportunities to meet the cost to improve water security for Girilambone & Hermidale.	<b>DES</b>	Application submitted, awaiting response. Funding for water carting to the villages has been approved. No additional funding currently available from NSW Government. Request resubmitted via Town Water Supply Commissioner. NSW Government advice at this stage is that individual tanks do not meet the drought funding criteria.

General Manager's Report to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019

				<p>Council strongly points out to the relevant authorities that paying for water tanks will save the NSW Government money in the medium to long term rather than paying for the carting of water to fill the overhead tanks.</p>		<p>Request resubmitted via Town Water Supply Commissioner. There has been no reply as of yet from the Town Water Supply Commissioner.</p>
6	24/04/2019	117/2019	<b>Cobar Water Board</b>	<p>1. The General Manager requests further information from CWB concerning the apparent change in licence holdings, a copy of the legal advice concerning supply of water and reason why Cobar Shire Council cannot supply minor users within the Bogan Shire LGA.</p>	<b>GM</b>	<p>Advice from CWB is that they disposed of their licence in 2010.</p> <p>Further correspondence sent to CWB. Awaiting response.</p>

General Manager's Report to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019

				<p>2. Notes all current minor user agreements are between CWB and relevant users and that there may potentially be logistical and legal implications to BSC being responsible for supply of water via CWB's infrastructure.</p>	<p>Council staff to investigate implications.</p> <p>Council's Solicitors engaged to assist with new agreement.</p> <p>Further correspondence sent to CWB. Awaiting response.</p>
				<p>3. Whilst Council is prepared to have discussion with CWB to explore options for delivery of water to minor users within the Bogan Shire LGA, it does not agree to the Board's proposal at this stage.</p>	<p>Further correspondence sent to CWB. Awaiting response.</p>

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019**

7	23/05/2019	164/2019	<b>Nyngan/Cobar Water Security</b>	Council notes with concern that CWB appears to have used more than their allocation of water this year & that the General Manager raises this concern with the Secretary of CWB.	<b>GM</b>	Meeting held on 18 June 2019 with Secretary of CWB and staff.  Further correspondence sent to CWB. Awaiting response.
8	27/06/2019	222/2019	<b>Nyngan Regional Cultural Centre</b>	Council engage Ian Bassett & Partners to prepare a detailed cost estimates for the construction of the Nyngan Regional Cultural Centre for purposes of a grant submission.	<b>GM</b>	Design requirement being confirmed.  Architects working on detailed plans.

General Manager's Report to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019

9	27/06/2019	179/2019	<b>Purchase of Land – Pangee Street</b>	General Manager approach the owner of the identified property with a view to ascertaining whether they are interested in selling the property & on what terms.	<b>GM</b>	<b><u>UPDATE:</u></b> <b>Verbal report to be given at Council Meeting 28 November 2019.</b>  <b>COMPLETED</b>
	22/08/2019	253/2019		The General Manager be authorised to offer the agreed price to purchase the land in Pangee Street and allow the owner until the end of the year to remove whatever structures he wishes to. Money to be taken out of accumulated funds.		

General Manager's Report to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019

10	22/08/2019	263/2019	<b>Stronger Country Communities Fund – Round 3</b>	<p>Council makes a grant application to the Stronger Country Communities Fund for the construction of a Community Centre on the site of the old tennis courts incorporating a sum of money for a part-time Youth Worker for a period of one year.</p> <hr/> <p>Council works with community orgs who deliver youth and other community support services to investigate methods of funding for ongoing employment of a part-time Youth Worker &amp; further upgrading to the facility.</p>	<b>DPCS</b>	<p>Grant application to be submitted by 27 September 2019.</p> <p>Application submitted.</p> <p><b><u>UPDATE:</u></b> <b>Letter sent to Deputy Premier regarding length of approval process.</b></p>
	22/08/2019	264/2019				

General Manager's Report to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019

11	26/09/2019 <hr/> 24/10/2019	292/2019	<b>Garford Fire Engine</b>	<p>Council proceed with the respray of the Garford Fire Engine, with funds to be provided from the Historical Society \$5,224, Community Arts and Culture Fund \$15,362 and Accumulated Funds \$9,414.</p> <hr/> <p>Council examine options on the best way forward.</p>	<b>DES</b>	<p><b><u>UPDATE</u></b> Quotes for the Garford to be resprayed and the exterior restored have been requested.</p> <hr/> <p><b><u>UPDATE</u></b> Verbal report to be given at meeting.</p>
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**General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
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## **1.1 Recommendation**

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

## **2 REGIONAL WATER SUPPLY PIPE NETWORK (Sept 18)**

### **Summary:-**

*The purpose of this report is to brief Council on a proposal received from Dubbo Regional Council for a Regional Water Supply Pipe Network servicing the Dubbo, Narromine, Warren, Bogan and Cobar Local Government Areas.*

### **2.1 Introduction**

The purpose of this report is to brief Council on a proposal received from Dubbo Regional Council for a Regional Water Supply Pipe Network servicing the Dubbo, Narromine, Warren, Bogan and Cobar Local Government Areas.

### **2.2 Background**

Previous reports to Council in March, September and November 2017 as well as February, April and September 2018 refer.

Bogan Shire Council prepared and debated a Business Plan for the proposed piping of the Albert Priest Channel in 2017 and 2018. Significant concerns were raised regarding the financial implications for Bogan Shire water customers if the annual depreciation charge for the pipeling was to be included in the annual operating cost of the pipeline. Consequently, following an extraordinary meeting in November 2017, Council wrote to the Deputy Premier setting out our concerns relating to the potential impact on Nyngan water charges if the project was to proceed.

This was followed, in April 2018, by several resolutions which reflected Councils concerns over the viability of the proposed project:



**General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
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**018/2018 RESOLVED** that Council considers each of the issues raised and recommendations made by Council's Technical Advisors. **(Boag/Neill)**

**Issue 2 - Water Security Solutions**

**019/2018 RESOLVED** that Council strongly request that a second storage be funded and proceed, based on its earlier resolution (September 2017) that off-river storages are solutions to the long-term water security needs of Bogan Shire and Cobar Shire. **(Neill/Jackson) Unanimous**

**Issue 3 - Water Pricing Framework**

**020/2018 RESOLVED** that the water pricing report prepared by the Project's Technical Advisors be reviewed by Council's Financial Consultants and Auditors. **(Neill/Jackson)**

**Issue 4 - Agreements with Cobar**

**021/2018 RESOLVED** that Council delegates authority to the Mayor and General Manager to hold talks with Cobar Shire Council and Cobar Water Board in regard to future service agreements, proposed water pricing proposed governance arrangements once this information is available. **(Ryan/Neill)**

**Issue 5 - Retain or decommission the Albert Priest Channel**

**022/2018 RESOLVED** that Council engage a consultant to undertake additional consultation and evaluation to determine whether to partially retain, fully retain or decommission the Albert Priest Channel. **(Neill/Ryan)**

**Issue 7 - Proposed letter to Minister for Regional Water**

**023/2018 RESOLVED** That Council writes to the Minister for Regional Water regarding water policy issues associated with internal water trading, replenishment flows to Bogan River and Beleringar Creek, impacts to water entitlements for alternate location for the Gunningbar Creek off take and town water licencing. **(Ryan/Boag)**

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## **Issue 8 - Project Funding**

**024/2018 RESOLVED** that Council lodges an Expression of Interest and Detailed Application for grant funding under the NSW Government's Safe and Secure Water Program to fund the completion of the expanded options development activities and revised Business Case for the project. **(Neill/Boag)**

Following further analysis and discussions involving consultants and the NSW Government, an Economic Assessment of Options report was tabled at the project steering committee meeting held on 14 September 2018.

The report concluded that, with the exception of Options 2a and 2c (off-river storages), all other options – including the proposed pipeline – “do not offer a net benefit. This appears to be because the most recent secure yield model runs show that the recently constructed 650ML storage provides satisfactory supply reliability in most years, despite not meeting the security of supply criteria”. (Report page 35).

The report recommended that Infrastructure Options 2a and 2c (off-river storages) be considered further as these options deliver a net economic benefit.

Consequently Council has pursued the construction of a second off river storage and has obtained funding for this.

### **2.3 Discussion**

Council has now been approached by Dubbo Regional Council with a proposal for a Regional Water Supply Pipe Network servicing the Dubbo, Narromine, Warren, Bogan and Cobar Local Government Areas.

The details of this proposal with Dubbo Regional Council's recommendations are contained in Attachment 1.

### **2.4 Attachment**

Proposal from Dubbo Regional Council

### **2.5 Recommendation**

For Council's consideration.



**General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
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Attachment 1

**Proposal received from Dubbo Regional Council for a Regional Water Supply Pipe Network Servicing the Dubbo, Narromine, Warren, Bogan and Cobar Local Government Areas 2019**

**Background**

The current drought has highlighted the lack of water security for many urban centres along the Macquarie River downstream of Burrendong Dam. With the record low inflows into Burrendong, and very low prospects of significant inflows into the dam in the short to medium term, Water NSW, under its Extreme Events Policy, has identified the Macquarie River as being at Level 4 –Critical Drought, the highest criticality level under its incident response guide. This has required Water NSW to develop a range of responses within the catchment to extend, for as long as possible, the remaining water supplies to meet the critical needs of local water utilities. At the same time many of these communities have responded by activating their Demand Management Plans and progressively implementing water restrictions to reduce demand whilst also exploring additional localised supply options, particularly groundwater where appropriate.

The current situation highlights the high level of dependence most of these communities have on continued flows within the Macquarie River to provide sufficient water to meet town water needs. For the majority of the time the inflows into the system and the volume of water in the storages enables the system to be operated to satisfy the needs of all users within the catchment.

However, as the availability of water decreases and critical supply situations develop, as is currently being experienced, the ability of the system to meet the highest priority needs of local water utilities comes under greater scrutiny. With Burrendong Dam at around 4% of capacity, and the water sharing plan providing town water supplies with the highest priority access to this remaining water, the need to efficiently deliver this diminishing source of water to towns becomes critical in order to for them to continue to function until the drought breaks.

At the current time the river is the only conduit available to supply water to towns and while significant management strategies have been already put in place, and further initiatives are being developed to extend flows in the river for as long as possible, the currently projections are that the river will stop flowing around May next year.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
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The development of a regional pipeline, as an alternative means of delivering water to towns along the lower Macquarie River, has been proposed on numerous occasions, particularly during times of drought. However, as has often been the case, once the drought breaks and the river system returns to normal operations, the focus on the need for such a pipeline diminishes. A key message coming out from the NSW Government in response to the current drought is that this past practice of not following through on such initiatives must not occur again. Lessons learnt from this drought need to drive solutions which not only help communities get through the current crisis, but, most importantly, will deliver long term resilience and capacity within communities to manage future droughts more effectively

The development of a regional water supply pipeline network along the lower Macquarie, between Burrendong Dam and Nyngan, including a new branch to Warren and upgrading of the existing pipeline from Nyngan to Cobar, would provide a critical linkage between urban centres and the various water supplies in this region. In addition to providing a means of distributing water from Burrendong Dam with virtually no transmission losses, the pipe network could also link various groundwater supplies throughout the catchment, with the system designed to enable two-way flow to create a catchment-wide water supply grid which would deliver significant resilience to all communities connected to the network. This critical infrastructure project could deliver significant regional economic benefits, by not ensuring the long term reliability of water supply to existing towns and therefore removing the constant threat of reduced water supply during drought, but also potentially promoting increased economic development on the back of a very reliable and resilient water supply.

In order to progress this initiative a significant amount of work needs to be undertaken as a matter of urgency, given the current drought situation.

A detailed business case needs to be developed to understand the various operating models which could be implemented, as well as fully understand the costs and benefits associated with such a project. As well this analysis should explore various scenarios to fully understand the potential opportunities arising from such a significant project, with the aim of optimising the size and scale of the network to deliver the most effective long term outcome.

The ongoing ownership and operation of the pipe network also needs to be fully examined to ensure its continued effective operation at a level which is financially sustainable for water users.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
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At the same time a project plan for the delivery of the project needs to be developed as a priority. This will enable a full understanding of the actual capital cost of the project and the ongoing whole-of-life operational costs to be established. As well this plan will identify how the project can be delivered in a manner which potentially provides significant benefits during the current drought as well as much greater long term benefits. With the potential of a less onerous project approval regime, the key to delivering at least the first stage of this project lies with the project development plan. Issues such as route selection, land access, environmental and archaeological impacts, constructability as well as technical design issues need to be fully addressed. Preliminary work on possible pipe sizes, material type, pump station capacity and potential alignments has already commenced within the Dubbo Regional Council area, with the same methodology able to be applied to the whole potential network in the short term to fully understand the scale and cost of this project. Initial costings indicate the project could be delivered at least in line with similar sized projects completed recently in NSW, in regards to cost and delivery time.

In conjunction with the development of the project plan for this pipe network, options need to be examined for extending flows in the Macquarie River for as long as possible in collaboration with the NSW Regional Town Water Supply Coordinator, Water NSW and DPIE Water. If this can be achieved the opportunity potentially exists to undertake construction of the first stage of the pipeline network before flows in the river cease at a point where no further water can be supplied to towns at the end of the system, such as Cobar, Nyngan and Warren.

While such an outcome cannot be guaranteed, with all communities working to reduce demand and develop a range of alternative water supply options, coupled with a concerted focus to fully resource the development of the first stage of the pipe network project, a fast-track project delivery approach should be adopted at the outset to provide maximum opportunity to complete key elements of the project as soon as possible.

To achieve this financial support needs to be sought from the NSW Government as a matter of priority, ideally through a joint delegation of all Councils to the Minister for Water as soon as possible. Prior to this it is essential that all Councils consider a report on this matter at their earliest opportunity and, if in agreement, resolve to pursue this project as a priority.

**General Manager's Report to the Ordinary Meeting of Bogan Shire Council  
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This project offers a unique opportunity to the Councils in the lower Macquarie to work collaboratively on an inter-generational infrastructure project which could significantly enhance the current level of service to their communities as well as deliver very long term sustainable water supplies and associated economic prosperity. This project would build on the vision for reliable urban water supplies in the lower Macquarie region which commenced with the construction of the Albert Priest Channel, between Warren and Nyngan in 1942, the installation of the first water supply pipeline to Cobar in 1963, the construction of Burrendong Dam in 1967 (a project which actually started in 1946 but was delayed due to financial constraints) and the completion of Windamere Dam in 1984. The connection of these key water infrastructure elements via a regional pipe network would not only be a fitting final element to regional water security goals commenced almost 80 years ago, but would also secure a very positive future for the region, built on sustainable and reliable water infrastructure and a spirit of genuine regional co-operation.

**Recommendation**

That Council:-

1. Support, in principle, the development of a Regional Water Supply Pipe Network to enhance the long term security of urban water to all communities currently supplied by the Macquarie River downstream of Burrendong Dam
2. Seek funding assistance from the NSW Government, as a matter of urgency, in conjunction with Narrromine Shire/Bogan Shire/Warren Shire/Cobar Shire/Dubbo Regional-(include as appropriate) Councils to:
  - a) undertake a comprehensive business case assessment of the Regional Water Supply Pipe Network Project;
  - b) develop a long term financial model for the project which is sustainable for Council;
  - c) develop a Governance Model for the development and operation of the pipeline project based on regional collaboration amongst associated Councils;
  - d) progress the technical development of the project to a "shovel ready" stage by April 2020; and
  - e) engage a suitably qualified consultant to act for the group of Councils in developing each stage of the project planning process.



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3. Examine options, in collaboration with DPIE Water and Water NSW, to extend critical urban water supplies in the lower Macquarie River catchment and fast-track delivery of the project, including staged construction options, with the aim of ensuring a continued supply of water to all urban centres supplied by the Macquarie River downstream of Burrendong Dam.

**Derek Francis  
General Manager**



People and Community Services' Report to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019

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

### Mayor and Councillors

The following report is submitted for consideration:-

### 1 DROUGHT COMMUNITIES PROGRAM

#### **Summary:-**

*The purpose of this report is to provide information to Council on the completion of projects funded from the Drought Communities Program in 2019 and to provide notice of Council's eligibility for funding in 2020.*

#### **1.1 Introduction**

The purpose of this report is to provide information to Council on the completion of projects funded from the Drought Communities Program in 2019 and to provide notice of Council's eligibility for funding in 2020.

#### **1.2 Background**

Council was formally advised on 2 October 2018 of its eligibility under the Australian Government's Drought Communities Program and of the associated funding guidelines. At its meeting held on 25 October 2018 Council resolved to make grant applications for several projects. Council staff prepared the necessary documentation, including design plans and quotations and submitted the applications on 4 December 2018.

#### **1.3 Discussion**

Council was advised of the successful applications on 14 and 21 January 2019 and project works commenced shortly after. The Program funding deadline was initially set for 30 June 2019, but was extended until 31 October 2019. Council was successful in obtaining local tradespeople to undertake works with procurement of goods being sourced locally wherever possible.



**People and Community Services' Report to the Ordinary Meeting of Bogan Shire Council  
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All approved projects were completed within the revised deadline including:

- Larkin Oval - Canteen and Announcer's Box
- Nyngan Pool - Façade and Amenities
- Wye Pavilion - New Floor
- Main Street - Safety and Beautification
- Nyngan Pool - Splash Play
- Coolabah Hall - Awning and Amenities
- Fire Station Door
- Chinese Cemetery

It is extremely pleasing to note that Council was able to take advantage of the full \$1 Million grant with expenditure on these projects totalling \$1,003,337.52. (An amount of \$3,337.52 was expended from Council's own funds). More significantly, the funds were expended within the guidelines set by the Federal Government to provide local economic stimulus and were responsibly spent on projects to benefit our community.

On 7 November 2019 the Federal Government committed to provide an additional \$1 Million each to 122 drought-affected Councils under the Drought Community Program – Extension. According to the Government these measures are designed to provide an immediate economic stimulus to drought-affected communities by investing in projects that support jobs and business income.

At this stage Council has not received the Program Guidelines nor the closing date for applications. Attached is a FAQ document provided with the notification email.

***General Manager's note:*** *I would like to extend my sincere appreciation to Directors and other staff involved for their dedication and the significant amount of extra work involved in managing and effectively spending these funds on behalf of our community, particularly given such short timeframes.*

#### **1.4 Attachment**

Drought Communities Program – Frequently Asked Questions

#### **1.5 Recommendation**

That the Drought Communities Program Report be received and noted.

People and Community Services' Report to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019



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## Frequently Asked Questions

### Drought Communities Programme - Extension

**1. What types of local community infrastructure/facilities/spaces will the programme support?**

Examples of local community infrastructure/facilities/spaces include:

- bike paths
- skate parks
- foot paths
- street scapes
- community centres
- health centres
- recreational facilities
- parks
- sporting facilities
- stadiums, arenas
- libraries
- showgrounds
- caravan parks
- men's sheds
- roads.

This list is not exhaustive.

**2. What types of projects could be undertaken at these local community infrastructure/facilities/spaces?**

Example activities to repair, maintain, upgrade, construct and fit-out local community infrastructure/facilities/spaces include:

- lighting upgrades or new lighting
- fencing - around facilities, swimming pools
- solar panels
- drainage and watering systems
- amenities - drinking fountains, BBQs areas, park furniture, shelters, footpath renewal
- sport and recreational facilities - tennis courts, gymnasiums, scoreboards, medical equipment, golf clubs
- kitchen upgrades and/or repairs
- power connections at caravan sites
- improved disability access
- purchase of equipment - computers, televisions, furniture, fixture and fittings
- purchase of vehicles and trailers for community transport services, surf lifesaving, medical
- purchase of equipment for local State Emergency Service
- foot path renewal and beautification.

This list is not exhaustive.

Projects are expected to lead to the employment of locals.

19/11/2019

## People and Community Services' Report to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019



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## Frequently Asked Questions

### 3. What types of community events are supported under the programme?

A community event brings the community together in some way. For this programme the emphasis is around how locals will benefit from the event especially through employment opportunities and supporting mental health.

### 4. Can an eligible council work together with another eligible council to complete a project?

Yes. Provided both councils are eligible for the program. Each council would submit a separate application and reference the other council/s in their application. A project could be undertaken in partnership where each council would specify in their application their role in the project and their requested funding. If successful, each council would be contracted separately and required to report on their project.

The guidelines do not allow for joint applications (i.e. one application from multiple councils).

### 5. Are councils required to follow standard tendering and procurement processes?

Yes. Councils are required to be compliant with all relevant laws and regulations under this programme.

If the project requires a tender process to be completed, councils must adhere to that process. The timing available for the programme may restrict the types of projects that can be submitted.

### 6. Can councils replenish water tanks on private properties for human consumption?

No. Projects under this program are to provide relief and benefits to the wider community, not just individuals. Councils seeking funding for water carting or other water related projects would need to devise a strategy to allow the whole community to benefit - for example, a plan to allow a group of community members to replenish their water tanks.

### 7. Can councils establish new and/or expand bore holes on public properties?

Yes. This activity would be considered eligible. The bores holes would provide a benefit to the local community and locals/contractors can be employment and equipment sourced from local businesses to complete the work. An example would be the construction of a new bore water hole for the local park's amenities block.

### 8. Can councils use the grant funding to refurbish and/or revamp shop fronts located in the main town centre with the work being carried out by local workers?

Yes. This would be eligible. This project would lead to the employment of local people in the area and could encourage more visitors to the town to contribute to the economic activity of the region.

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## Frequently Asked Questions

- 9. Can grant funds be used towards an Undergraduate Scholarship Programme? For example, targeting talented students from rural / farm backgrounds who otherwise will not be able to pursue their academic studies as a consequence of the drought.**

Maybe. This activity does not meet project requirements unless it: leads to the employment of locals, contributes to the economic activity of the community, and/or leads to the retention of businesses, services and facilities. Councils would need to put forward a detailed description as to how the project benefits the broader community.

- 10. What is covered in the definition "community facilities", would employee or community housing be classed a community facilities? For example, a remote council that provides housing to in order to attract new employees or provide community housing for rent to community members.**

No. This activity does not meet project requirements unless it: leads to the employment of locals, contributes to the economic activity of the community, and/or leads to the retention of businesses, services and facilities.

The programme will not fund the purchase of existing buildings. The programme will not fund projects that benefit the council and not the community.

- 11. The impact of the drought has caused additional sedimentation loads resulting in water treatment issues, with existing filtration equipment being unable to cope. Would a project to improve the filtration process be considered eligible?**

Maybe. Councils would need to put forward a detailed description on how the project benefits the broader community. This activity does not meet project requirements unless it; leads to employment of locals, contribute to the economic activity of the community, and/or lead to the retention of businesses, services and facilities.

- 12. Can councils, through a planned community initiative, provide 'voucher/gift cards' to spend within the local region? These programs allow cards (e.g. eftpos or other types of cards) to be loaded with funds and then utilised solely within the local community/shire?**

No. The intent of the Drought Communities Programme - Extension is to support local community infrastructure and other drought relief projects.

Support of this type (vouchers/gift cards) for communities impacted by drought is being delivered through the Drought Community Support Initiative Programme. More information can be found [here](#).

- 13. Can councils provide funding to the local community to subsidise payment of council and water rates?**

No. Providing rate relief is not eligible under the programme. The intent of the programme is to provide funding for projects expected to: lead to the employment of locals, contribute to the economic activity of communities/regions, or lead to the retention of business, services and facilities.

19/11/2019

## 2 AFFORDABLE SENIORS LIVING - 101 COBAR STREET

### **Summary:-**

*The purpose of this report is seek direction from Council to determine policy for the administration of rental applications for the Affordable Seniors Living units being constructed at 101 Cobar Street.*

### **2.1 Introduction**

The purpose of this report is seek direction from Council to determine policy for the administration of rental applications for the Affordable Seniors Living units being constructed at 101 Cobar Street.

### **2.2 Background**

Council has received funding of \$995,000 for construction of four Affordable Seniors Living rental units due to be completed in 2020.

### **2.3 Discussion**

Council has earmarked these units for Affordable Seniors Living in discussions and decisions made to date. Certain matters now need to be formalised in relation to the occupancy of the units so that a Policy and process can be put in place in anticipation of applications for the units.

The following matters are raised for discussion:-

- Are the units exclusively for occupation by "Seniors";
- If so, at what age is a person considered a "Senior";
- Are the units reserved for only Seniors who are pensioners;
- Will there be a means test (i.e. Income and Assets);
- How the rent will be determined;
- Are applications restricted to people who have been a resident of Bogan Shire for a certain period of time;
- How, where and when will initial applications be advertised;
- Will applications be considered and determined on a first come first served basis; or, for example, by random selection (pulling names out of a hat);
- What will the application process be (hand-delivered form/email);



**People and Community Services' Report to the Ordinary Meeting of Bogan Shire Council  
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- When will the application process start;
- Who will approve applications;
- Will there be a waiting list;
- How will a waiting list be administered (annual review); and
- Is there a need for further community consultation on these matters.

It is also opportune to start considering a name for the development.

Council staff will prepare an Affordable Seniors Living Policy taking into consideration Council's direction for discussion at a further meeting.

#### **2.4 Recommendation**

For Council's consideration.

**Debb Wood**  
**Director People and Community Services**

Finance and Corporate Services' Report to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019

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

**Mayor and Councillors**

The following reports are submitted for consideration:-

**1 INVESTMENTS OCTOBER 2019**

**Summary:-**

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

*At 31 October 2019 Council had \$12.8 million invested. There has been a decrease of \$642,000 due to the payments to contractors for the Drought Communities and SCCF Grants capital works and funding not yet being received.*

**1.1 Introduction**

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

**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 October 2019 is shown below. At 31 October 2019 Council had \$12.8 million invested. There has been a decrease of \$642,000 due to payments to contractors for the Drought Communities and SCCF Grants capital works and funding not yet being received.

All money has been invested in accordance with Council's Investment Policy.

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  
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Bogan Shire - Investment movements						
REF	Source	Maturity	Days	% rate	Bal Sep 19	Bal Oct 19
3204	NAB	10/12/2019	365	2.800%	2,000,000.00	2,000,000.00
4608	NAB	30/11/2019	90	1.680%	2,000,000.00	2,000,000.00
3994	NAB	03/03/2020	150	1.630%	2,800,000.00	2,800,000.00
9467	NAB	15/01/2020	365	2.750%	1,000,000.00	1,000,000.00
6894	NAB - Professional Funds	At Call		1.150%	5,730,147.70	5,088,219.77
	Balance securities held				<b>13,530,147.70</b>	<b>12,888,219.77</b>
	Balance Ledger 19010.8200.8200				<b>13,530,147.70</b>	<b>12,888,219.77</b>
	<b>Summary by institution</b>					
	NAB				13,530,147.70	12,888,219.77
					<b>13,530,147.70</b>	<b>12,888,219.77</b>

**Investment Movements for October 2019**

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

**1.4 Recommendation**

That the Investment Report for the month of October 2019 be received and noted.

**Finance and Corporate Services' Report to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019**

## **2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION**

**Summary:-**

*This report is to provide a comparison of rate collections as at 31 October 2019, with the same period last year.*

*Total arrears have increased from \$359,396 as at 31 October 2018 to \$468,427 as at 31 October this year.*

### **2.1 Introduction**

The purpose of this report is to provide a comparison of rate collections as at 31 October, 2019, with the same period last year.

### **2.2 Discussion**

This report is provided for the information of Councillors.

<b>Rate Collections</b>	<b>2019-2020</b>	<b>2018-2019</b>
Arrears Prior to 01/07/2019	373,487	279,987
First Instalment Outstanding as at 31/10/2019	94,940	79,409
Second Instalment Outstanding as at 31/10/2019	971,283	926,169
Third Instalment Outstanding as at 31/10/2019	1,014,935	976,177
Fourth Instalment Outstanding as at 31/10/2019	1,029,904	987,585
<b>Total Arrears</b>	<b>468,427</b>	<b>359,396</b>
<b>Total Outstanding</b>	<b>3,484,549</b>	<b>3,249,327</b>
<b>Monthly Transactions</b>		
Amount Levied & B/Fwd	5,444,237	5,241,702
Add: Adjustments	22,114	10,162
Less: Payments to end of October	-1,905,148	-1,926,537
Less: Rebates	-79,678	-78,943
Add: Postponed	3024	2,943
<b>Gross Total Balance</b>	<b>3,484,549</b>	<b>3,249,327</b>
<b>Arrears of total amount levied %</b>	<b>8.6%</b>	<b>7%</b>

Total arrears have increased from \$359,396 as at 31 October 2018 to \$468,427 as at 31 October this year. Total arrears had decreased to \$460,940 by the 18 November, 2019.

Each instalment amounts to approximately \$1,361,000.



**Finance and Corporate Services' Report to the Ordinary Meeting of Bogan Shire Council  
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(Total Rates, Waste, Water & Sewer Access Charges)

Council has 6.9% in arrears on the first instalment.

As at 31 October Council had collected \$21,389 less than at the same time last year. At the time of writing this report Council has collected an additional \$156,284.

### **2.3 Recommendation**

That the Rates and Annual Charges Collection Report be received and noted.

## **3 ANNUAL REPORT 2018/2019**

### **Summary:-**

*Within 5 months after the end of each year, a Council must prepare its Annual Report for that year reporting as to its achievements in implementing its Delivery Program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed.*

*The purpose of this report is to table to Council the Annual Report for the financial year 1 July 2018 to 30 June 2019.*

### **3.1 Introduction**

In accordance with Section 428 of the Local Government Act 1993 Council must, within 5 months of the year end, prepare an Annual Report. This report must be submitted to the Minister.

### **3.2 Discussion**

The Annual Report has been prepared and will be tabled at this meeting. This report showcases Council to the public and is another mechanism by which a Council is made accountable for its actions. It was compiled after all Directors had provided input and updated their respective sections of the report.

The report is available for inspection from the Director Finance & Corporate Services prior to the Council meeting.

**Finance and Corporate Services' Report to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019**

Preparation of this report means that Council is complying with the Local Government Act 1993.

### **3.3 Recommendation**

That the Annual Report 2018/2019 report be received and noted.

## **4 HEAVY VEHICLE INSPECTION STATION**

### **Summary:-**

*Council has a current lease with the Roads & Maritime Services (RMS) for the Heavy Vehicle Inspection Station (HVIS) located at the Nyngan Showground.*

*The current agreement has been in place since 18 January 2015 and is due for the option of an extra five years to be taken up or terminated. The RMS, rather than taking up the option, have put forward a proposal to Council for a variation to the current lease.*

### **4.1 Introduction**

Council has a current lease with the Roads & Maritime Services (RMS) for the Heavy Vehicle Inspection Station (HVIS) located at the Nyngan Showground.

### **4.2 Background**

The current agreement has been in place since 18 January 2015 and is due for the option of an extra five years to be taken up or terminated. The RMS, rather than taking up the option, have put forward a proposal to Council for a variation to the current lease (Appendix A).

### **4.3 Discussion**

The RMS has put forward a proposal to vary the current lease arrangements rather than taking up the option to renew for a further five years.

The variations are summarised as follows:-

- A reduction in the number of minimum days they require the HVIS from 35 to 30.
- Term of Lease 10 years instead of 5 with a termination date of 17 January 2025.
- New rental of \$503.90 per day plus GST increased annually by 3%.



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Council currently receives \$17,122.44 for 12 months rental excluding GST. The new rental for 30 days would amount to \$15,117.00 for a 12 month period from 17 January 2020 increasing by 3% each January.

**4.4 Attachment**

**Appendix A:** Proposal by RMS to vary the current lease.

**4.5 Recommendation**

That Council accepts the variation to the current lease for the Heavy Vehicle Inspection Station.

**Finance and Corporate Services' Report to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019**



Our Ref: A8551991

18 November 2019

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

"Without Prejudice"

Copy via email: Steph.Waterhouse@bogan.nsw.gov.au

Dear Sir

**Roads & Maritime Services (RMS) lease from The Council of the Shire of Bogan  
Premises: Heavy Vehicle Inspection Station (HVIS) at Nyngan Showground, Hoskins  
Street, Nyngan**

We refer to our recent discussion with Council regarding the subject lease and the ongoing tenure of the Nyngan HVIS and in particular the request for a variation to Item 6 "Schedule 1" of the lease to a minimum of thirty (30) days.

The current lease expires 17 January 2020 and there is an option to renew for a further five (5) year term, if exercised by the lessee in accordance with the lease prior to the lease expiry.

Rather than exercising the option RMS proposes the following varied terms to the existing lease, subject to final approval from the lessee's authorised delegate and agreement on lease documentation and lease execution by the lessee.

Premises	Part Auto Consol 2739-19 being Lot 2 Section 17 in DP 758803 being the Heavy Vehicle Inspection Station at Nyngan Showground, Hoskins Street, Nyngan (including inspection pit and sheltered areas as well as truck parking area)
Lessee:	Roads & Maritime Services ABN 76 236 371 088 Level 1, 16-24 Elsie Street Burwood NSW 2134
Lessor:	The Council of The Shire of Bogan
Lease Term:	Varied to Ten (10) Years
Option:	Preserved at five (5) Years
Lease Terminating Date:	Varied to 17 January 2025
New Rental:	\$503.90 per day + GST. Minimum 30 days
New Rent Commencement:	18 January 2020
Leased Days:	The lessee agrees to pay for at least 30 days for each lease year commencing 18 January 2020 and ending on each anniversary thereafter.
Rent Reviews:	As per existing lease ( Fixed 3% annual increase)
Outgoings:	Nil – as per existing lease

2-14 Elsie Street  
Burwood NSW 2134  
PO Box 533, Burwood 1805  
www.transport.nsw.gov.au  
ABN 18 804 239 602



**Finance and Corporate Services' Report to the Ordinary Meeting of Bogan Shire Council  
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Permitted Use:	As per existing lease - Heavy Vehicle Inspection Station
Documents	Based on the existing document
Legal Costs	Each party is responsible for their own legal costs. The lessee is responsible for all registration and stamp duty costs (if any).
	All other terms & conditions as per existing lease

If the above terms are agreed, please sign and return the duplicate of this letter so we can instruct our solicitors to prepare the draft documentation.

Should you have any further queries in relation to this matter please do not hesitate to contact me on 8574-3031.

Yours sincerely,

Janine Gale  
Leasing Officer  
Property Portfolio | Transport Shared Services  
Corporate Services  
**Transport for NSW**

Signed On behalf of The Council of the Shire of Bogan: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_



**Engineering Services' Report to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019**

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

**Mayor and Councillors**

I submit the following report for consideration:-

**1 OPERATIONAL REPORT**

**1.1 Civil Works**

Work undertaken during this reporting period from 14 October 2019 to 15 November 2019 consisted of the following:-

- Completing repairs, and maintenance at the Nyngan Showground.
- Assisting with the dewatering of the Nyngan & Cobar Water Storage on the Tottenham Road.
- Replacing Nyngan Street signage.
- Completing footpath maintenance in Derrybong Street near the Nyngan Public School.
- Assisting the carpentry crew with construction of access ramp & cleaning of the old SES building in Pangee Street.
- Completing repairs to the river height gauge near Rotary Park.
- Completing construction of new fence to replace part of the boundary fence at the Nyngan water treatment plant in Bogan Street.
- Completing works to improve drainage at the Nyngan Showground.
- Installing safety signage in the Nyngan Town Hall.

**1.2 Community Facilities**

Work undertaken by Council's Community Facilities during this reporting period consisted of the following:-

- Preparation of showground and facilities for the Nyngan Fight Night.
- Preparation for Remembrance Day Ceremonies.
- Preparation of the Town Hall for the Community Concert, and the Debutant Ball.
- Completing repairs to the irrigation system for the Nyngan Showground, Frank Smith and No.3 Ovals.
- Mowing and maintenance of ovals and reserves.

**Engineering Services' Report to the Ordinary Meeting of Bogan Shire Council  
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- 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.
- Digging and backfilling of graves.
- Completing private works.

**1.3 Roads**

The work undertaken during this reporting period by Rural Works Crews consisted of the following:-

<b>No.</b>	<b>Name</b>	<b>Comments</b>
5	Peisley Road	Maintenance grading completed.
12	Coffil`s Lane	Maintenance grading commenced.
14	Gilgai Road	Maintenance grading commenced.
92	Colane Road	Resheeting completed.
26	Old Warren Road	Shoulder grading commenced.
9	Glengariff Road	Maintenance grading commenced.
23	Buckinguy Road	Shoulder grading completed.
78	Okeh Road	Causeway repairs completed.
10	Pangee Road	Maintenance grading completed.
MR7514	Cockies Road	Maintenance grading completed.
HW7	Mitchell Highway	Shoulder grading completed.

Council has suspended transporting water to the villages of Girilambone and Coolabah momentarily due to recent rainfall which has partially refilled their water storages.



**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.

- Old Warren Road
- Canonbar Road
- Tottenham Road
- Nyngan Town Streets
- Hermidale Nymagee Road
- Yarrandale Road

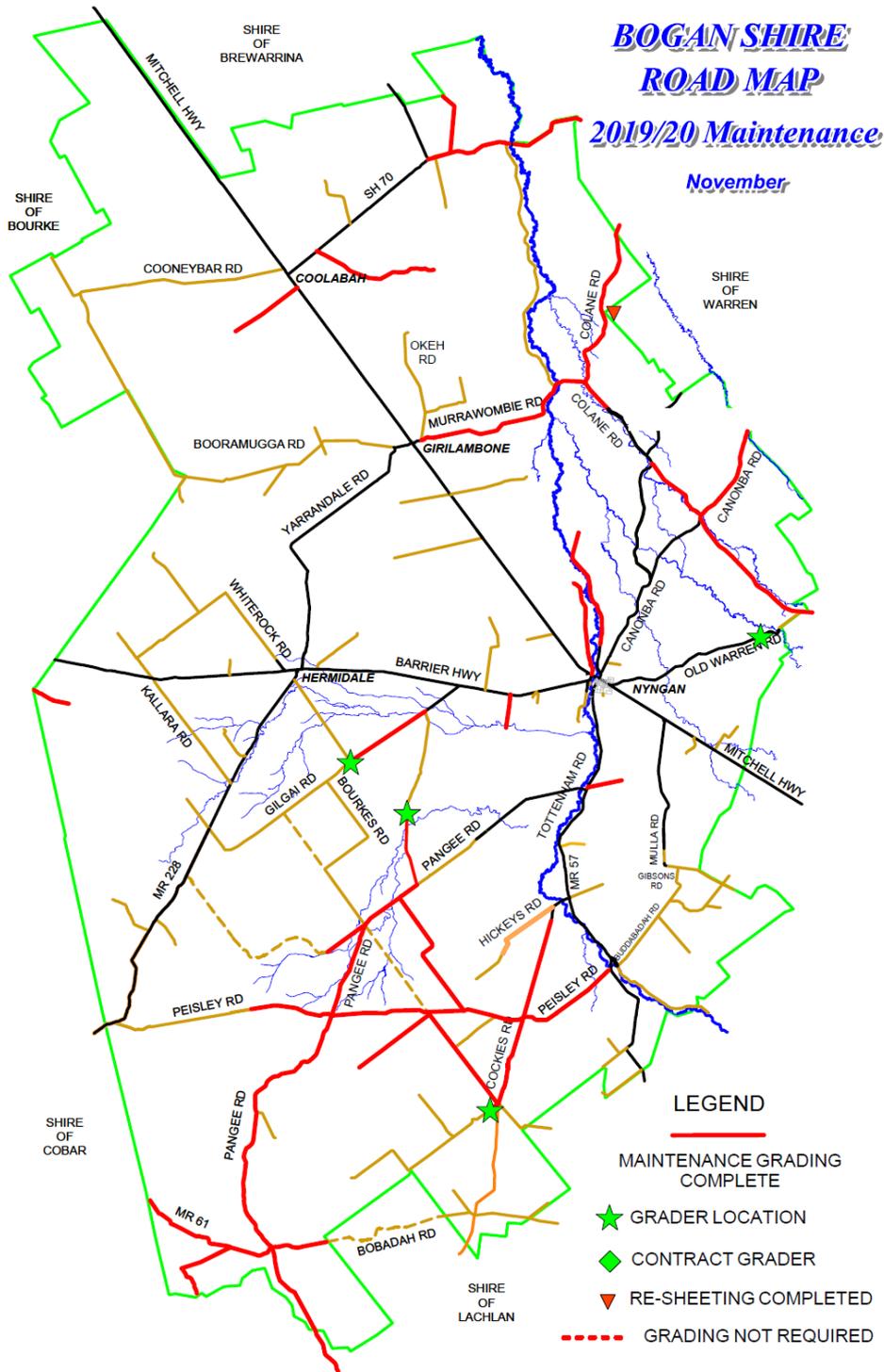
The works program for the remainder of November and December includes but is not limited to the following works:-

- Commencing culvert extensions on the Mitchell Highway near the property Wilgaree.
- Continuing the construction of the footpath in Pangee Street from the river to the Flood Memorial Rest Area.
- Continuing maintenance grading, or resheeting of the following roads: Gilgai Road, Glenngarriff Road, Plummers Road, Warrah Road, Old Warren Road, Coffil's Lane, and Whiterock Road.
- Continuing to cart water to supply the villages of Girilambone and Coolabah.

#### **1.4 Recommendation**

That the Operational Report, including Civil Works, Community Facilities and Roads for the reporting period 14 October 2019 to 15 November 2019 be received and noted.

**Engineering Services' Report to the Ordinary Meeting of Bogan Shire Council  
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## 2 SECOND WATER STORAGE PROJECT DELIVERY OPTIONS

### **Summary:**

*This report presents options for the project delivery of the second water storage south of Nyngan.*

### 2.1 Introduction

The purpose of this report is for Council to consider project delivery options associated with the construction of the second water storage south of Nyngan.

### 2.2 Background

Council has received grant funding to construct a second water storage, immediately adjacent to the recently completed first storage, south of Nyngan. The first storage was managed entirely by Public Works Advisory (PWA). As part of the design phase of the first storage, PWA have prepared concept design information and preliminary environmental studies associated with the second storage. Pumping and pipe infrastructure has been constructed to readily accommodate the second storage.

A number of operational issues have been experienced with the first storage, which are currently being reviewed and will be the subject of further advice to Council. These operational issues have led Council to consider project delivery options for the second storage.

The options for delivery of the second storage are:

**Option 1:** Full design documentation, tendering and project management by PWA. This includes a conventional tendering process to engage a construction contractor.

**Option 2:** A selective tendering process under Clause 168 of the Local Government (General) Regulation 2005 for a design and construction contract. The selective tendering process is a 2 stage process, involving an open Expression of Interest (EoI) process, followed by a selective tender process involving a shortlisted contractors. This process requires Council resolutions at each stage.

**Engineering Services' Report to the Ordinary Meeting of Bogan Shire Council  
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There are considerations associated with each option, which are discussed below. Council should consider the option that presents the best value outcome for the community, whilst managing the risks associated with the delivery of the project.

### **2.3 Discussion**

Considerations associated with each option are discussed below:-

Considerations associated with Option 1 –

- Legislation enables Council to directly engage PWA under a single invitation contract. This eliminates the need to undertake a competitive procurement process for these services. PWA has the systems in place to manage risk, is based locally at Dubbo, and has a strong presence in the region.
- PWA has provided extensive services to Council on previous projects. It is suggested that if there are issues associated with the services provided by PWA, that all issues be discussed with PWA in a workshop environment prior to negotiating any further contracts.
- Engagement of PWA avoids the need for Council to engage specialist project managers to manage a complex competitive design and construction procurement process.

Considerations associated with Option 2:-

- The selective tendering process for a design and construct contract involves the following steps:-
  - Resolution of Council to proceed with a selective tendering process.
  - Recruitment of a Project Manager for at least 12-18 months to manage the process.
  - Preparation of Expression of Interest documentation using existing concept design and environmental information prepared by PWA, associated with the first storage.

**Engineering Services' Report to the Ordinary Meeting of Bogan Shire Council  
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- Advertising of Public Expression of Interest and evaluation of submissions using predetermined selection criteria.
- Preparation of tender documentation for the tender phase, and issue of these documents to short-listed contractors.
- Evaluation of tenders received, and reporting to Council.
- The engagement of a Project Manager is critical to the success of this option. Ideally such a Project Manager needs to be accessible to Nyngan and committed to manage all aspects of the project from start to finish. The cost of an experienced Project Manager, possibly under contract, will be a significantly higher cost than a regular staff member.
- The design and construction process will include hold points in the design phase, prior to commencing construction. It is suggested that Council also engage a specialist peer reviewer to review all aspects of the design, prior to releasing any design hold points.

In summary, the design and construction path (Option 2) presents opportunities for cost saving and innovation from the private sector. The success of this approach relies on the ability to recruit a suitably dedicated and experienced Project Manager and an understanding of the risks and management strategies associated with each step in the process.

Whilst Option 2 could present savings, it is a higher risk option for Council. In consideration of the project risks, Council may consider a negotiated single invitation contract with Public Works Advisory (Option 1) to deliver all aspects of the second storage project. If Option 1 is selected, Council may consider a workshop with PWA using an independent facilitator to discuss any issues associated with previous projects. The outcomes of such a workshop would be an important input into any future negotiated contracts with PWA.

## **2.4 Recommendation**

For Council's Consideration.

### 3 BELERINGAR CREEK SYPHON REPLACEMENT DELIVERY OPTIONS

**Summary:-**

*This report presents options for the project management of the replacement of the Beleringar Creek Syphon on the Albert Priest Channel.*

#### 3.1 Introduction

The purpose of this report is for Council to determine the preferred project management options associated with the replacement of the syphon on the Albert Priest Channel at Beleringar Creek.

#### 3.2 Background

Council has received \$750,000 in funding to replace the syphon on the Albert Priest Channel which runs under Beleringar Creek. This syphon is made up of concrete pipe sections and there are significant gaps between the joints and general evidence of the pipe leaking.

In order to minimise water losses it is proposed to construct a new pipeline crossing. In order to minimise any delay with Fisheries approval it is proposed to construct this crossing by using a directionally drilled underbore.

The options for delivery of the replacement of the syphon:-

**Option 1:** NSW Public Works Advisory will manage the overall project. This will include:-

- Develop, monitor and manage construction phase budget and cashflow;
- Develop monitor and manage construction program;
- Monthly progress reports to Bogan Shire Council;
- Attendance at monthly contract and stakeholder meetings.
- A monthly progress report will be prepared. This report will include a description of the work completed, a revised program and comments on progress, an expenditure summary and cash flow predictions.

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**Option 2:** Bogan Shire Council will manage the overall project including all items as per Option 1.

### **3.3 Discussion**

Considerations with each option are discussed below.

Considerations with Option 1-

- Council is able to engage PWA under a single invitation contract. This eliminates the need to undertake a competitive procurement process for these services. PWA has the systems in place to manage risk, is based locally at Dubbo, and has a strong presence in the region.
- PWA has provided extensive services to Council on previous projects. It is suggested that if there are issues associated with the services provided by PWA, that all issues be discussed with PWA in a workshop environment prior to negotiating any further contracts.
- Engagement of PWA avoids the need for Council to engage specialist Project Managers to manage a complex competitive design and construction procurement process.

Considerations with Option 2-

- The selective tendering process to replace the existing syphon would have to be undertaken by Council.
- The engagement of a Project Manager experienced with similar projects is critical to the success of this option. Council staff have little or no experience in projects of this nature and scale.
- The design and construction process will include hold points in the design phase, prior to commencing construction. It is suggested that Council also engage a specialist peer reviewer to review all aspects of the design, prior to releasing any design hold points.

**Engineering Services' Report to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019**

In summary, the design and construction path (Option 2) presents opportunities for cost saving but exposes Council to a higher level of risk. Council has no current staff members with any great experience in managing projects of this nature, or the time available to manage this project. (Option 1) PWA have the resources to supply experience personnel who have managed similar projects of this nature in the past.

### **3.4 Recommendation**

For Council's consideration.

## **4 FIXING LOCAL ROADS PROGRAM AND ROADS TO RECOVERY DROUGHT FUNDING**

**Summary:-**

*This report is to inform Council of the projects submitted for funding in Round 1 of the NSW Government's Fixing Local Roads Program, and the projects proposed to be funded under the Roads to Recovery Program drought relief package.*

### **4.1 Introduction**

The purpose of this report is to inform Council of the projects that Council has submitted for funding under the Fixing Local Roads Program, and the projects proposed to be funded by the Roads to Recovery Drought Relief Package.

### **4.2 Background**

The NSW Government has committed \$500 million to a Fixing Local Roads Program in order to help reduce the roads maintenance backlog Councils. This program specifically targets roads that do not meet the freight significance, or benefit to cost ratio requirements of the current Fixing Country Roads Program. Co-contributions from Council of 25% are strongly encouraged. All approved projects have to be completed by 2022.

Council has been allocated an additional \$455,762 under the Roads Recovery Program Drought Package. 50% of this funding needs to be spent by 30 June, 2020, and the remaining drought funding by 31 December 2020.

**Engineering Services' Report to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019**

### **4.3 Discussion**

As applications close on 2 December 2019, the following applications have already been prepared for funding under Round 1 of the Fixing Local Roads Program, as having the best chance of meeting the grant criteria and being successfully completed on time.

- **Yarrandale Road:** work includes patching, resealing and line marking along its entire length.

Council has \$142,000 as its co-contribution, subsequently Council has applied to the program for an additional \$1,433,000 to fund works to patch, reseal and line mark the entire 45km of this road.

- **Pangee Road:** work includes re-sheeting from the current end of the seal to past the Honey Bugle Road intersection.

Council can contribute \$160,000, subsequently Council has applied to the program for an additional \$480,000 to re-sheet this approx. 25km section with 100mm of crushed rock.

- **Colane Road:** work includes resealing, and re-sheeting.

Council can contribute \$70,000. Council has subsequently applied to the program for an additional \$210,000.

Council can give consideration to further road projects under Round 2.

Out of the additional \$455,762 drought funding it is recommended that Council completes the following projects from the original Roads to Recovery Program that could not be accommodated in the budget.

- **Curran's Road:** \$50,000 for 2km of re-sheeting.
- **Gilgai Road:** \$50,000 for 2km of re-sheeting.
- **Bourkes Road's:** \$50,000 for 2km of re-sheeting.
- **Colane Road:** \$90,000 for 3km of reseals.
- **Town Streets:** \$155,762 for 5 km of reseals.
- **Hoskins Street Rail Crossing:** \$60,000 for the rehabilitation of Hoskins Street between the Mitchell Highway and Pangee Street.



**Engineering Services' Report to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019**

**4.4 Recommendation**

For Council's Consideration.

**Alister Quarmby  
Acting Director of Engineering Services**

**Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019**

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

**Mayor and Councillors**

I submit the following reports for consideration:-

**1 DEVELOPMENT APPLICATIONS**

**1.1 Introduction**

Zero (0) applications have been approved and one (1) application has been withdrawn since Council's meeting of 24 October 2019. Four (4) applications are currently with Council for consideration as tabled below:

DA NUMBER	APPLICANT	ADDRESS	DESCRIPTION	VALUE (\$)	PROGRESS
2019/012	Tritton Resources Pty Ltd	Lot 1 Section 3 DP 986 Booramugga Road, Hermidale	New Industrial Workshop	\$24,500	Withdrawn
2019/018	Lyons Advantage	Lot 502 DP 1222052 Lawlor Street, Nyngan	Addition to existing Fire Control Centre shed	\$50,000	Under assessment
2019/019	Lyons Advantage	101 Cobar Street, Nyngan	Construction of four (4) seniors living units	\$960,000	Additional information requested from applicant
2018/020	Joanne and Richard Deebank	46 Cobar Street, Nyngan	New Swimming Pool	\$37,800	Under assessment
2018/021	Tritton Resources Pty Ltd	Lot 1 Section 3 DP 986 Booramugga Road, Hermidale	New Pipeline	\$3,000,000	Under assessment

**Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019**

## **1.2 Recommendation**

That the Development Applications Report since 24 October 2019 Council Meeting be received and noted.

## **2 OPERATIONAL REPORTS**

### **2.1 Introduction**

The purpose of this report is to outline key works undertaken by Council's Parks and Gardens Team and Noxious Weeds Officer.

### **2.2 Discussion**

Key works undertaken by Council's Parks and Gardens Team consisted of the following:-

- Routine upkeep and maintenance duties including manual watering (where required), whipper snipping, mowing and weed removal at Nyngan Cemetery, Davidson Park, Vanges Park, Medical Centre, Teamsters Rest, Town Hall and Senior Citizens Area, Flood Memorial Rest Area, Council Administration Building, Moonagee Street Park, Early Learning Centre, Rotary Park, Pioneer Park, Lions Park, O'Reilly Park, Centenary Park and Council housing.
- Attended training to assist in water saving.

Key works undertaken by Council's Noxious Weeds Officer consisted of:-

- Boundary and road side inspections.
- Property inspections as required under the *Biosecurity Act 2015*.
- Spraying of highway.
- Educational talk on weeds and chemicals at Nyngan High School.

### **2.3 Recommendation**

That the Operational Report, including Parks and Garden Team and Noxious Weeds Officer be received and noted.

**Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019**

### **3 GREEN WASTE BINS**

***Summary:-***

*Council resolved to implement green waste bins at the February 2019 Council meeting, Resolution 026/2019.*

#### **3.1 Introduction**

Council resolved to implement green waste bins at the February 2019 Council meeting, Resolution 026/2019. This report is to provide an update and inform Council about matters to be addressed prior to the implementation of green waste bin collection.

#### **3.2 Discussion**

Further investigation into implementing green waste bins has identified that the following factors need to be considered:-

3.2.1 Green waste collection is expected to have an additional ongoing cost \$21,840 annually for the internal hire of the garbage truck. Funds can be diverted from the existing capital budget to support this amount in the current financial year, however this cost needs to be considered and included in all future budgets.

3.2.2 Green waste bins will be collected fortnightly on Thursdays, however strategies will need to be put in place in the event of a public holiday. Thursdays currently allow time to maintain the garbage truck and carry out adhoc waste related tasks, including 'catch up' bin collections after a public holiday. The roll out of the green waste bin collection will reduce time available on Thursdays which will directly affect existing waste and recycling pick up in the weeks where a public holiday occurs.

A possible solution is to forego green waste collection in the weeks that public holidays arise, this will allow for existing general waste and recycling to continue as per usual.

## Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019

3.2.3 Community education prior to implementing the green waste bins will assist in a smooth transition and give residents a better understanding of what is accepted in the green waste bins. Staff are currently working with Netwaste to determine the most effective education approach.

### 3.3 Recommendation

That Council:-

1. Continue to support the implementation of the green waste service noting ongoing costs;
2. Forego green waste collection in the weeks that a public holiday occurs; and
3. Support rolling out education to the community prior to implementing the green waste bin collection service.

## 4 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – LSPS AND CPP

### Summary:-

*This report is to brief Council on the status of Council's Local Strategic Planning Statement (LSPS) and Community Participation Plan (CPP) required under the Environmental Planning and Assessment Act 1979 (the Act).*

### 4.1 Introduction

The purpose of this report is to brief Council on the status of Council's Local Strategic Planning Statement (LSPS) and Community Participation Plan (CPP) required under the *Environmental Planning and Assessment Act 1979* (the Act).

### 4.2 Discussion

In March 2018, the *Environmental Planning and Assessment Act 1979* was amended to require Local Councils to provide an LSPS and CPP.

**Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019**

### LSPS

The LSPS is a document designed to set out a 20 year vision for land use in the Local Government Area identifying how change will be managed into the future. It provides the opportunity for both Council and the community to shape the future direction and land use within the Local Government Area.

A draft LSPS has been developed in close consultation with the NSW Department of Planning, Industry and Environment (DPIE). A Planning Officer from DPIE will conduct a brief presentation at this meeting to summarise Council's progress in this regard.

Following completion of the LSPS, Council's Local Environmental Plan (LEP) may need to be amended to reflect the strategic direction detailed in the LSPS. The LSPS is required to be completed by 1 July 2020.

The final draft of the LSPS will be presented to Council at the December meeting for consideration and approval for exhibition.

### CPP

The CPP is designed to allow Council to engage with the community in relation to its planning functions performed under the Act. This includes strategic documents such as the Local Strategic Planning Statement as well as statutory functions like Development Applications.

The CPP is designed to make participation in planning clearer for the community. It does this by setting out details of how and when community members are able to participate in the planning system. This CPP also establishes Council's community participation objectives, which are used to guide Council's approach to community engagement.

The Community Participation Plan objectives are to:-

- Build community confidence in the planning system;
- Ensure that the needs and concerns of the community are identified and addressed wherever possible; and
- Ensure Council's planning functions reflect the aspirations of the community.



**Development and Environmental Services' Report to the Ordinary Meeting of Bogan Shire Council  
held on 28 November 2019**

A draft CPP is currently under development by Council staff in close consultation with DPIE.

The final draft of the CPP will be presented to Council at the December meeting for consideration and approval for exhibition.

**2.3 Recommendation**

That the Environmental Planning and Assessment Act 1979 (the Act) – LSPS and CPP report be received and noted.

**Tony Payne**  
**Director of Development and Environmental Services**

Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held  
on 28 November 2019

## PRECIS OF CORRESPONDENCE

### 1 CAN ASSIST

Attached is a copy of a *Thank You* letter received from Can Assist for Council's support and generous donation to the Nyngan Fundraising Committee.

**1.1 Recommendation:** That the *Thank You* letter received from Can Assist for Council's support and generous donation to the Nyngan Fundraising Committee be received and noted.

### 2 COUNTRY WOMEN'S ASSOCIATION OF NSW

Attached is a copy of correspondence received from the Country Women's Association of NSW, Nyngan Branch advising that at their last meeting a motion was passed to write to Council asking that they install a defibrillator in the CBD of Nyngan. They have spoken to the Nyngan Paramedics, who fully support the installation of a defibrillator in the CBD and would be happy to attend a Council meeting to provide more information on the benefit of having the defibrillator installed in the CBD.

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

### 3 LOCAL GOVERNMENT REMUNERATION TRIBUNAL

Attached is a copy of correspondence received from the Local Government Remuneration Tribunal advising it has now commenced its review for the 2020 annual determination. The Tribunal is required to make an annual determination by no later than 1 May 2020 on the fees payable to Councillors and Mayors to take effect from 1 July 2020. The Tribunal undertook a significant review of the categories and the allocation of Councils into categories in 2017. This review was prompted by the amalgamation of Councils resulting in the creation of 20 new Councils and the reduction in the number of Councils in NSW from 152 to 128. Section 239 of the LG Act requires the Tribunal to determine the categories of Councils and Mayoral Offices at least once every 3 years. Each of the 128 Councils is allocated into one of nine categories. The Tribunal invites submissions from individual Councils addressing four matters:-

**Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held  
on 28 November 2019**

- Proposed classification model and criteria;
- Allocation in the proposed classification model;
- Range of fees payable in the proposed classification model; and
- Other matters.

Submissions to be received by Friday 20 December 2019.

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

#### **4 HERMIDALE CWA**

Attached is a copy of correspondence received from the Hermidale CWA stating that the Hermidale Memorial Park is a disgrace and needs some new children's play equipment, fencing and repairs to the shelter shed. With the sale of the CWA Hall there are no public toilets in the village. The village needs public toilets and a safe play area. Council is asked to include the park in the next village inspection and funding application.

**4.1 Recommendation:** For Council's Consideration.

#### **5 OFFICE OF LOCAL GOVERNMENT**

Attached is a copy of correspondence received from the Office of Local Government concerning the inclusion of NSW Councils in the National Redress Scheme which provides acknowledgment and support to people who experienced institutional child sexual abuse. To ensure equal access for all survivors and a consistent approach across all participating institutions, the NSW Government has included Councils as participating Government Institutions. The inclusion of NSW Councils will be formalised by a Commonwealth Declaration shortly. The OLG is the central contact point between Councils and the Scheme and will provide advice and support to Councils subject to an application.

**5.1 Recommendation:** For Council's Consideration.

#### **6 WEEKLY CIRCULARS**



**Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held  
on 28 November 2019**

Weekly Circulars dated 18 October 2019, 24 October 2019, 1 November 2019, 7 November 2019 and 14 November 2019 have been emailed to Councillors for information.

**6.1 Recommendation:** That the Local Government Weekly Circulars dated 18 October 2019, 24 October 2019, 1 November 2019, 7 November 2019 and 14 November 2019 be noted.

Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held  
on 28 November 2019



22<sup>nd</sup> October, 2019

Bogan Shire Councillors

PO Box 221

NYNGAN NSW 2825

Dear Mayor Donald and Councilors,

I am just writing to say a huge Thank You to you for your generous support of  
Can Assist.

Your donation was much appreciated, and will go directly into the local  
community to offer assistance to anyone with cancer.

We are continuing our fundraising commitment to make life that little bit  
easier financially for residents of Bogan Shire, and your continued support is  
valued greatly.

Yours sincerely,



SJ Martin

CAN ASSIST Nyngan Fundraising Committee

BOGAN SHIRE COUNCIL	
FILE	R/N
25 OCT 2019	
ASSIGNEE	

Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held  
on 28 November 2019



Country Women's Association of NSW

ABN 82 318 909 926

Incorporated in 1931 by an Act of NSW Parliament

All Communication to be addressed to the Secretary of     Nyngan Branch      
Group

52 Flashman Ave.,  
Nyngan, NSW, 2825.

9<sup>th</sup> November,

Mr. Derek Francis,  
General Manager,  
Bogan Shire Council,  
P.O. Box 221,  
Nyngan, NSW 2825.

Dear Sir,

At the last meeting of the Nyngan CWA a motion was passed that we write to the Bogan Shire asking that they install a Defibulator in the CBD of Nyngan. Defibulators are now a common and necessary part of emergency first aid.

We have spoken to Nyngan Paramedics who fully support the installation of a defibulator in the CBD. It would be of particular benefit, if they were unable to attend an emergency, as a defibulator, can be hooked into the triple O phone number, and when someone calls with an emergency the caller will be told where the closest defibulator is located. One placed in the CBD, in a secure box, preferably in view of a camera, would give the people of Nyngan 24/7 access to a defibulator.

Nyngan Paramedics would be happy to attend a Shire meeting and give you any information that would assist you in your decision.

Thank you.

Yours faithfully,



Leonore Thornton,  
President, Nyngan CWA.

BOGAN SHIRE COUNCIL	
FILE	R/N
12 NOV 2019	
ASSIGNEE	

Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held  
on 28 November 2019



Local Government  
Remuneration Tribunal

Ref: A4374304

To Mayors/General Managers

29 October 2019

Dear Mayors/General Managers

I write to advise that the Local Government Remuneration Tribunal has commenced its review for the 2020 annual determination.

Pursuant to s. 241 of the *Local Government Act 1993* (LG Act), the Tribunal is required to make an annual determination, by no later than 1 May 2020, on the fees payable to Councillors and Mayors to take effect from 1 July 2020.

In accordance with the LG Act, and as foreshadowed in the 2019 Report and Determination, the Tribunal will undertake a review of the categories as part of the 2020 review. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years.

The Tribunal last undertook a significant review of the categories and the allocation of councils into each of those categories in 2017. The review was prompted by the amalgamation of councils resulting in the creation of 20 new councils and an overall reduction in the number of councils in NSW from 152 to 128.

In reviewing the categories, the Tribunal examined a range of statistical and demographic data and considered the views of councils and Local Government NSW (LGNSW). Having regard to that information, the Tribunal determined a categorisation model which differentiates councils primarily on the basis of their geographic location. Other factors which differentiate councils for the purpose of categorisation include population, the sphere of the council's economic influence and the degree of regional servicing.

**Existing categorisation**

Each of the 128 councils is allocated into one of the following nine categories:

**Metropolitan**

- Principal CBD
- Major CBD
- Metropolitan Large
- Metropolitan Medium
- Metropolitan Small

**Non-metropolitan**

- Regional City
- Regional Strategic Area
- Regional Rural
- Rural

The criteria for each of the categories are outlined on pages 16 to 19 of the 2019 determination.

## Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019

### 2020 review

The Tribunal foreshadowed in the 2019 Report and Determination that a case may exist to revise some categories and their applicable criteria:

*"12. A few submissions have suggested alternative categorisation models. The Tribunal will consider this in detail in the 2020 review. The Tribunal intends to commence the 2020 annual review earlier than usual to ensure there is time to review the existing model and to examine alternatives. The Tribunal is of the preliminary view that a case may exist to revise the number of categories, and their applicable criteria, particularly for regional and rural councils."*

The Tribunal has reviewed the existing model and proposes to create a new category for Non-Metropolitan councils. The new category, if determined, is proposed to be titled Regional Centre.

The Tribunal considers that changes to the categories and criteria applicable to Metropolitan councils and county councils are not warranted at this time.

The proposed categories and applicable criteria are outlined in **Attachment 1** and the proposed allocation of councils into each of those categories is outlined in **Attachment 2**.

### Fees

The Tribunal will also determine the minimum and maximum fee levels for each category in the categorisation structure.

In accordance with section 242A of the LG Act the Tribunal is required to apply the Government's public sector wages policy to the determination of ranges of fees for Councillors and Mayors. The public sector wages policy currently provides for a cap on increases of 2.5 per cent.

Sub-sections (3) and (4) of section 242A makes it clear that the minimum and maximum fees applicable to the existing categories cannot be increased by more than 2.5 per cent. The Tribunal is however able to determine that a council can be placed in another category with a higher range of remuneration without breaching the government's wage policy.

The range of fees payable to the proposed new category of Regional Centre, if determined, will be between the ranges of fees currently paid to Regional Rural and Regional Strategic Centre.

### Submissions

The Tribunal invites submissions from individual councils addressing the following four matters:

- 1. Proposed classification model and criteria**  
Comments on the proposed classification model outlined in **Attachment 1**, including the titles and criteria for each category.
- 2. Allocation in the proposed classification model**  
Comments on the appropriate allocation for their individual council in the proposed classification model outlined in **Attachment 2**, having regard to the proposed criteria for each category.
- 3. Range of fees payable in the proposed classification model**  
Comments on the ranges of fees for the proposed classification model, having regard to the Tribunal's obligations under section 242A of the LG Act as outlined above. Any recommendations in respect of the proposed new category of Regional Centre, if determined, should have regard to the capacity of their individual council to pay any increase in fees (**Attachment 2**).
- 4. Other matters**  
Councils may wish to address other matters within the Tribunal's jurisdiction under the LG Act.

**Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held  
on 28 November 2019**

**Deadline and where to send submissions**

The Tribunal has a limited period to undertake the annual review and the determination is required to be made before 1 May. For that reason, council submissions should be submitted as follows:

**Deadline:** No later than Friday 20 December 2019  
**Send to:** catherine.power@psc.nsw.gov.au  
**(hard copies of submissions are not required)**

Please note that any material provided to the Tribunal may be made available to any member of the public under the *Government Information (Public Access) Act 2009*.

As part of the annual review the Tribunal will seek to meet with LGNSW, as it does each year, to receive a sector wide view on local government in NSW.

If you require any further information, please email sarah.bradshaw@psc.nsw.gov.au or telephone on 02 9272 6006.

Yours sincerely

A handwritten signature in black ink, appearing to read "R. Lang", with a long horizontal flourish extending to the right.

Dr Robert Lang  
**Local Government Remuneration Tribunal**

Enclosed: Attachment 1 and Attachment 2

**Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held  
on 28 November 2019**

**Attachment 1**

**Local Government Remuneration Tribunal – 2020 Annual Review - Proposed Classification Model**

**General Purpose Councils - Metropolitan**

No changes are proposed to the titles and criteria for Metropolitan Councils. The titles and criteria as determined in the 2019 Annual Determination are below.

**Principal CBD**

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

**Major CBD**

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety has been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

**Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held  
on 28 November 2019**

**Attachment 1**

**Local Government Remuneration Tribunal – 2020 Annual Review - Proposed Classification Model**

**Metropolitan Large**

Councils categorised as Metropolitan Large will typically have a minimum population of 200,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

**Metropolitan Medium**

Councils categorised as Metropolitan Medium will typically have a minimum population of 100,000.

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

**Metropolitan Small**

Councils categorised as Metropolitan Small will typically have a population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

**Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019**

**Attachment 1**

**Local Government Remuneration Tribunal – 2020 Annual Review - Proposed Classification Model**

**General Purpose Councils - Non-Metropolitan**

A new category (Regional Centre) is proposed between Regional Strategic Area and Regional Rural. The existing category of Regional City is to be renamed Major Regional City. New and amended criteria are outlined below.

**Major Regional City**

Councils categorised as Major Regional City will typically have a population above 150,000.

These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development
- provide a full range of higher order services and activities along with arts, culture, recreation and entertainment facilities to service the wider community and broader region
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City.

**Regional Strategic Area**

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a population above 200,000.

These councils:

- contain a mix of urban and rural settlements
- provide a range of services and activities including business, office and retail uses, along with arts, culture, recreation and entertainment facilities to service the wider community
- host tertiary education campuses and health facilities.

While councils categorised as Regional Strategic Area may have populations which exceed those of Regional City, they would not typically provide the same range of regional services or have an equivalent sphere of economic influence.

Central Coast Council and Lake Macquarie Council are categorised as Regional Strategic Area.

**Regional Centre**

Councils categorised as Regional Centre will typically have a minimum population of 40,000.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- a degree of economic activity within the Council area characterised by a Gross State Product exceeding \$2B
- the highest rates of population growth in regional NSW
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

**Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held  
on 28 November 2019**

**Attachment 1**

**Local Government Remuneration Tribunal – 2020 Annual Review - Proposed Classification Model**

**Regional Rural**

Councils categorised as Regional Rural will typically have a minimum population of 20,000.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.

Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

**Rural**

Councils categorised as Rural will typically have a population less than 20,000.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.



**Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held  
on 28 November 2019**

**Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held  
on 28 November 2019**

**Attachment 2**

**Local Government Remuneration Tribunal – 2020 Annual Review - Proposed Allocation of Councils  
Proposed allocation of councils**

Table 1: General Purpose Councils - Metropolitan

Principal CBD	Major CBD	Metropolitan Large	Metropolitan Medium	Metropolitan Small
Sydney	Parramatta	Blacktown	Bayside	Burwood
		Canterbury-Bankstown	Campbelltown	Camden
		Cumberland	Georges River	Canada Bay
		Fairfield	Hornsby	Hunters Hill
		Liverpool	Ku-ring-gai	Lane Cove
		Northern Beaches	Inner West	Mosman
		Penrith	Randwick	North Sydney
		Sutherland	Ryde	Strathfield
			The Hills	Waverley
				Willoughby
				Woollahra

Table 2: General Purpose Councils – Non-Metropolitan

Regional City	Regional Strategic Area	Regional Centre		Regional Rural
Newcastle	Central Coast	Albury	Mid-Coast	Bega
Wollongong	Lake Macquarie	Armidale	Orange	Broken Hill
		Balina	Port Macquarie-Hastings	Byron
		Bathurst	Port Stephens	Eurobodalla
		Blue Mountains	Queanbeyan-Palerang	Goulburn Mulwaree
		Cessnock	Shellharbour	Griffith
		Clarence Valley	Shoalhaven	Kempsey
		Coffs Harbour	Tamworth	Kiama
		Dubbo	Tweed	Lithgow
		Hawkesbury	Wagga Wagga	Mid-Western
		Lismore	Wingecarribee	Richmond Valley Council
		Maitland	Wollondilly	Singleton
		Snowy Monaro		

Rural			
Balranald	Cootamundra-Gundagai	Junee	Oberon
Bellingen	Cowra	Kyogle	Parkes
Berrigan	Dungog	Lachlan	Snowy Valleys
Bland	Edward River	Leeton	Temora
Blayney	Federation	Liverpool Plains	Tenterfield
Bogan	Forbes	Lockhart	Upper Hunter
Bourke	Gilgandra	Moree Plains	Upper Lachlan
Brewarrina	Glen Innes Severn	Murray River	Uralla
Cabonne	Greater Hume	Murrumbidgee	Walcha
Carrathool	Gunnedah	Muswellbrook	Walgett
Central Darling	Gwydir	Nambucca	Warren
Cobar	Hay	Narrabri	Warrumbungle
Coolamon	Hilltops	Narrandera	Weddin
Coonamble	Inverell	Narromine	Wentworth
			Yass

Table 3: County Councils

Water	Other
Central Tablelands	Castlereagh-Macquarie
Goldenfields Water	Central Murray
Riverina Water	Hawkesbury River
Rous	New England Tablelands
	Upper Hunter
	Upper Macquarie



**Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held  
on 28 November 2019**

Bogan Shire Council

The Hermidale Memorial Park is a disgrace and needs some new childrens play equipment, fencing and a repairs to the shelter shed.

The park is used by local children and visitors and now with sale of the CWA hall there is no public toilets in the village.

The village needs public toilets and the children need a safe play area.

Can you please include this in your next village inspection and in the next funding application

Melanie Cameron  
Sec Hermidale CWA  
0409467928

Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held  
on 28 November 2019



Office of  
Local Government

5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541

Our Reference: A661950  
Contact: Council Engagement Manager  
Phone: 02 4428 4100

Mr Derek Francis  
General Manager  
Bogan Shire Council  
PO Box 221  
NYNGAN NSW 2825  
By email: [admin@bogan.nsw.gov.au](mailto:admin@bogan.nsw.gov.au)

18 October 2019

Dear Mr Francis

**Re: National Redress Scheme for Institutional Child Sexual Abuse – the inclusion of local councils in the scheme**

I am writing to let you know about the inclusion of NSW councils in the National Redress Scheme which provides acknowledgment and support to people who experienced institutional child sexual abuse.

The National Redress Scheme was a key recommendation from the Royal Commission into Institutional Responses to Child Sexual Abuse. The scheme started on 1 July 2018 and will run for 10 years.

In May 2018, NSW was the first state to pass legislation referring powers to the Commonwealth to establish the Scheme. This meant that both government and non-government institutions in NSW could elect to join.

To ensure equal access for all survivors and a consistent approach across all participating institutions, the NSW Government has included councils as participating government institutions. The inclusion of NSW councils will be formalised by a Commonwealth declaration shortly.

The Royal Commission reported that around one third (32 per cent) of survivors who attended private sessions indicated they were abused in government institutions. Of these survivors, 1.2 per cent reported abuse in a local government institution. For these survivors to have access to redress, local councils must be participating institutions.

The NSW Government has agreed to accept financial liability for any redress recognition payments made against councils.

**Processing of Redress applications**

The Commonwealth Department of Social Services is responsible for operating the Scheme. Under the Scheme, redress includes a recognition payment of up to \$150,000, access to counselling and psychological services, and a direct personal response from the responsible institution(s).

The Office of Local Government (OLG) is the central contact point between councils and the scheme and will provide advice and support to councils subject to an



**Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held  
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application. Where an application has been made, the council will be required to search its records to provide relevant documentation regarding that application as requested by the scheme.

Applications are formally assessed by Independent Decision Makers appointed under the scheme and the council will be notified of the outcome of the application via OLG.

**Next Steps**

For further information, please refer to the attached FAQ document and visit the National Redress Scheme website at <https://www.nationalredress.gov.au>.

Your Council Engagement Manager, Peter Evans, will be your main contact for any questions or dealings with the National Redress Scheme and they will contact you in the next few days to discuss any questions or concerns you may have. Alternatively, you can send comments or questions to [redress@olg.nsw.gov.au](mailto:redress@olg.nsw.gov.au).

Yours sincerely



**Tim Hurst**  
**Deputy Secretary**  
**Local Government, Planning and Policy**

## Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019

### National Redress Scheme

For people who have experienced institutional child sexual abuse



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#### FAQs FOR NSW LOCAL COUNCILS

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#### **What is the National Redress Scheme?**

The national Redress Scheme has been established in response to the Royal Commission into Institutional Response to Child Sexual Abuse.

#### **How did the National Redress Scheme come about?**

The Royal Commission into Institutional Responses to Child Sexual Abuse listened to thousands of people about the abuse they experienced as children.

The Royal Commission recommended that the Commonwealth Government establish a single national redress scheme for survivors of institutional child sexual abuse.

The scheme seeks to acknowledge the life-long impact of institutional child sexual abuse by providing eligible survivors with a redress payment of up to \$150,000, access to counselling and a Direct Personal Response (DPR) from the responsible participating institution.

#### **When did the National Redress Scheme come into effect?**

1 July 2018

#### **How long will it run for?**

Ten years

#### **When will NSW local councils become part of the scheme?**

Once all NSW councils have been informed of their role in the National Redress Scheme, the Commonwealth Minister for Social Services will 'declare' the updated list of participating NSW government institutions in accordance with section 115(2) of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*.

#### **Why are NSW local councils involved?**

It is likely that some instances of institutional abuse happened at council owned or run facilities. This has been the experience in other states, although so far, the numbers have been low.

#### **What is the likely impact on local government?**

The Royal Commission reported that around one third (32 per cent) of survivors nationally who attended private sessions, indicated that they were abused in government managed institutions. Of these, 1.2 per cent reported abuse in a local government institution.

## **Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019**

### **Will there be any cost to councils?**

As local councils are included by the NSW Government as participating institutions, the State Government will cover the costs of the redress payments and counselling. Councils will be asked to cover costs associated with a Direct Personal Response (apology) if that is requested by the survivor.

### **What is the process of the National Redress Scheme?**

The National Redress Scheme reviews applications lodged by survivors, determining the jurisdiction it belongs to and sending through a Request for Information (RFI) to the coordination agency in each state. In the case of NSW the agency coordinating RFIs is Department of Communities and Justice – Victims Services. Once a completed RFI is received by the scheme, a Commonwealth appointed independent decision maker will determine the application.

### **What is the role of the Department of Communities and Justice – Victims Services?**

The Central Coordination Team (CCT) within the Department of Communities and Justice - Victims Services receives the RFIs and allocates it to the appropriate institution. If it is determined that the RFI is related to a council, the CCT liaises with the NSW Office of Local Government (OLG). Department of Communities and Justice - Victims Services will also coordinate counselling services for redress recipients on behalf of a local council where redress is required.

### **What is the role of OLG in the process?**

OLG will act as a central point of contact between nominated councils and the CCT, which will support OLG to assist councils in implementing the scheme.

### **What is the process for a council?**

Once notified of an RFI for a local council by the CCT, OLG will contact the general manager of the council concerned to advise the receipt of an RFI and provide an information pack on the process as well as contact information for the CCT.

### **How does a council respond to an RFI?**

Councils will need to act with discretion, in good faith and undertake their best endeavours to assist people applying for redress.

Councils will be asked to comprehensively search their records for information that may support or assist someone to establish their case. The general manager may take on this role themselves or nominate an officer to lead the process.

Whoever is responsible, councils will need to demonstrate that they have a process in place to ensure that the privacy of the survivor is secured at all times.

### **How far back do we have to go?**

Applications may relate to events that have taken place up to 60 to 70 years ago, perhaps longer. Council is obliged to search their records as thoroughly as possible and this may extend to retrieving archived documents out of storage.

## Precis of Correspondence to the Ordinary Meeting of Bogan Shire Council held on 28 November 2019

### **What if my council has been created since the alleged incident – for example the council in question no longer exists?**

The council is required to conduct as thorough a search of the records as possible. OLG can advise on the appropriate steps to take in this instance.

### **What happens once we have completed the RFI?**

Once the records have been searched and OLG is satisfied that the search was comprehensive, councils complete the RFI and return it to the CCT.

The independent decision maker will evaluate information provided by council as well as other information provided by the survivor and make a determination about whether an institution is primarily or equally responsible for the abuser having contact with the person.

If the Independent Decision Maker determines that there is a reasonable likelihood the person is eligible for redress, the application will be approved, and an offer of redress will be made. Redress includes a payment of up to \$150,000, counselling and a direct personal response from the responsible institution(s).

### **What is a Direct Personal Response (apology) and how does council provide one?**

In a Direct Personal Response (DPR), a survivor can tell their story to a representative of the council and receive an apology and an explanation of what the council is doing to stop anyone else from being abused in the future.

A Direct Personal Response can be done in a variety of ways, such as:

- a face-to-face meeting between the survivor and a representative of the council
- a written letter from the council, or
- other arrangements, depending on the circumstances of the survivor.

The survivor will decide whether a Direct Personal Response is right for them. If the survivor requests a Direct Personal Response, the Mayor, on behalf of the council, may be asked to participate in a face-to-face meeting or write a letter of apology as part of the redress process. If a face-to-face meeting is requested councils will be required to pay for costs associated with the DPR.

### **For more information about the National Redress Scheme**

<https://www.nationalredress.gov.au/> or email [redress@olg.nsw.gov.au](mailto:redress@olg.nsw.gov.au)

