



BOGAN SHIRE COUNCIL

Ordinary Business Paper

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

Date: Thursday, 27 June 2024

Time: 7.00pm

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

**Derek Francis
General Manager**



Published Recording of Council Meeting

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

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

5 CONFIRMATION OF PREVIOUS MINUTES

6.1 MINUTES OF THE EXTRAORDINARY MEETING (ESTIMATES) - 16 MAY 2024

The minutes of the Extraordinary Council Meeting (Estimates) held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 16 May 2024 have been circulated to Council.

Recommendation

That the minutes of the Extraordinary Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 16 May 2024, be received and noted.



BOGAN SHIRE COUNCIL

Minutes

Extraordinary Meeting

(Estimates)

16 May 2024



Published Recording of Council Meeting

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**Minutes of the Extraordinary Meeting of Council (Estimates)
held on 16 May 2024 at 5.30pm**

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

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

1 OPENING PRAYER

2 REMEMBRANCES: Nil

3 APOLOGIES: Councillor VJ Boag

Moved: Cr Elias

Seconded: Cr Menzies

079/24 RESOLVED

That the apology from Councillor Boag be received and noted.

DISCLOSURES OF INTEREST: Nil

REPORTS TO EXTRAORDINARY MEETING OF COUNCIL – GENERAL MANAGER

1 OPERATING PLAN AND BUDGET 2024/2025

Summary:

This report is to present the draft of the 2024/2025 Operating Plan and Budget for Council's consideration and approval for public exhibition as required by the provisions of the Local Government Act.

Amendment in Attachment 1: Activities for 2024/2025

2 - Infrastructure

Strategy 2.2.1 Encouraged increased use of rail for transporting agricultural and mining products.

- ii Work with UGL Linx, the RMS and NSW Police to ensure safety standards of rail crossings are maintained and promoted within the Community.



Minutes of the Extraordinary Meeting of Council (Estimates)
held on 16 May 2024 at 5.30pm

080/24 RESOLVED

Moved: Cr Jackson

Seconded: Cr Bright

That the draft Operational Plan and Budget 2024/2025 be approved for public exhibition, with the following amendment.

Amendment in Attachment 1: Activities for 2024/2025

2 - Infrastructure

Strategy 2.2.1 Encouraged increased use of rail for transporting agricultural and mining products.

- ii Work with UGL Linx, RMS and NSW Police to ensure safety standards of rail crossings are maintained and promoted within the Community.

There being no further business, the meeting closed at 6.04pm.

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

.....

GENERAL MANAGER

.....

MAYOR

6.2 MINUTES OF ORDINARY MEETING - 23 MAY 2024

The minutes of the Ordinary Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 23 May 2024 have been circulated to Council.

Recommendation

That the minutes of the Ordinary Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 23 May 2024, be received and noted.



BOGAN SHIRE COUNCIL

Minutes

INCLUDES CONFIRMATION OF CONFIDENTIAL ITEMS
FROM PREVIOUS MEETING

Date: Thursday, 23 May 2024

Time: 7.00pm

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

**Derek Francis
General Manager**



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Ordinary Council Meeting Minutes

23 May 2024

**MINUTES OF BOGAN SHIRE COUNCIL
ORDINARY COUNCIL MEETING HELD AT THE BOGAN SHIRE COUNCIL,
COUNCIL CHAMBERS, 81 COBAR STREET, NYNGAN
ON THURSDAY 23 MAY 2024 AT 7.00PM**

PRESENT: Cr G Neill (Chairperson), Cr V Boag, Cr K Bright, Cr G Deacon, Cr J Douglas, Cr T Elias, Cr G Jackson, Cr R Milligan, Cr D Menzies,

IN ATTENDANCE: D Francis (General Manager), D Wood (Director People and Community Services), S Waterhouse (Director Finance and Corporate Services), G Bourke (Director Engineering Services), C Black (Director Development and Environmental Services), M Salter (Executive Officer)

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

Cr Douglas

10.1 Checklist, Item 7 Banking Situation

Reason: Due to position at Commonwealth Bank, Nyngan

Cr Milligan Page 77

14.1 Development Applications Report

Reason: Development Application lodged by Cr Milligan

5 CONFIDENTIAL MATTERS

Resolved 079/24

Moved: Jackson

Seconded: Menzies

EXCLUSION OF PRESS AND PUBLIC: Council move into a closed session of Council with the public excluded, in accordance with the *Local Government Act 1993* section 10A(2).

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF CONFIDENTIAL MEETING – 23 APRIL 2024

The minutes of the Confidential Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 23 April 2024 have been circulated to Council.

Business Arising: Nil

Resolved 080/24

Moved: Cr Menzies

Seconded: Cr Jackson

That the minutes of the Confidential Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 23 April 2024, be received and noted.

Resolved 081/24

Moved: Cr Boag

Seconded: Cr Deacon

INCLUSION OF PRESS AND PUBLIC: That the meeting move into open Council.

There being no further business, the meeting closed at 7.10pm.

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

.....
GENERAL MANAGER

.....
MAYOR

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 23 May 2024:

Resolved 079/24

Moved: Jackson

Seconded: Menzies

EXCLUSION OF PRESS AND PUBLIC: Council move into a closed session of Council with the public excluded, in accordance with the *Local Government Act 1993* section 10A(2).

6.1 MINUTES OF CONFIDENTIAL MEETING – 23 APRIL 2024

The minutes of the Confidential Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 23 April 2024 have been circulated to Council.

Business Arising: Nil

Resolved 080/24

Moved: Cr Menzies

Seconded: Cr Jackson

That the minutes of the Confidential Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 23 April 2024, be received and noted.

Resolved 081/24

Moved: Cr Boag

Seconded: Cr Deacon

INCLUSION OF PRESS AND PUBLIC: That the meeting move into open Council.

7 CONFIRMATION OF MINUTES

6.2 MINUTES OF ORDINARY MEETING - 23 APRIL 2024

The minutes of the Ordinary Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 23 April 2024 have been circulated to Council.

Business Arising: Nil

Resolved 082/24

Moved: Cr Jackson

Seconded: Cr Bright

That the minutes of the Ordinary Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 23 April 2024, be received and noted.

Ordinary Council Meeting Minutes

23 May 2024

8 NOTICE OF MOTION

Nil

9 MAYORAL MINUTES

Nil

10 COMMITTEE MEETING MINUTES

Nil

Ordinary Council Meeting Minutes

23 May 2024

Item	Date	Minute No	Matter	Action Required	Officer	Status
	27/04/2023	081/2023		<p>A decision on the request for a meeting be deferred until Council receives a response from the NSW Government on whether the emergency bore hole project is to be funded.</p> <p>Virginia and Richard Woodlock be requested to provide Council with specific concerns of concerned landholders and rate payers in writing, so that responses can be prepared, and arrangements made for appropriate NSW Government staff to be available.</p>		<p>On hold pending response.</p> <p>Letter sent to Richard and Virginia Woodlock advising them of Council's resolution.</p>

Item 10.1

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Ordinary Council Meeting Minutes

23 May 2024

Item	Date	Minute No	Matter	Action Required	Officer	Status
	24/08/2023	184/23		<p>That Council prioritises remaining available grant funding of \$7,111,871 across the following projects:</p> <ul style="list-style-type: none"> a. Water purchases b. Belaringar Creek Syphon c. Nyngan Emergency Bore pipeline 		DPE advised accordingly.
3	27/05/2021 28/09/2023	126/2021	Addressing Local Job Vacancies	<p>Council delays the launch of the marketing campaign until progress is made with establishing more housing accommodation in Nyngan.</p> <p>Council provides a budget of \$25,000 for production of videos for the relocation campaign.</p>	DPCS	<p>Planning for new residential subdivision has commenced.</p> <p>Scheduled for 2024/25.</p>

Item 10.1

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Ordinary Council Meeting Minutes

23 May 2024

Item	Date	Minute No	Matter	Action Required	Officer	Status
4	23/06/2022	126/2022	New Water Treatment Plant Site	A further report to Council be considered for location of the New Water Treatment Plant, including the location as presented to Council, as well as other options outside/adjacent to the levy bank.	DES	Public Works to discuss with Crown Lands use of site adjacent to electricity substation at the end of Dandaloo Street.
	23/03/2023	011/2024		Council request NSW Public Works to provide a report to Council on the relative cost of the proposed substation and existing pump station sites, including relative pros and cons.		Public Works has been requested to prepare a report on comparing the Dandaloo Street site with the raw water pump station site when the funding deed has been signed. Site investigation in progress.
	23/04/2024	074/2024		That the General Manager enters into negotiations with the NSW Aboriginal Lands		UPDATE: Correspondence forwarded to the NSW Aboriginal Lands Council.

Item 10.1

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Ordinary Council Meeting Minutes

23 May 2024

Item	Date	Minute No	Matter	Action Required	Officer	Status
				Council for the compensation they require for the new water treatment plant on site 3, with a further report to Council on the outcome of those negotiations as soon as possible.		
5	28/07/2022	171/2022	Hoskins Street Subdivision	Council notes the proposed changes to the design and layout of the Hoskins Street subdivision and that Council staff progress detailed design and development of tender specifications accordingly. The General Manager be authorised to lodge a development application for Stage 1 of the Hoskins Street subdivision.	DES	UPDATE: Development Application in final stages of preparation.

Item 10.1

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Ordinary Council Meeting Minutes

23 May 2024

Item	Date	Minute No	Matter	Action Required	Officer	Status
	23/11/2023	279/23		The General Manager be authorised to proceed to final preparation of tender documents, based on the layout contained in the Concept Plan, attached to report 5.3, with a view to inviting tenders for construction on a "subject to DA" basis.		
	22/02/2024	005/24		That consideration be given in 2024-2025 budget discussions to cover any shortfall in available grant funding, with this to be recovered from land sales.		
6	23/03/2023	053/2023	Reclassification of Land – 8 Tabratong Street	Council submits a planning proposal under Section 28 of the Local Government Act to reclassify Lot 1	DDES	UPDATE: In progress.

Item 10.1

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Ordinary Council Meeting Minutes

23 May 2024

Item	Date	Minute No	Matter	Action Required	Officer	Status
				DP102113, Lot 2 DP355559 and Lot 3 DP 945184 from Community Land to Operational Land.		
7	22/06/2023	139/2023	Banking Situation in Nyngan	Council write to the National Australia Bank regarding the future of the Nyngan Branch of the National Australia Bank.	GM	Letter written. Further letter written, November 2023. No response.
	28/03/2024	036/24		That Council write to the National Australia Bank and follow-up Council's previous correspondence addressing earlier concerns and Council's disappointment in no response to previous request.		Additional letter forwarded to National Australia Bank, April 2024.
8	27/07/2023	160/23	School Exchange Program	The General Manager commence discussions around the future of the	GM	Not yet commenced.

Item 10.1

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Ordinary Council Meeting Minutes

23 May 2024

Item	Date	Minute No	Matter	Action Required	Officer	Status
				Tongling Exchange Program, with a report to Council.		
9	28/09/2023	209/23	Relocation Marketing Campaign – Promotional Videos	Council investigates creating an artwork that acknowledges Country that can be used in the videos and other purposes, with a report to a future meeting of Council.	DPCS	Not yet commenced.
10	26/10/2023	247/23	Before and After School Care, Nyngan	That the Before and After School Care matter be further pursued with the Department of Education, and if necessary the Minister.	GM	Verbal update given at Council Meeting 23/11/2023.
	22/02/2024	009/24				Issue of lack of Before and After School Care in Nyngan be referred to Local Member. Correspondence sent to Local Member. UPDATE: Refer to Precis item.

Item 10.1

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Ordinary Council Meeting Minutes

23 May 2024

Item	Date	Minute No	Matter	Action Required	Officer	Status
11	23/11/2023	278/23	Nyngan Year-Round Fishery	That Council provide in principle support for the development of a Memorandum of Understanding with DPI Fisheries for a managed fishery in the Nyngan off-river storages, with a further report to Council to consider a draft Memorandum of Understanding.	DES	UPDATE: In Progress
12	28/03/2024	046/24	Crown Road Off Cockies Road	That the General Manager, Mayor and Deputy Mayor enter into discussions with the property owners, to determine what if any alternatives they have for accessing the property via Lachlan Shire and whether they have approached Lachlan Shire Council and have		UPDATE: Meeting held on 9 May 2024 with property owners, General Manager, Mayor and Deputy Mayor. Property owners are due to meet with Lachlan Shire in the last week of June 2024. Anticipate a report to Council in July 2024.

Item 10.1

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Ordinary Council Meeting Minutes

23 May 2024

Item	Date	Minute No	Matter	Action Required	Officer	Status
				discussed this matter, or have any outcome from those discussions with Lachlan Shire Council. That Council contact Lachlan Shire Council to obtain information on their intention in relation to this matter. That the General Manager provides a report to Council in May or June, confirming: a Options for transferring the unformed Shire road, after transfer from the Crown is complete, into private ownership. Or alternatively if Lachlan Shire could take over the Crown land, either by transfer or purchase from Bogan Shire Council.		

Item 10.1

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Ordinary Council Meeting Minutes

23 May 2024

Item	Date	Minute No	Matter	Action Required	Officer	Status
				b The costs of clearing timber and forming the road to the minimum acceptable standard. c Mechanisms to ensure current and future owners of "Hopbush Valley" property are aware that Council has no intention of upgrading the road beyond the minimum acceptable standard. That Council defers any decision on this matter until the General Manager's report comes to Council.		

Item 10.1

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10.1 GENERAL MANAGERS CHECKLIST

Resolved 083/24

Moved: Cr Boag

Seconded: Cr Elias

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

10.2 COUNCILLOR AND MAYORAL FEES

Resolved 084/24

Moved: Cr Boag

Seconded: Cr Menzies

That Council sets the fees payable to Councillors, Deputy Mayor and Mayor of Bogan Shire Council, effective from 1 July 2024, in line with the Local Government Remuneration Tribunal's determination, as tabled below:

	Councillor Fee	Mayor Fee	Total Fee
Councillors	\$10,220	-	\$10,220
Deputy Mayor	\$10,220	\$4,466	\$14,686
Mayor	\$10,220	\$17,865	\$28,085

10.3 WATER TOWER ART

Resolved: 085/24

Clr Milligan

Clr Douglas

That Council seek community input for the style, concept/themes and subject matter of artwork to be placed on the water tower near the skate park, with a further report back to council for consideration.

10.4 VILLAGE MEETING APRIL 2024

Resolved: 086/24

Clr Jackson

Clr Bright

That the Village Meeting April 2024 report be received and noted.

Coolabah

Bogan Shire Council

Key discussion points and actions:

Items for Action	Responsible Officer	Status
Items for action from Meeting 22 March 2022		
Signage directing people to new toilets at village entrances	DES	Awaiting design from RMS UPDATE: Signs in stock at depot were incorrect signs, new signs ordered
Playground equipment specifications – Committee to work with Director Engineering Services, including shade sails and Softfall	DES	Playground equipment in grant application Director Engineering Services to provide Committee with design examples and costings
Mowing – meeting to be held with Lynette Dunn, Bruce Jordan, Mayor, General Manager, Director Finance and Corporate Services and Director Engineering Services	GM	Meeting arranged for May 2022. Further discussions to be held. <ul style="list-style-type: none"> Further Section 355 Committee discussions to be held in second quarter 2023 COMPLETED Director Engineering Services to arrange induction on mower for volunteers, dates proposed to committee, with induction planned for 31May 2024.
Items for action from Meeting 12 November 2022		
Shire to assist with promoting tourism opportunities (and available grant funding) such as the Well	DPCS	To be included in 2023 planning for new VIC brochure. UPDATE: Village representatives encouraged to send ideas and photos to Shire, completed brochure to be made available at village shop.

Items for Action	Responsible Officer	Status
Items for action from Meeting 9 May 2023		
Hall maintenance – replace glass in kitchen and southern window	DES	COMPLETED
Low level crossing on Monkey Bridge Road impassable	DES	Representation to be made to local State Member following correspondence from NSW DPI Fisheries
Hall – culverts on entrance road be replaced / moved to allow buses to turn in more easily	DES	Not yet started. Council to cost.
Hall – handrail to be installed on steps	DES	COMPLETED
Items for action from Meeting 16 November 2023		
Boxthorn in playground to be removed	DDES	COMPLETED (Boxthorn has been sprayed, inspections ongoing.)
Request for communication from Shire when village slashing is to be done so that village representative can point out areas of concern	DES	COMPLETED
Concern about Mexican Poppy on rail corridor – request to UGL	DDES	Request made to UGL Mexican Poppy sprayed.
Tubbavilla Rd – causeway flooding	DES	Maintenance grading carried out
Firebreaks needed at eastern end of the village	DES	Included in program

Items for Action	Responsible Officer	Status
Items for action from Meeting 11 April 2024		
Firebreak needed at the back of the tip	DES	
Priority for village funds is no longer playground equipment but improvements to the hall (kitchen, ramp to toilets, air conditioning, solar panels, painting). Committee to advise Council	GM	Awaiting feedback from Committee



Bojan Shire Council

Key discussion points and actions:

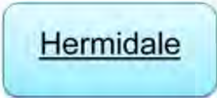
Items for Action	Responsible Officer	Status
Items for action from Meeting 12 August 2020		
Update list of priorities for spending from Village Capital Improvement Fund.	GM	Development of free camping area.
Items for action from Meeting 15 April 2021		
Shire to ask RMS to consider children crossing / bus stop sign on highway near shop.	DES	Discuss at Traffic Committee TfNSW investigating bus stop and people crossing signs. RMS asked to investigate
Shire to investigate and install signage for Murrawombie Road – large signage rather than finger board that can incorporate direction to other roads / locations as well as camping area symbol.	DES	Discuss at Traffic Committee TfNSW. Murrawombie Rd sign here RMS to provide design for highway sign. UPDATE: Signs in stock at depot five signs installed, have ordered additional sign.
Many overgrown properties – Shire to serve notices.	DES	Inspections being undertaking November 2023: Notices of intents for 12 properties to be cleaned up. UPDATE: 11 of the 12 properties have been cleaned up. COMPLETED Future Inspections planned.

Items for Action	Responsible Officer	Status
Items for action from Meeting 22 March 2022		
Plan for free camping area to be discussed with community – including input into the siting of the amenity block	GM	Further Community consultation planned for 2024.
Dump Point – can a dump point be included in the free camping area?	GM	Further Community consultation planned for 2024.
Powerpoints – can power points for caravans be included in free camping area?	GM	Further Community consultation planned for 2024.
Council owned blocks – please can they be cleaned up	DES	On works schedule
Items for action from Meeting 12 November 2022		
Free camping – specifications on duration of stay and location of camping area	DPCS	Further Community consultation planned for 2024.
Consider laying road base car park and footpath to allow "clean access" to the new public toilet block next to current toilet block	DES	To be completed with toilet construction Include gravel when sealing Myall Street
Items for action from Meeting 9 May 2023		
Slab and shed for mower to be constructed using village funds, where required, at the same time as new toilet is constructed.	DES	Slab completed
Further discussion to be had with Association about Sec 355 / Association activities	GM	Inductions yet to be completed UPDATE: awaiting confirmation of date with Committee, with induction planned for 31May 2024.

Items for Action	Responsible Officer	Status
Further information / letter requested regarding playground softfall	DES	No Progress
Items for action from Meeting 16 November 2023		
Gutter at school needs repair / clearing	DES	Not yet started. UPDATE: Inspection being undertaken
Highway batters remain a safety concern	DES	Referred to, and inspected by TfNSW
Park needs loam to encourage grass to grow	DES	Not yet started
Shire requested to take over park power bill	DFCS	COMPLETED
Unightly vehicles in roadway outside residences	DDES	Letter sent to resident (Ranger attended residence twice to discuss clean up. Some efforts have been made by the resident with a commitment to complete the clean-up.)
Items for action from Meeting 11 April 2024		
Hot water still not connected at new ablution block.	DES	Committee to assist with locating electrician and contact Shire.
Furniture for Train Station	GM	Committee to look at grants and/or donations of good quality period furniture.
Monkey Bridge by-pass	DES	Shire to send details to Carmel

Bogan Shire Council

Key discussion points and actions:



Items for Action – Previous Meetings	Responsible Officer	Status
Items for action from Meeting 9 May 2023		
Shire to complete slashing around tennis court area at the same time as other slashing in the area	DES	COMPLETED
Request for signage promoting village from a tourism perspective on either side of town – uniform for each village	GM	To be considered as part of Tourism Strategy (branding purposes)
Change of T-intersection at Park, including parking at the Park to be discussed at Traffic Committee.	DES	No objection from Hera mine, further discussion required. Change of T-intersection at Park, including parking at the Park to be discussed at Traffic Committee. – Change back to have stop sign for trucks coming from Hera Mine – to go to Traffic Committee meeting in 12 June 2024.
Reconciliation of funds available / committed – bearing in mind grant projects	DFCS	Provided, COMPLETED.
Items for action from Meeting 16 November 2023		
Hermidale / Nymagee Rd has some bad patches where seal has washed away.	DES	Heavy patching done. COMPLETED.
Consideration to be given to water storage tanks to supplement the emergency supply for fire fighting and stock / domestic use.	DES	Not yet started.

Items for Action – Previous Meetings	Responsible Officer	Status
Items for action from Meeting 11 April 2024		
Need for kids play area in unused part of tennis courts. Potential use of village funds.	DES	Community to decide on options and discuss with Shire
Showgrounds – needs a sign with visible address for visitors and emergency services. Also a fingerboard/s to direct people through the village.	DES	
Overhead water tanks – ongoing issues with water running out of full tanks. Telemetry issue?	DES	
Request to RFS to have 200,000 litre tank installed for firefighting.	DES	To be referred for discussion at next RFS Service Level Meeting. Anticipated to be held in June 2024.

12 PEOPLE AND COMMUNITY SERVICES REPORTS

11.1 LIBRARY TERM 1 OPERATIONAL REPORT

Resolved: 087/24

Clr Douglas
Clr Elias

That the Library Term 1 Operational Report be received and noted, with thanks to the Library Staff for their efforts.

11.2 BUSH BURSARIES AND COUNTRY WOMEN'S ASSOCIATION SCHOLARSHIPS PROGRAM

Resolved: 088/24

Clr Menzies
Clr Milligan

That Council provides funding of \$3,000 in the 2024/2025 budget for the work placements of up to two medical, nursing or midwifery students at the Bogan Shire Medical Centre under the Bush Bursaries and Country Women's Association Scholarships Program.

11.3 BIG BOGAN STREET FESTIVAL 2024

Resolved: 089/24

Clr Menzies
Clr Elias

That The Big Bogan Festival 2024 Report be received and noted.

11.4 NEW RESIDENTS WELCOME

Resolved: 090/24

Clr Jackson
Clr Elias

That:

1. Council holds a new residents welcome in March 2025.
2. Council provides a budget of \$5,000 in the 2024/24 budget for the new residents' welcome event with this amount being incorporated into the budget approved by Council at its meeting held in June 2024.

13 FINANCE AND CORPORATE SERVICES REPORTS

12.1 INVESTMENTS APRIL 2024

Resolved: 091/24

Clr Boag
 Clr Bright

That the Investments April 2024 report be received and noted.

12.2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

The Director of Finance and Corporate Services gave the following updates at the meeting:

Rate Collections	2023-2024	2022-2023
Arrears Prior to 01/07/2023	337,827	477,080
First Instalment in arrears as at 30/4/2024	(51,467)	-17,050
Second Instalment in arrears as at 30/4/2024	52,248	54,594
Third Instalment in arrears as at 30/4/2024	213,294	84,376
Fourth Instalment Outstanding as at 30/4/2024	739,662	946,551
Total Arrears	551,903	599,000
Total Outstanding	1,291,565	1,545,551
Monthly Transactions		
Amount Levied & B/Fwd	6,259,458	6,045,433
Add: Adjustments	100,587	42,185
Less: Payments to end of April	-4,990,520	-4,460,667
Less: Rebates	-74,281	-81,390
Add: Postponed	0	0
Gross Total Balance	1,527,415	1,545,551
Arrears of total amount levied %	9.8%	9.9%

Resolved: 092/24

Clr Deacon
 Clr Jackson

That the Summary of Rate and Annual Charges Collection report be received and noted.

12.3 LONG TERM FINANCIAL PLAN 2024-2034

Resolved: 093/24

Clr Menzies
 Clr Boag

That Council adopts the Long Term Financial Plan 2024-2034.

Ordinary Council Meeting Minutes

23 May 2024

14 ENGINEERING SERVICES REPORTS

13.1 DEPARTMENTAL ACTIVITY REPORT

Resolved: 094/24

Clr Jackson

Clr Deacon

That the Engineering Departmental Report be received and noted.

15 DEVELOPMENT AND ENVIRONMENTAL SERVICES REPORTS

14.1 DEVELOPMENT APPLICATIONS REPORT

Resolved: 095/24

Clr Bright
Clr Douglas

That the Development Applications Report be received and noted.

14.2 BOGAN RIVER BUSHCARE REPORT

Resolved: 096/24

Clr Boag
Clr Deacon

That the Bogan River Bushcare Report be received and noted.

16 PRECIS OF CORRESPONDENCE**15.1 CORRESPONDENCE TO THE DEPUTY PREMIER FROM ROY BUTLER MP,
MEMBER FOR BARWON****Resolved: 097/24**Clr Milligan
Clr Bright

That the Correspondence forwarded to the Deputy Premier from Roy Butler MP, Member for Barwon, relating to Lack of Before and After School Care in Nyngan be noted.

**15.2 NYNGAN RSL SUB-BRANCH REQUEST FOR A PLANTING OF AN AVENUE OF
REMEMBRANCE****Resolved: 098/24**Clr Menzies
Clr Elias

That Council investigate, in conjunction with the Nyngan RSL sub-Branch, a suitable location for an avenue of remembrance trees.

15.3 REQUEST FROM ANGIE ARMSTRONG, CALLUBRI STATION

Clr Milligan **MOVED** that Council defer a decision on the request from Callubri Station until the Community Strategic Plan considers Council priorities for future sealing of roads.

The Motion lapsed for want of a seconder.

Clr Menzies **MOVED** that Council advise Callubri Station that Council intends to honour its current position of prioritising school bus routes for bitumen sealing, with works in each year to be approved through the annual budget process.

It was **PUT** to Council and **CARRIED**.

Resolved: 099/24Clr Menzies
Clr Jackson

That Council advise Callubri Station that Council intends to honour its current position of prioritising school bus routes for bitumen sealing, with works in each year to be approved through the annual budget process.

17 MEETING CLOSURE

There being no further business, the meeting closed at 7.50pm.

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

.....

GENERAL MANAGER

.....

MAYOR

7 NOTICE OF MOTION**7.1 NOTICE OF MOTION - COMMONWEALTH POSTAL SAVINGS BANK**

The following has been received from Councillor Jackson:

12 June 2024

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

Dear Derek

Notice of Motion – Commonwealth Postal Savings Bank

I would like to place the following notice of motion on the business paper agenda for the June 2024 Ordinary meeting of Council:

1. That Council notes that:
 - a. Bank branch and ATM closures are leaving many communities without access to financial services, especially in regional Australia.
 - b. Since 1975 the number of bank branches in regional Australia has fallen by more than 60 per cent, and there are more than 1,500 communities across Australia with no bank branches at all.
 - c. A large proportion of the population, including the elderly, disabled, small businesses and local schools and charities, will always have a need for face-to-face financial services despite advances in technology.
 - d. For hundreds of communities, their only access to cash and financial services is through Bank@Post at their community Post Office.
 - e. Bank@Post is an essential service to all communities, but is vulnerable to commercial decision-making by the banks, which can choose to withdraw their participation.
2. That Council calls on the Commonwealth Parliament to pass the Commonwealth Postal Savings Bank Bill to establish a post office people's bank, fully guaranteed by the Commonwealth, as a dedicated postal savings bank, operating exclusively through Australia Post's corporate and licensed post offices, which will ensure basic banking services—including deposit-taking, business and personal lending, and access to cash—are available to all Australians, and will contribute to Australia's national economic development.
3. That Council write to the Local State and Federal Members of Parliament, to inform them of Councils desire to support the passage of the Commonwealth Postal Savings Bank Bill through Parliament.

Yours sincerely



Councillor Graham Jackson
Bogan Shire Council

8 MAYORAL MINUTES

Nil

9 COMMITTEE MEETING MINUTES

Nil

10 GENERAL MANAGER’S REPORTS

10.1 GENERAL MANAGER'S CHECKLIST

Item	Date	Minute No	Matter	Action Required	Officer	Status
1	23/09/2021	249/2021	Increase of train speed through Nyngan	Prior to the next state Election, Council raise the issue of the Hoskins Street Level Crossing & Train Speeds with Barwon candidates.	GM	TfNSW has informed Council that it is considering trialing a Rail Active Crossing System at Hoskins Street crossing. This is a solar powered, wireless, flashing lights system. Discussed with Roy Butler 07/06/2023 – followed up 11/08/2023.
	23/11/2023	282/23		That Council respond to Minister Atchison, with a request that the train speed limit be reduced to 20km/hour, as Council is not in a position financially to provide rail crossing lights.		This matter was drawn to the attention of Minister Atchison on 12/01/2024 during her visit to Nyngan. Further letters sent to Minister Atchison and Roy Butler MP.

Item	Date	Minute No	Matter	Action Required	Officer	Status
2	27/05/2022	122/2022	Nyngan Emergency Bore	Council seeks advice from the Minister for Water, as to a mechanism for periodic extraction of water for maintenance purposes, given that it is understood that Council is unable to extract water from the bore at this stage.	GM	Letter written to new Minister for Water, advising them of resolution 122/2022 and seeking clarification on funding. Minister for Water has advised that: <ul style="list-style-type: none"> • Work has begun on amendments to the Water Sharing Plan. • No further funding is available for the bore project.
	23/02/2023	010/2023		Council vote for a 200mm pipe instead of 375mm pipe, on the basis of water consumption. A decision on the request for a meeting be deferred until Council receives a response from the NSW Government on whether the emergency bore hole project is to be funded.	GM	Public Works have provided an alternative cost estimate of \$5.092M, based on the 200mm pipeline. On hold pending response.

Item	Date	Minute No	Matter	Action Required	Officer	Status
	27/04/2023	081/2023		Virginia and Richard Woodlock be requested to provide Council with specific concerns of concerned landholders and rate payers in writing, so that responses can be prepared, and arrangements made for appropriate NSW Government staff to be available.		Letter sent to Richard and Virginia Woodlock advising them of Council's resolution.
	24/08/2023	184/23		That Council prioritises remaining available grant funding of \$7,111,871 across the following projects: <ul style="list-style-type: none"> a. Water purchases b. Belaringar Creek Syphon c. Nyngan Emergency Bore pipeline 		DPE advised accordingly.

Item	Date	Minute No	Matter	Action Required	Officer	Status
3	27/05/2021 28/09/2023	126/2021	Addressing Local Job Vacancies	<p>Council delays the launch of the marketing campaign until progress is made with establishing more housing accommodation in Nyngan.</p> <p>Council provides a budget of \$25,000 for production of videos for the relocation campaign.</p>	DPCS	<p>Planning for new residential subdivision has commenced.</p> <p>Scheduled for 2024/25.</p>
4	23/06/2022 23/03/2023	126/2022 011/2024	New Water Treatment Plant Site	<p>A further report to Council be considered for location of the New Water Treatment Plant, including the location as presented to Council, as well as other options outside/adjacent to the levy bank.</p> <p>Council request NSW Public Works to provide a report to Council on the relative cost of the proposed substation and</p>	DES	<p>Public Works to discuss with Crown Lands use of site adjacent to electricity sub-station at the end of Dandaloo Street.</p> <p>Public Works has been requested to prepare a report on comparing the Dandaloo Street site with the raw water pump station site when the funding</p>

Item	Date	Minute No	Matter	Action Required	Officer	Status
	23/04/2024	074/2024		<p>existing pump station sites, including relative pros and cons.</p> <p>That the General Manager enters into negotiations with the NSW Aboriginal Lands Council for the compensation they require for the new water treatment plant on site 3, with a further report to Council on the outcome of those negotiations as soon as possible.</p>		<p>deed has been signed. Site investigation in progress.</p> <p>Correspondence forwarded to the NSW Aboriginal Lands Council.</p>
5	28/07/2022	171/2022	Hoskins Street Subdivision	<p>Council notes the proposed changes to the design and layout of the Hoskins Street subdivision and that Council staff progress detailed design and development of tender specifications accordingly.</p>	DES	<p>Development Application in final stages of preparation.</p>

Item	Date	Minute No	Matter	Action Required	Officer	Status
	23/11/2023	279/23		<p>The General Manager be authorised to lodge a development application for Stage 1 of the Hoskins Street subdivision.</p> <p>The General Manager be authorised to proceed to final preparation of tender documents, based on the layout contained in the Concept Plan, attached to report 5.3, with a view to inviting tenders for construction on a “subject to DA” basis.</p>		
	22/02/2024	005/24		<p>That consideration be given in 2024-2025 budget discussions to cover any shortfall in available grant funding, with this to be recovered from land sales.</p>		
6	23/03/2023	053/2023	Reclassification of Land – 8 Tabratong Street	Council submits a planning proposal under Section 28 of the Local Government Act to	DDES	UPDATE: In progress – Planning proposal is under development. Conversion

Item	Date	Minute No	Matter	Action Required	Officer	Status
				reclassify Lot 1 DP102113, Lot 2 DP355559 and Lot 3 DP 945184 from Community Land to Operational Land.		from Community Land to Operational Land is expected to have an outcome by March 2025. Refer also to precis item from Nyngan Community Homes.
7	22/06/2023 28/03/2024	139/2023 036/24	Banking Situation in Nyngan	Council write to the National Australia Bank regarding the future of the Nyngan Branch of the National Australia Bank. That Council write to the National Australia Bank and follow-up Council's previous correspondence addressing earlier concerns and Council's disappointment in no response to previous request.	GM	Letter written. Further letter written, November 2023. No response. Additional letter forwarded to National Australia Bank, April 2024.
8	27/07/2023	160/23	School Exchange Program	The General Manager commence discussions around the future of the Tongling Exchange	GM	Not yet commenced.

Item	Date	Minute No	Matter	Action Required	Officer	Status
				Program, with a report to Council.		
9	28/09/2023	209/23	Relocation Marketing Campaign – Promotional Videos	Council investigates creating an artwork that acknowledges Country that can be used in the videos and other purposes, with a report to a future meeting of Council.	DPCS	Not yet commenced.
10	26/10/2023 22/02/2024	247/23 009/24	Before and After School Care, Nyngan	That the Before and After School Care matter be further pursued with the Department of Education, and if necessary the Minister.	GM	Verbal update given at Council Meeting 23/11/2023. Issue of lack of Before and After School Care in Nyngan be referred to Local Member. Correspondence sent to Local Member.
11	23/11/2023	278/23	Nyngan Year-Round Fishery	That Council provide in principle support for the development of a Memorandum of Understanding with DPI	DES	In Progress

Item	Date	Minute No	Matter	Action Required	Officer	Status
				Fisheries for a managed fishery in the Nyngan off-river storages, with a further report to Council to consider a draft Memorandum of Understanding.		
14	28/03/2024	046/24	Crown Road Off Cockies Road	That the General Manager, Mayor and Deputy Mayor enter into discussions with the property owners, to determine what if any alternatives they have for accessing the property via Lachlan Shire and whether they have approached Lachlan Shire Council and have discussed this matter, or have any outcome from those discussions with Lachlan Shire Council. That Council contact Lachlan Shire Council to obtain information on		Meeting held on 9 May 2024 with property owners, General Manager, Mayor and Deputy Mayor. Property owners are due to meet with Lachlin Shire in the last week of June 2024. Anticipate a report to Council in July 2024.

Item	Date	Minute No	Matter	Action Required	Officer	Status
				<p>their intention in relation to this matter.</p> <p>That the General Manager provides a report to Council in May or June, confirming:</p> <p>a Options for transferring the unformed Shire road, after transfer from the Crown is complete, into private ownership. Or alternatively if Lachlan Shire could take over the Crown land, either by transfer or purchase from Bogan Shire Council.</p> <p>The costs of clearing timber and forming the road to the minimum acceptable standard.</p> <p>c Mechanisms to ensure current and future owners of "Hopbush Valley" property are aware that Council has no intention of upgrading the road</p>		

Item	Date	Minute No	Matter	Action Required	Officer	Status
				<p>beyond the minimum acceptable standard.</p> <p>That Council defers any decision on this matter until the General Manager's report comes to Council.</p>		

1. Attachments

Nil

Recommendation

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

10.2 INTERNAL AUDIT

1. Introduction

The purpose of this report is to recommend to Council the appointment of members to the Internal Audit Committee as well as an internal auditor for the 2024/25 financial year.

2. Background

At its meeting in October 2021 Council resolved to establish an Audit Risk and Improvement Committee, appointed members to that Committee and adopted a Charter for it.

Committee members currently appointed by Council are:

- Chair – Mr David Webb (General Manager Hay Shire Council)
- Member – Mr Rick Warren (General Manager Carrathool Shire Council)
- Member – Mr Peter Rees (Bogan Shire LGA Community Member)
- Non-voting Member – Cr Victoria Boag (Bogan Shire Council, Councillor delegate)

This collaborative arrangement saw the General Managers of Carathool, Hay and Bogan appointed as Chairs to the three Councils with the resulting cost savings to those communities.

For some time Council has been aware of potential legislation proposed by the Office of Local Government (OLG) in regard to Audit and Risk Management Guidelines. The regulators have now been promulgated requiring Council to have an Audit and Risk Management Committee (ARIC) that complies with the guidelines.

Unfortunately the new guidelines preclude a General Manager from being Chair of another Council's ARIC which means that Council will have to now appoint a new Chair.

Regarding the internal audit function, Council first appointed Keith Coates Auditing as its Internal Auditor for the 2021/22 financial year at its meeting on 24 February 2022. This appointment was subsequently extended.

3. Discussion

The appointment of a chair is crucial to the effective and practical operation of the committee and how it will interface with the operation of the Council.

It is recommended that John Batchelor be appointed as the chair of the committee. He holds the appropriate experience and qualifications.

Mr Batchelor has been in local government since 1986 and retired in 2015 having been General Manager at Leeton Shire Council for the last four years of his career. He has also recently provided financial and governance services to Council within the Riverina and is currently the chair of the Narrandera Shire Council ARIC. Mr Batchelor has been appointed as Chair to Carathool and Hay Councils.

It is proposed that the ARIC Committee comprise:

- Chair – Mr John Batchelor
- Member – Mr Rick Warren (General Manager Carrathool Shire Council)
- Member – Mr David Webb (General Manager Hay Shire Council)
- Member – Mr Peter Rees (Bogan Shire LGA Community Member)
- Non-voting Member – Cr Victoria Boag (Bogan Shire Council, Councillor delegate)

In the past, the majority of Council's internal audit cost has gone towards the fees of the internal auditor for investigations and reports provided. As the other committee members were the General Managers of Hay and Bogan Councils no payment was made to them. The Community Member representative was eligible for a fee of \$250 per meeting, amounting to around \$1,250 per annum from this budget.

Mr Batchelor has indicated he will charge a meeting fee of \$1,093 – a total of \$4,374 for 2024/25. In addition, although it is envisaged that the Chair will attend most meetings via video conference, a budget allowance should be made for occasional meeting and travel costs with a \$7,000 being provided for Chairperson costs.

The General Manager and Audit Risk and Improvement Committee are satisfied with the performance of Keith Coates Auditing as Internal Auditor and accordingly their reappointment for 2024/25 is recommended below at a cost of \$36,000.

The total internal audit function is therefore expected to cost Council \$43,000 in 2024/25 financial year.

4. Attachments

Nil

5. Recommendation

1. That Council makes the following appointments to the Bogan Shire Council Internal Audit and Risk Management Committee from 1 July 2024:
 - Chair – Mr John Batchelor
 - Member – Mr Rick Warren (General Manager Carrathool Shire Council)
 - Member – Mr David Webb (General Manager Hay Shire Council)
 - Member – Mr Peter Rees (Bogan Shire LGA Community Member)
 - Non-voting Member – Cr Victoria Boag (Bogan Shire Council, Councillor delegate)
2. That Bogan Shire Council appoints Keith Coates Auditing as its Internal Auditor for the current financial year.
3. That a budget of \$43,000 be provided for the internal audit function which includes Audit, Risk and Improvement Committee fees and internal audit fees.

10.3 CEREMONIAL FUNCTIONS OF THE MAYOR - 2024 ELECTION PERIOD

1. Introduction

The purpose of this report is to delegate to Mr Glen Neill the authority to carry out civic and ceremonial functions of the Mayoral office, between election day and the holding of the Mayoral election after the election.

2. Background

Council has been advised that under the Local Government Act (1993), all current Councillors and Mayors elected by Councillors cease to hold their civic offices on election day 14 September 2024. This means that councils will be without a governing body from 14 September 2024 until the declaration of the election on 30 September 2024 at the earliest.

3. Discussion

As a result, the NSW Government has advised that Councils which elect their mayors will not have a mayor in the period between election day and the first meeting after the election when the mayoral election is held.

Communication from the Office of Local Government (OLG) states as follows:

OLG is aware that some councils that elect their mayors have expressed a preference that the outgoing mayor should continue to exercise the functions of mayor in the period between election day and the holding of the mayoral election after the election.

There is nothing to prevent councils from authorising the outgoing mayor to continue to exercise the civic and ceremonial functions normally exercised by the mayor during this period in the absence of a mayor should they wish to do so (even though the outgoing mayor will have ceased to hold any civic office in the council as of the day of the election).

Given the possibility that the outgoing mayor may not be re-elected at the election and may therefore cease to be accountable to the council and the community, councils should refrain from making any delegations to the outgoing mayor.

The role of the Mayor is as per section 226 of the Local Government Act (1993) includes as s226(l):

to carry out the civic and ceremonial functions of the mayoral office,

Notwithstanding the OLG's comments in relation to delegations to the Mayor it is considered desirable that the Glen Neill continues to exercise the civic and ceremonial functions of the Mayor in the period between election day and the holding

of the Mayoral election after the election. This will provide some continuity for Council and the community of representation from the elected body.

4. Attachments

Nil

5. Recommendation

That Council delegate to Mr Glen Neill the authority to carry out civic and ceremonial functions of the Mayoral office, between election day and the holding of the Mayoral election after the election.

10.4 DELEGATIONS TO THE GENERAL MANAGER - 2024 ELECTION PERIOD

1. Introduction

The purpose of this report is to recommend to Council that all functions of the Council that can be delegated, be delegated to the General Manager from election day, 14 September 2024 until the first meeting of Council following the election.

2. Background

Council has been advised that under the Local Government Act (1993), all current Councillors and Mayors elected by Councillors cease to hold their civic offices on election day 14 September 2024. This means that councils will be without a governing body from 14 September 2024 until the declaration of the election on 30 September 2024 at the earliest.

3. Discussion

Advice from the Office of Local Government states as follows:

Prior to the election, councils should ensure that appropriate delegations are in place for their general managers so that they can continue to exercise the functions of the council as required in the period between election day and the first meeting of the council following the election.

Councils may wish to consider delegating all delegable functions to the general manager at the last meeting before the election for the period between election day and the first meeting of the council following the election.

Section 377 of the Local Government Act (1993) lists certain functions of Council which may not be delegated:

- (a) the appointment of a general manager,*
- (b) the making of a rate,*
- (c) a determination under section 549 as to the levying of a rate,*
- (d) the making of a charge,*
- (e) the fixing of a fee,*
- (f) the borrowing of money,*
- (g) the voting of money for expenditure on its works, services or operations,*
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
- (i) the acceptance of tenders to provide services currently provided by members of staff of the council,*

- (j) the adoption of an operational plan under section 405,*
- (k) the adoption of a financial statement included in an annual financial report,*
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,*
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,*
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,*
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,*
- (t) this power of delegation,*
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.*

Other than the above, all Council functions may be delegated to the General Manager during this period.

4. Attachments

Nil

5. Recommendation

That all functions of the Council that can be delegated, be delegated to the General Manager from election day, 14 September 2024 until the first meeting of Council following the election.

10.5 COUNCIL MEETING - AUGUST 2024

1. Introduction

To bring to Council's attention that the Election caretaker period has implications for the August meeting of Council.

2. Background

Under the Local Government (General) Regulation, councils are required to assume a "caretaker" role in the four weeks preceding the election day (see section 393B). The caretaker restrictions are designed to prevent outgoing councils from making major decisions that will bind the new council or limit its actions.

The caretaker period for the 2024 Local Government elections commences on Friday 16 August 2024 and ends on Saturday 14 September 2024.

3. Discussion

During the caretaker period, councils, general managers, and other delegates of Council (other than the joint regional planning panel) must not exercise the following functions:

- Enter into any contract or undertaking involving an expenditure or receipt by the council of an amount equal to or greater than \$150,000.
- Determine a "controversial development application", except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period, or
- Appoint or reappoint the council's general manager (except for temporary appointments).

"Controversial development application" means a development application for designated development under section 4.10 of the Environmental Planning and Assessment Act 1979 for which at least 25 persons have made submissions during community consultation. Councils should plan ahead to avoid the need to make these types of decisions during the caretaker period.

In certain circumstances, these functions may be exercised with the approval of the Minister. Bogan Shire Council has previously maintained its meeting schedule during the caretaker period, being mindful of the above limitations. With this in mind the General Manager has notified Directors to review their business arrangements and ensure that if Council needs to enter into any contract or undertaking involving an expenditure or receipt by the council of an amount equal to or greater than \$150,000 that this can be done either before 16 August or after 14 September 2024.

Given the timing of the Council elections, there will be no September Ordinary Council Meeting but an Extraordinary Council Meeting is expected to be called in the first week of October, as the first meeting of the newly elected Council.

4. Attachments

Nil

5. Recommendation

That Council retains 22 August 2024 as the date for the August meeting of Council.

11 PEOPLE AND COMMUNITY SERVICES REPORTS

11.1 BOGAN SHIRE MEDICAL CENTRE OPERATIONAL REPORT

1. Introduction

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

2. Discussion

Below are the activities and statistics of the Bogan Shire Medical Centre for the March to May period.

Statistics

Total registered patients as of June 2024:	4,541
Total active patients:	3,150
Total CDM (Chronic Disease Management) patients:	345
Total RAC (Residential Aged Care) patients:	28
Total 75+ Health Assessment patients:	165
Total ATSI (Aboriginal and Torres Strait Islander) Health Assessment patients:	86

Current waiting periods to see a GP is approximately 2 days maximum, with appointments available for acute complaints (On the Day appointments) daily.

Influenza Vaccinations

The influenza vaccine clinic for 2024 is underway with the use of both the private and federally funded free vaccine available under the National Immunisation Program (NIP).

Free influenza vaccines under the NIP are available for:

- children aged 6 months to less than 5 years,
- pregnant women at any stage of pregnancy,
- First Nations people aged 6 months and over,
- people aged 65 years and over, and
- people aged 6 months and over with certain medical conditions that increase their risk of severe influenza and its complications.

Online Bookings for Appointments

From 1 March to 4 June there has been a total of 246 appointments booked online through the BSMC online booking system – AutoMed.

Residential Aged Care (RAC) Patients

Dr Senthil Chengoden has been providing care to the 28 Residential Aged Care (RAC) patients currently residing at the Nyngan Multipurpose Service. Dr Chengoden visits the Aged Care facility every Thursday afternoon with the Practice's Enrolled Nurse and generally sees 6 patients during each visit.

Dr Chengoden, the Enrolled Nurse and the Practice's administrative staff work closely with the Nyngan Multipurpose Service staff to manage the visits, ensuring the best coordinated ongoing care for the RAC patients.

Pre-Employment Medicals/Council Audiometry

The BSMC continues to conduct pre-employment medicals (PEMs) for a number of businesses both in and around the Nyngan region and as far away as Bourke.

Ultrasound Services

The Ultrasound service continues to operate four days per week (Monday, Tuesday, Wednesday and Thursday), with on call services provided as needed for emergency cases.

Medical Diagnostic Services

For the period of February 2024 to May 2024, the following number of medical diagnostic services were provided:

February:	98
March:	99
April:	115
May:	95

Allied Health Services

In May, the Medical Centre welcomed a Bourke-based Dietician who has a strong interest in rural practice and chronic disease management. He is employed with NSW Outback Division of General Practice (ODGP) and has commenced fortnightly clinics at the Practice.

Patients wishing to schedule an appointment with the Dietician must have an active Chronic Disease Care Plan and be referred by their General Practitioner. The team at ODGP will contact the referred patient to place them on the next clinic list.

A Diabetes Educator has also started holding clinics via telehealth at the Medical Centre. Patients can see her with a referral from their General Practitioner. BSMC staff set up a clinic once there are 6 patients who require an appointment.

Allied Health services as of June 2024 are listed below:

Type of Service	Days	Times	Frequency	Service Accessed by
Alcohol and other Drug worker	Tuesday	9.30am-3pm	Fortnightly	BSMC or Self-Referral
Diabetes Educator (virtual clinic)*	Flexible days	9am-4pm	Monthly	Referral
Dietician*	Tuesday	9:30am-4pm	Fortnightly	Referral
Family Planning NSW	Monday/ Tuesday	11am-5pm	Monthly	BSMC or Self-Referral
Mental Health Clinician	Tuesday, Wednesday & Thursday	9am-4pm	Monthly	BSMC Referral
Pathology	Monday to Friday	8.30am - 11.30am	Weekly	Anyone holding a pathology request form – not required to be a patient of BSMC
Physiotherapy	Mondays & Thursdays	8.30am – 4.30pm	Weekly	Referral or Private appt.
Podiatrist	Wednesdays & Fridays	9.00am - 2.30pm	Weekly	Referral or Private appt.
Sonography	Monday, Tuesday, Wednesday & Thursday	8:30am- 4:30pm	Weekly	Private bill with Medicare rebate
Telehealth Services with a variety of specialists (pain specialist, endocrinology, psychology)	Offered 5 days a week	8:45am-5pm	Offered 5 days a week	Referral (Medicare or private bill)

* Services that were added during the reporting period.

3. Attachments

Nil

4. Recommendation

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

11.2 BOGAN SHIRE YOUTH AND COMMUNITY CENTRE

1. Introduction

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

2. Discussion

Below are the activities and statistics of the Bogan Shire Youth and Community Centre for the period February 2024 to May 2024.

Youth (12–24-year-old) afternoon drop-in session statistics

Period	No of Attendees
Q1 2024 (January - March)	876
Q2 2024 (April – June 14)	495

BSYCC staff have been actively collaborating with other service providers to deliver both youth and community-oriented programs and events, and staff have implemented various youth-oriented events and programs on a trial basis to determine what engages the youth, aiming to keep them interested and involved.

Some of the activities held during youth drop-in sessions include:

- Cupcake decorating classes
- Clay craft
- Wellness Wednesdays with introductions to journalling emotions and thoughts
- Paint by numbers
- Cooking lessons: pizzas, burgers, waffles, and pasta dishes
- Baking sessions

Additionally, members from the Office of the Advocate for Children and Young People (ACYP) visited, joining the afternoon drop-in sessions. They provided pizza for the youth and engaged in discussions and games about being a young community member in rural NSW, exploring the barriers they face and what improvements they would like to see.

Barnardos and Mission Australia facilitated bubble soccer and provided snow cones during the drop-in session on Youth Homelessness Day to raise awareness about youth homelessness.

Staff have launched an Instagram page to better facilitate communications with youth. These communications include monthly calendars of events, changes in operating hours, grant-funded activities, and survey opportunities.

Functions / Activities

The following functions / activities have been hosted at the BSYCC during the reporting period:

- St Joseph's Primary School – Sports day
- Boys to the Bush - Youth program (weekly to fortnightly usage)
- Bogan Shire Council – staff training, staff meeting, Library story time, Library outdoor family fun days, CONVIC Skatepark community consultation, Waste 2 Art, Weeds Committee meetings
- Bogan Bush Mobile – regular sessions
- Bogan Bush Fellas Social Group – fortnightly meetings
- Nyngan Craft Group – weekly meetings
- Occupational Therapy and Speech Pathology clinics
- BEST Employment services
- Rural Flying Doctors Service - Walk this Way
- Essential Energy – staff meeting and training
- Statecover Regional Workshop
- Regional Drought Planning Workshop
- Barnardos Mini Meez Playgroup and Mums and Bubs sessions
- AECG - LALC meeting
- Department of Children Justice - meeting and foster care information nights
- Nyngan RSL sub-Branch - meeting
- Nyngan High School - end of term attendance awards, sports excursions, health and wellbeing class sessions
- Transport for NSW – Bogan Shire Council Forum
- Numerous bookings have also been placed as a 'wet weather' back up location for community events.

Grant Funded Activities

Office for Regional Youth Summer Holiday Break Program:

- The Inflatable Waterslide event at the Centre was cut short due to wet weather. Despite this, the kids enjoyed playing touch football in the rain and preparing hot food for lunch.
- The Outdoor Movie at the pool attracted around 45 youth and 28 community members. The event offered free entry for youth and featured canteen catering.

- Kapata Dreaming held cultural workshop sessions over two days sessions for the youth. Alongside cultural education, the youth had the opportunity to express their artistic selves, resulting in a beautiful collaborative canvas artwork. The youth are now in discussion of how they would like this artwork to be displayed within the Centre.
- Two 'paint and snack' sessions were held, each with 12 youth in attendance, featuring guided painting along with snacks and drinks. These sessions fostered wonderful peer engagement, allowing the youth to enjoy creative activities and learn to laugh at themselves with support and encouragement from their friends.



Office for Regional Youth Autumn Holiday Break Program:

- The FMX stunt show, featuring daredevil motorbike stunts and a meet and greet, was well-received by both the youth and their families. The event attracted an estimated crowd of 84 attendees.
- The Youth Disco featured DJ services and catering, allowing the youth to enjoy disco lights and music. The event also included a Youth Week-funded photobooth, which was well-received, the youth were able to take home printed photos to memorialise their fun day with their peers.

NSW Youth Week 2024:

After consulting youth via a survey distributed to Nyngan High School students, staff were able to offer targeted activities for this year's Youth Week. The Youth Week funding was matched dollar for dollar by Council, provided a photobooth for the Youth Disco (funded by Office for Regional Youth). The main event, the Glow Roller Disco, featured a variety of illuminated roller blades for the youth. They learned skating techniques and played games to encourage new tricks. The youth were very enthusiastic about having this as a recurring school holiday activity.

STORMCo

For their annual visit in April, STORMCo brought along 45 young people from the Sydney region, along with 10 adults. They stayed in the BSYCC and made use of the kitchen and bathroom facilities. They ran a Kids' Club from Monday to Thursday at O'Reilly Park, using the Centre as their central hub. Additionally, they engaged with Bogan Shire youth by helping to run youth programs during drop-in sessions throughout the week.

Contracted Youth Facilitator

James Tuitahi has been continuing his work as a youth program facilitator for the Centre. James has built a positive rapport with the youth attending the Centre. His programs focus on well-being, self-care, and mental and physical improvements, along with teaching life skills.

Activities and programs James has facilitated during the reporting period follows:

- Bootcamp and fitness sessions: 15 sessions
- Basketball sessions/competitions: 17 sessions
- Touch football: 4 sessions
- Ping pong competitions: 4 sessions
- Volleyball: 8 sessions
- Wellness workshops and cooking: 9 sessions
- Rugby league clinic sessions starting in June 2024

Community Events

The Centre also hosted a range of events for the community, including:

- Family colour fun run held in January with 75 participants. The event was organised and run by community organisations and Council.
- National Simultaneous Storytime was held by the Bogan Shire Library with Nyngan Public School, St Joseph's Catholic School, Nyngan Preschool, the Bogan Shire Early Learning Centre and the public in attendance. The group read this year's book 'Bowerbird Blue' by Aura Parker and enjoyed doing craft related to the book.

3. Attachments

Nil

4. Recommendation

That the operational report for the Bogan Shire Youth and Community Centre be received and noted.

11.3 OUTBACK ARTS MEMBERSHIP

1. Introduction

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

2. Background

Since March 2019, Council has resolved each year to continue its membership of Outback Arts to enable the Bogan Shire community to participate in the Regional Arts Development Program. Membership fees (incl. GST) paid last year were \$12,871.24.

Over the years Bogan Shire residents have had access to a number of projects, programs and workshops with cultural, arts and crafts opportunities. In addition to this, local artists have been able to apply for Regional Arts NSW Country Arts Support Program (CASP) funding. Support, advice and advocacy has also been provided to local artists as well as professional development opportunities and networking and marketing services.

3. Discussion

Council has recently been approached by Outback Arts for Council to continue its membership for 2024/2025 at a cost of \$13,398.96 incl. GST.

A copy of the Outback Arts 2023 Annual Report will be provided to Councillors at the Council meeting. A 2023 Summary for Bogan Shire, including financial summary of return on investment has been included as an attachment to this report.

4. Attachments

1. 2023 Summary Bogan Shire
2. AGM Meeting Minutes 2024

5. Recommendation

That Council continues its ongoing membership of Outback Arts and the Regional Arts Development Program.

OUTBACK ARTS

community » culture » connection

Phone: 02 6822 2484
 Email: admin@outbackarts.com.au
 26 Castlereagh Street,
 PO Box 28 Coonamble, NSW 2829

OUTBACKARTS.COM.AU

A BIT ABOUT US//

OUTBACK ARTS INC

Outback Arts is one of 15 Regional Arts Development Organisations in NSW servicing the seven contributing local government areas of Bourke, Brewarrina, Bogan, Cobar, Coonamble, Walgett and Warren. The regions covers an area of 163,886kms square and has a population of 26,400.

Outback Arts supports and promotes arts and culture in the Far West by working across a broad range of regional community arts development programs and initiatives. Outback Arts directly assist artists, individuals, community groups and local government in the development of arts and cultural activities, supporting communities and sectors that have limited access to arts and culture.

CAPACITY BUILDING //

RESOURCES & SUPPORT

Throughout 23/24 Outback Arts have provided their core services and resources to individuals and groups in the Bogan Shire Council, this includes accessing and supporting funding opportunities, monthly enews, exhibition and competition opportunities, creative industries training and professional development networking.

Highlight programs and staff support has been given to the In Our Hands Curators program featuring Veneta Dutton, Creative Country Tourism website development and the creation of a second Bogan based Living Arts and Culture Film titled NGURRA NGIYALI and the touring performance Life Drawing with a Comedian in March 2024.

BOGAN COUNCIL 23/24 HIGHLIGHTS



PROJECTS //

COUNTRY ARTS SUPPORT PROGRAM



Outback Arts was very pleased with the 2023 and 2024 CASP funding allocations. \$17,000 is awarded each year to projects within the Outback Arts region to support community arts and cultural development. This funding is paired with hands on support provided by Outback Arts.

In 2023 Bogan Shire residents were successful with:

Nyngan based creative Madeline Hodgetts was granted **\$3,000** for the continuation of Wangaaypuwan Wagagirri; Nyngan Wagagirri is a Cultural dance and language group, taking place weekly. All families and children are invited to participate in the group. The group will consist of traditional dances lessons followed by Language lessons and other Cultural activities.

Marra Creek Trustees; A series of small arts events and workshops to bring the community together after Covid. Being an extremely isolated community we are finding it hard to revitalize the community spirit post covid and would love to run a series of subsidized events to kick start us!
Funded: **\$2,400**

Mrs Lynette Quinton; The Beginnings of Nyngan; We would like to do a mural on plywood depicting the building from the past associated with Nyngan. I have numerous photos and also the local museum has a big collection for reference. Funded: **\$2,100**

2024 Successful applications have recently been announced:

Wangaaypuwan Wagagirri Maddy Hodgetts Cultural Dance Group **\$3,000**
Lynette Quinton Art on the Bogan Plein Air workshops **\$1,200**



OUTBACK ARTS BOGAN SHIRE HIGHLIGHTS 23 - 24



creative PROJECTS // Country

CREATIVE COUNTRY - CULTURAL TOURISM DEVELOPMENT

150 LOCATIONS LISTED

Creative Country, is where the land opens up, the spaces are bigger, and inevitably the people and the culture reflect the scale of this landscape. This expanse is where ideas have space to grow and where art fills the space diversely and authentically.

Creative Country is the perfect tool to gather this information together. For the first time, locals and travellers to the region will be able to pinpoint creative places, meet the makers, learn the story behind pieces of public art, connect to Aboriginal experiences, get the low down on local museums, find festivals, events, and fun things to do with the family.

Encompassing over 163,000 kilometres and seven local government areas including Bourke, Brewarrina, Bogan (Nyngan), Cobar, Coonamble, Walgett and Warren, and all the towns in between, Creative Country will collate more than 150 galleries, experiences, public art and events in one handy location.

Travellers exploring this expansive region and visiting places like Lightning Ridge or Brewarrina can use Creative Country to make sure they don't miss out on any of the exceptional experiences during their trip.

Creative Country is an initiative of Outback Arts, funded by Regional Arts Australia and Create NSW Restart. Produced by Outback Arts Executive Director Jamie-Lea Trindall with project collaborators; Signal Creative, Luca Rose Designs, Harriet Gilmore PR, Gidgee Media.

Launching through online media, Creative Country will focus on the Outback Arts region with plans to extend into the neighbouring regions of West Darling and Arts North West resulting in a map from Tenterfield to Broken Hill.

www.creativecountrysw.com received over 1000 hits in the first week!

Printed collateral has been circulated to all Information Centres and relevant tourism sites.



OUTBACK ARTS BOGAN COUNCIL HIGHLIGHTS 23-24

PROJECTS //

LIVING ARTS + CULTURE
30 ARTISTS
10 FILMS

Recording and sharing the rich cultural landscape of outback New South Wales. Celebrating Aboriginal artists and knowledge holders and their contribution to our communities. Living arts and culture holds strength in the honesty and depth of stories from many different nations and language groups in the Outback Arts region of Bourke, Brewarrina, Bogan, Cobar, Coonamble, Walgett and Warren Local Government Areas.

Collectively we have launched:

- A mini series of 10 films; 'Our Stories', from across the seven Local Government Areas of Bourke, Brewarrina, Bogan, Walgett, Warren, Cobar and Coonamble. The project engaged a videographer to work with the artists to create a short film, unique to each of the artists and locations. The films draw on three key themes - "Landscape, Culture, and Art".
- A soft cover professional publication that is circulated in all regional Libraries, Schools, Archives and available to purchase in person and online.
- A website dedicated to recording and archiving the Living Arts + Culture resources.

Outback Outloud, Podcast 2023
300 INTERVIEWS
4000+ LISTENERS

Outback Outloud is a community podcast and oral history recording project by Outback Arts, delivered in partnership with Signal Creative. The major outcome of Outback Outloud is a fully developed podcast series available on all major listening platforms as well as a private community archive. All community members were encouraged to come along and record their stories which resulted in a tremendous response. Over 150 hours of recordings were made, across the Warren, Nyngan and Coonamble shires, interviewing community members from all walks of life as they shared the best untold stories and yarns from their communities and their life.

Free community workshops were also delivered where participants learnt valuable interviewing techniques and how to use their smartphones to record audio. This training will enable people to collect stories from their families, friends and community members in the future for their own oral history records.

You can join the over 4,000 other listeners of the second series of Outback Outloud produced last year here featuring Nyngan, Warren and Coonamble, on whichever platform you usually access your podcasts.

Listen today!
The Village Edition recording OCT 2024



PROJECTS //

PLAZA THEATRE - INVESTMENT

During 2023 Outback Arts was presented with the opportunity to invest in a performing arts / community space. The Plaza boasts second story tiered seating, raised stage, large timber floor function space and a living area that acts as green room for staging.

Excitingly the Outback Arts Board have agreed to invest in the property and seek grant funding to refurbish and activate the Plaza as a regional attraction and community space that will attract live theatre touring shows to the region and provide alternative income streams through event and activity space hire. The project aims to purchase, restore and activate the iconic Plaza Theatre in Coonamble, transforming it into a thriving cultural hub that enriches the community and the region. This initiative is driven by Outback Arts, a passionate advocate for arts and culture in the region and is poised to rejuvenate the Plaza Theatre into a vibrant center for creativity, community engagement and economic growth. Other organisations and families at this very early stage have pledged funds and a fundraising campaign is also proposed.

Key Project Components:

1. Purchase and Acquisition
2. Restoration and Refurbishment
3. Activation and Community Engagement



MUSIC NSW - REGIONAL COORDINATOR

Music NSW has partnered with Outback Arts and the RADO network to establish 5 positions of Regional NSW Music Officers, each covering a dedicated 3 RADO footprint. See pictured the footprint of Outback Arts with West Darling Arts and Arts Outwest. Sophie Jones is currently working with our team to collect the data of Musicians in the region and live music venues to support an increase in live music in 2024 and beyond.



LIFE DRAWING WITH A COMEDIAN - TOUR 7 LOCATIONS

230 PARTICIPANTS

Comedian Sean Michaels toured all 7 locations combining the traditional Life Drawing skills with comedic elements providing an interactive live performance. A unique and entertaining way to bring people together, joining both art and comedy is a fabulous way of developing audience in regional and remote communities while supporting local establishments and community groups.

NERIDA CUDDY - STRENGTH OF STORIES

Singer Songwriter and Story teller Nerida Cuddy toured 3 locations during March 2024 in the Outback including; Back O Bourke Gallery, The Marra Hall and Coonamble Plaza. This was a special tour of live performances, celebrating the release of Nerida's 5th Album Woven a collection of Australia based story songs.

PARTNERSHIPS //

IN OUR HANDS, ABORIGINAL CURATOR DEVELOPMENT PROGRAM

11 ARTISTS

10 PARTNERSHIPS

350 AUDIENCE REACH

Arts North West and Outback Arts participants from our program headed to Sydney in March; visiting the Art Gallery of NSW to meet with Wiradyuri and Kamilaroi artist, the world famous Jonathan Jones and Art Gallery of NSW's Senior Curator of Aboriginal and Torres Strait Islander Art Cara Pinchbeck, who designed a tour of contemporary First Nations art focusing on designing a powerful narrative through the composition of space.

Then spending 2 days at The Australia Museum where staff shared information and knowledge about preservation, collections and restoration, curating collections with artefacts, maintaining knowledge and voice within institutions and shared the process of developing their latest exhibition 'Meet Barka: The Forgotten River' a First Nations exhibition developed by Uncle Badger Bates and Justine Muller with the Barkandji community as well as the installation process and thematics behind 'Bayala Nura: Yarning Country' and the learning centre of 'Burra'.

Participants went on to demonstrate their newly developed skills in Curatorial practice through devising a large exhibition held during July/August 2023 at Outback Arts.



OUTBACK ARTS EXECUTIVE DIRECTOR, CREATE NSW ARTFORM BOARD CHAIR

In September 2023, Jamie-Lea was personally invited by the Minister for the Arts Hon Ben Franklin, to take on the Chairperson role, representing the Aboriginal Arts & Culture Board she has been a part of for the past three years. This invitation saw Jamie-Lea taking over from internationally acclaimed playwright and artistic director Mr Wesley Enoch AM.

This quarter Jamie-Lea attended meetings in Sydney to assess the most recent round of applications. Advocating for regional applications is a rare opportunity at this level. As part of her new Chairperson role, Jamie-Lea represented the Aboriginal Arts & Culture Board in a meeting with the newly appointed Arts Minister, The Hon John Graham MLC, along with representatives from the nine other artform-specific boards that include; John Oddy Contemporary Music, Karen Moses FAICD Dance & Physical Theatre, Jennifer Byrne Literature, Kim McKay AO Museums & History, Simon Mordant AM Visual Arts and more.



OUTBACK ARTS INCORPORATED
ANNUAL GENERAL MEETING - MINUTES

Outback Arts Creative Arts Centre ZOOM online meeting,
16th April 2024, 10:10 am

WELCOME: Meeting was opened, and attendees were welcomed by Jamie-Lea Trindall, acknowledging the Traditional Owners of the land on which we meet across the Outback Arts region.

ATTENDANCE:

Catherine Goldsmith, Barbara Deans, Greg Deacon, Trish Frail, Kylie Harvey, Jessica Murray
Staff: Jamie-Lea Trindall, Brailey Lambe

Apologies: Ros Jackson, Lillian Simpson, Jane Keir, Donna Jefferies

Motion: that the attendance and apologies be accepted.

Moved: Catherine Goldsmith

Seconded: Barbara Deans

1. MINUTES OF LAST AGM HELD ON 3rd April 2023

Minutes of the last Annual General Meeting held on 3rd April 2023 were circulated to all members.

Motion: That the minutes of the Annual General Meeting of 3rd April 2023 be accepted.

Moved: Catherine Goldsmith

Seconded: Barbara Deans

CARRIED

2. CHAIRPERSON REPORT –

Presented by Kylie Harvey – as per attached Annual Report. Kylie acknowledge the LGAs support of Board members and their efforts to attend meetings. This is imperative and critical to the organisation to have our Board members attendance and engagement. Kylie would also like to acknowledge the staff efforts and the departure of both Rainy and Ange at the end of the year. Kylie would also like to make note of the service Jamie-lea has made during her career and the opportunities we have been afforded during her role as Executive Director.

Motion: Chair report be accepted.

Moved: Barbara Deans

Seconded: Greg Deacon

CARRIED

3. FINANCIAL REPORT

3.1 TREASURERS REPORT – Ros Jackson

Notes:

One notable achievement was the purchase of the Plaza Theatre, a project that commenced in 2023, but didn't settle until February 2024 (ie: not a part of the 2023 Financial Statement, but worth noting).

This year Outback Arts implemented a Stock Take Policy for the Gallery, which has been a success.

The Auditor had some general recommendations around how OA can continually improve its management of inventory / stock taking and the process of capitalising, depreciating asset purchases, as well as some minor adjustments regarding how OA accounts for some items in MYOB. Otherwise, there is nothing significant to report.

Motion: that the Treasurer's report be accepted.

Moved: Catherine Goldsmith

Seconded: Kylie Harvey

CARRIED

3.2 Auditors report

Notes: as per treasurers' response to the Auditors recommendation above.

Motion: that the 2023 Auditor's report be accepted.

Moved: Kylie Harvey

Seconded: Greg Deacon

CARRIED

4. ELECTION OF THE BOARD OF OUTBACK ARTS FOR 2024

(Jamie-Lea Trindall chaired the election)

4.1 Confirmation of Nomination for Council Representatives

- Outback Arts Inc constitution rule 27.1 regarding the appointment of local government representatives as follows: "Each Council contributing financially to the organisation has the option to appoint one delegate directly to the board".
- According to the Outback Arts Inc. Constitution rule 27.6 each member elected to the board will, subject to these rules, hold office until the conclusion of the annual general meeting one year following the date of the member's election or co-option but is eligible for re-election or re-co-option provided the member has not held that position for more than two consecutive terms.
- According to the constitution Council Board delegates are exempt from written nomination forms and hold their nomination to their board unless otherwise noted,

due to this clause the representatives of each local government area within the Outback Arts region are:

Bourke Shire Council – Jessica Murray
Bogan Shire Council – Greg Deacon, alternate
Brewarrina Shire Council – Trish Frail
Cobar Shire Council – Lillian Simpson,
Coonamble Shire Council – Barbara Deans, alternate Brian Sommerville
Walgett Shire Council – Jane Keir
Warren Shire Council – Ros Jackson, alternate Katrina Walker

4.2 Nomination for Community Representative Members

The ED confirmed that there are three delegate positions available for community organisations or independent members on the Outback Arts Board. There have been three nominations received.

1. Kylie Harvey
2. Catherine Goldsmith
3. Donna Jefferies

Motion: That Kylie Harvey, Catherine Goldsmith and Donna Jefferies be elected as Community Representative Members.

Moved: Barbara Deans

Seconded: Greg Deacon

CARRIED

5. Vote for

All positions were open for nominations.

Chairperson

Nomination received: Kylie Harvey

Motion: That Kylie Harvey, as the only nominee, is elected to the position of Chair for 2024.

Moved: Catherine Goldsmith

Seconded: Barbara Deans

CARRIED

Vice-Chairperson

Nominations received: Catherine Goldsmith

Motion: That Catherine Goldsmith, as the only nominee, is elected to the position of Vice-Chair for 2024.

Moved: Barbara Deans

Seconded: Trish Frail

CARRIED

Treasurer

Nomination received: Ros Jackson

Motion: That Ros Jackson, as the only nominee, be appointed as Treasurer of Outback Arts for 2024.

Moved: Barbara Deans

Seconded: Greg Deacon

CARRIED

Appointment of the Auditor for 2024 financial year being 1 January 2024 to 31 December 2024

Motion: That the appointed auditor for the 2024 financial period be Thomas McCarthy.

Moved: Catherine Goldsmith

Seconded: Greg Deacon

CARRIED

Appointment of the 2024 Public Fund Sub Committee

Public Fund (Sub Committee to the Board)

The Fund will be administered by a management committee or a subcommittee of the management, a majority of who, because of their tenure of some public office or their professional standing, have an underlying community responsibility, as distinct from obligations solely in regard to the cultural objectives of Outback Arts Inc.

Motion: That the 2024 Public Fund Committee members are Kylie Harvey, Jamie-Lea Trindall, Ros Jackson and Catherine Goldsmith

Moved: Greg Deacon

Seconded: Catherine Goldsmith

CARRIED

Appointment of the 2024 signatories

Motion: That Barbara Deans be removed as signatory on all Outback Arts accounts. Kylie Harvey, Jamie-Lea Trindall, Ros Jackson and Catherine Goldsmith to be signatories of all Outback Arts accounts and Greg Vaughn as bookkeeper including online banking access with the removal of Barbara Deans.

Moved: Barbara Deans

Second: Trish Frail

CARRIED

Appointment of the 2025 CASP board representatives

Motion: That Jessica Murray and Trish Frail are the 2024 CASP Board representatives.

Moved: Catherine Goldsmith

Second: Barbara Deans

CARRIED

Appointment of the Constitutional Sub Committee

Motion: That Kylie Harvey and Ros Jackson are the Constitutional Sub Committee members.

Moved: Catherine Goldsmith

Second: Kylie Harvey

CARRIED

Date for the next Annual General Meeting to be held 25th March 2025

Meeting closed at 11.12 am CLOSE

11.4 TEMPORARY SUSPENSION OF ALCOHOL-FREE ZONE – BIG BOGAN STREET FESTIVAL

1. Introduction

The purpose of this report is to seek the temporary suspension of the Alcohol-Free Zone in Pangee Street, Nyngan, for The Big Bogan Street Festival, scheduled for Saturday, September 28, 2024.

2. Background

At its meeting held on 23 April 2024, Council resolved (066/24) to endorse the General Manager's acceptance of grant funding under the Open Streets Program for the hosting of the Big Bogan Street Festival, which will be held on Saturday 28 September 2024.

3. Discussion

Alcohol-Free Zones are created to help keep public spaces and streets safe. Consequently, Council management have met with the Nyngan Police, who have indicated that the following risk mitigation measures be implemented:

- The sale of mid-strength alcoholic beverages, as opposed to full strength,
- An enclosed and fenced off area for the event is in place,
- Ample security is provided, including at entry points to complete ID and bag checks to ensure no BYO alcohol,
- Bar service staff have RSA qualifications,
- Alcohol sales cease at a reasonable time,
- Shuttle buses be provided to safely ferry attendees home or to their accommodations,
- Inclusion of at least one RSA Marshall to:
 - Monitor responsible service of alcohol practices by staff,
 - Engage with staff and attendees to encourage responsible attitudes and practices in relation to the promotion, sale, supply, service and consumption of liquor,
 - Monitor alcohol consumption and attendee behaviour for signs of irresponsible, rapid or excessive consumption of alcohol and for signs of intoxication, and
 - Intervene at an early stage to assist in preventing intoxication and anti-social behaviour.

Council staff will be rostered to work on the day and will maintain regular communication with NSW Police and Ambulance NSW regarding event proceedings, details and risk management.

For the temporary suspension or cancellation of an Alcohol-Free Zone, *Section 645* of the *Local Government Act 1993* sets out the procedure which states the following:

Suspension or cancellation

1. *The Council may, at the request of any person or body or of its own motion, suspend the operation of an alcohol free zone by publishing notice of the suspension in a manner that the Council is satisfied is likely to bring the notice to the attention of members of the public in the area as a whole or in a part of the area that includes the zone concerned.*
2. *During the period indicated in such a notice as the period of suspension, the zone does not operate as an alcohol free zone.*
3. *In like manner the Council may at any time cancel the operation of an alcohol-free zone.*

4. Attachments

1. Proposed Site Plan

5. Recommendation

That:

1. Council temporarily suspend the operation of the Alcohol-Free Zone area as marked in Attachment 1 on 28 September 2024.
2. A notice to be published and advertised to the community that Council has approved the temporary suspension of the Alcohol-Free Zone for the area marked in Attachment 1.



- | | | | |
|---|------------------------------|------------------|---------------------------|
| Street closure | Live music stage | Priority parking | Emergency vehicle parking |
| Table, seats, marquee tent | Bar area | Access point | First Aid station |
| Vendor/market stalls (space for main street stores to open) | Kids activities, games, etc. | | |

11.5 NSW GOVERNMENT'S HOLIDAY BREAK PROGRAM

1. Introduction

The purpose of this report is to notify Council of changes to the NSW Government's Holiday Break program and to recommend that Council makes representation to the relevant Minister(s) and State Member outlining concerns.

2. Background

The NSW Government's Holiday Break program provides young people in regional NSW with the opportunity to enjoy a range of free activities to connect, socialise, learn new skills and have fun during the school holidays.

Regional NSW Councils and not-for-profit organisations are eligible to apply for funding to provide social and recreational activities for young people.

The NSW Government's Holiday Break program saw changes to the application process for the Summer 2023/Autumn 2024 and Winter/Spring Holiday Break 2024 programs. They are now delivered in a new streamlined half-yearly model, with Summer and Autumn, and Winter and Spring being grouped together.

One application per organisation is permitted per funding round and applications opened on 26 February 2024 and closed on 22 March 2024 for Winter and Spring 2024.

3. Discussion

Council depends on the Holiday Break Program grant funding to support our youth's needs. Our young people deserve to thrive and develop like their city and regionally-based peers, through being able to regularly participate in recreational and social activities – which is of course the program's main objective.

We have been successful in receiving grant funding since January 2022 through the Holiday Break program to run school holiday activities for our youth. It has been a very welcome and much needed source of funding to enable Council to deliver and provide meaningful and inclusive activities and events, enabling our youth opportunities for social connection with their peers.

Below is a summary of our successful applications and activities that have been run:

Holiday Period	Activity	# Participants
Summer Break 2022	Paddling the Bogan River	42
Winter Break 2022	Sporting and Recreational Equipment and BSYCC Open Day	80
Autumn Break 2022	Creative Workshops	85
Spring Break 2022	IT Equipment for BSYCC and 3D Workshop	3
Summer Break 2023	Paddling the Bogan River	38
Winter Break 2023	Laser Tag and Resin Workshop	87
Spring Break 2023	Youth Spring Carnival	45
Summer Break 2024	Movie Night and Christmas Craft	144
Autumn Break 2024	FMX Show and Youth Disco	85

Council applied for funding under the Winter and Spring holiday breaks 2024 round in March. Council was notified by the Office for Regional Youth in early May of an unsuccessful outcome.

Staff requested feedback as to why the application had been unsuccessful and received a reply from a member of the Strategy, Programs & Partnerships Team stating that our *“Winter/Spring project was unsuccessful as the maximum funding allocation was reached for that holiday period. Applications were assessed in order of which they were received (otherwise known as a ‘first in, first served’) basis, with funding allocated to eligible applications which deliver projects to these priority groups first.”*

In previous rounds of the Holiday Break Program grant funding, applications were submitted for each seasonal holiday period separately. This allowed for ample meaningful consultation to take place between staff and youth to identify desired activities, source providers and submit the application in a timely manner.

It is suggested that Council seeks clarification as to whether this grouping approach will continue in future grant cycles.

The current grant application process which requires applicants to submit two applications for two holiday breaks at once, is particularly unfair on smaller Councils like ours and should be we unsuccessful in one round, like we have just been, this means our youth miss out on funding for both breaks, equating to nine months without meaningful activities since the Autumn activities were held.

If this is in fact the case, it is likely that our youth will be greatly disadvantaged.

Our youth experience more barriers to participation than others. Ours youth are isolated, have far fewer services available to them locally, have less access to service providers and events. Our priority groups include Aboriginal young people, LGBTIQ+ young people, young people living with a disability and young people experiencing socio-economic disadvantage. Aside from the issues related to joint Summer/Autumn grant applications, the concept of first in first served disadvantages small remote Councils like ours.

Whilst the application form as such is not onerous and does not require a lot of time to complete, the process of consultation with youth to determine needs and interests and then aligning these with providers willing to travel to remote NSW can be very time consuming. In bigger Councils that have teams of staff involved in youth and community functions, this process is more manageable than in smaller Councils like ours who only have one or two staff with other responsibilities attached to their roles.

Our applications have been made within the application period, however the first in first served policy results in applications from bigger, better resources Councils being considered before ours and consuming the available grant funds before ours can be considered. Successful applicants for the recent Summer 2023/Autumn 2024 Holiday Break Program include Central Coast (pop. 350,000), Lake Macquarie (pop. 213,000), Tweed (pop. 98,000), and Mid-Coast (pop. 93,000) for example.

Whilst it is appreciated that there is a need for reviews of grant funding from time to time and improvements being implemented to the application process through 'streamlining', this does not bode well for smaller, under-resourced Councils like ours.

The NSW Government's statement that "*Young people are essential for a vibrant regional NSW but often lack free opportunities for social connection with their peers*" resonates with our Council and community as a whole, and we are very disappointed to have missed out on this round of funding purely because we were "beaten to the punch" by many larger, regional and city Councils whose youth have far more opportunities for social connection right on their doorstep which doesn't require dipping into NSW Government grant funding like this program.

4. Attachments Nil

5. Recommendation

That Council write to the Minister for Youth, Minister for Regional New South Wales and Western New South Wales, and Member for Barwon:

- Explaining the impacts on small communities of the changes in the Holiday Break program funding,
- Providing solutions on how the Department of Regional NSW, could better group LGAs based on population/size,
- Suggesting the option of single holiday break applications for smaller LGAs, and
- Requesting applications to be determined based on merit rather than on a first in first approved basis until funding has been exhausted.

12 FINANCE AND CORPORATE SERVICES REPORTS

12.1 INVESTMENTS MAY 2024

1. Introduction

The purpose of this report is to outline the performance of Council's investment portfolio for the month of May 2024.

2. Background

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

3. Discussion

The Investment Report for April 2024 is shown below. At the 31st May 2024 Council had \$29.7 million invested. There has been a decrease of \$600,000 due to expenditure of current year grants.

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

Investment Movements for May 2024

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

REF	Source	Taken Up	Maturity	% rate	Bal April 24	Bal May 24
42-150-6894	NAB - Professional Funds	4/05/2016	At Call	4.350%	15,555,058.07	12,935,552.73
88-392-4994	NAB	30/05/2023	29/05/2024	4.900%	2,000,000.00	
11271016	Westpac	15/12/2023	16/12/2024	5.150%	6,000,000.00	6,000,000.00
87-912-8864	NAB	22/02/2024	21/02/2025	5.080%	2,000,000.00	2,000,000.00
43-308-2777	NAB	22/05/2023	21/05/2024	4.900%	2,800,000.00	
41-459-6828	NAB	22/02/2024	21/02/2025	5.080%	2,000,000.00	2,000,000.00
76-111-0458	NAB	9/05/2024	9/05/2025	5.250%	0.00	2,800,000.00
76-135-1489	NAB	9/05/2024	9/05/2025	5.250%	0.00	2,000,000.00
88-392-4994	NAB	29/05/2024	29/05/2025	5.200%	0.00	2,000,000.00
	Balance securities held				30,355,058.07	29,735,552.73
	Balance Ledger 19010.8200.8200				30,355,058.07	29,735,552.73
	Summary by institution					
	WESTPAC				6,000,000.00	6,000,000.00
	NAB				24,355,058.07	23,735,552.73
	COMMONWEALTH				0.00	0.00
					30,355,058.07	29,735,552.73

4. Attachments

Nil

5. Recommendation

That this report be received and noted.

12.2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

1. Introduction

The purpose of this report is to provide a comparison of rate collections as at 31st May 2024, with the same period last year.

2. Background

This report is provided for the information of Councillors

3. Discussion

Rate Collections	2023-2024	2022-2023
Arrears Prior to 01/07/2023	281,540	427,057
First Instalment in arrears as at 31/05/2024	-68,711	-40,810
Second Instalment in arrears as at 31/05/2024	48,605	48,876
Third Instalment in arrears as at 31/05/2024	223,686	68,020
Fourth Instalment Outstanding as at 31/05/2024	407,259	292,223
Total Arrears	485,120	503,143
Total Outstanding	892,379	895,366
Monthly Transactions		
Amount Levied & B/Fwd	6,259,458	6,045,433
Add: Adjustments	88,475	46,040
Less: Payments to end of April	-5,380,849	-5,113,867
Less: Rebates	-74,705	-82,240
Add: Postponed	0	0
Gross Total Balance	892,379	895,366
Arrears of total amount levied %	7.7%	8.3%

Total arrears have decreased from \$503,143 at the 30th April 2023 to \$485,120 as at 30th April this year.

Each instalment amounts to approximately \$1,565,000 (Total Rates, Waste, Water & Sewer Access Charges)

The first instalment shows it is in credit due to payments made in advance by some ratepayers however there would be ratepayers that owe money on their first instalment therefore this is not indicative of the amount owed.

Council has 3.1% in arrears on the second instalment.

Council has 14% in arrears on the third instalment.

Council has 26% in arrears on the fourth instalment.

As at 31 May 2024 Council had collected \$266,982 more than at the same time last year. At the time of writing this report council has collected an additional \$289,991 reducing the arrears overall to \$318,367 and the arrears of total amount levied to 5%.

4. Attachments

Nil

5. Recommendation

That Council receive and note the Rate and Annual Charges collection report.

12.3 ADOPTION OF THE 2024/2025 OPERATIONAL PLAN AND BUDGET

1. Introduction

The purpose of this report is to present the draft 2024/2025 Operational Plan and Budget for adoption by Council.

2. Background

The legislative requirements for Council's Operational Plan and Budget are set out in Section 405 of the Local Government Act and may be summarised as follows:

- Council must have an operational plan in place, adopted before the beginning of each financial year, outlining the activities to be undertaken by Council during that year, as part of the delivery program.
- The operational plan must include a statement of Council's Revenue Policy for the year covered by the operational plan.
- Council must prepare a draft operational plan and give public notice of the draft indicating that submissions may be made to the council at any time during the period (not less than 28 days) that the draft is to be on public exhibition. The council must publicly exhibit the draft operational plan in accordance with the notice.

In deciding on the final operational plan to be adopted, Council must consider any submissions that have been made concerning the draft plan.

3. Discussion

Council approved the draft 2024/2025 Operational Plan and Budget for public exhibition at an Extraordinary Meeting on 16 May 2024. The exhibition period closed on 13 June 2024.

Public Submissions

At the time of writing, no public submissions relating the Operational Plan and Budget have been received.

Current Year Surplus

Council's draft budget indicated a 2024/2025 surplus of \$6,766 in the General Fund which is made up of \$3,396 in the General Fund and \$3,370 restricted to the Waste Fund.

4. Attachments

Nil

5. Recommendation

That the 2024/2025 Draft Operational Plan and Budget be adopted.

12.4 MAKING OF RATES AND CHARGES FOR 2024/2025

1. Introduction

Following Council's compliance with sections 404,405 and 406 relating to the public display of the draft Operational Plan for 2024/2025 financial year, Council must now make the following rates and charges for the 2024/2025 financial year in accordance with sections 494,533,534,535 and 543 of the Local Government Act, 1993

2. Background

Proposed Rates and Charges for 2024/2025 were included in the Draft Operational Plan and Budget approved by Council at its extraordinary meeting on 16th May 2024. The Draft Operational Plan was on public display and advertised from 23rd May – 13th June 2024.

Rates and Charges are the primary source of revenue for Council. Such revenue is critical for funding operational expenditure used for service delivery to the community in addition to the funding of the maintenance and renewal of Council's Infrastructure assets.

The Local Government Act requires that the Rates and Charges be made by Resolution of Council, after adoption of the Draft Operational Plan, pursuant to Sections 534 and 535 of the Local Government Act 1993.

3. Discussion

Making of Rates and Charges

1. General Rates

Farmland Rate

Farmland rate (to apply to all land categorised as Farmland within Bogan Shire Council) of 0.0021858 cents in dollar having a minimum rate of \$297.00 applied to Land Value of \$ 923,229,130.00, yielding a total income of approximately \$2,027,678.00 in compliance with Council's allowable Notional Income.

Residential Urban Rate

Residential Rate (to apply to all land sub - categorised as Residential Nyngan within Bogan Shire Council) of 0.0066738 cents in the dollar having a minimum rate of \$309.00, applied to Land Value of \$29,154,828.00, yielding a total income of approximately \$331,419.00 in compliance with Council's allowable Notional Income.

Residential Rural

Residential Rural Rate (to apply to all land sub - categorised as Residential Rural within Bogan Shire Council) of 0.0031887 cents in the dollar having a minimum rate of \$186.00, applied to Land Value of \$3,354,300.00, yielding a total income of approximately \$10,703.00 in compliance with Council's allowable Notional Income.

Residential

Residential Rate (to apply to all land sub - categorised as Residential within Bogan Shire Council) of 0.0061132 cents in the dollar having a minimum rate of \$186.00, applied to Land Value of \$793,300.00, yielding a total income of approximately \$5,211.00 in compliance with Council's allowable Notional Income.

Residential – Small Villages - Hermidale

Residential – Small Villages Rate (to apply to all land sub - categorised as Residential – Small Villages - Hermidale) of 0.0058380 cents in the dollar having a minimum rate of \$188.00, applied to Land Value of \$256,600.00, yielding a total income of approximately \$8,653.00 in compliance with Council's allowable Notional Income.

Residential – Small Villages – Girilambone

Residential – Small Villages Rate (to apply to all land sub - categorised as Residential – Small Villages - Girilambone) of 0.0050438 cents in the dollar having a minimum rate of \$188.00, applied to Land Value of \$191,850.00, yielding a total income of approximately \$10,157.00 in compliance with Council's allowable Notional Income.

Residential – Small – Villages – Coolabah

Residential – Small Villages Rate (to apply to all land sub - categorised as Residential – Small Villages - Coolabah within Bogan Shire Council) of 0.0080618 cents in the dollar having a minimum rate of \$188.00, applied to Land Value of \$60,433.00, yielding a total income of approximately \$5,079.00 in compliance with Council's allowable Notional Income.

Business

Business Rate (to apply to all land categorised as Business within Bogan Shire Council) of 0.0055773 cents in the dollar having a minimum rate of \$346.00, applied to Land Value of \$3,767,330.00, yielding a total income of approximately \$30,135.00 in compliance with Council's allowable Notional Income.

Business - Nyngan

Business Nyngan Rate (to apply to all land sub - categorised as Business Urban within Bogan Shire Council) of 0.0422465 cents in the dollar having a minimum rate of \$346.00, applied to Land Value of \$5,998,132.00, yielding a total income of \$255,583.00 in compliance with Council's allowable Notional Income.

Business – Villages – Hermidale

Business Hermidale Rate (to apply to all land sub - categorised as Business Village – Hermidale within Bogan Shire Council) of 0.0095674 cents in the dollar having a minimum rate of \$192.00, applied to Land Value of \$ 50,400.00, yielding a total income of approximately \$2,307.00 in compliance with Council's allowable Notional Income.

Business – Villages - Girilambone

Business Girilambone Rate (to apply to all land sub - categorised as Business Village – Girilambone within Bogan Shire Council) of 0.0008294 cents in the dollar having a minimum rate of \$192.00, applied to Land Value of \$ 38,450.00, yielding a total income of approximately \$1,154.00 in compliance with Council's allowable Notional Income.

Business – Villages - Coolabah

Business Coolabah Rate (to apply to all land sub - categorised as Business Village – Coolabah within Bogan Shire Council) of 0.0368000 cents in the dollar having a minimum rate of \$192.00, applied to Land Value of \$11,700.00, yielding a total income of approximately \$961.00 in compliance with Council’s allowable Notional Income.

Business – Unknown

Business Unknown Rate (to apply to all land categorised as Business Unknown within Bogan Shire Council) of 0.0000011 cents in the dollar having a minimum rate of \$2.00, applied to Land Value of \$82,507.00, yielding a total income of approximately \$121.00 in compliance with Council’s allowable Notional Income.

Mining

Mining Rate (to apply to all land categorised as Mining within Bogan Shire Council) of 0.1110158 cents in the dollar having a minimum rate of \$442.00, applied to Land Value of \$6,335,000.00 yielding a total income of approximately \$703,285.00 in compliance with Council’s allowable Notional Income.

2. Water Supply and Annual and User Charges:

- (i) Water Supply charges: That Council, in accordance with Section 535, and pursuant to Sections 501 and 539(1) of the Local Government Act 1993, hereby makes the following Water Supply Charges for the financial year 1 July 2024 to 30 June 2025 as set out below.

- (ii) A Water Access Charge shall be made and levied based upon the size, volume factor and number of water services connected to an individual assessment.

Service Size	Volume Factor	Water Access Charge 2024/2025
20mm	1.00	\$640
25mm	1.56	\$1,029
32mm	2.56	\$1,689
40mm	4.00	\$2,641
50mm	6.25	\$4,128
100mm	25.00	\$16,506
20 CSO	1.00	\$171
Meter Reading Charge for Connections with nil reads up to 10kl consumption	\$24.35 per reading period.	\$97.40

- (iii) Other Rateable Water Charges shall be made and levied on non-metered properties in the locations described.

Rateable Water Charge	Charge 2024/2025
Hermidale – Raw Water Access	\$755
Girilambone – Raw Water Access	\$521
Coolabah – Raw Water Access	\$520
Nyngan – Raw Water Access	\$520

- (iv) Other Non-Rateable Water Charges shall be made and levied on non-metered properties in the locations described.

Non-Rateable Water Charge	Charge 2024/2025
Girilambone	\$521
Hermidale	\$755

- (v) Other Water Charges shall be made and levied on properties as appropriate, being:

Water Charge	Charge 2024/2025
Albert Priest Channel - Access	\$28.10 per ML allocation
Albert Priest Channel - Usage	\$44.45 per ML of usage

- (vi) Water Consumption Charges: That Council, pursuant to Sections 502, 539 and 540 of the Local Government Act, make and levy Water Consumption Charges, based on the appropriate tariff charge per measure, or estimate of measure, as shown in the table below, during 2024/2025, being for Reading Cycle Periods 1, 2, 3 and 4

Charge for treated Water for 2024/2025 per kl shown	Charge for Other (Raw) Water for 2024/2025 per kl shown
\$2.20/kl	\$0.75/kl

3. Sewer Supply Annual and User Charges

- i) Sewer Supply Charges: That Council, in accordance with Section 535, and pursuant to Section 501 of the Local Government Act 1993, hereby makes the following Annual Sewer Access Charges for the financial year 1 July 2024 to 30 June 2025 as set out below.
- ii) Residential Sewerage Annual Charge will be made and levied on all residential properties which have sewer supply available to it.

Residential Sewer Access Charge	Charge 2024/2025
Residential	\$460 per meter
Residential Flat Sewer	\$449 per flat
Residential Vacant	\$584 per meter

- iii) Non-Residential Sewerage Access Charge will be made and levied on all non-residential properties which have sewer supply available to it.

Service Charge Type			Water Service Size	Discharge Factor	Annual Access Sewer Charge 2024/2025
Non-Residential Charge	Sewer	Access	20/25mm	10%	\$585
Non-Residential Charge	Sewer	Access	40mm	10%	\$701
Non-Residential Charge	Sewer	Access	50mm	10%	\$1,096
Non-Residential Charge	Sewer	Access	100mm	10%	\$4,383
Non-Residential Charge	Sewer	Access	20/25mm	30%	\$585
Non-Residential Charge	Sewer	Access	40mm	30%	\$701
Non-Residential Charge	Sewer	Access	50mm	30%	\$1,096
Non-Residential Charge	Sewer	Access	100mm	30%	\$4,383
Non-Residential Charge	Sewer	Access	20/25mm	50%	\$585
Non-Residential Charge	Sewer	Access	50mm	50%	\$1,827
Non-Residential Charge	Sewer	Access	20mm	90%	\$585
Non-Residential Charge	Sewer	Access	25mm	90%	\$821

Non-Residential Charge	Sewer Access	40mm	90%	\$2,103
Non-Residential Charge	Sewer Access	50mm	90%	\$3,288
Non-Residential Charge	Sewer Access	100mm	90%	\$13,148
Effluent Disposal Charge				\$360

- iv) Sewer Usage Charges: That Council, pursuant to Sections 502, 539 and 540 of the Local Government Act, make and levy Sewer Usage Charges as detailed below.
- v) Non-Residential Sewer Usage Charges will be made and levied on all **rateable non-residential** properties which have sewer supply available to it, under best practice guidelines, and will be charged on a quarterly basis in accordance with the following pricing structure:

$$B = SDF \times (AC + C \times UC)$$

Where, B = Sewerage charge non residential
 SDF = Sewerage Discharge factor**
 $AC = \left(\frac{AC_{20} \times D^2}{400} \right)$ Access Charge
 D = Water Supply Service Connection Size
 C = Annual Water Consumption
 UC = Usage Charge \$2.20

- vi) Non-Residential Sewer Usage Charges will be made and levied on all **non-rateable non-residential** properties which have sewer supply available to it, under best practice guidelines, and will be charged on a quarterly basis in accordance with the following pricing structure:

$$B = SDF \times (AC + C \times UC)$$

Where, B = Sewerage charge non residential
 SDF = Sewerage Discharge factor**
 $AC = \left(\frac{AC_{20} \times D^2}{400} \right)$ Access Charge
 D = Water Supply Service Connection Size
 C = Annual Water Consumption
 UC = Usage Charge \$2.20

- vii) Non-Residential Sewer Usage Charges will be made and levied on all **multi-use** properties which have sewer supply available to it, under best practice guidelines, and will be charged on a quarterly basis in accordance with the following pricing structure:

$$B = SDF \times (AC + C \times UC)$$

- Where, B = Sewerage charge non residential
 SDF = Sewerage Discharge factor**
 AC = $(\frac{AC_{20} \times D^2}{400})$ Access Charge
 D = Water Supply Service Connection Size
 C = Annual Water Consumption
 UC = Usage Charge \$2.20

****And that Sewerage Discharge Factors in each of the above be applied according to the following table:**

Discharger	Discharge Factor	Discharger	Discharge Factor
Aged Care Facility	.90	Medical Centres	.90
Bakery	.90	Mixed Business	.90
Caravan Parks	.50	Home Based Small	.50
Church's	.90	Motel	.90
RSL Club	.90	Motor Repairers	.90
Bowling Club	.10	Multiple Units	.90
Golf Club	.10	Nurseries	.10
Cottage Industry	.50	Office Based	.90
Butchers	.90	Other (default category)	.90
Dental Surgery	.90	Parks & Gardens	.10
Doctor	.90	Panel Beater	.90
Engineering Services	.90	Public Amenities	1.0
Hardware Store	.90	Restaurant	.90
Hospital	.50	Schools, Pre-Schools	.30
Florist	.50	Service Stations	.90
Guest House	.90	Supermarkets	.90
Halls	.90	Swimming Pool Complex	.50
Hairdressers	.90	Takeaway Shop	.90
Hotel/Tavern	.90	Utility Services	.90
Laundromat	.90	Veterinary Clinic	.90
Library	.90		

4. Waste Management Charges

- i) Domestic Waste Management Charges and Recycling Charges: That Council, in accordance with Section 535, and pursuant to the provisions of Sections 496, 502, and 504 of the Local Government Act 1993, hereby makes the following Domestic Waste and Recycling Charges upon each parcel of rateable land for which the service is available, for the financial year 1 July 2024 to 30 June 2025, as set out below.

Service Charge Type	Charge 2024/2025
Domestic Waste Management Collection Charge	\$366
Domestic Waste Collection Other	\$244
Domestic Waste Management Additional Collection Charge	\$129
Domestic Kerb Side Recycling Charge	\$145
Domestic Kerb Side Recycling Additional Bin Charge	\$74

- (ii) Waste Management Charges – Other: That Council, in accordance with Section 535, and pursuant to the provisions of Section 501 and 502, of the Local Government Act 1993, hereby makes the following Waste Charges upon each parcel of rateable land for which the service is available, for the financial year 1 July 2024 to 30 June 2025, as set out below:

Service Charge Type	Charge 2024/2025
Business Waste Management - Collection Charge	\$244
Business Waste Management – Additional Collection Charge	\$129
Waste Management - Depot Charges Nyngan	\$348
Waste Management - Depot Charges Business	\$348
Business Waste Recycling Collection Charge	\$145
Business Waste Additional Recycling Collection Charge	\$74

- 5. Trade Waste Charges:** That Council adopts the Trade Waste Charges for 2024/25 as advertised in the draft Operational Plan and Budget 2024/25.

- 6. Fees and Charges:** That Council adopt the Fees and Charges for 2024/2025 as advertised in the draft Operational Plan and Budget 2024/2025 (Fees and Charges) with additional changes as reported.

7. Interest on Overdue Rates and Charges: That Council, in accordance with the provisions of Section 566 (3) of the Local Government Act 1993, make the interest rate, to be charged on overdue rates, charges and arrears, for the period 1 July 2024 to 30th June 2025 at 10.5% per annum on a daily basis.

4. Attachments

Nil

5. Recommendation

1. That Council authorise the General Manager to prepare and serve the rate notices or in his absence they may be served by the Revenue Accountant.
2. That pursuant to the Local Government Act, 1993, Council hereby resolves to make the ordinary rates for the 2024/2025 period as laid out below.
3. That Council applies the interest rate of 10.5% in accordance with Section 566 of the Local Government Act 1993.

13 ENGINEERING SERVICES REPORTS

13.1 DEPARTMENTAL ACTIVITY REPORT

1. Introduction

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

2. Background

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

3. Discussion

Roads

Road work undertaken for the reporting period 11 May 2024, to 14 June 2024 consisted of the following:

No.	Name	Comments
	Local Roads	
4	Dandaloo Road	Maintenance grade completed
55	Trethowans Road	Maintenance grade completed
15	Kallara Road	Maintenance grade completed
92	Colane Road	Re-sheeting for FLR completed Culvert installation completed
24	Canonba Road	Causeway repairs completed Shoulder grading commenced
80	Larsen’s Road	Maintenance grade completed
51	Currans Road	Maintenance grading commenced
79	New Bogan Road	Maintenance grading completed Culvert installation completed
5	Peisley Road	Maintenance grading continuing
35	Backhouse’s Road	Maintenance grading completed
23	Buckiinguy Road	2km’s rehabilitation works completed
81	Benah Road	FLR R4 Resheeting completed
10	Pangee Road	Maintenance grading commenced

No.	Name	Comments
20	Murrawombie Road	Maintenance grading completed
78	Okeh Road	Maintenance grading continuing
	Regional Roads	
7514	Cockies Road	Flood damage repairs continuing
228	Herm/Nymagee Road	Shoulder grading completed
	State Highways	
HW7	Mitchell Highway	Resealing works completed
HW8	Barrier Highway	Resealing works continuing

Council has completed pothole repairs on the following roads:

• Girilambone Town Streets	• Hermidale Nymagee Road
• Murrawombie Road	• Nyngan Town Streets
• Mitchell Highway	• Yarrandale Road
• Tottenham Road	• Pangee Road
• Canonba Road	• Cockies Road

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

- Maintenance grading, re-sheeting, or flood damage repairs on the following roads,
 - Gilgai Road,
 - Curran’s Road,
 - Peilsey Road
 - Mitchell Highway Shoulder Grading
- Tree Trimming Coffils Lane and Pangee Road
- Commencing Pangee Road Construction and sealing of 6km.
- Continuing heavy patching to repair the damaged sealed sections of Cockies Road, Colane Road, and Canonba Road.
- Installation of 3 culverts on the Mitchell Highway northwest of Nyngan near the John Butler Road intersection.

Works and Services

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

Civil Works

- Priority footpath replacement continuing
- Vinnies screen completed
- Storeroom in showground Walker Pavilion completed
- Netball courts surfacing completed
- Old fire station damaged concrete driveway removed and replaced with crushed rock

Community Facilities

- Mowing/slashing and maintenance of ovals, reserves and highway approaches to Nyngan (ongoing)
- Cleaning of town facilities
- Cleaning and sweeping of the Nyngan CBD
- Cleaning and maintenance of town streets and nature strips
- Cleaning of town streets gutters and culverts
- Weed spraying lane ways and culverts (ongoing)
- Preparing and marking of ovals for winter sports (ongoing)
- Completed grounds maintenance at the Girilambone railway station

Water & Wastewater

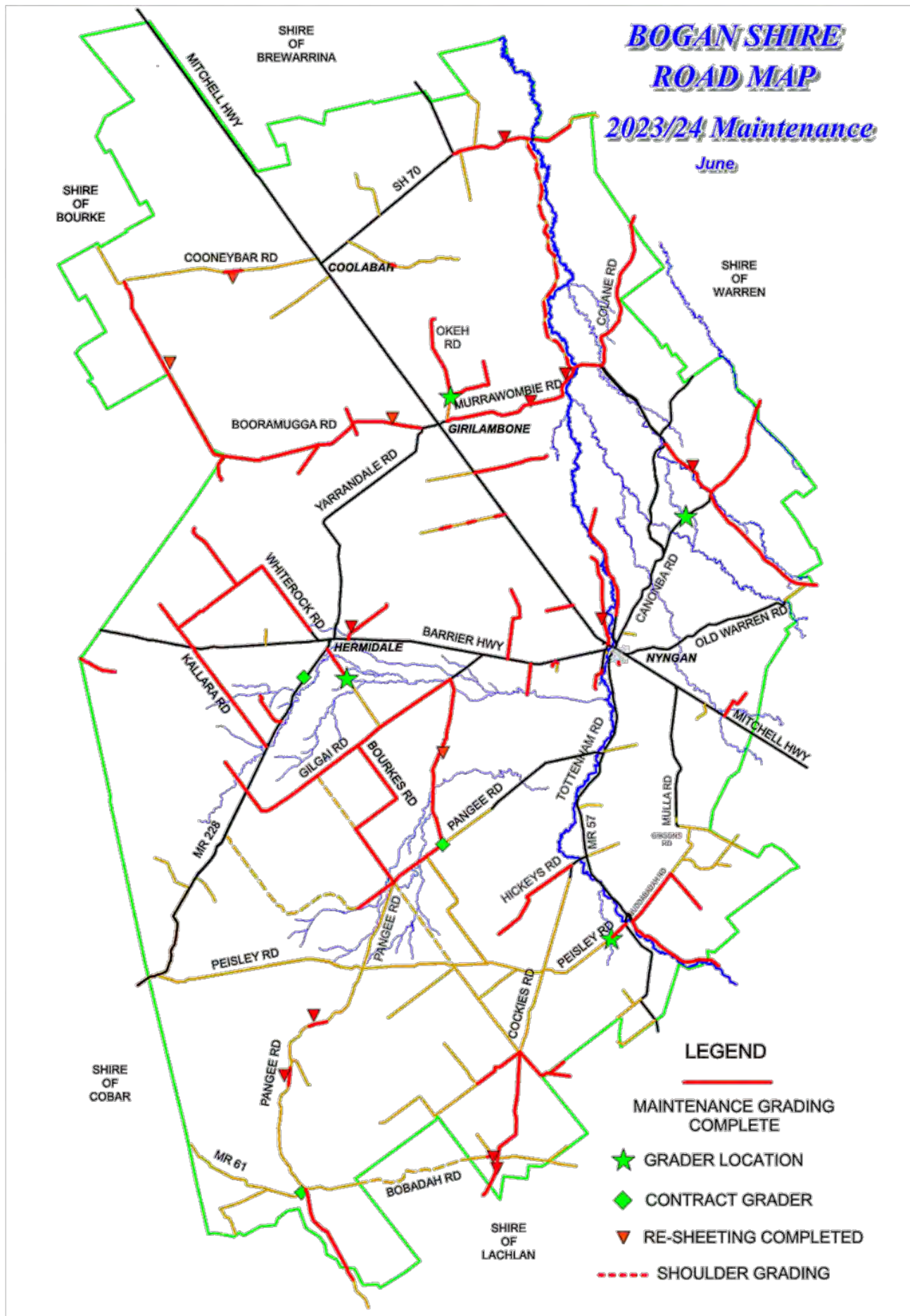
- Carrying out service locations for footpath replacements (ongoing)
- Completed Desilting of APC between Tottenham Road and Mulla Road
- APC shut down due to natural flow in Bogan River
- Grading APC access road in desilting area
- Repaired three mains breaks in Girilambone
- Cleaned overhead water supply tanks in the villages
- Additional raw water treatment for current river water

4. Attachments

1. Road Maintenance Map

5. Recommendation

1. That the departmental activity report be received and noted.



13.2 TOTTENHAM ROAD CONDITION ASSESSMENT REPORT

1. Introduction

The purpose of the report is to present to Council the findings of a Tottenham Road Condition Assessment Report completed by Council's consulting engineers.

2. Background

Tottenham Road between Nyngan and the border of the Lachlan Shire is 62km in length. Concerns have been raised about the condition of this section of road, resulting in Council appointing a consulting engineer to carry out a detailed assessment.

The Tottenham Road is classified as a Regional Road with funding provided by Transport for NSW for routine maintenance and repair. The total funding provided for Regional Road maintenance is \$988,000 per year which is approximately \$4,100 per kilometre across our network of Regional Roads totalling 238km in length and includes bitumen reseals and gravel re-sheeting.

The Repair Program has been available in previous years for additional work such as rehabilitation or new construction with a 50% co-contribution but, this funding has been put on hold so additional funding will have to be sought from other sources.

The Road Condition Assessment & Cost Estimation Report was carried out to evaluate the current state of the Tottenham Road and to determine the estimated cost required to upgrade the road to acceptable level of service fit for heavy vehicle users. The scope of the report includes:

Data Collection and Analysis

Comprehensive data collection regarding the condition of Tottenham Road, including a thorough visual analysis of the road's defects, such as potholes, cracks, rutting, and any other significant issues.

Upgrades

A presentation of recommended actions and strategies for addressing the road defects and enhancing road conditions, with a focus on prioritization for repair or upgrade activities.

Cost Estimation for Road Upgrade

An estimation of the costs associated with upgrading sections with identified issues encompassing materials, labour, equipment, and any additional expenses required for improvements.

3. Discussion

Features and furniture installed on the road were recorded in the road survey at a total of 592 locations. These items included pavement defects, guideposts, guardrail, intersections, culverts, and signs.

Overall road condition was observed to be poor and identified some sections to be unsafe, especially for heavy vehicle users. Desktop evaluation of recorded road survey data was done to determine the defects. These defects included edge break, surface deterioration, pavement failure, potholes, patching, and narrow pavement.

The proposed treatments include:

- Edge repairs: Implement 0.5m wide edge repairs at all locations with recorded edge failures.
- Resealing: Conduct a 4m wide reseal on all lengths with recorded surface deterioration.
- Reconstruction: Undertake full road reconstruction at sections experiencing pavement failure.
- Pothole Repair: Address all recorded potholes with necessary repairs.
- Patching: Apply patching to rectify all damaged patches as per the recorded instances.
- Lane Widening: Perform lane widening at two narrow recorded sections.
- Signage Replacement: Replace damaged signs.

An estimate for the above upgrades is provided in the following table:

Treatment	Unit	Quantity	Cost
Edge Repair	Per Metre Sq	15478.41	\$ 423,489
Resealing	Per Metre Sq	9075.94	\$ 181,519
Reconstruction	Per Metre Sq	23728.83	\$ 1,423,730
Pothole Repair	Each	19	\$ 2,850
Patching	Per Metre Sq	381.4	\$ 38,140
Tree Trimming	Each	1	\$ 500
Lane Widening	Per Metre Sq	2572.75	\$ 257,275
Signage Replacement	Each	3	\$ 1,500
Total			\$ 2,390,003

Considering the significant number of defects identified on the Tottenham Road and the proposed treatments estimated at almost \$2.4 Million, it is essential to prepare a strategy for a sustainable and long-term solution.

The proposed treatments, such as edge repairs, resealing, reconstruction, pothole repair, patching and lane widening, undoubtedly address immediate concerns and enhance the road's serviceability. However, it is crucial to recognise that Tottenham Road has surpassed its design life, compounded by the increased movement of heavy vehicles.

To ensure the road's viability in the long term, it is recommended to explore a comprehensive pavement rehabilitation as a permanent solution. A full road reconstruction, built to current standards, is essential to accommodate the escalated demands of heavy vehicle traffic. This strategic upgrade would not only bring Tottenham Road up to date with modern engineering standards but also significantly extend its operational life.

To provide support and funding for this major upgrade, it is proposed to prepare a comprehensive business case. The business case will serve as a detailed narrative, emphasizing the critical need for a substantial investment in the road's infrastructure. It will outline the benefits of the major upgrade, considering factors such as improved road safety, enhanced traffic flow, and long-term cost savings. This document can be strategically presented to relevant government authorities to seek the necessary funding and support for the comprehensive rehabilitation of the Tottenham Road. It is estimated that a business case would cost \$10,000 but, it may be eligible for funding.

Following on from the above condition assessment, Council has submitted a grant application under the Transport for NSW Road Safety Program. This program seeks to improve road safety by minimising the occurrence of severe injuries and fatalities. It targets both urban areas and rural high-speed roads, aiming to reduce off-road and head-on collisions.

Eligible road treatments under the program included shoulder sealing, the installation of rumble strips which support the safe return of vehicles from the shoulder into the travel lane; physical barriers to prevent run-off road crashes; and median treatments to prevent head-on vehicle collisions.

Council's application included the following treatments with a total estimated capital cost of \$6.7 million:

- Widen shoulders on curves for a total of 8kms
- Widen Shoulders on straights for a total of 30kms
- Edge line marking for 62kms
- Instal profile (audio-tactile) edge and centre lines for 62kms

This grant application is still under assessment.

4. Attachments

Nil

5. Recommendation

1. That Council prepares a Tottenham Road Rehabilitation Business Case for the Tottenham Road.
2. That Council brings the condition assessment to the attention of the Minister for Roads and Transport for NSW to seek urgent funding to address the issues raised.

13.3 REQUEST TO CLOSE AN UNUSED ROAD RESERVE

1. Introduction

The purpose of this report is for Council to consider a request from Briel and Bernadette Jackson to close an unused road reserve across their property on the Mulla Road

2. Background

Local councils are responsible for closing council public roads following amendments to the Roads Act 1993 on 1 July 2018. Prior to this, councils applied to Department of Planning, Industry and Environment – Crown Lands to close a council road.

Councils must confirm that a road is a council road before completing any part of the council road closure process. This is done by determining road status. To confirm road status as a council road, council must determine the formal action that dedicated, transferred or opened a road as a council road.

Council is responsible for deciding whether a council road can remain vested in council upon closure. The Department will accept council's decision to keep a council road vested in council upon closure.

3. Discussion

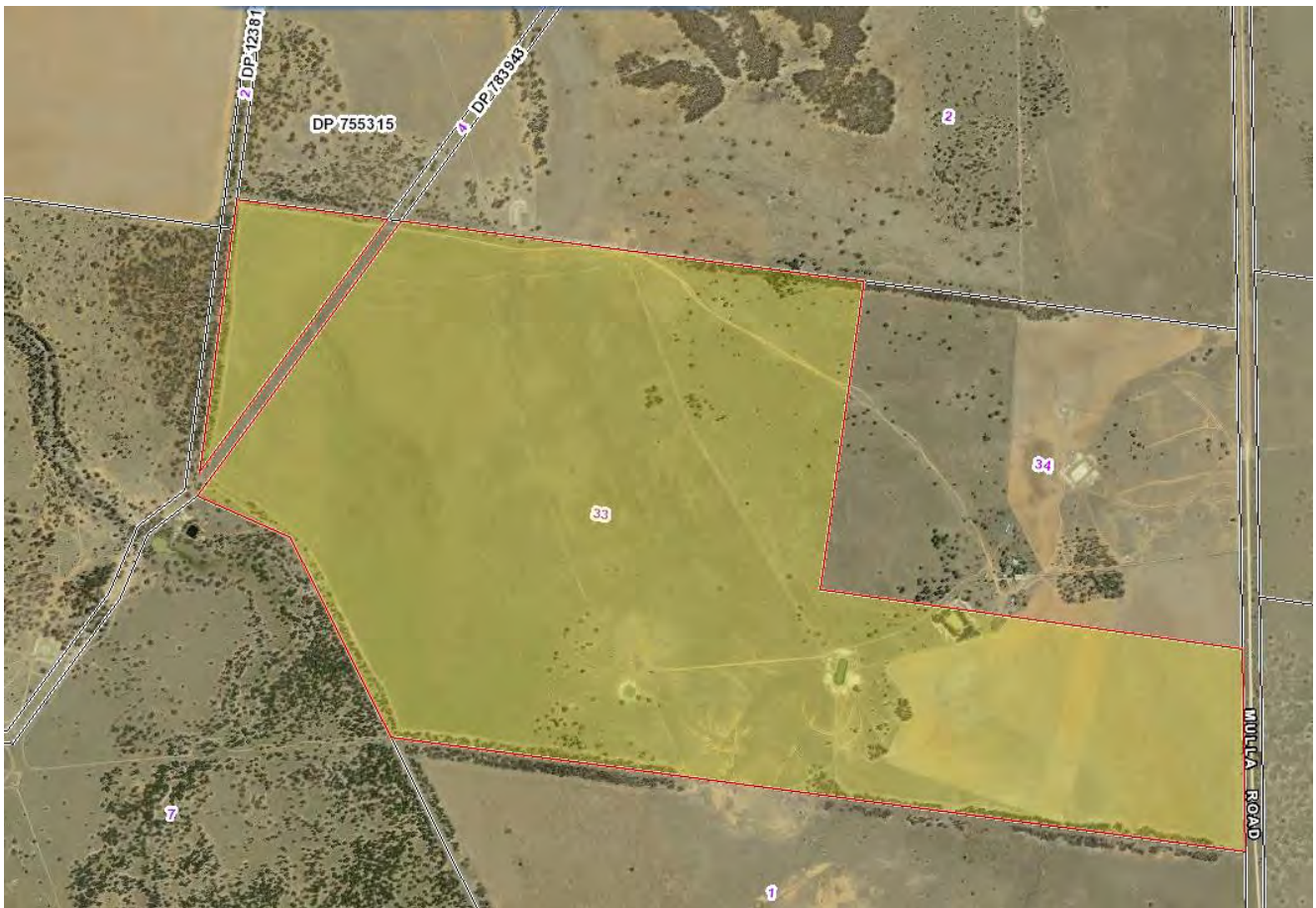
The section of road reserve requested to be closed is the portion of land shown in the plan below which cuts across the North-West corner of lot 33 in DP755315 and it does not connect to any other road. The road reserve is almost 1.1km long and 40m wide, with an approximate area of 4.4ha. This portion of road was declared as a public road in the NSW Government Gazette No 125 on August 26th, 1921.

The first step in the road closure process is for Council to decide if the road will be vested in Council after closure or will Council request Crown Lands to sell the road. It appears the procedure is easier if the road is vested in Council upon closure.

Council is then required to notify Crown Lands and adjoining neighbours of the intention to close the road, then consider any objections. A surveyor then needs to be engaged to prepare plans of the lot and have them lodged with Land Registry Services. After the plans are registered, the closure is published in the Government Gazette with a 60-day appeal period allowed for.

Council then completes the lodgement with Land Registry Services and a title is created for the closed road as a new lot. Council then receives the title for the former council public road and can then offer it for sale to the adjoining landowners. Any proceeds from the sale of a closed road are required to be spent on roads.

During the above process, it would be necessary for Council to obtain an independent market value for the portion of land and to obtain estimated costs for the completion of survey plans suitable for registration. There will also be fees for the closure of the road and lodgement of plans.



4. Attachments

Nil

5. Recommendation

1. That Council proceed with the closure of the Council Road through Lot 33 DP755315 with all associated fees to be paid by the adjoining landowner.
2. That upon closure, the portion of road be sold to the adjoining landowner at market value.

14 DEVELOPMENT AND ENVIRONMENTAL SERVICES REPORTS

14.1 DEVELOPMENT APPLICATIONS REPORT

1. Introduction

The purpose of this report is to advise Council of Development Applications that have been submitted to Council for approval.

2. Discussion

Development Applications

Development Applications that have been received during the reporting period are indicated in the table below:

DA NUMBER	APPLICANT	ADDRESS	DESCRIPTION	VALUE (\$)	PROGRESS
2022/040	A.T & B.M Burton	24 Pangee Street, Nyngan	New Serviced Apartments	\$700,000	Additional Information Required
2023/019	T Walsh	74 Oatley Street, Nyngan	New Private Shed	\$70,000	Approved
2023/021	Mr D Boyd	33-39 Oval Place, Nyngan	New Private Shed	\$30,000	Additional Information Required
2024/004	Mr I Bennett	60 Nymagee Street, Nyngan	New Awning	\$35,000	Additional Information Required
2024/006	N & R Matheson	38 Dandaloo Street, Nyngan	Change of use for existing Manufactured Dwelling to New Secondary Dwelling and New Single Storey Dwelling.	\$591,400	Approved
2024/009	B & B Jackson	108 Wera Road, Nyngan	New Single Dwelling	\$985,000	Additional Information Required

Council staff continue to receive enquiries and assist the public in relation to Development Applications and the complexity of their lodgment on the NSW Planning Portal.

Attachment 1 contains statistical and historical information in relation to applications received.

3. Attachments

1. Development Applications Statistics

4. Recommendation

That the Development Applications Report be received and noted.

	Application Type							Application Value
	Totals		Breakup					
	DA	CDC	Dwellings	Shed/Garage/ Patio/Awning	Pool	Sub- division	Other	
July 2023	5	-	2	3	-	-	-	\$1,993,252.00
August 2023	1	-	-	1	-	-	-	\$40,000.00
September 2023	0	0	0	0	0	0	0	\$0.00
October 2023	3	0	2	0	0	0	1*	\$799,442.00
November 2023	1	0	0	1	0	0	0	\$60,000.00
December 2023	2	0	1	0	0	0	1	\$1,200,000.00
January 2024	2	0	0	1	0	0	1**	\$260,000.00
February 2024	4	0	1	3	0	0	0	\$937,000.00
March 2024	1	0	0	1	0	0	0	\$30,000.00
April 2024	4	0	1	3	0	0	0	\$716,930.00
May 2024	1	0	1	0	0	0	0	\$985,000.00
June 2024								
Total 2023/24	24	0	8	13	0	0	3	\$7,021,624.00
Total 2022/23	33	1	7	12	5	2	8	\$ 7,443,708.00
Total 2021/22	26	0	13	8	2	1	5	\$ 6,354,396.00
Total 2020/21	34	3	5	14	3	5	9	\$ 4,107,610.00
Total 2019/20	24	0	0	10	1	3	10	\$ 11,294,300.00

* Secondary dwelling

** Communications Tower

14.2 COMPLIANCE REPORT

1. Introduction

The purpose of this report is to advise Council of the activities and statistics relating to Council's compliance functions.

2. Background

Council employs staff in the Development and Environmental Department to enforce compliance related matters and to manage and implement Council's responsibilities under various State Legislation such as the Food Act 2003, Local Government Act 1993, Companion Animals Act 1998 and Protection of the Environment Operations Act 1997.

3. Discussion

Food Related Matters

Council, in partnership with the NSW Food Authority, is required to conduct and complete regular inspections of food premises located in the Council area. Officers authorised under the Food Act 2003 check that good health safety practices are in place such as temperature control, general cleanliness, appropriate storage facilities and designated handwashing facilities.

Each food premise must be inspected at least once every 12 months. Businesses not showing to have good food safety practices are normally given an opportunity to amend their issues, and if during any follow up re-inspection it is found that they have not satisfactorily addressed the issues, the authorised officer may issue an Improvement Notice or Penalty Notices.

In the last 12 months, 24 food premises have been inspected within Bogan Shire with 5 of these requiring a re-inspection.

Overgrown Properties

Under Section 124 Order No 21 of the Local Government Act 1993, Council can issue an order for a property owner *"to do or refrain from doing such things as are specified in the order to ensure that land is, or premises are, placed or kept in a safe or healthy condition"*. This type of Order is normally issued when a property has overgrown vegetation.

Before an Order can be issued, Council must give a written Notice of Intent to the owner of the property of interest. This notice must include the terms of the proposed Order and the time period proposed for the terms of the Order.

It should be noted that there is no statutory timeframe for which an Order is to be complied with, however, the Order must specify a *reasonable period* to complete the required works in the terms of the Order.

Council has recently issued Notices of Intention to serve an Order for overgrown vegetation within the Council area. It is intended to issue Orders on non-complaint properties once the requested timeframe has expired.

Companion Animals

Under the Companion Animals Act 1998, there are numerous requirements of the owners of companion animals such as:

- Ensuring a companion animal is microchipped by 12 weeks of age
- Registered by 6 months of age.
- Making sure a companion animal is under effective control in a public place by means of an adequate chain, cord or leash.
- Preventing companion animal/s from escaping from the property where it is usually kept.

Council employs an Authorised Officer to ensure that the *Companion Animals Act 1998* is being adhered to by owners of companion animals.

Council has a quality pound facility with 6 large cages for holding of companion animals (generally dogs) when the owner is unable to be located on the Companion Animals Register (CAR) because the animal is not microchipped and/or registered.

The cages are cleaned daily and have auto-filling water dishes to ensure animal welfare. All impounded animals are provided with appropriate sustenance on a daily basis during their impoundment and if required veterinary services are sought prior to impoundment.

When an animal is claimed, owners are charged a release fee, daily sustenance fee and if applicable, required to have the companion animal microchipped and registered prior to release. Should the animal not be claimed in the legislated time period (14 days if an owner is identified on CAR and 7 days when the owner is unknown), the animal is then able to be rehomed. It should be noted that it has been difficult to re-home companion animals due to local agencies dealing with increased numbers of companion animals in the post Covid period.

An Authorised officer can also issue Orders such as a Nuisance Dog Order, Menacing Dog Order and a Dangerous Dog Order on dogs that are deemed to be meeting certain criteria listed under the *Companion Animals Act 1998*.

See **Attachment 1**.

In recent times Council has issued 2 Nuisance Dog Orders and 1 Notice of Intention to issue a Dangerous Dog Order. A Penalty Infringement Notice (PIN) was issued for non-compliance with a Nuisance Dog Order.

Compliance statistics relating to pound activities can be seen on **Attachment 2**.

Illegal Dumping

Council has received an Environmental Protection Agency (EPA) grant to establish illegal dumping baseline data identifying how much/type/location of rubbish that has been dumped. This project assists Council to collect historic dumping data and establish a good understanding of illegal dumping behaviour within the Bogan LGA. From this baseline data, a strategy to address illegal dumping will be developed and implemented aiming to:

- reduce the social, environmental, health and financial impacts that illegal dumping and litter creates
- increase public awareness of the issues illegal dumping and litter creates
- implement infrastructure and prevention measures to address illegal dumping
- instil and sustain an anti-dumping and anti-littering culture within our community.

Council has consequently increased patrols for illegal dumping and in recent times has received 15 reports of illegal dumping via RIDonline (Report Illegal Dumping online). Council staff completed clean-ups of these sites and the waste was correctly disposed of at one of our Waste facilities.

RIDonline is an EPA database used by many participating Councils and government agencies across NSW to record and manage illegal dumping incidents. It can be used by all members of the public, and Council strongly encourage all community members to report any findings of illegal dumping via the RIDonline website.

4. Attachments

1. Compliance - Attachment 1
2. Compliance Statistics - Attachment 2

5. Recommendation

That the Compliance Report be received and noted

Nuisance Dog

A dog is deemed a nuisance if the dog:

- (a) is habitually at large, or*
- (b) makes a noise, by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises, or*
- (c) repeatedly defecates on property (other than a public place) outside the property on which it is ordinarily kept, or*
- (d) repeatedly runs at or chases any person, animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock) or vehicle, or*
- (e) endangers the health of any person or animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock), or*
- (f) repeatedly causes substantial damage to anything outside the property on which it is ordinarily kept.*

The Order remains in force for 6 months from the date it was issued.

Menacing Dog

A dog is deemed menacing if the dog:

- (a) has displayed unreasonable aggression towards a person or animal (other than vermin), or*
- (b) has, without provocation, attacked a person or animal (other than vermin) but without causing serious injury or death.*

Dangerous Dog

A dog is deemed dangerous if the dog:

- (a) has, without provocation, attacked or killed a person or animal (other than vermin), or*
- (b) has, without provocation, repeatedly threatened to attack or repeatedly chased a person or animal (other than vermin), or*
- (c) is kept or used for the purposes of hunting.*

Compliance Statistics

	Animals Impounded	Animals Released		Complaints /Enquires
		To Owner	Rehomed	
July 2023	11	3	7	13
August 2023	4	0	4	11
September 2023	4	1	6	7
October 2023	4	0	0	13
November 2023	9	5	0	13
December 2023	2	4	1	17
January 2024	0	0	4	2
February 2024	7	6	0	13
March 2024	3	2	0	10
April 2024	6	3	0	15
May 2024	3	1	0	16
June 2024				
Total 2023/24	53	25	22	130
Total 2023/24	73	36	26	228
Total 2021/22	62	28	35	185

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

Compliance

	Animals Impounded	Animals Released		Complaints /Enquires
		To Owner	Rehomed	
July 2023	11	3	7	13
August 2023	4	0	4	11
September 2023	4	1	6	7
October 2023	4	0	0	13
November 2023	9	5	0	13
December 2023	2	4	1	17
January 2024	0	0	4	2
February 2024	7	6	0	13
March 2024	3	2	0	10
April 2024	6	3	0	15
May 2024				
June 2024				
Total 2023/24	50	24	22	114
Total 2023/24	73	36	26	228
Total 2021/22	62	28	35	185

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

14.3 ARBORIST REPORT REGARDING HILLS FIG TREES (PANGEE STREET)

1. Introduction

The purpose of this report is to advise Council of the poor condition and corrective actions recommended for the Hill's Fig Trees located in Pangee Street Nyngan.

2. Background

The Hill's Fig Trees, *Ficus macrocarpa hillii*, located on the corner of Pangee and Terangion Streets Nyngan have noticeably declined in health within a reasonably short period of time.

3. Discussion

Council engaged an Arborist to investigate the *Ficus macrocarpa hillii* trees and identify why the trees are declining in health.

Council's selected Arborist has Level 5 qualifications is the highest level that can be achieved by an arborist in Australia.

The Arborist conducted an onsite assessment and report of the Fig Trees on 5 May 2024, (see **Attachment 1**) and identified the following:

Tree 1.

- The canopy of the tree was almost completely devoid of leaves with extensive die back at the branch extremities.
- Foliage cover was minimal consisting of sparse epicormic sprouts with a chlorotic colour.
- The presence of epicormic sprouts on the main trunk and stems of the tree and the leaf discoloration suggest that the tree is recovering from an event that caused a rapid and severe decline in health and vigour.
- The most likely cause of the trees condition is herbicide injury.
- The symptoms are similar to root problems caused by underground gas leaks however a Dial Before You Dig enquiry found no gas services are located beneath the tree.
- No obvious entry points for herbicide injection were visible.
- No major bark wound sites or drill holes were observed during shallow excavation around the base of the tree.
- Two minor wounds with minimal response growth at the margins on the root flare of the tree indicate they were made shortly before the decline in tree health.
- The absence of visible herbicide entry points indicates that a granular or water-soluble herbicide may have been applied to the soil surrounding the trunk.
- Tree 1 is classed as "very Poor" under the Definition for Classes of Tree Health.

Tree 2

- Exhibits symptoms of herbicide injury only on the branches on the side of the canopy adjacent to Tree 1.
- The foliage on the affected branches is yellow and chlorotic however, the foliage loss and extent of dieback is less severe than the branches on Tree 1. It is assumed that the herbicide has entered the tree’s system by roots extending towards the area of herbicide application or by natural grafting or inosculation of roots from the two trees of the same species.
- The canopy on the unaffected side of Tree 2 is in excellent condition with foliage of normal size and colour and a dense level foliage cover.
- Tree 2 was classed as “fair” under the Definition for Classes of Tree Health.

Whilst Tree 1 has borne the brunt of suspected herbicide poisoning, Tree 2 has also been affected. The arborist noted that the epicormic response of Tree 1 indicates that the tree has the potential to recover from the poisoning event. An adequate flow of milky fig latex from bark scratches made during assessment also indicates that the tree has the vitality to recover in the long term if remedial actions are implemented and ongoing care is provided.

It should be noted that according to section 1.11 of Council’s Tree Preservation Policy (**Attachment 2**) there are provisions for Penalty Infringement Notices should offender/s be identified.

The arborist recommends an immediate response and proposed the following remedial actions which have commenced:

Specification	Rationale
Apply a solution of Seasol and molasses to the soil area surrounding the base of the trees using soil drench and soil injection methods.	Seasol stimulates root growth and helps trees recover from stress. Molasses and water provide sugars needed for uptake by tree roots.
Incorporate activated horticultural charcoal to the upper layer of soil in the soil area surrounding the base of the trees.	Activated charcoal is used in landscaping to absorb and neutralise chemicals. It reduces soil acidity and improves soil health.
Engage an AQF Level 5 Arborist to undertake remedial reduction pruning to remove dead branches and reduce canopy size.	Reduction pruning of branches with dieback will reduce the ongoing level of risk to the public from failure of tree parts. Canopy reduction will decrease tree water requirements until root growth recovers. Pruning will encourage the development of epicormic sprouts in the lower portion of the canopy.
Apply leaf mulch to the soil area beneath the trees.	Mulch conserves moisture, regulates soil temperature and suppresses weeds.

4. Attachments

1. Hill's Fig Tree Arborist Report
2. DDES005 - Tree Preservation Policy

5. Recommendation

1. That this report be received and noted.
2. That remedial action recommended by the Arborist be carried out, including reduction pruning to remove dead branches and reduce canopy size

**Tony McManus
Consulting Arborist**

Nyngan Hill's Fig Tree Report

Report Number: BSC0001

Prepared for Bogan Shire Council
June 2024

Prepared by Tony McManus Dip. Arb.
AQF Level 5 Consulting Arborist

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Brief

This report has been prepared for Cath Black of Bogan Shire Council. Tony McManus Consulting Arborist has been instructed to inspect and assess two (2) *Ficus microcarpa hillii* Hill's Fig (the Trees) located on the council verge of Pangee St at the cnr of Terangion St Nyngan. Council has requested an assessment of the health and condition of the Trees, particularly in relation to the rapid decline in health and condition of the Trees. Council has also requested an assessment of the structural stability and the level of risk associated with the Trees. The report also recommends appropriate remedial actions that can be implemented to improve the health of The Trees and reduce the risk of harm to people and property beneath the Trees.

Methods

A site inspection was undertaken on the 5/5/2024. The Trees were inspected using a Stage 1 and Stage 2 Visual Tree Assessment (VTA)¹. The assessment of the Trees was performed at ground level and all observations made were visual. Assessments of tree health and condition are based on the condition of the Trees at the time of inspection.

The level of risk posed by the Trees was assessed using the principles of the Quantified Tree Risk Assessment (QTRA) method². The QTRA method calculates the annualised risk of harm from tree failure enabling tree managers to compare the outputs with internationally accepted advisory levels of risk tolerability.

Identification of the Trees is not based on a full taxonomical description and is based on the taxonomical features present at the time of inspection.

All trees are measured for DBH (Diameter at Breast Height) approximately 1.4m above ground level) using a diameter tape. The DBH of multi-stemmed trees are calculated by adding the combined diameters of all trunks. Measurements of tree height and canopy spread are recorded using estimates in metres.

¹ Visual Tree Assessment (VTA) is an internationally accepted and peer reviewed tree inspection method published by Mattheck and Breloer in 1994. VTA is based on the recognition of tree defect symptoms that are used as indicators to highlight failure criteria. The process is based on reading the body language of the tree; the responses, repairs and optimisation techniques that a tree uses to overcome its weaknesses. The method is used to systematically interpret the visual signs of defects.

Stage 1 VTA is a visual inspection for defect symptoms and tree health and vitality that is performed from the ground. No aerial inspections or measurement and testing of defect symptoms is undertaken.

Stage 2 VTA is undertaken when visual indicators of structural defects or anomalies are identified within a tree that warrant further investigation or measurement. Methods may include aerial inspection and basic field testing such as "sounding" with a mallet or probing of cavities to assess the structural integrity of tree trunks.

² Quantified Tree Risk Assessment (QTRA) is a probabilistic method of calculating the annualised Risk of Harm from tree failure. The three key components of QTRA are target occupation rates, size of the tree part and the probability of failure which combine to give an annualised Risk of Harm expressed as a probability. Tony McManus is a qualified and currently licensed advanced user of the QTRA system

Equipment Used

Data for the assessment was collected with a handheld unit utilising Trimble Terraflex, a geospatial field data collection application and the Global Navigation Satellite System. Tree data including species, measurements, observations and recommendations are then presented using kml and csv files generated with Trimble Connect software version 4.32.1912.1616.

Observations

Tree 1

Tree 1 is a mature 15 m high, 229 cm DBH *Ficus microcarpa hillii* Hills Fig located on the council verge and footpath of Pangee St at the corner of Terangion St Nyngan. The tree has been previously tagged with a metal tag with an identification number 17. The root zone of the tree is covered by asphalt on the road side and interlocking pavers on the footpath side.

The tree has multiple co-dominant stems with included bark in the branch unions. There are multiple dead stubs at approximately 5 metres in height and the branch architecture of the canopy suggests the tree has been previously lopped.

At the time of the assessment the canopy of the tree was almost completely devoid of leaves with extensive dieback at the branch extremities. Foliage cover was minimal consisting of sparse epicormic sprouts with a chlorotic colour. The presence of epicormic sprouts on the main trunk and stems of the tree and the leaf discoloration suggest that the tree is recovering from an event that caused a rapid and severe decline in health and vigour. The most likely cause of the tree's condition is herbicide injury. The symptoms are similar to root problems caused by underground gas leaks however a Dial Before You Dig enquiry found no gas services are located beneath the tree.

No obvious entry points for herbicide injection were visible either above or below ground on the bark of the lower trunk, root flare or buttressing roots. No major bark wound sites or drill holes were observed during shallow excavation around the base of the tree. Two minor wounds with minimal response growth at the margins on the root flare of the tree indicate they were made shortly before the decline in tree health. The absence of visible herbicide entry points indicates that a granular or water-soluble herbicide may have been applied to the soil surrounding the trunk. The similar appearance of the branches on adjacent Tree 2 closest to Tree 1 support this theory as the herbicide may have come into contact with the roots spreading towards or even inosculated with the roots of Tree 2.

The epicormic response of the tree indicates that the tree has the potential to recover from the poisoning event. An adequate flow of milky fig latex from bark scratches made during assessment also indicate that the tree has the vitality to recover in the long term if remedial actions are implemented and ongoing care is provided.

Tree 2

Tree 1 is a mature 15 m high, 266 cm DBH *Ficus microcarpa hillii* Hills Fig located on the council verge and footpath of Pangee St at the corner of Terangion St Nyngan. The tree has been previously tagged with a metal tag with an identification number 18. The root zone of the tree is covered by asphalt on the road side and interlocking pavers on the footpath side.

Tree 2 also exhibits symptoms of herbicide injury only on the branches on the side of the canopy adjacent to Tree 1. The foliage on the affected branches is yellow and chlorotic however, the foliage loss and extent of dieback is less severe than the branches on Tree 1. It is assumed that the herbicide has entered the trees system by roots extending towards the area of herbicide application or by natural grafting or inosculation of roots from the two trees of the same species.

The canopy on the unaffected side of Tree 2 is in excellent condition with foliage of normal size and colour and a dense level foliage cover.

Definitions for Classes of Tree Health

Excellent

The tree is an outstanding example of its species. The tree has achieved its ideal growth habit and is unaffected by climatic or environmental constraints. There are no signs of pest or disease within the tree.

Good

The tree has a dense canopy with full sized and healthy foliage. Some minor pest or disease problems may be present without seriously affecting the trees health. Response growth at the site of wounds or structural faults is adequate demonstrating good vitality.

Fair

The tree has adequate foliage cover with small amounts of dead branches visible within the canopy. There are visual indicators that the trees health is affected by insects or disease. The tree may have irregular form or poor branch architecture.

Poor

The tree has a sparse canopy with undersized or discoloured foliage. Annual twig extension growth is restricted. A large number of dead branches are present. The tree may show symptoms of stress resulting from climatic or environmental constraints. The trees response to wounding, pests or disease is limited by low vitality.

Very Poor

The tree has been strained by environmental factors, pests or disease and is in decline. The tree canopy is very sparse and a significant amount of dead branches or crown dieback are present. Response growth at wounding sites is minimal.

Dead

The tree is dead

Definitions for Classes of Risk

Thresholds	Description	Action
1/1 000	Unacceptable Risks will not ordinarily be tolerated	<ul style="list-style-type: none"> Control the risk
	Unacceptable (where imposed on others) Risks will not ordinarily be tolerated	<ul style="list-style-type: none"> Control the risk Review the risk
1/10 000	Tolerable (by agreement) Risks may be tolerated if those exposed to the risk accept it, or the tree has exceptional value	<ul style="list-style-type: none"> Control the risk unless there is broad stakeholder agreement to tolerate it, or the tree has exceptional value Review the risk
	Tolerable (where imposed on others) Risks are tolerable if ALARP	<ul style="list-style-type: none"> Assess costs and benefits of risk control Control the risk only where a significant benefit might be achieved at reasonable cost Review the risk
1/1 000 000	Broadly Acceptable Risk is already ALARP	<ul style="list-style-type: none"> No action currently required Review the risk

Definitions for Classes of Priority for Remedial Actions

No Action Currently Required

The tree poses a level of risk that is no greater than the average tree (<1 in 10,000,000 risk of harm)³. The tree may have non-structural faults including small diameter dead branches and crown dieback or may be located within an infrequently used area. Trees may also require urgent remedial actions to address sudden declines in tree health from aggressive pests, diseases or herbicide injury.

Trees that require no current action may also be structurally uncompromised trees with no visible defects that are located within frequently occupied areas.

Ongoing

The tree may have structural faults or health problems that should be regularly monitored on an ongoing basis. The problems identified within the tree do not currently contribute to an unacceptable level of risk but have the potential to develop to the stage where remedial action is required in the future. Trees specified for ongoing monitoring may have imperfections with small tree parts that will increase in risk level as they increase in size.

When Resources Become Available

Many trees specified for remedial action would benefit from non-essential pruning. Actions may include removal of large diameter dead branches or adding mulch to root zones. Benefits associated with work specified for trees in this priority category may be aesthetic or tree health related.

Remedial actions specified may include reduction pruning of overextended branches or removal of large diameter dead branches in trees within low occupancy areas.

Action Required Within 6 Months

Remedial actions for completion within 6 months are specified for trees that have defects that elevate the level of risk posed by the trees but do not require immediate action. Specifications assigned to these trees are designed to reduce the level of risk to as Low As Reasonably Practicable (ALARP) as defined in Appendix a.

Remedial actions specified may include reduction pruning of overextended branches or removal of large diameter dead branches in trees within frequently occupied areas.

Immediate Action Required

The tree is hazardous or has tree parts that pose an unacceptable or extreme level of risk to the public. These trees are high risk trees that may include dead trees in an advanced stage of decomposition, detached and hanging branches, and structurally compromised or actively failing tree parts.


³ Analysis of the Database of Australian Fatalities Associated with Tree Failures concludes the mortality rate from accidental tree failure in Australia is 1 in 5,000,000 (Hartley, M, Chalk, J, 2019). The risk, per tree, of causing a fatality is of the order of one in 150 million for all trees in Britain is one in 10 million for those trees in, or adjacent to areas of high public use (UK Health and Safety Executive, 2007).

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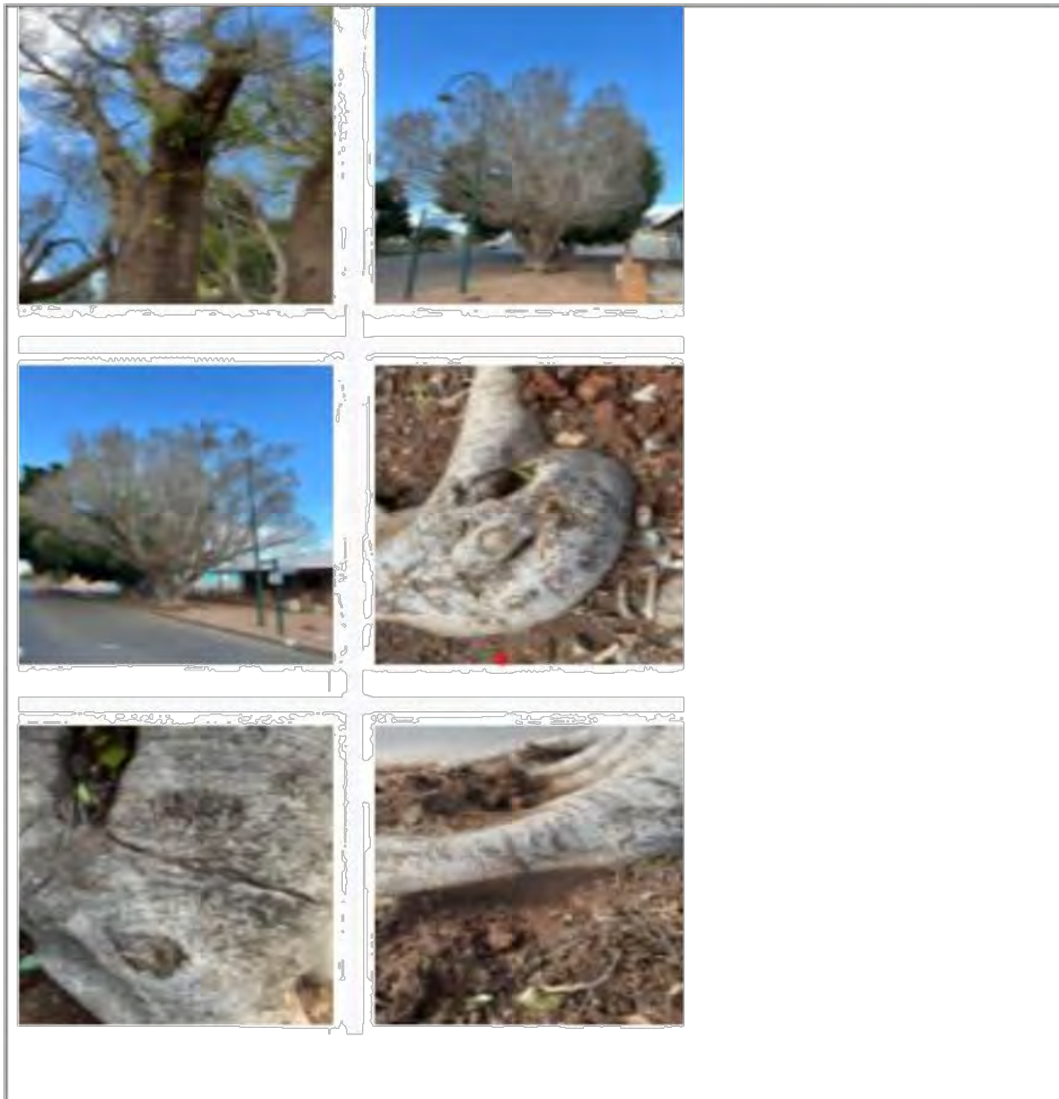
Individual Tree Data

Tree 1

 <p>Tree ID:</p> <p>Asset Number:</p> <p>Species* <input checked="" type="checkbox"/> <i>Ficus microcarpa</i> Nyngan Hills Fig</p> <p>Diameter at Breast Height (DBH)* 229cm</p> <p>Height* 15m</p> <p>Spread* 15m</p>	<p>Observations*</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Co-dominant stems <input checked="" type="checkbox"/> Included bark in branch union <input checked="" type="checkbox"/> Sparse canopy <input checked="" type="checkbox"/> Crown dieback <input checked="" type="checkbox"/> Dead <input checked="" type="checkbox"/> Epicormic shoots <input checked="" type="checkbox"/> Tagged as Tree 017 <p>Health*</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> Very Poor <p>QTRA Risk of Harm Threshold</p> <p>Specifications*</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Remove dead branches >5 c... <input checked="" type="checkbox"/> Add mulch to root zone <input checked="" type="checkbox"/> Reduction pruning required <input checked="" type="checkbox"/> Apply Seasol and Molasses s... <p>Priority*</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> Immediate action required
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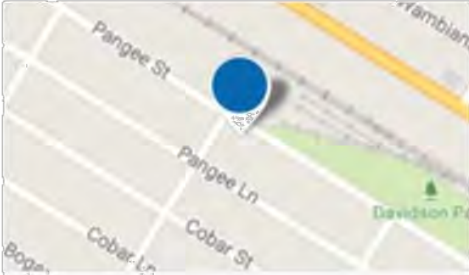







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Tree 2

	<p>Observations *</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Co-dominant stems <input checked="" type="checkbox"/> Previously lopped <input checked="" type="checkbox"/> Included bark in branch union  <input checked="" type="checkbox"/> Crown dieback <input checked="" type="checkbox"/> Epicormic shoots
<p>Tree-ID:</p> <p>Asset Number:</p>	<p>Health *</p> <p><input checked="" type="radio"/> Fair </p>
<p>Species *</p> <p><input checked="" type="checkbox"/> <i>Ficus microcarpa hillii</i> Hills Fig </p>	<p>QTRA Risk of Harm Threshold </p>
<p>Diameter at Breast Height (DBH):*</p> <p>266cm:</p>	<p>Specifications *</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Add mulch to root zone  <input checked="" type="checkbox"/> Apply Seasol and molasses s... 
<p>Height *</p> <p>15m</p>	<p>Priority *</p> <p><input checked="" type="radio"/> Immediate action required </p>
<p>Spread *</p> <p>20m</p>	



Recommendations

Specification	Rationale
Apply a solution of Seasol and molasses to the soil area surrounding the base of the Trees using soil drench and soil injection methods.	Seasol stimulates root growth and helps trees recover from stress. Molasses and water provide sugars needed for uptake by tree roots.
Incorporate activated horticultural charcoal to the upper layer of soil in the soil area surrounding the base of the Trees	Activated charcoal is used in landscaping to absorb and neutralise chemicals. It reduces soil acidity and improves soil health.
Engage an AQF Level 5 Arborist to undertake remedial reduction pruning to remove dead branches and reduce canopy size	Reduction pruning of branches with dieback will reduce the ongoing level of risk to the public from failure of tree parts. Canopy reduction will decrease tree water requirements until root growth recovers. Pruning will encourage the development of epicormic sprouts in the lower portion of the canopy.
Apply leaf mulch to the soil area beneath the Trees	Mulch conserves moisture, regulates soil temperature and suppresses weeds.

References

Hartley, M, Chalk, J, 2019, A Review of Deaths in Australia from Accidental Tree Failures, The Bark, 24:2 Arboriculture Australia, Adelaide.

Hartley, M, 2011, The Risk of Death Inside a Building From Accidental Tree Failure, The Bark, 13:2 Arboriculture Australia, Adelaide.

UK Health and Safety Executive, 2007, Management of the risk from falling trees, <http://www.hse.gov.uk/lau/lacs/23-22.htm>

Appendix a: Quantified Tree Risk Assessment (QTRA) Practice Note

"When you can measure what you are speaking about, and express it in numbers, you know something about it; but when you cannot measure it, when you cannot express it in numbers, your knowledge is of a meagre and unsatisfactory kind"

William Thomson, Lord Kelvin, Popular Lectures and Addresses [1891-1894]

1. Introduction

Every day we encounter risks in all of our activities, and the way we manage those risks is to make choices. We weigh up the costs and benefits of the risk to determine whether it is acceptable, unacceptable, or tolerable. For example, if you want to travel by car you must accept that even with all the extensive risk control measures, such as seat-belts, speed limits, airbags, and crash barriers, there is still a significant risk of death. This is an everyday risk that is taken for granted and tolerated by millions of people in return for the benefits of convenient travel. Managing trees should take a similarly balanced approach.

A risk from falling trees exists only if there is both potential for tree failure and potential for harm to result. The job of the risk assessor is to consider the likelihood and consequences of tree failure. The outcome of this assessment can then inform consideration of the risk by the tree manager, who may also be the owner.

Using a comprehensive range of values⁴, Quantified Tree Risk Assessment (QTRA) enables the tree assessor to identify and analyse the risk from tree failure in three key stages. 1) to consider land-use in terms of vulnerability to impact and likelihood of occupation, 2) to consider the consequences of an impact, taking account of the size of the tree or branch concerned, and 3) to estimate the probability that the tree or branch will fail onto the land-use in question. Estimating the values of these components, the assessor can use the QTRA manual calculator or software application to calculate an annual Risk of Harm from a particular tree. To inform management decisions, the risks from different hazards can then be both ranked and compared, and

considered against broadly acceptable and tolerable levels of risk.

A Proportionate Approach to Risks from Trees The risks from falling trees are usually very low and high risks will usually be encountered only in areas with either high levels of human occupation or with valuable property. Where levels of human occupation and value of property are sufficiently low, the assessment of trees for structural weakness will not usually be necessary. Even when land-use indicates that the assessment of trees is appropriate, it is seldom proportionate to assess and evaluate the risk for each individual tree in a population. Often, all that is required is a brief consideration of the trees to identify gross signs of structural weakness or declining health. Doing all that is reasonably practicable does not mean that all trees have to be individually examined on a regular basis (HSE 2013).

The QTRA method enables a range of approaches from the broad assessment of large collections of trees to, where necessary, the detailed assessment of an individual tree.

Risk of Harm

The QTRA output is termed the Risk of Harm and is a combined measure of the likelihood and consequences of tree failure, considered against the baseline of a lost human life within the coming year.

ALARP (As Low As Reasonably Practicable)

Determining that risks have been reduced to As Low As Reasonably Practicable (HSE 2001) involves an evaluation of both the risk and the sacrifice or cost involved in reducing that risk. If it can be demonstrated that there is gross

⁴ 1 See Tables 1, 2 & 3.

disproportion between them, the risk being insignificant in relation to the sacrifice or cost, then to reduce the risk further is not 'reasonably practicable'.

Costs and Benefits of Risk Control

Trees confer many benefits to people and the wider environment. When managing any risk, it is essential to maintain a balance between the costs and benefits of risk reduction, which should be considered in the determination of ALARP. It is not only the financial cost of controlling the risk that should be considered, but also the loss of tree-related benefits, and the risk to workers and the public from the risk control measure itself.

When considering risks from falling trees, the cost of risk control will usually be too high when it is clearly 'disproportionate' to the reduction in risk. In the context of QTRA, the issue of 'gross disproportion'⁵, where decisions are heavily biased in favour of safety, is only likely to be considered where there are risks of 1/10 000 or greater.

Acceptable and Tolerable Risks

The Tolerability of Risk framework (ToR) (HSE 2001) is a widely accepted approach to reaching decisions on whether risks are broadly acceptable, unacceptable, or tolerable. Graphically represented in Figure 1, ToR can be summarised as having a Broadly Acceptable Region where the upper limit is an annual risk of death 1/1 000 000, an Unacceptable Region for which the lower limit is 1/1 000, and between these a Tolerable Region within which the tolerability of a risk will be dependent upon the costs and benefits of risk reduction. In the Tolerable Region, we must ask whether the benefits of risk control are sufficient to justify their cost.

In respect of trees, some risks cross the Broadly Acceptable 1/1 000 000 boundary, but remain tolerable. This is because any further reduction would involve a disproportionate

cost in terms of the lost environmental, visual, and other benefits, in addition to the financial cost of controlling the risk.

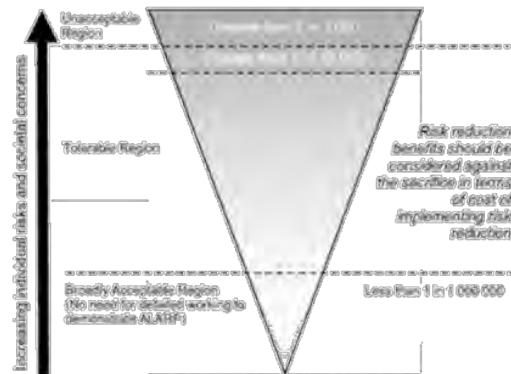


Figure 1. Adapted from the Tolerability of Risk framework (HSE 2001).

Value of Statistical Life

The Value of Statistical Life (VOSL), is a widely applied risk management device, which uses the value of a hypothetical life to guide the proportionate allocation of resources to risk reduction. In the UK, this value is currently in the region of £2 000 000 (\$6 800 000), and this is the value adopted in the QTRA method.

In QTRA, placing a statistical value on a human life has two particular uses. Firstly, QTRA uses VOSL to enable damage to property to be compared with the loss of life, allowing the comparison of risks to people and property. Secondly, the proportionate allocation of financial resources to risk reduction can be informed by VOSL. "A value of statistical life of £1 000 000 is just another way of saying that a reduction in risk of death of 1/100 000 per year has a value of £10 per year" (HSE 1996).

Internationally, there is variation in VOSL, but to provide consistency in QTRA outputs, it is suggested that VOSL of £2 000 000 (\$3 800 000) should be applied internationally. This is ultimately a decision for the tree manager.

⁵ Discussed further in Section 4 below.

⁶ See Tables 1, 2 & 3.

2. Ownership of Risk

Where many people are exposed to a risk, it is shared between them. Where only one person is exposed, that individual is the recipient of all of the risk and if they have control over it, they are also the owner of the risk. An individual may choose to accept or reject any particular risk to themselves, when that risk is under their control. When risks that are imposed upon others become elevated, societal concern will usually require risk controls, which ultimately are imposed by the courts or government regulators.

Although QTRA outputs might occasionally relate to an individual recipient, this is seldom the case. More often, calculation of the Risk of Harm is based on a cumulative occupation – i.e. the number of people per hour or vehicles per day, without attempting to identify the individuals who share the risk.

Where the risk of harm relates to a specific individual or a known group of people, the risk manager might consider the views of those who are exposed to the risk when making management decisions. Where a

risk is imposed on the wider community, the principles set out in the ToR framework can be used as a reasonable approach to determine whether the risk is ALARP.

3. The QTRA Method – Version 5

The input values for the three components of the QTRA calculation are set out in broad ranges of Target, Size, and Probability of Failure. The assessor estimates values for these three components and inputs them on either the manual calculator or software application to calculate the Risk of Harm.

Assessing Land-use (Targets)

The nature of the land-use beneath or adjacent to a tree will usually inform the level and extent of risk assessment to be carried out. In the assessment of Targets, six ranges of value are available. Table 2 sets out these ranges for vehicular frequency, human occupation and the monetary value of damage to property.

Human Occupation

The probability of pedestrian occupation at a particular location is calculated on the basis that an average pedestrian will spend five seconds walking beneath an average tree. For example, an average occupation of ten pedestrians per day, each occupying the Target for five seconds is a daily occupation of fifty seconds, giving a likelihood of occupation 1/1,728. Where a longer occupation is likely, as with a

habitable building, outdoor café, or park bench, the period of occupation can be measured, or estimated as a proportion of a given unit of time, e.g. six hours per day (1/4). The Target is recorded as a range (Table 2).

Weather Affected Targets

Often the nature of a structural weakness in a tree is such that the probability of failure is greatest during windy weather, while the probability of the site being occupied by people during such weather is often low. This applies particularly to outdoor recreational areas. When estimating human Targets, the risk assessor must answer the question ‘in the weather conditions that I expect the likelihood of failure of the tree to be initiated, what is my estimate of human occupation?’ Taking this approach, rather than using the average occupation, ensures that the assessor considers the relationship between weather, people, and trees, along with the nature of the average person with their ability to recognise and avoid unnecessary risks.

Vehicles on the Highway

In the case of vehicles, likelihood of occupation may relate to either the falling tree or branch striking the vehicle or the vehicle striking the fallen tree. Both types of impact are influenced by vehicle speed; the faster the vehicle travels the less likely it is to be struck by the falling tree, but the more likely it is to strike a fallen tree. The probability of a vehicle occupying any particular point in the road is the ratio of the time it is occupied - including a safe stopping distance - to the total time. The average vehicle on a UK road is occupied by 1.6 people (DfT 2010). To account for the

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substantial protection that the average vehicle provides against most tree impacts and in particular, frontal collisions, QTRA values the substantially protected 1.6 occupants in addition to the value of the vehicle as equivalent to one exposed human life.

Property

Table 1. Size

Size Range	Size of tree or branch	Range of Probability
1	> 450mm (>18") dia.	1/1 - >1/2
2	260mm (10 ¹ / ₂ ") dia. - 450mm (18") dia.	1/2 - >1/8.6
3	110mm (4 ¹ / ₂ ") dia. - 250mm (10") dia.	1/8.6 - >1/82
4	25mm (1") dia. - 100mm (4") dia.	1/82 - 1/2 500

* Range 1 is based on a diameter of 600mm.

Property can be anything that could be damaged by a falling tree, from a dwelling, to livestock, parked car, or fence. When evaluating the exposure of property to tree failure, the QTRA assessment considers the cost of repair or replacement that might result from failure of the tree. Ranges of value are presented in Table 2 and the assessor's estimate need only be sufficient to determine which of the six ranges the cost to select.

In Table 2, the ranges of property value are based on a VOSL of \$3 800 000, e.g. where a building with a replacement cost of \$38 000 would be valued at 0.01 (1/100) of a life (Target Range 2).

When assessing risks in relation to buildings, the Target to be considered might be the building, the occupants, or both. Occupants of a building could be protected from harm by the structure or substantially exposed to the impact from a falling tree if the structure is not sufficiently robust, and this will determine how the assessor categorises the Target.

Multiple Targets

A Target might be constantly occupied by more than one person and QTRA can account for this. For example, if it is projected that the average occupation will be constant by 10

people, the Risk of Harm is calculated in relation to one person constantly occupying the Target before going on to identify that the average occupation is 10 people. This is expressed as Target 1(10T)/1, where 10T represents the Multiple Targets. In respect of property, a Risk of Harm 1(10T)/1 would be equivalent to a risk of losing \$38 000 000 as opposed to \$3 800 000.

Tree or Branch Size

A small dead branch of less than 25mm diameter is not likely to cause significant harm even in the case of direct contact with a Target, while a falling branch with a diameter greater than 450mm is likely to cause some harm in the event of contact with all but the most robust Target. The QTRA method categorises

Size by the diameter of tree stems and branches (measured beyond any basal taper). An equation derived from weight measurements of trees of different stem diameters is used to produce a data set of comparative weights of trees and branches ranging from 25mm to 600mm diameter, from which Table 1 is compiled. The size of dead branches might be discounted where they have undergone a significant reduction in weight because of degradation and shedding of subordinate branches. This discounting, referred to as 'Reduced Mass', reflects an estimated reduction in the mass of a dead branch.

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Table 2. Targets

Target Range	Property (repair or replacement cost)	Human (not in vehicles)	Vehicle Traffic (number per day)	Ranges of Value (probability of occupation or fraction of \$3 800 000)
1	\$3 800 000 → \$380 000	Occupation: Constant – 2.5 hours/day Pedestrians & cyclists: 720/hour – 73/hour	26 000 – 2 700 @ 110kph 32 000 – 3 300 @ 80kph 47 000 – 4 800 @ 50kph	1/1 → 1/10
2	\$380 000 → \$38 000	Occupation: 2.4 hours/day – 15 min/day Pedestrians & Cyclists: 72/hour – 8/hour	2 600 – 270 @ 110kph 3 200 – 330 @ 80kph 4 700 – 480 @ 50kph	1/10 → 1/100
3	\$38 000 → \$3 800	Occupation: 14 min/day – 2 min/day Pedestrians & cyclists: 7/hour – 2/hour	260 – 27 @ 110kph 320 – 33 @ 80kph 470 – 48 @ 50kph	1/100 → 1/1 000
4	\$3 800 → \$380	Occupation: 1 min/day – 2 min/week Pedestrians & cyclists: 1/hour – 3/day	26 – 4 @ 110kph 32 – 4 @ 80kph 47 – 6 @ 50kph	1/1 000 → 1/10 000
5	\$380 → \$38	Occupation: 1 min/week – 1 min/month Pedestrians & cyclists: 2/day – 2/week	3 – 1 @ 110kph 3 – 1 @ 80kph 5 – 1 @ 50kph	1/10 000 → 1/100 000
6	\$38 → \$4	Occupation: <1 min/month – 0.5 min/year Pedestrians & cyclists: 1/week – 6/year	None	1/100 000 → 1/1 000 000

Vehicle, pedestrian and property Targets are categorised by their frequency of use or their monetary value. The probability of a vehicle or pedestrian occupying a Target area in Target Range 4 is between the upper and lower limits of 1/1,000 and >1/10,000 (column 5). Using the VOSL \$3,800,000, the property repair or replacement value for Target Range 4 is \$3,800- >\$380.

Probability of Failure

In the QTRA assessment, the probability of tree or branch failure within the coming year is estimated and recorded as a range of value (Ranges 1 – 7, Table 3).

Selecting a Probability of Failure (PoF) Range requires the assessor to compare their assessment of the tree or branch against a benchmark of either a noncompromised tree at Probability of Failure Range 7, or a tree or branch that we expect to fail within the year, which can be described as having a 1/1 probability of failure.

During QTRA training, Registered Users go through a number of field exercises in order to calibrate their estimates of Probability of Failure.

Table 3. Probability of Failure

Probability of Failure Range	Probability
1	1/1 - >1/10
2	1/10 - >1/100
3	1/100 - >1/1 000
4	1/1 000 - >1/10 000
5	1/10 000 - >1/100 000
6	1/100 000 - >1/1 000 000
7	1/1 000 000 - 1/10 000 000

The probability that the tree or branch will fail within the coming year.

The QTRA Calculation

The assessor selects a Range of values for each of the three input components of Target, Size and Probability of Failure. The Ranges are entered on either the manual calculator or software application to calculate a Risk of Harm.

The Risk of Harm is expressed as a probability and is rounded, to one significant figure. Any Risk of Harm that is lower than 1/1 000 000 is represented as <1/1 000 000. As a visual aid, the Risk of Harm is colour coded using the traffic light system illustrated in Table 4 (page 7).

Risk of Harm - Monte Carlo Simulations

The Risk of Harm for all combinations of Target, Size and Probability of Failure Ranges has been calculated using Monte Carlo simulations⁷. The QTRA Risk of Harm is the mean value from each set of Monte Carlo results.

In QTRA Version 5, the Risk of Harm should not be calculated without the manual calculator or software application.

Assessing Groups and Populations of Trees

When assessing populations or groups of trees, the highest risk in the group is quantified and if that risk is tolerable, it follows that risks from the remaining trees will also be tolerable, and further calculations are unnecessary. Where the risk is intolerable, the next highest risk will be quantified, and so on until a tolerable risk is established. This process requires prior knowledge of the tree manager’s risk tolerance.

Accuracy of Outputs

The purpose of QTRA is not necessarily to provide high degrees of accuracy, but to provide for the quantification of risks from falling trees in a way that risks are categorised within broad ranges (Table 4).

**4. Information Management Decisions
Balancing Costs and Benefits of Risk Control**

When controlling risks from falling trees, the benefit of reduced risk is obvious, but the costs of risk control are all too often neglected. For every risk reduced there will be costs, and the most obvious of these is the financial cost of

⁷ For further information on the Monte Carlo simulation method, refer to http://en.wikipedia.org/wiki/Monte_Carlo_method

implementing the control measure. Frequently overlooked is the transfer of risks to workers and the public who might be directly affected by the removal or pruning of trees. Perhaps more importantly, most trees confer benefits, the loss of which should be considered as a cost when balancing the costs and benefits of risk control.

When balancing risk management decisions using QTRA, consideration of the benefits from trees will usually be of a very general nature and not require detailed consideration. The tree manager can

consider, in simple terms, whether the overall cost of risk control is a proportionate one. Where risks are approaching 1/10 000, this may be a straightforward balancing of cost and benefits. Where risks are 1/10 000 or greater, it will usually be appropriate to implement risk controls unless the costs are grossly disproportionate to the benefits rather than simply disproportionate. In other words, the balance being weighted more on the side of risk control with higher associated costs.

Considering the Value of Trees

It is necessary to consider the benefits provided by trees, but they cannot easily be monetised and it is often difficult to place a value on those attributes such as habitat, shading and visual amenity that might be lost to risk control.

A simple approach to considering the value of a tree asset is suggested here, using the concept of ‘average benefits’. When considered against other similar trees, a tree providing ‘average benefits’ will usually present a range of benefits that are typical for the species, age and situation. Viewed in this way, a tree providing ‘average benefits’ might appear to be low when compared with particularly important trees – such as in Figure 2, but should nonetheless be sufficient to offset a Risk of Harm of less than 1/10 000. Without having to consider the benefits of risk controls, we might reasonably assume that

below 1/10 000, the risk from a tree that provides ‘average benefits’ is ALARP.

In contrast, if it can be said that the tree provides lower than average benefits because, for example, it is declining and in poor physiological condition, it may be necessary to consider two further elements. Firstly, is the Risk of Harm in the upper part of the Tolerable Region, and secondly, is the Risk of Harm likely to increase before the next review because of an increased Probability of Failure. If both these conditions apply then it might be appropriate to consider the balance of costs and benefits of risk reduction in order to determine whether the risk is ALARP. This balance requires the tree manager to take a view of both the reduction in risk and the costs of that reduction.



Lower Than Average Benefits from Trees

Usually, the benefits provided by a tree will only be significantly reduced below the ‘average benefits’ that are typical for the species, age and situation, if the life of the benefits is likely to be shortened, perhaps because the tree is declining or dead. That is not to say that a disbenefit, such as undesirable shading, lifting of a footpath, or restricting the growth of other trees, should not also be considered in the balance of costs and benefits.

The horse chestnut tree in Figure 3 has recently died, and over the next few years, may provide valuable habitats. However, for this tree species and the relatively fast rate at

which its wood decays, the lifetime of these benefits is likely to be limited to only a few years. This tree has an already reduced value that will continue to reduce rapidly over the coming five to ten years at the same time as the Risk of Harm is expected to increase. There will be changes in the benefits provided by the tree as it degrades. Visual qualities are likely to reduce while the decaying wood provides habitats for a range of species, for a short while at least. There are no hard and fast measures of these benefits and it is for the tree manager to decide what is locally important and how it might be balanced with the risks.

Where a risk is within the Tolerable Region and the tree confers lower than average benefits, it might be appropriate to consider implementing risk control while taking account of the financial cost. Here, VOSL can be used to inform a decision on whether the cost of risk control is proportionate. Example 3 below puts this evaluation into a tree management context.

There will be occasions when a tree is of such minimal value and the monetary cost of risk reduction so low that it might be reasonable to further reduce an already relatively low risk. Conversely, a tree might be of such considerable value that an annual risk of death greater than 1/10 000 would be deemed tolerable.

Occasionally, decisions will be made to retain elevated risks because the benefits from the tree are particularly high or important to stakeholders, and in these situations, it might be appropriate to assess and document the benefits in some detail. If detailed assessment of benefits is required, there are several methodologies and sources of information (Forest Research 2010).

Delegating Risk Management Decisions



Understanding of the costs with which risk reduction is balanced can be informed by the risk assessor’s knowledge, experience and on-site observations, but the risk management decisions should be made by the tree manager. That is not to say that the tree manager should review and agree every risk control measure, but when delegating decisions to surveyors and other staff or advisors, tree managers should set out in a policy, statement or contract, the principles and perhaps thresholds to which trees and their associated risks will ordinarily be managed.

Based on the tree manager accepting the principles set out in the QTRA Practice Note and or any other specific instructions, the risk assessor can take account of the cost/benefit balance and for most situations will be able to determine whether the risk is ALARP when providing management recommendations.

Table 4. QTRA Advisory Risk Thresholds

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Thresholds	Description	Action
1/1 000	Unacceptable Risks will not ordinarily be tolerated	- Control the risk
	Unacceptable (where imposed on others) Risks will not ordinarily be tolerated	- Control the risk - Review the risk
1/10 000	Tolerable (by agreement) Risks may be tolerated if those exposed to the risk accept it, or the tree has exceptional value	- Control the risk unless there is broad stakeholder agreement to tolerate it, or the tree has exceptional value - Review the risk
	Tolerable (where imposed on others) Risks are tolerable if ALARP	- Assess costs and benefits of risk control - Control the risk only where a significant benefit might be achieved at reasonable cost - Review the risk
1/1 000 000	Broadly Acceptable Risk is already ALARP	- No action currently required - Review the risk

QTRA Informative Risk Thresholds

The QTRA advisory thresholds in Table 4 are proposed as a reasonable approach to balancing safety from falling trees with the costs of risk reduction. This approach takes account of the widely applied principles of ALARP and ToR, but does not dictate how these principles should be applied. While the thresholds can be the foundation of a robust policy for tree risk management, tree managers should make decisions based on their own situation, values and resources. Importantly, to enable tree assessors to provide appropriate management guidance, it is helpful for them to have some understanding of the tree owner’s management preferences prior to assessing the trees.

A Risk of Harm that is less than 1/1 000 000 is Broadly Acceptable and is already ALARP. A Risk of Harm 1/1 000 or greater is unacceptable and will not ordinarily be tolerated. Between these two values, the Risk of Harm is in the Tolerable Region of ToR and will be tolerable if it is ALARP. In the Tolerable Region, management decisions are informed

by consideration of the costs and benefits of risk control, including the nature and extent of those benefits provided by trees, which would be lost to risk control measures.

For the purpose of managing risks from falling trees, the Tolerable Region can be further broken down into two sections. From 1/1 000 000 to less than 1/10 000, the Risk of Harm will usually be tolerable providing that the tree confers ‘average benefits’ as discussed above. As the Risk of Harm approaches 1/10 000 it will be necessary for the tree manager to consider in more detail the benefits provided by the tree and the overall cost of mitigating the risk.

A Risk of Harm in the Tolerable Region but 1/10 000 or greater will not usually be tolerable where it is imposed on others, such as the public, and if retained, will require a more detailed consideration of ALARP. In exceptional circumstances a tree owner might choose to retain a Risk of Harm that is 1/10 000 or greater. Such a decision might be based on the agreement of those who are exposed to the risk, or perhaps that the tree is of great importance. In these circumstances, the prudent tree manager will consult with the appropriate stakeholders whenever possible.

5. EXAMPLE QTRA CALCULATIONS AND RISK MANAGEMENT DECISIONS

Below are three examples of QTRA calculations and application of the QTRA Advisory Thresholds.

Example 1.

	Target	Size	Probability of Failure	Risk of Harm
Range	6	x 1	x 3	= <1/1 000 000

Example 1 is the assessment of a large (Size 1), unstable tree with a probability of failure of between 1/100 and >1/1 000 (PoF 3). The Target is a footpath with less than one pedestrian passing the tree each week (Target 6). The Risk of Harm is calculated as less than 1/1 000 000 (green). This is an example of where the Target is so low consideration of the structural condition of even a large tree would not usually be necessary.

Nyngan Hills Fig Tree Report

Bogan Shire Council

Example 2.

	Target	Size	Probability of Failure	Risk of Harm
Range	1	x 4	x 3	= 1(21)/50 000

In Example 2, a recently dead branch (Size 4) overhangs a busy urban high street that is on average occupied constantly by two people, and here Multiple Target occupation is considered.

Having an average occupancy of two people, the Risk of Harm 1(2T)/50 000 (yellow) represents a twofold increase in the magnitude of the consequence and is therefore equivalent to a Risk of Harm 1/20 000 (yellow). This risk does not exceed 1/10 000, but being a dead branch at the upper end of the Tolerable Region it is appropriate to consider the balance of costs and benefits of risk control. Dead branches can be expected to degrade over time with the probability of failure increasing as a result. Because it is dead, some of the usual benefits from the branch have been lost and it will be appropriate to consider whether the financial cost of risk control would be proportionate.

Example 3.

	Target	Size	Probability of Failure	Risk of Harm
Range	3	x 3	x 3	= 1/500 000

In Example 3, a 200mm diameter defective branch overhangs a country road along which travel between 470 and 48 vehicles each day at an average speed of 50kph (32mph) (Target Range 3). The branch is split and is assessed as having a probability of failure for the coming year of between 1/100 and 1/1 000 (PoF Range 3). The Risk of Harm is calculated as 1/500 000 (yellow) and it needs to be considered whether the risk is ALARP. The cost of removing the branch and reducing the risk to Broadly Acceptable (1/1 000 000) is estimated at \$670. To establish whether this is a proportionate cost of risk control, the following equation is applied. \$3 800 000 (VOSL) x 1/500 000 = \$7.6 indicating that the projected cost of \$670 would be disproportionate to the benefit. Taking

account of the financial cost, risk transfer to arborists and passers-by, the cost could be described as being grossly disproportionate, even if accrued benefits over say ten years were taken into account.

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**Appendix b: Australian Standard for Pruning of Amenity Trees AS 4373-2007
Figure 1a Final cut location for branch removal at the branch collar**

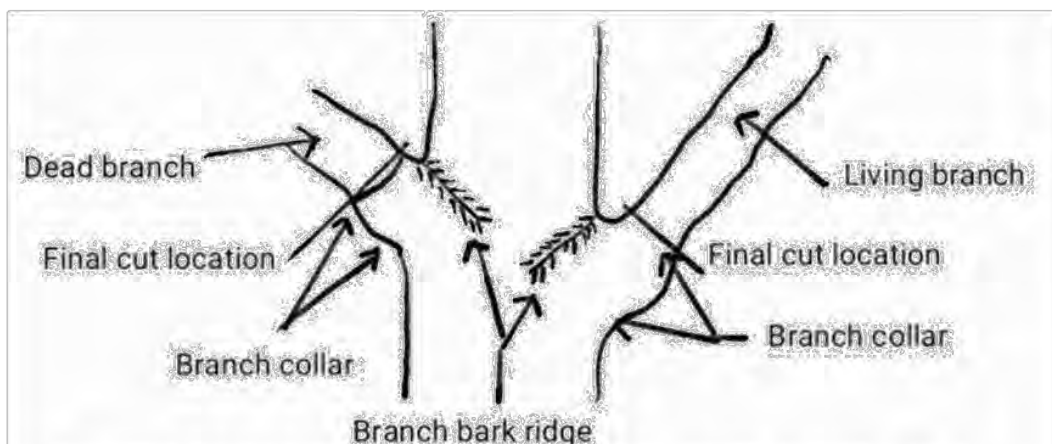
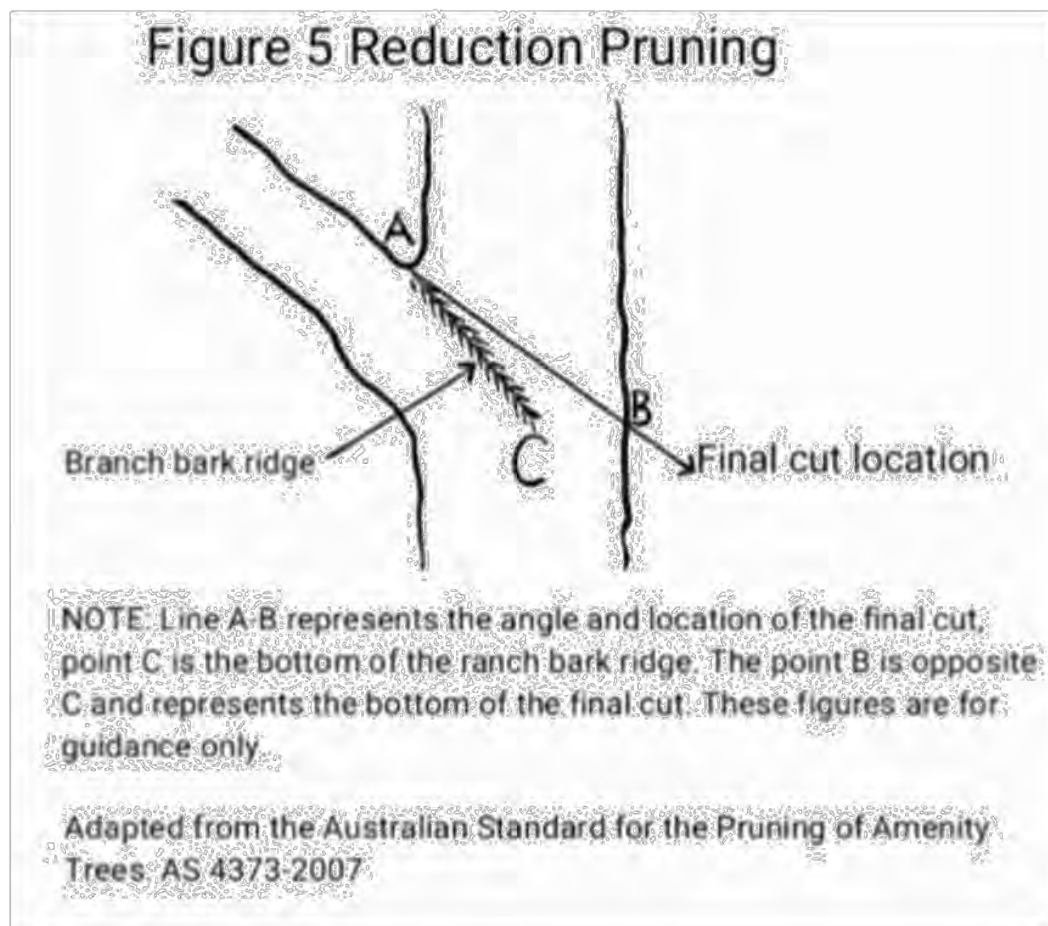


Figure 1a Final cut location for branch removal at the branch collar. Dead branches should be cut as close to the branch collar as possible without damaging live tissue. When removing living branches use the branch collar as a guide. If the branch collar is not visible use the branch bark ridge as shown above. Adapted from the Australian Standard for Pruning of Amenity Trees AS 4373-2007.

Appendix c: Australian Standard for Pruning of Amenity Trees AS 4373-2007
Figure 5 Final cut location for reduction pruning cuts



COUNCIL POLICY DDES005
TREE PRESERVATION
(Trees on Public Land)



Bogan Shire Council Policy DDES005 (Tree Preservation Policy – Trees on Public Land)

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Bogan Shire Council Policy DDES005 (Tree Preservation Policy – Trees on Public Land)

Policy Outcomes Statement

This policy will assist Council and the community to protect valuable trees against unwarranted removal or damage. It will promote awareness around the importance of trees within the urban landscape.

The Policy generally requires planting of Australian native trees indigenous to the area or trees deemed suitable to their surrounds (in the case of powerlines or park precincts) when tree replacement planting is carried out.

Overview

This Policy identifies the significance of trees and outlines the approval process should a request be made to remove or impact a tree in a public precinct under Council's control.

It details the responsibility of Council staff and how to identify if a tree is suitable for impact or removal and clarifies when the decision should be escalated.

Furthermore this policy outlines that Council approval is required for planting of trees on public land under Councils control. This will ensure appropriate species are selected and consideration will be given to any legislation, regulation and/or policy in place at the time.

Applicability

This Policy applies to all public land under the control of Council, including but not limited to road reserves, parks and gardens and other community lands within particular zones under the Bogan Local Environment Plan 2011 (LEP) and located in or adjacent to the township of Nyngan and the villages of Coolabah, Hermidale and Girilambone.

This Policy does not remove any obligation under any Act, State or Commonwealth, and any Notices, Directions and/or Orders made under any Act.

Principles

Bogan Shire Council recognises that trees, particularly public space trees, are an important asset for the amenity of the Shire and the wellbeing of its residents. The Tree Preservation Policy (TPP) is intended to protect valuable trees against unwarranted destruction by removal or damage.

The Policy binds the general community and Council staff to carry out correct procedures and protocols to maintain and/or improve the aesthetics of the Shire.

In the urban environment, trees provide valuable shade and soften the general appearance of a sometimes harsh and hardened landscape or streetscape. They make our urban environment a pleasant place to live and visit through the array of heights, shapes, colours and general form they offer. Trees help define and give an identity to residential areas, streets and other urban precincts.

Bogan Shire Council Policy DDES005 (Tree Preservation Policy – Trees on Public Land)

To ensure relevant information is available regarding trees already assessed, Council will request a review of its Arborist Report every 5 years, which may include the inspection of specific tree/s.

The importance of trees within the urban landscape will be promoted by;

- preventing unwarranted and wilful destruction of public place trees due to non-compliance with this Policy;
- maintaining the environmental protection and amenity of trees throughout the urban and rural residential localities;
- carrying out correct procedures, seeking Council actioning a request to remove, lop, top or root prune public place trees;
- providing guidelines for planting of trees;
- providing advice and information in regard to selecting appropriate plants/species, suitable to the location, and
- applying a cross-organisational approach to the assessment of applications for removing, lopping or topping public place trees.

Policy

1. Requirements of the Tree Preservation Policy (TPP) – Public Place Trees

1.1 When is Approval Needed?

Residents, landowners or any other person or body must seek Council approval if they request to remove, ring bark, lop, top, prune or injure any tree in a public precinct on Council managed land.

Any agreed works or removals will be carried out by Council staff or Council approved contractors.

Council is not required to seek written approval to remove/impact trees on Council managed land unless section 1.6 of this policy is triggered. Adherence to this policy will ensure all trees on Council managed land are assessed consistently.

Residents, landowners or any other person or body must seek approval from Council prior to planting trees on Council managed land.

1.2 Land to which the Policy Applies

The TPP applies to all public land under the control of Council including road reserves, parks and gardens and other community land located within the Township of Nyngan and the villages of Girilambone, Hermidale and Coolabah as identified by the following zones of the Bogan LEP:

• Zone R1 General Residential	• Zone R5 Large Lot Residential
• Zone RU5 Village	• RU3 Forestry
• Zone E1 Local Centre	• Zone E3 Productivity Support
• Zone E4 General Industrial	• Zone SP2 Infrastructure
• Zone RE1 Public Recreation	• Zone RE2 Private Recreation

Bogan Shire Council Policy DDES005 (Tree Preservation Policy – Trees on Public Land)

<ul style="list-style-type: none"> • Zone C1 National Parks and Nature Reserves 	<ul style="list-style-type: none"> • Zone W2 Recreational Waterways
<ul style="list-style-type: none"> • Public land within 200 metres of all of the above 	

1.3 Situations in which pruning, or removal may be carried out.

Minor pruning or removal of trees for the following purposes may be carried out by Council or Council engaged contractors subject to Council’s assessment:

- 1.3.1 removal of dead branches.
- 1.3.2 removal or pruning for ornamental purposes.
- 1.3.3 removal or pruning for operational purposes.
- 1.3.4 removal of undesirable trees or shrubs classed as priority weeds, identified in the National Weeds Strategy under the Biosecurity Act.
- 1.3.5 a tree which has a trunk less than three (3) metres from the outmost projection of a building.
- 1.3.6 removal of trees to give effect to a Council approved development.
(Refer to Section 2 of this Policy in relation to specific requirements that may apply for developments.)
- 1.3.7 in accordance with Section 88 of the Roads Act.
- 1.3.8 in accordance with Schedule 5A of the Local Land Services Act.
- 1.3.9 trees which pose a real risk to public safety, or which significantly increase the risk of damage to property. Is Poisonous to people or animals, harbours disease, allergenic (asthma, allergic rhinitis, dermatitis etc)
- 1.3.10 the provisions of this Policy do not apply to trees required to be trimmed in accordance with Section 48 of the Electricity Supply Act.
- 1.3.11 the provisions of this Policy do not apply to any Tree Replacement Program adopted by Council.

All works must be carried out by Council, or a Council engaged contractor under the direct supervision of Council staff.

1.4 Dangerous Trees

Council will determine the health of a tree. If the tree is assessed as dangerous or poses an unacceptable level of risk such that it warrants removal or pruning, then Council will remove or prune the tree to make it safe. A report from a Tree Surgeon or Arborist may be required where significant uncertainty exists as to the integrity or safety of a tree and the tree is considered by the Council and the community to warrant preservation.

Bogan Shire Council Policy DDES005 (Tree Preservation Policy – Trees on Public Land)**1.5 Reasons for Removal or Pruning Trees**

Council will consider the following circumstances when determining the removal or pruning of tree/s:

- 1.5.1 risk of personnel injury,
- 1.5.2 risk of damage to buildings, structures or services lines,
- 1.5.3 risk to operational practices of business,
- 1.5.4 creation of a traffic hazard by obstruction of vision, and
- 1.5.5 other circumstances where it is evident that the adverse impact of the tree/s clearly outweighs its value and contribution to the amenity of the locality.

1.6 Reasons for Protecting Against Removal or Pruning

Council will place particular importance on the preservation of a tree where it is considered that it:

- 1.6.1 has cultural (Aboriginal) significance of any type,
- 1.6.2 has historical or commemorative significance,
- 1.6.3 makes a significant contribution to the landscape/streetscape and amenity of the area,
- 1.6.4 is exceptionally old, large, rare or endangered,
- 1.6.5 has notable aesthetic qualities,
- 1.6.6 assists in stabilisation of soil,
- 1.6.7 has horticultural or scientific value, and/or
- 1.6.8 forms part of a themed street tree planted zone.

1.7 Approval Process

Requests for the removal or pruning of a tree/s must be forwarded to Council in writing and specify the location, type, and size of the tree/s requested to be removed or pruned and the reason and extent of the requested work.

Council will consider the removal or pruning of tree/s on public land following an assessment of the tree/s by an appointed Council officer. If tree/s fall into any category described in Section 1.6 of this Policy, a written report will be prepared for consideration by the Director Development and Environmental Services who may refer to Council.

Bogan Shire Council Policy DDES005 (Tree Preservation Policy – Trees on Public Land)

Consideration of a request will be made on each individual case, that may be tree by tree or by group of trees. In considering an application to remove or prune a tree, the following steps are to be implemented by the Council Officer in the decision as to whether to retain, remove or refer the tree/s;

1.7.1 is the tree unsafe? If so, arrange removal or lopping,

1.7.2 determine individual and streetscape significance of the tree,

1.7.3 is the tree in poor condition or is it a poor specimen,

1.7.4 is building/infrastructure damaged by tree - If the cost of the building/infrastructure repairs is reasonable and funds are available in Council's budget, then retain the tree,

1.7.5 is building/infrastructure damaged by tree - If the repairs are estimated to be significant and not within Council budget, then remove the tree or the Director Development and Environmental Services will refer to Council for consideration.

1.8 Tree Replacement

Where tree removal is proposed, Council will generally plant an equivalent number of replacement trees in the same location or at another more appropriate site/s. Use of native trees indigenous to the area or trees deemed suitable to their surrounds will generally be used for the purposes of tree replacement.

1.9 Qualifications and Insurance

Council requires that street and public place tree removal and/or pruning is only carried out by Council staff or a Council engaged contractor. Council will determine the manner of treatment or removal, based on the nature, extent and location of the work to be carried out and the significance of the tree/s.

Council will insist that all contractors and/or their subcontractors have appropriate personal injury, public liability and property damage insurances prior to commencing works.

1.10 Clearing for Bushfire Risk Reduction

Clearing in those zones to which this Policy applies may be carried out where removal of vegetation is necessary to reduce the risk of injury or damage from bushfires. Where there is an immediate risk of bushfire damage, and circumstances do not permit Council notification and approval, a reasonable degree of risk will be considered in a defence against the provisions of this Policy, noting that this Policy does not apply to private land.

Ecological Endangered Communities and Threatened Species must be considered when undertaking the removal of vegetation to reduce risks from a bushfire.

Bogan Shire Council Policy DDES005 (Tree Preservation Policy – Trees on Public Land)**1.11 Penalties for Unlawful Removal or Trimming of Trees**

Any person who contravenes or causes or permits the contravention of this Policy is guilty of an offence pursuant to Section 629 of the Local Government Act. A Penalty Infringement Notice (on-the-spot fine) may be served for the injury or unnecessary disturbance of trees and vegetation on public land including road reserves.

Prosecution may also follow or other remedies pursued in accordance with Section 690 of the Local Government Act.

2. Development and Building Approval

Council may specify in a Development Consent that certain trees may be removed or must be retained. Landscaping requirements, including tree replacement requirements, may also be specified as conditions when a Development Consent is granted by Council.

Use of native trees indigenous to the area will generally be required for the purposes of tree replacement.

Authority

Council resolution No 048/24 dated 28 03 2024.

Policy Owner / Further Assistance

Director Development and Environmental Services / Senior Health and Building Surveyor

Related Information

Council's legislative requirements include, but are not limited to the following instruments of legislation:

- Biodiversity Conservation Act
- Biosecurity Act
- Civil Liability Act
- Environmental Planning and Assessment Act
- Heritage Act
- Local Government Act
- Local Land Services Act
- Protection of the Environment Operations Act
- Threatened Species
- Work Health and Safety Act
- Summary Offences Act

Other

- Arborist Report – Town of Nyngan by Arborsaw (Alex Austin) May 2020

Bogan Shire Council Policy DDES005 (Tree Preservation Policy – Trees on Public Land)

- Arborist Report (Review) – Town of Nyngan by Arborsaw (Alex Austin) April 2023

Review Date

February 2027

Revision History

Date	Description of Change	Sections Affected
25/03/2004	New Policy adopted by Council	All
25/08/2016	Update Policy	All
28/03/2024	Update Policy adopted by Council	All

14.4 NYNGAN WAR MEMORIAL POOL REMEDIATION REPORT

1. Introduction

The purpose of this report is to seek Councils budget approval to perform remedial works at the Nyngan War Memorial Pool.

2. Background

It has been identified that the Nyngan War Memorial Pool (the pool) has been losing substantial amounts of water over the past swimming season.

3. Discussion

In response to this issue, Council engaged professional services to complete an investigation using cameras to examine and assess the pipe infrastructure at the pool. The inspection was completed on 29 April 2024 and a report was provided (**Attachment 1**) identifying the following issues:

- Pit Condition: The last pit before the holding tank is in very poor condition. Deteriorating and potentially leaking.
 - Pipe Blockage: Investigation revealed that approximately 65% of the pipe, halfway down the line is filled with river sand, impeding water flow and contributing to potential leaks.
 - Culverts: Several culverts, both in the main pool and the small pool, show varying degrees of deterioration. The sizes and conditions of these culverts are as follows:
 - Small culvert located in the small pool: 270mm wide x 90mm high.
 - Large culvert located in the shallow end of the main pool: 270mm wide x 70mm high.
 - Middle culvert: 250mm x 320mm high.
 - Culvert located in the deep end of the main pool: 260mm wide x 510mm high.
 - Secondary Deep end culvert of the main pool: Size and condition unknown due to being underwater.
 - Pipe condition: The 150mm cast iron line connecting the last pit to the holding tank displays severe deterioration. While the 100mm cast iron line connecting the main pool to the small pool is also in poor condition. These deteriorated pipes are prone to leakage and require immediate attention to prevent further seepage into the subsurface.
- The following actions have been recommended to help rectify these issues:
- Reline Cast Iron Pipework: It is recommended to reline the 150mm cast iron pipework between the pit and the holding tank, as it is in poor condition, to prevent further leaking.

- Reline Cast Iron Pipework: It is recommended to reline the 100mm cast iron pipework between the small pool and the main swimming pool, as it is in poor condition, to prevent further leaking.
- Culvert Relining: It is recommended to reline the culverts to seal and prevent any water leakage into the subsurface. Relining will enhance the structural integrity of the culverts, reducing the risk of water seepage and associated damage.
- Vacuum truck Usage: It is recommended for the use of a vacuum truck to remove excess sand and silt from the culverts. This will improve the water flow and prevent further blockages.

The estimated cost to complete above mentioned remedial works will be \$45,015 (excluding GST). The fibreglass laminate will need to be repaired following the works which is estimated to cost \$17,800 (excluding GST).

In total, to complete all the recommended repairs the cost is expected to be \$62,815. These funds can be sourced from savings within the budget.

4. Attachments

1. Nyngan Pool -Report and Recommendations

5. Recommendation

That Council approve the remediation works required for the Nyngan War Memorial Pool and funds be sourced from budget savings.

TONKIN

REPORT & RECOMMENDATIONS - Nyngan Pool

Bogan Shire Council
Bogan Street
Nyngan NSW 2825

1/486 Atkins Street
PO Box 716
Albury NSW 2640

02 6040 1797
office@tonkingroup.com.au

ABN: 74 605 505 057

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Nyngan Public Pool

1.0 Introduction:

The works were carried out by:

TONKIN TRADE GROUP

486 Atkins Street
South Albury NSW 2640

☎ Ph: (02) 6040 1797

✉ Email: office@tonkingroup.com.au

★ Web: www.tonkingroup.com.au

Contact: Thomas Stead

✉ Email: thomas.stead@tonkingroup.com.au

Contracted to:

BOGAN SHIRE COUNCIL

Bogan Street
Nyngan NSW 2825

Contact: Cathy Black

✉ Email: cathy.black@bogan.nsw.gov.au

Nyngan Public Pool

2.0 Background:

The inspection was conducted on 29 April 2024 to assess the condition of the public swimming pool that is approximately 70 years old, primarily constructed of fibreglass. At the time of investigation the pool was 90% empty.

The purpose was to identify the sources of leakage and evaluate the overall structural integrity of the pool, as the pool has a history of significant water loss. This necessitates the continuous operation of a fire hydrant to maintain water levels. The entire pool recently underwent fibreglass coating in an attempt to mitigate leakage issues, however visible signs of water seepage persist in multiple areas of the pool, including walls and the floor.

3.0 Report & Findings:

1. Pit Condition: The last pit before the holding tank is in very poor condition. Deteriorating and potentially leaking.

2. Pipe Blockage: Investigation revealed that approximately 65% of the pipe, halfway down the line is filled with river sand, impeding water flow and contributing to potential leaks.

3. Culverts: Several culverts, both in the main pool and the kids pool, show varying degrees of deterioration. The sizes and conditions of these culverts are as follows:

- Small culvert located in the kids pool: 270mm wide x 90mm high.
- Large culvert located in the shallow end of the main pool: 270mm wide x 270mm high.
- Middle culvert: 250mm x 320mm high.
- Culvert located in the deep end of the main pool: 260mm wide x 510mm high.
- Secondary Deep end culvert of the main pool: Size and condition unknown due to being underwater.

4. Pipe condition: The 150mm cast iron line connecting the last pit to the holding tank displays severe deterioration. While the 100mm cast iron line connecting the main pool to the kids pool is also in poor condition. These deteriorated pipes are prone to leakage and require immediate attention to prevent further seepage into the subsurface.

Nyngan Public Pool

4.0 Recommended Remedial Works:

1. Reline Cast Iron Pipework: It is recommended to reline the 150mm cast iron pipework between the pit and the holding tank, as it is in poor condition, to prevent further leaking.

2. Reline Cast Iron Pipework: It is recommended to reline the 100mm cast iron pipework between the kids pool and the main swimming pool, as it is in poor condition, to prevent further leaking.

3. Culvert Relining: It is recommended to reline the culverts to seal and prevent any water leakage into the subsurface. Relining will enhance the structural integrity of the culverts, reducing the risk of water seepage and associated damage.

4. Vacuum truck Usage: It is recommended for the use of a vacuum truck to remove excess sand and silt from the culverts. This will improve the water flow and prevent further blockages.

5.0 Conclusion:

The inspection revealed significant issues affecting the structural integrity and functionality of the pool, including pipe blockages, significantly deteriorated culverts, and damaged pipes. Immediate action is recommended to address these issues and prevent further water loss and structural damage.

6.0 Images of Findings:



Crack in wall of main pool



Crack in wall of main pool



Crack in wall of main pool



Crack in wall of main pool

Nyngan Public Pool



Crack in wall of main pool



Deep culvert in main pool, unknown depth



Blockage in pipework

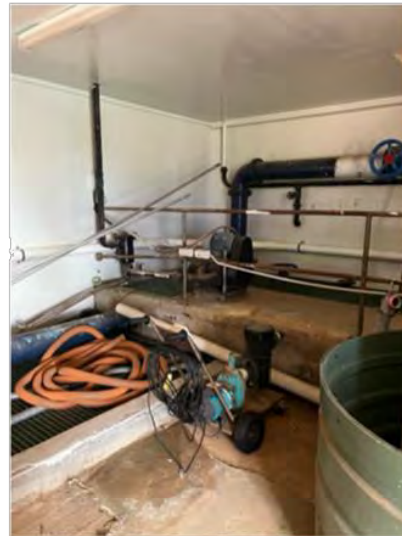


Deteriorated pump

Nyngan Public Pool



Pump Room



Pump Room



Main Pool



Crack in wall of main pool

Nyngan Public Pool



Kids Pool



Deteriorated cast iron pipe



Deteriorated cast iron pipe

Nyngan Public Pool

7.0 Help & Contact

TONKIN TRADE GROUP

486 Atkins Street
South Albury NSW 2640

☎ Ph: (02) 6040 1797

@ Email: office@tonkingroup.com.au

🌐 Web: www.tonkingroup.com.au

-END-

Nyngan Public Pool

15 PRECIS OF CORRESPONDENCE

15.1 CORRESPONDENCE FROM BARNARDOS

Attached is a copy of correspondence received from Barnardos Australia regarding the Bogan Shire Early Learning Centre.

General Managers Note:

The following notes are provided to Councillors as context and background in relation to some of the comments contained in the letter from Barnardos Australia.

1. Consultation – Page 1, Paragraph 2

It is acknowledged that local, Nyngan government and non-government agencies were not consulted regarding Council's policy positions on Priority of Access.

It needs to be noted however that Bogan Shire Council has been actively consulting with and lobbying State and Federal Members as well as government officials for a number of years to address issues relating to childcare in our Shire – including for the establishment of the Bogan Shire Early Learning Centre (ELC).

This includes addressing the Commonwealth / State division of responsibility for childcare which sees Early Learning Centres such as ours, which operate under Commonwealth jurisdiction, excluded from the financial support given to pre-schools by the State Government who operate under theirs. The effects of this, including the increased cost of providing services to the under 3 year old age group and the financial responsibility carried by Bogan Shire ratepayers for operating the ELC have been discussed with Council and raised several times with government, including the Premier of NSW.

Another matter that has been in the forefront of Council's consultation efforts is the critical shortage of educators which is partially responsible for the waitlist that the ELC has.

Most recently Council, with the support of the local State Member has been consulting with the Department of Education and lobbying the government to provide Before and After School Care in Nyngan which is having a significant detrimental effect on filling vacant staff positions throughout the Shire. (Precis item refers).

No doubt Council would be very open to leading efforts to lobby government for a solution to the situation described by Barnados Australia.

2. Notification to parent – Page 2, Paragraph 2

Council records indicate that Council staff advised Barnardos staff in March that "a place would be coming up in the near future" for a particular child and that they should prepare enrolment paperwork, but that placement would involve approval from the General Manager and a start date could not be confirmed. There is no indication that Council staff have advised Barnardos that a placement had been granted or rescinded and no Council staff have been directly in touch with the parent involved.

3. Family information – Page 2, Paragraph 6

The standard enrolment process at the ELC includes collecting information about all children and parents regarding any custody arrangements that are in place as well as any court orders that may affect who the child lives with, parental responsibility, communication with a child and any aspect of care of the child where one parent may be ordered not to have contact or not be permitted to pick the child up from care.

4. Assistance from Barnardos – Page 2, Paragraph 7

Council is aware of Barnardos' assistance to many families over the years involving children at risk as well as children not at risk. Council has accessed so-called Inclusion Support funding in the past to employ additional staff to work with at risk children.

5. Grant funding – Page 3, Paragraph 2

Based on current financial year figures, the operations of the Bogan Shire ELC have been funded by:

- Commonwealth Child Care Subsidy – means tested for the family of each child and paid directly to the Service (41% of total ELC income)
- Council's own revenue (31% of total ELC income)
- Fees paid by parents (17% of total ELC income),
- Other, miscellaneous sources (11% of total ELC income)

Costs of recent building construction and landscaping have been met by Local Government-specific grants:

- State, Resources for Regions Program (67%)
- Commonwealth, Local Roads and Community Infrastructure Program (33%)

In 2018 Council received Sustainability Support funding of \$161,070 covering the 2018/19, 2019/20 and 2020/21 financial years (\$55,370 per year) from the Federal Government's Community Childcare Fund with the following deliverables attached to the funding:

- Utilise the funding to cover the ongoing costs of providing care in the unviable market (understood to mean to financially support the newly-established ELC which had limited numbers of children enrolled)
- Undertake activities as described in the application to improve child care utilisation (understood to mean to carry out advocacy work and marketing strategies to boost numbers of children enrolled)

Application has been made for Federal Government Sustainability Support funding in the 2024/25 and 2025/26 financial years from the Community Childcare Fund which would subsidise (reduce) the contribution required from Council. This application has been made on the basis of the ELC's operations in an under-served area, more specifically as the only service provider in a remote area of NSW. Again recognising the unviable market conditions.

6. Waitlist – Page 3, Paragraph 3

The letter poses the question, “Does this mean that a child who is classified as ‘at risk’ remains at the bottom of the list while children of working parents are given priority and continue to be bumped up the list ahead of these children?”

The answer to this question is no. Council’s resolution refers to not introducing a Priority of Access policy for at risk children. A Priority of Access policy, such as that in place for clinical healthcare staff, allows children to be placed in the Centre as soon as a place becomes available for them, in front of other children on the waitlist. In the absence of a Priority of Access policy all children on the waitlist are allocated a place in the order they hold on the waitlist which is based on the date application was made for a place.

7. Reconsidering Council’s decision – Page 3, Paragraph 5

Resolution 065/2024 taken on 23/04/2024 states as follows:

“That Council does not introduce a Priority of Access Policy for children at risk of harm.”

Should a Councillor / Councillors seek to alter or rescind this decision within a period of three months from the date of the resolution, this will require a Notice of Motion signed by three Councillors to be submitted to the General Manager in accordance with Council’s Rules of Meeting Procedure and the provisions of the Local Government Act, NSW.

After three months has passed any Councillor may submit a Notice of Motion for inclusion in the Council Business Paper calling for the decision to be altered or rescinded.

Attachments

1. Correspondence from Barnardos

Recommendation

For noting

The General Manager & Councillors

Bogan Shire Council

NYNGAN NSW 2825

27 May 2024

Dear Derek and Councillors

I am writing to you regarding the priority lists at the Bogan Shire ELC, following the motion passed at BSC in April 2024. Resolution 065/24 - Priority of access for at-risk children.

I understand the frustration experienced by staff and councillors while trying to support families with childcare within the Bogan LGA, and at the same time, manage an extensive waitlist.

However, I am disappointed that there appears to have been little to no consultation with both government and non-government agencies that support families and children within the Bogan LGA as to what we can do as a collective during this difficult period to continue to have a community where all children can thrive.

As you would all be aware, particularly with the recent research that has just been released concerning child development and the importance of early education for children, allowing and prioritizing at-risk children into childcare is crucial for several reasons:

Early childhood is a critical period for development. By providing at-risk children with access to quality childcare, you can intervene early in their lives to address any developmental delays, behavioural issues, or learning difficulties they may face. Childcare professionals often receive training in identifying developmental delays and special needs in children. By attending childcare, at-risk children can be identified early for any additional support services they may require, such as speech therapy, occupational therapy, or counselling.

Childcare settings often offer structured educational activities that can help at-risk children develop important cognitive and social skills. These opportunities can help narrow the achievement gap between at-risk children and their peers from more advantaged backgrounds. High-quality childcare programs often incorporate activities that help prepare children for the transition to formal schooling. At-risk children who attend childcare are more likely to enter school with the foundational skills they need to succeed academically, socially, and emotionally.

Childcare environments provide opportunities for at-risk children to interact with peers and caring adults, which can support their social and emotional development. This interaction helps them learn important social skills such as sharing, taking turns, and resolving conflicts peacefully. Childcare settings provide at-risk children with opportunities to engage with their community and participate in activities outside of their home environment. This exposure helps broaden their experiences and perspectives, fostering a sense of belonging and inclusion.

For many families, childcare is essential to allow parents to work or attend school. By providing childcare services for at-risk children, you support their families' economic stability and reduce the risk of unemployment and reliance on social services. Childcare settings provide at-risk children with opportunities to engage with their community and participate in activities outside of their home environment. This exposure helps broaden their experiences and perspectives, fostering a sense of belonging and inclusion.

Recently Barnardos was providing advocacy for a family to secure a spot for their children at Bogan Shire ELC so that the parent could return to work. However, despite receiving confirmation that the child had secured a spot, just one week later, the parent received a notification that the spot had been rescinded. This was disappointing since it meant the parent couldn't support their family through work.

Childcare settings offer a safe and supervised environment for at-risk children, which may be especially important for those living in unstable or unsafe home environments. Many childcare services offer resources and support for parents, including parenting education, workshops, and access to community resources. This support can empower parents of at-risk children with the knowledge and skills they need to create nurturing and stable home environments.

Research has shown that participation in high-quality early childhood education programs can have long-term benefits for at-risk children, including higher rates of high school graduation, greater likelihood of obtaining employment, and increased earning potential in adulthood. By investing in childcare for at-risk children, society can potentially improve outcomes for future generations.

Access to high-quality childcare should be seen as a fundamental right for all children, regardless of their socioeconomic status or family circumstances. By prioritizing access for at-risk children, communities can work towards creating a more equitable society where every child has the opportunity to thrive.

Since the opening of the Bogan Shire ELC in 2016, Barnardos and other agencies within the Bogan LGA have been working closely with the ELC to support children and families. Our goal is to ensure that early childhood remains a priority for families and the community. However, I am concerned about the language used in the 11.3 priority of access - at-risk children 3. Discussion. The section refers to at-risk children and the need for the Bogan Shire Council (BSC) to have access to information concerning legal matters, and family circumstances, for staff WHS. Transparency has always been a top priority, and case workers have worked closely with ELC staff over the years to ensure that all necessary information is provided during the enrolment of children in the ELC. I believe it is crucial to address legal and family access matters for all families, regardless of whether the children are considered "at risk" or not.

I would also like to emphasize that not all children considered "at risk" have additional needs or require additional support. Over the past eight years, Barnardos has assisted over 50 families in enrolling their children in the Early Learning Centre (ELC). As far as I know, no extra staff was needed to work with any of these children during this period. The competent staff at the ELC were able to provide a safe and caring environment, which enabled all children to flourish.

Barnardos and similar organizations within the Bogan LGA including Catholic Care and Mission Australia provide support to families and children by working with them to identify their strengths and enhance their parenting skills. This is achieved through various programs including Family

Preservation case management, supported playgroups, parenting programs, and child and family support programs. These organizations do not provide childcare or family daycare.

I've observed that the BSC has been able to secure grant funding for the ELC consistently over the past few years. A substantial amount of this funding comes from the Community Childcare Fund, which is aimed at increasing access to childcare for children, particularly those from vulnerable or disadvantaged families or communities. I hope that a portion of this funding will continue to be used to support vulnerable or disadvantaged children in our local community.

Finally, I would like to highlight the line in the report that reads: "Councillors should also be aware that, given the extensive waitlist, admitting at-risk children via a priority of access policy will mean that other children remain on the wait list for longer." Does this mean that a child who is classified as "at risk" remains at the bottom of the list while children of working parents are given priority and continue to be bumped up the list ahead of these children?

I believe that all members of the Nyngan community have a responsibility to build a community where all families are supported, people feel a sense of belonging, where children are seen and heard, and we all play a part in keeping children safe.

I hope the councillors will take some time to reconsider the motion that was passed. It would be beneficial for them to speak with organizations that work with vulnerable families to understand the positive impact that the ELC has had on these families and children who use this valuable service.

Regards



Jenny Hargreaves - Centre Manager,
Western NSW
Barnardos Australia
jhargreaves@barnardos.org.au

0409693222

15.2 CORRESPONDENCE FROM NYNGAN COMMUNITY HOMES

Attached is a copy of correspondence received from the Nyngan Community Homes.

General Managers Note:

1. Nyngan Community Homes has provided the following additional information regarding their proposed development and grant application:

In reply to your email, Nyngan Community Homes Association Inc propose to build total of five individual units as per approved Development Application 10/2021/002/001. I have attached a copy of approval letter along with copy of plans and pictorial view of proposed development.

These units will be tenanted out as affordable housing to Aged Pensioners including Aged disabled and veteran pensioners, under the guidelines of our registration as a Community Housing Provider. These are the same guidelines used for our existing units at 72-74 Cobar Street. We have found over the 30 plus years of operating these units that our tenants tend to stay long term, only vacating when no longer being able to care for themselves, resulting in moving into aged care.

We have funds available to commence building some of the units, this is made up of our own finances and private donations.

Councillors may obtain a copy of the site plan and business plan from the General Manager's office on request.

Council has been advised that the process to reclassify the subject land from Community to Operational could take another six to nine months.

2. At its meeting on 23 March 2023 Council resolved as follows: Resolution **053/2023** - *Council submits a planning proposal under Section 28 of the Local Government Act to reclassify Lot 1 DP102113, Lot 2 DP355559 and Lot 3 DP 945184 from Community Land to Operational Land.*

3. Provided for the information of Councillors is a copy of the report to Council that gave rise to the resolution above.

Attachments

1. Correspondence from Nyngan Community Homes
2. Report to Council - 23 March 2023

Recommendation

For Council's Consideration.

From: nyngancommunityhomes@gmail.com <nyngancommunityhomes@gmail.com>
Sent: Tuesday, May 21, 2024 11:25 AM
To: Bogan Shire Council <administrator@bogan.nsw.gov.au>
Subject: Palais Theatre Land

Hi Derek

Nyngan Community Homes Association were pleased to hear that Council is seeking change of title of the land at 8 Tabratong Street (previously Palais Theatre), to enable use for Aged Housing. We hope that Council's previous commitment to donate the land to Nyngan Community Homes still stands. This will enable us to fulfil the approved development application to erect the five individual units on the land.

Nyngan Community Homes are applying for funding in the Social Housing Accelerator Fund Project and in order for us to apply we need written assurance from Council that ownership of land will be transferred to us on change of title. (This is a requirement of the funding). Irrespective of successful outcome of the funding NCHAI wish to commence building at least two (maybe more) of the units as soon as possible with finances we have on hand.

We are seeking a quick response from Council to this request for a written assurance of land being transferred to apply for the funding, and/or to take the next step in securing builder etc for progress on Units.

Regards

Mary Burley
Nyngan Community Homes Association Inc.
PO Box 385
Nyngan NSW 2825
Phone: 0407 919749
Email: nyngancommunityhomes@gmail.com



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

2 RECLASSIFICATION OF LAND – 8 TABRATONG STREET

Summary:

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

2.1 Introduction

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

2.2 Background

On 28 November 2019 Council resolved as follows:

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

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

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

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



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

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

45 What dealings can a council have in community land?

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

Note -

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

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

2.3 Discussion

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

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

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

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

2.3 Recommendation

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

Chris Foley

Acting Director Development and Environmental Services

15.3 CORRESPONDENCE FROM 2WEB OUTBACK RADIO

Attached is a copy of correspondence received from 2WEB Outback Radio regarding sponsorship for the 2024/25 financial year.

General Manager's Note: In the 2023/24 financial year, Council paid \$8250 incl GST for sponsorship with 2WEB.

Attachments

1. Correspondence from 2WEB Outback Radio

Recommendation

For Council's consideration.



Derek Francis
Bogan Shire General Manager

Dear Derek

We are asking your council to sponsor us for the 2024-25 financial year. As a non-profit community radio station, your support is imperative in offsetting our cost of doing business.

As just one example, our annual electricity cost to keep the main 585 AM transmitter on the air is more than \$30,000.

Your sponsorship allows unlimited access for the broadcast of all council announcements on 2WEB, plus regular interviews with the mayor and/or general manager. This includes road closures, general council business, emergency announcements, changes in services during holiday periods, etc.

Your support will help 2WEB's efforts in providing a meaningful service for listeners in far western NSW and southwest QLD. We are asking for \$9,000+GST (the equivalent of \$750+GST per month) for the period July 1, 2024, through until 30 June 2025. *This is the same amount we asked for last financial year.*

Your sponsorship can be invoiced as a lump sum, monthly, or whatever arrangement is most convenient. If you have further questions, feel free to give me a call on (02) 6872 2333.

Sincerely,

David Sharp
2WEB Operations Manager

15.4 CORRESPONDENCE FROM NYNGAN LOCAL ABORIGINAL LAND COUNCIL

Attached is a copy of correspondence received from Nyngan Local Aboriginal Land Council regarding Nyngan NAIDOC Week celebrations.

Attachments

1. Correspondence from Nyngan Local Aboriginal Land Council

Recommendation

Correspondence be received and noted.



17th June 2024

Bogan Shire Council
P.O. Box 221
Nyngan NSW 2825

RE: Nyngan NAIDOC Celebrations 29th July to 10th August 2024

Dear Mr Francis, Mayor Neill & Councillors,

Nyngan LALC is current planning NAIDOC with Community agencies; school leaders and we would like to thank Bogan Shire for the continual support of this celebration, the week always being extremely busy and after community feedback we have changed it to run across two weeks.

Monday 29th July 2024, we will hold the opening ceremony at Winangali Walk on the corner of Titanic Drive and Cemetery Road at 10.00am.
We also would like to invite Mayor Glen Neill or General Manager Mr Francis to speak on behalf of Bogan Shire Council.

On Saturday 3rd August will be a campfire session held at Warrigal 7kms out on the Mitchell Hwy (if not raining) towards Dubbo.

On Friday 9th August, between 10am to 2pm we are also planning a community day and would like to seek Bogan Shire Council permission to use Rotary Park.
We would also like to ask if Bogan Shire Council could kindly donate the use of the 20 tables, 60 chairs plus bins to use on the day and if you have any fire pits, which may help us stay warm.

On Saturday 10th August 2024 we are holding a NAIDOC Community Dinner at Nyngan Bowling Club, ticket for the dinner will be on sale within the next few weeks.

In the event of rain would it be possible to pre-book the Showground on the 29th of July and 9th August 2024 for the Opening Ceremony & Community Day if necessary.

Please see attached timetable of School & Community events, and we extend the invite for you and Bogan Shire Councillors to come along and join in to any activities and, we look forward to working with you to celebrate NAIDOC across our Community.

Kind Regards

Veneta Dutton
CEO Nyngan LALC

NYNGAN NAIDOC 2023 “Theme: “Keep the Fire Burning! Blak, Loud and Proud” 29th July to 10 th August 2024					
Monday 29th July	Tuesday 30th July	Wednesday 31st July	Thursday 1st August	Friday 2nd August	Saturday 3rd August
OPENING CEREMONY Venue: Winangali Walk Corner of Titanic Drive and Cemetery Rd at Wakakirri Circle Time: 10am Open to Public	NYNGAN HIGH SCHOOL SHOWCASE DAY Venue: 19-37 Cobar St, Nyngan Time: 11.30am Open to Public	RECONCILIATION LUNCHEON Luncheon Venue: St Mark’s Anglican Church Hall on Bogan St Nyngan Time: 12pm Open to Public	ST JOSEPHS SHOWCASE DAY Venue: Bogan St, Nyngan Time: 9.30am Open to Public		Campfire/ cook out Warrigal – Mitchell Hwy 6pm to 10pm Weaving BBQ Yarning & stories Open to the public- RSVP Nyngan LALC on 68 322 639 for catering purposes. BYO own chair and Parents supervise own children
NYNGAN PRESCHOOL SHOWCASE DAY After opening ceremony Open to Public					
Workshop with Maddy Venue: St Mark’s Anglican Church Hall on Bogan St Time: 4pm Open to Public					
Monday 5th August	Tuesday 6th August	Wednesday 7th August	Thursday 8th August	Friday 9th August	Saturday 10th August
EARLY LEARNING CENTRE SHOWCASE DAY Venue: 32 Dandaloo St, Nyngan Time: 11am Open to Public		SMALL SCHOOLS SHOWCASE DAY Venue: Marra Creek Public School Coolabah to Quambone Rd, Marra Creek Time: 10am	NYNGAN PUBLIC SCHOOL SHOWCASE DAY Venue: Corner of Cathundral and Dandaloo St, Nyngan Time: 9.30am- 2.30pm Open to Public	COMMUNITY DAY Venue: Rotary Park, Nyngan on Mitchell Hwy over the bridge towards Bourke. Time: 10am- 2pm Open to Public	NAIDOC DINNER Venue: Nyngan Bowling Club Chinese Restaurant on corner of Bogan and Terangion St, Nyngan Followed by music and dancing inside Bowling Club main bar. Time: 6pm til late Tickets on Sale soon Games- Kahoot Fashion Show
Workshop with Maddy Venue: St Mark’s Anglican Church Hall on Bogan St Time: 4pm Open to Public			Youth Centre Session Time: 3-6pm Mission Australia, Bogan Shire Council and Community Hub	Rehearsal with Maddy Venue: Chinese Restaurant Time: TBC	

16 MEETING CLOSURE