



# **BOGAN SHIRE COUNCIL**

## **Ordinary Business Paper**

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

**Date: Thursday, 28 November 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.



**Table of Contents**

<b>1</b>	<b>Opening Prayer</b> .....	<b>7</b>
<b>2</b>	<b>Remeberances</b> .....	<b>7</b>
<b>3</b>	<b>Apologies</b> .....	<b>7</b>
<b>4</b>	<b>Disclosure of Interests</b> .....	<b>7</b>
<b>5</b>	<b>Confidential Matters</b> .....	<b>8</b>
	5.1 TENDER - 33 LOT RESIDENTIAL SUBDIVISION .....	8
<b>6</b>	<b>Confirmation of Ordinary Minutes</b> .....	<b>10</b>
<b>7</b>	<b>Notice of Motion</b> .....	<b>11</b>
	7.1 NOTICE OF MOTION - NSW HERITAGE GRANTS .....	11
<b>8</b>	<b>Mayoral Minutes</b> .....	<b>13</b>
	Nil	
<b>9</b>	<b>Committee Meeting Minutes</b> .....	<b>14</b>
	9.1 ARIC MEETING 16 OCTOBER 2024	
<b>10</b>	<b>General Manager’s Reports</b> .....	<b>16</b>
	10.1 GENERAL MANAGER'S CHECKLIST .....	16
	10.2 VILLAGE MEETINGS .....	33
	10.3 NYNGAN TOWN HALL .....	42
	10.4 ELECTRICAL INFRASTRUCTURE - 33 LOT RESIDENTIAL SUBDIVISION.....	44
	10.5 STATE OF OUR SHIRE REPORT .....	46
<b>11</b>	<b>People and Community Services Reports</b> .....	<b>84</b>
	11.1 COMMUNITY ENGAGEMENT - INTEGRATED PLANNING AND REPORTING .....	84
	11.2 YOUTH AND COMMUNITY CENTRE OPERATIONAL REPORT.....	97
	11.3 LIBRARY OPERATIONAL REPORT.....	101
	11.4 BOGAN SHIRE EARLY LEARNING CENTRE – FEE POLICY AMENDMENTS .....	104
	11.5 VISITOR INFORMATION CENTRE OPERATIONAL REPORT .....	107
	11.6 AUSTRALIA DAY AMBASSADOR DINNER 2025.....	110
	11.7 PROMOTING BOGAN SHIRE.....	112
<b>12</b>	<b>Finance and Corporate Services Reports</b> .....	<b>116</b>
	12.1 INVESTMENTS OCTOBER 2024.....	116
	12.2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION .....	118
	12.3 ANNUAL REPORT 2023/2024 .....	119
	12.4 DATA BREACH POLICY .....	120
	12.5 RELATED PARTY DISCLOSURES POLICY .....	131

<b>13</b>	<b>Infrastructure Services Reports</b> .....	<b>144</b>
13.1	DEPARTMENTAL ACTIVITY REPORT.....	144
<b>14</b>	<b>Development and Environmental Services Reports</b> .....	<b>149</b>
14.1	DEVELOPMENT APPLICATIONS REPORT.....	149
14.2	BIOSECURITY REPORT .....	151
14.3	DEVELOPMENT APPROVAL - PROPOSED RESIDENTIAL SUBDIVISION.....	175
<b>15</b>	<b>Precis of Correspondence</b> .....	<b>211</b>
15.1	MACQUARIE RIVER AND MARSHES FLOW-MER PROGRAM.....	211
15.2	LOCAL SMALL COMMITMENTS ALLOCATION - PLAYGROUND AND PARK UPGRADES.....	214
15.3	NYNGAN RSL SUB-BRANCH AVENUE OF REMEMBRANCE .....	218
15.4	GARETH WARD MP, MEMBER FOR KIAMA .....	220
15.5	THE HON. JENNY AITCHISON MP, MINISTER FOR REGIONAL TRANSPORT AND ROADS .....	236
<b>16</b>	<b>Meeting Closure</b> .....	<b>242</b>

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

**5 CONFIDENTIAL MATTERS**

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

**5.1 TENDER - 33 LOT RESIDENTIAL SUBDIVISION**

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

- (d) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CONFIDENTIAL



CONFIDENTIAL

**6 CONFIRMATION OF ORDINARY MINUTES**

**6.1 MINUTES OF ORDINARY MEETING - 24 OCTOBER 2024**

The minutes of the Ordinary Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 24 October 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 24 October 2024, be received and noted.

**7 NOTICE OF MOTION**

**7.1 NOTICE OF MOTION - NSW HERITAGE GRANTS**

**Attachments**

1. Notice of Motion

15 November 2024

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

Dear Derek

**Notice of Motion – NSW Heritage Grants**

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

1. That Council notes that applications are open for the 2025-27 Local Government Heritage Grants to support, promote and realise the values of locally significant heritage.
2. That Council makes application under this grant scheme to prepare a heritage study for the Bogan Shire LGA
3. That Council provides matching funding for the grant of up to \$25,000 with this amount to be included in the February Budget Review to be funded from identified savings.

Preserving local heritage buildings is important to our community and a detailed heritage study is necessary to identify buildings for possible inclusion in the Bogan Shire Local Environmental Plan 2011. This is necessary to be eligible to obtain heritage grants for the preservation of buildings.

Yours sincerely



**Councillor Emily Stanton**  
145 Barrier Highway  
Nyngan NSW 2825  
Bogan Shire Council

**8 MAYORAL MINUTES**

Nil

**9 COMMITTEE MEETING MINUTES**

**9.1 ARIC MEETING 16 OCTOBER 2024**

Chairperson's Report - Audit Risk and Improvement Committee Meeting 16 October 2024

**Attachments**

1. ARIC Meeting 16 October 2024 - Chairperson Report

**Recommendation**

That the Chairperson's Report from the Audit, Risk and Improvement Committee Meeting held on 16 October 2024, be received and noted.

**Bogan Shire Council**  
**Audit Risk and Improvement Committee**

**Chairperson's Report – ARIC Meeting 16<sup>th</sup> October 2024**

The Chairperson welcomed ARIC members together with non voting members, Council's Internal and External auditor, and staff who were in attendance.

Being the first meeting of the newly formed Committee the Chairperson introduced himself and gave an overview of his background and experience, and his desire for the Committee to develop a good working relationship with Council's General Manager and staff, Councils Internal and External auditors, and the NSW Audit Office.

The primary purpose of the meeting was to consider and review the 2023/24 Draft Financial Statements. The Committee reviewed the Financial Statements and focused on a number of key areas as listed below –

- *Income Statement – net operating result ( Consolidated and for each fund )*
- *Statement of Financial Position – ( Consolidated and for each Fund )*
- *Assets and Depreciation*
- *Borrowings*
- *Grants and Contributions*
- *Material Budget variations*
- *External and Internal restrictions*
- *Level of Unrestricted Cash*
- *Infrastructure Property plant and Equipment*
- *Contract Liabilities*
- *Commitments for future years*
- *Performance Measures and Ratios*
- *Report on Condition of Infrastructure Assets as at 30 June 2024*

As a result of discussions the following Recommendation was passed by the Committee –

***That the ARIC notes the 2023/24 Draft Financial Statements as presented and endorses their presentation to Council and the NSW Audit Office.***

Appreciation was extended to Council's finance staff involved in the finalisation of the Statements in a timely manner.

The Chairperson also expressed his appreciation in receiving comprehensive and detailed responses to finance matters, operational and capital projects, financial issues currently before Council and a number of items contained in the Financial Statements.

The next meeting of the Committee will be held in early December 2024

John Batchelor  
Chairperson

17<sup>th</sup> October 2024

**10 GENERAL MANAGER’S REPORTS**

**10.1 GENERAL MANAGER'S CHECKLIST**

Item	Date	Minute No	Matter	Action Required	Officer	Status
1	21/12/2017  23/11/2023	392/2017  282/23	<b>Increase of train speed through Nyngan</b>	<p>Strong letter of concern and a request to address Council be sent to the relevant rail authorities and a copy to the local member.</p> <p>That Council respond to Minister Aitchison, 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.</p>	<b>GM</b>	<p>Refer below.</p> <p>This matter was drawn to the attention of Minister Aitchison on 12/01/2024 during her visit to Nyngan.</p> <p>Further letters sent to Minister Aitchison and Roy Butler MP. Discussed with Minister Aitchison on 15/07/2024 during her visit to Nyngan. Letter received from Minister Aitchison. TNSW has requested a review of train speeds from UGL</p>

Item 10.1



Item	Date	Minute No	Matter	Action Required	Officer	Status
2	27/05/2022	122/2022	<b>Nyngan Emergency Bore</b>	Council seeks advice from the Minister for Water, as to a mechanism for periodic extraction of water for maintenance purposes, given that it is understood that Council is unable to extract water from the bore at this stage.	<b>GM</b>	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"> <li>• Work has begun on amendments to the Water Sharing Plan.</li> <li>• No further funding is available for the bore project.</li> </ul> <b>UPDATE:</b> Council has been verbally advised by DCCEEW that funding deadline is approaching and that the timing for the release of any amendments to the Water Sharing Plan may impact Council’s ability to deliver the project. Follow up letter sent to the Minister for Water seeking clarification.

Item 10.1

Item	Date	Minute No	Matter	Action Required	Officer	Status
	23/02/2023	010/2023		<p>Council vote for a 200mm pipe instead of 375mm pipe, on the basis of water consumption.</p> <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>	<b>GM</b>	<p>Public Works have provided an alternative cost estimate of \$5.092M, based on the 200mm pipeline.</p> <p>On hold pending response.</p>
	27/04/2023	081/2023		<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</p>		<p>Letter sent to Richard and Virginia Woodlock advising them of Council's resolution.</p>

Item 10.1

Item	Date	Minute No	Matter	Action Required	Officer	Status
	24/08/2023	184/23		<p>appropriate NSW Government staff to be available.</p> <p>That Council prioritises remaining available grant funding of \$7,111,871 across the following projects:</p> <ul style="list-style-type: none"> <li>a. Water purchases</li> <li>b. Belaringar Creek Syphon</li> <li>c. Nyngan Emergency Bore pipeline</li> </ul>		DPE advised accordingly.
3	27/05/2021	126/2021	<b>Addressing Local Job Vacancies</b>	Council delays the launch of the marketing campaign until progress is made with establishing more housing	<b>DPCS</b>	Refer below.

Item 10.1

Item	Date	Minute No	Matter	Action Required	Officer	Status
	28/09/2023	207/23		<p>accommodation in Nyngan.</p> <p>Council provides a budget of \$25,000 for production of videos for the relocation campaign.</p>		Production of Employment video in progress.
4	25/07/2024	144/24	<b>New Water Treatment Plant Site</b>	<p>That Council does not proceed with building the new Water Treatment Plant on the site adjacent to the substation at the end of Dandaloo Street.</p> <p>That Council constructs the new Water Treatment Plant on the Council owned land at the Raw Water Pump Station at the upper weir.</p>	<b>DIS</b>	In Progress

Item 10.1

Item	Date	Minute No	Matter	Action Required	Officer	Status
5	22/02/2024	005/24	<b>Hoskins Street Subdivision</b>	<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> <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>	<p><b>DIS</b></p> <p><b>GM</b></p>	<p><b>COMPLETED</b></p> <p><b>COMPLETED</b></p>

Item 10.1

Item	Date	Minute No	Matter	Action Required	Officer	Status
	22/08/2024	174/24		That Council seek the assistance of Local Member, Roy Butler to approach the Minister for Western NSW / Minister for Regional NSW for an extension of time within which to complete the Hoskins Street Subdivision Project.	<b>GM</b>	Pending confirmation of construction timeframes – subject to tender outcomes.

Item 10.1

Item	Date	Minute No	Matter	Action Required	Officer	Status
6	23/03/2023	053/2023	<b>Reclassification of Land – 8 Tabratong Street</b>	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.	<b>DDES</b>	In progress – Planning proposal is under development. Conversion from Community Land to Operational Land is expected to have an outcome by March 2025. Site has been valued at \$110,000 to \$125,000. <b>COMPLETED</b>
	24/10/2024	245/24		That Council resolve to: 1. Lodge the Planning Proposal to Reclassify Public Land at 8 Tabratong Street Nyngan with the Department of Planning, Housing and Infrastructure for a Gateway Determination; and	<b>DDES</b>	<b>UPDATE:</b> The Planning Proposal has been lodged with the Department of Planning for Gateway Determination.

Item 10.1

Item	Date	Minute No	Matter	Action Required	Officer	Status
				2. Undertake community consultation in accordance with the Gateway Determination.		
7	27/07/2023  25/07/2024	160/23  146/24	<b>School Exchange Program</b>	<p>The General Manager commence discussions around the future of the Tongling Exchange Program, with a report to Council.</p> <p>That Council consider locations that may have economic/industry ties for the School Exchange Program, to enhance the student experience.</p>	<b>GM</b>	<b>UPDATE:</b> Discussions held with Acting Principal, Nyngan High School.

Item 10.1



Item	Date	Minute No	Matter	Action Required	Officer	Status
8	28/09/2023	209/23	<b>Relocation Marketing Campaign – Promotional Videos</b>	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.	<b>DPCS</b>	<b>UPDATE:</b> Nyngan LALC provided suggestions for images to be included in videos and a request that the following wording be used to acknowledge Country: <i>“Bogan Shire is situated on the traditional land of the Wangaaypuwan, Ngiyampaa (Ngemba) and Wayliwan peoples.”</i>  <b>COMPLETED</b>
9	26/10/2023  22/02/2024	247/23  009/24	<b>Before and After School Care, Nyngan</b>	That the Before and After School Care matter be further pursued with the Department of Education, and if necessary the Minister.  Issue of lack of Before and After School Care in Nyngan be referred to Local Member.	<b>GM</b>	Refer below.  Correspondence sent to Local Member.

Item 10.1

Item	Date	Minute No	Matter	Action Required	Officer	Status
	25/07/2024	147/24		That Council request the Local Member to make further contact with the Minister for Education about the lack of Before and After School Care in Nyngan.		Email sent to Local Member in August 2024.  Contact, with reminder, made with Local Members Office October 2024. <b>UPDATE:</b> GM and DFCS met with officials of Department of Education to discuss community concerns.
10	23/11/2023	278/23	<b>Nyngan Year-Round Fishery</b>	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.	<b>DIS</b>	In Progress

Item 10.1

Item	Date	Minute No	Matter	Action Required	Officer	Status
11	27/06/2024	127/24	<b>Tottenham Road Condition Assessment Report</b>	<p>That Council prepares a Tottenham Road Rehabilitation Business Case for the Tottenham Road.</p> <p>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.</p>	<b>DIS</b>	<b>UPDATE:</b> Council has been successful in obtaining grant funding of \$7,834,000 for improvements along Tottenham Road, between Nyngan and Tottenham, along a 62km length.
12	27/06/2024	134/24	<b>Nyngan Community Homes</b>	That Council request that Nyngan Community Homes Association presents a satisfactory Business Plan and shows it has the capacity to build planned homes on the land, Council will	<b>GM</b>	Email forwarded to Nyngan Community Homes with Council resolution and to contact the General Manager if further information is required.

Item 10.1

Item	Date	Minute No	Matter	Action Required	Officer	Status
				consider an appropriate arrangement to facilitate the provision of the land which was formerly the Palais Theatre, on the basis of that plan.		Business Plan received from Nyngan Community Homes, 01/12/2024 with a request to address Council at a future meeting. Date to be determined in consultation with Mayor.
14	25/07/2024	151/24	<b>Water Tower Art</b>	That Council gives direction to an artist to determine the style and subject matter of artwork to be placed on the water tower near the skate park. Themes that are iconic to Bogan Shire including artwork with aboriginal designs <u>Theme One:</u> Flood and Evacuation Scene	<b>DIS</b>	Artwork considered by Council at its meeting on 24/10/2024.

Item 10.1

Item	Date	Minute No	Matter	Action Required	Officer	Status
	24/10/2024	238/24		<p><u>Theme Two:</u> Mining &amp; Agricultural industries of Bogan Shire</p> <p><u>Theme Three:</u> Olympic Gold Medallists</p> <p><u>Theme Four:</u> Bogan River &amp; Wildlife/recreation</p> <p>That Council go back to the artist and recommend four separate panels:</p> <ol style="list-style-type: none"> <li>1. A mining dump truck coming out of red dirt, sheep grazing, and wheat fields.</li> <li>2. The Bogan River showing pelicans, broilgas, wood ducks, red gums, monitor lizard, galah and kookaburra.</li> </ol>	<b>GM</b>	<p><b>UPDATE:</b> Informal Teams meeting held between artist, available Councillors and General Manager on 06/11/2024.</p> <p>Revised artwork expected to be tabled at Council meeting.</p>

Item 10.1

Item	Date	Minute No	Matter	Action Required	Officer	Status
				3.Olympic gold medallists – rowing and equestrian 4.Flood evacuation zone and helicopter.		
15	25/07/2024	165/24	<b>Correspondence from Dianne &amp; John Wynne</b>	That Council keep this matter in mind and refer this to the next Budget Review to see if Council can find savings to be considered at that time.	<b>GM</b>	<b>UPDATE:</b> Approved in October 2024 Budget Review. <b>COMPLETED</b>
16	22/08/2024	175/24	<b>Nyngan Tennis Section 355 Committee</b>	That Council: (a) Establishes a Nyngan Tennis Section 355 Committee. (b) Adopts the attached Nyngan Tennis Section 355 Committee Instrument of Delegation effective from 23 August 2024. (c) Becomes a member of Tennis NSW.	<b>GM</b>	<b>UPDATE:</b> Meeting with Tennis Committee scheduled for 3 December 2024.

Item 10.1

Item	Date	Minute No	Matter	Action Required	Officer	Status
				(d) Installs the Tennis NSW booking and locking systems for the Nyngan tennis courts and clubhouse. 3. That the General Manager has further discussions with the interim executive of Nyngan Tennis Club about membership, fees and other relevant matters with a further report to Council.		
17	24/10/2024	214/24	<b>Nyngan Railway Fencing</b>	That Council again write to Local State Member Roy Butler, seeking support for the urgent need for fencing to be erected by UGL	<b>GM</b>	<b>UPDATE:</b> Email sent 23/10/2024.

Item 10.1

Item	Date	Minute No	Matter	Action Required	Officer	Status
18	24/10/2024	242/24	<b>Vermont Hill Road</b>	That Council defers a decision until a detailed report can be presented to Council on the design and costs associated with construction of this section of the road, and that the General Manager investigates the need to place “Road Closed” signage at either end of that section of road to deter through traffic from using it, if it is currently untrafficable.	<b>GM/DIS</b>	<b>UPDATE:</b> Road closed signs scheduled to be erected.

**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.

Item 10.1



## **10.2 VILLAGE MEETINGS**

### **1. Introduction**

The purpose of this report is to inform Councillors of the recent meetings held between Council management and representatives of the Shire's villages.

### **2. Background**

Following established practice, the General Manger and Directors held mid-year meetings with representatives of Coolabah, Girilambone and Hermidale on 19 November 2024 to follow up on matters raised during the annual meetings between villages and Councillors and to establish whether any new matters have arisen.

### **3. Discussion**

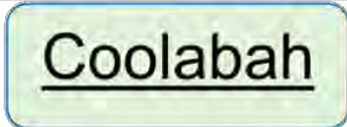
Attached is an updated checklist for the information of Councillors.

### **4. Attachments**

1. Village Meeting Checklist

### **5. Recommendation**

That the Village Meeting Report be received and noted.



**Bogan Shire Council**

Key discussion points and actions:

Items for Action	Responsible Officer	Status
<b>Items for action from Meeting 22 March 2022</b>		
Signage directing people to new toilets at village entrances	DIS	Awaiting design from RMS  <b>UPDATE:</b> Signs in stock at depot were incorrect signs, new signs ordered
Mowing – meeting to be held with Lynette Dunn, Bruce Jordan, Mayor, General Manager, Director Finance and Corporate Services and Director Engineering Services	GM	Director Engineering Services to arrange induction on mower for volunteers, dates proposed to committee, with induction planned for 31May 2024. <b>COMPLETED</b>
<b>Items for action from Meeting 12 November 2022</b>		
Shire to assist with promoting tourism opportunities (and available grant funding) such as the Well	DPCS	<b>UPDATE:</b> New Visitor Information Guide to be distributed to local village shops / venues.
<b>Items for action from Meeting 9 May 2023</b>		
Low level crossing on Monkey Bridge Road impassable	DIS	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	DIS	Not yet started. Council to cost.
<b>Items for action from Meeting 16 November 2023</b>		
Concern about Mexican Poppy on rail corridor – request to UGL	DDES	Request made to UGL Mexican Poppy sprayed.

Items for Action	Responsible Officer	Status
<b>Items for action from Meeting 11 April 2024</b>		
Firebreak needed at the back of the tip	DIS	
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
<b>Items for action from Meeting 19 November 2024</b>		
Rail corridor is a major source of weeds spreading onto local properties. UGL maintenance insufficient	DDES	
Monkey Bridge Road – dangerous potholes near end of bitumen	DIS	Temporary signs in place pending rectification works.
Width of highway still of concern where steep batters are encountered. Request for Council to again raise this matter with TfNSW and Local Member.	DIS	
Low water pressure in public toilets at bus stop.	DIS	
Sign on highway needed to direct people to public toilets. TfNSW to approve location.	DIS	
Request for letters to be sent to owners of overgrown properties in village – start of fire season	DDES	



**Bogan Shire Council**

Key discussion points and actions:

Items for Action	Responsible Officer	Status
<b>Items for action from Meeting 12 August 2020</b>		
Update list of priorities for spending from Village Capital Improvement Fund.	<b>GM</b>	Development of free camping area.
<b>Items for action from Meeting 15 April 2021</b>		
Shire to ask RMS to consider children crossing / bus stop sign on highway near shop.	<b>DIS</b>	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.	<b>DIS</b>	Discuss at Traffic Committee TfNSW. Murrawombie Rd sign here RMS to provide DISign for highway sign. <b>UPDATE:</b> Signs in stock at depot five signs installed, have ordered additional sign.
<b>Items for action from Meeting 22 March 2022</b>		
Plan for free camping area to be discussed with community – including input into the siting of the amenity block	<b>GM</b>	Further Community consultation planned for 2024.
Dump Point – can a dump point be included in the free camping area?	<b>GM</b>	Further Community consultation planned for 2024.

Items for Action	Responsible Officer	Status
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	DIS	On works schedule
<b>Items for action from Meeting 12 November 2022</b>		
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	DIS	To be completed with toilet construction Include gravel when sealing Myall Street
<b>Items for action from Meeting 9 May 2023</b>		
Slab and shed for mower to be constructed using village funds, where required, at the same time as new toilet is constructed.	DIS	Slab completed <b>COMPLETED</b>
Further discussion to be had with Association about Sec 355 / Association activities	GM	Inductions yet to be completed <b>COMPLETED</b>
Further information / letter requested regarding playground softfall	DIS	No Progress
<b>Items for action from Meeting 16 November 2023</b>		
Gutter at school needs repair / clearing	DIS	Not yet started. <b>UPDATE:</b> Inspection to be undertaken and works carried out.

Items for Action	Responsible Officer	Status
Highway batters remain a safety concern	DIS	Referred to, and inspected by TfNSW
Park needs loam to encourage grass to grow	DIS	Not yet started
Shire requested to take over park power bill	DFCS	<b>COMPLETED</b>
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.)
<b>Items for action from Meeting 11 April 2024</b>		
Hot water still not connected at new ablution block.	DIS	Committee to assist with locating electrician and contact Shire. <b>COMPLETED</b>
Furniture for Train Station	GM	Committee to look at grants and/or donations of good quality period furniture.
Monkey Bridge by-pass	DIS	Shire to send details to Carmel <b>COMPLETED</b>

<b>Items for action from Meeting 19 November 2024</b>		
Community to nominate a suitable date and format for function at Train Station – opportunity to mark the opening of the building and include community consultation on use and free camping area. (Tentative feedback March/April 2025)	<b>GM</b>	
Request to send details of grant expenditure to Committee.	<b>DFCS</b>	
Request for information on first aid training providers	<b>GM</b>	

**Bogan Shire Council**



Key discussion points and actions:

Items for Action – Previous Meetings	Responsible Officer	Status
<b>Items for action from Meeting 9 May 2023</b>		
Request for signage promoting village from a tourism perspective on either side of town – uniform for each village	<b>GM</b>	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.	<b>DIS</b>	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.  <b>UPDATE:</b> Considered by Traffic Committee and Council in October 2024 – status quo to remain for now.
<b>Items for action from Meeting 11 April 2024</b>		
Need for kids play area in unused part of tennis courts. Potential use of village funds.	<b>DIS</b>	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.	<b>DIS</b>	



Items for Action – Previous Meetings	Responsible Officer	Status
Overhead water tanks – ongoing issues with water running out of full tanks. Telemetry issue?	DIS	Issues addressed. <b>COMPLETED</b>
Request to RFS to have 200,000 litre tank installed for firefighting.	DIS	To be referred for discussion at RFS Service Level Meeting.
<b>Items for action from Meeting 19 November 2024</b>		
Community interest in having a defibrillator installed at the tennis clubhouse	GM	Shire to assist Committee to monitor available grants. Committee to consider use of village funds as co-contribution for grant.
Request to send details of grant expenditure to Committee.	DFCS	

## 10.3 NYNGAN TOWN HALL

### 1. Introduction

The purpose of this report is to provide Council with information relating to the temporary closure of the Nyngan Town Hall and associated required rectification building works.

### 2. Background

In March 2023 Council closed the Nyngan Town Hall as a precautionary measure on discovery of damage to parts of the ceiling caused by a roof leak following heavy rains.

The leak caused visible damage to parts of the ceiling in the front Council Chambers or façade section but due to the size and age of the building there were concerns it may have compromised other areas.

As a result, Council engaged a structural engineer to carry out a comprehensive inspection of the Nyngan Town Hall to assess the full extent of the damage caused by a roof leak.

### 3. Discussion

Council's appointed structural engineers have provided a report following an inspection of the Nyngan Town Hall and made the following observation in relation to the northern wall of the Council Chambers (façade):

- Leaning / rotation of the Northern wall was observed and measured due to this movement resulting in the loss of support for the roof framing.
- Rectification of the Northern wall is required to prevent further deterioration of the wall and re-support the roof framing

Recommended measures to rectify this include underpinning the wall and footing, partially reconstructing the northern wall, reconstructing the wall within the roof space and upgrading drainage along the northern wall.

Council engaged a firm of Quantity Surveyors to determine costs for recommended rectification works with their report indicating an estimated cost of over \$1.25m.

The Nyngan Town Hall is not listed in the Bogan Shire Local Environmental Plan 2011 (LEP) as a heritage item, nor is it listed on the State Heritage Inventory.

Notwithstanding this, the Nyngan Town Hall is a very important asset for our community, and it is recommended that Council develop a strategy and plan for its repair and preservation.

This should involve including the Town Hall in Council's LEP listing of heritage items and seeking grants to fund the proposed Plan.

The General Manager has been in discussions with the NSW Public Works Heritage Section since August 2024 to seek advice on how to progress this Plan. A verbal update and recommendations will be provided to Council at its meeting on 28 November 2024, following a further discussion with the Heritage Section on 22 November 2024

**4. Attachments**

Nil

**5. Recommendation**

That the Nyngan Town Hall report be received and noted.

## 10.4 ELECTRICAL INFRASTRUCTURE - 33 LOT RESIDENTIAL SUBDIVISION

### 1. Introduction

The purpose of this report is to seek a resolution of Council not to invite tenders for the installation of electrical lead-in infrastructure on Council's 33 Lot subdivision on Hoskins Street, Nyngan.

### 2. Background

Other reports to this meeting of Council refer. Council obtained funding from the NSW Government's Resources for Regions Program in June 2022 to construct lead in infrastructure for a new residential subdivision in Hoskins Street. This report should be read in conjunction with reports 5.1 and 14.3.

### 3. Discussion

Council's request for tender which has resulted in responses to be considered under report 5.1 did not include electrical infrastructure which was to be separately tendered. Council staff have been working with specialist (Level 1 accredited) electrical contractors on the design of the electrical infrastructure which has now been finalised.

During these discussions it has come to light that Essential Energy will require a 20 week lead-time after finalisation of design to complete their part of the required work. Council staff are concerned that taking this into account, as well as the Christmas holidays break there will not be sufficient time to allow for a 28-day tender process and subsequent scheduling and execution of works prior to the current grant deadline of 31 March 2025.

Under Section 55(1) of the Local Government Act, 1993 Council are required to invite tenders for any contracts exceeding \$250,000 in value. Exceptions to this requirement are set out in Section 55(3) and include the following:

- (i) *a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders.*

In this case Council staff believe extenuating circumstances exist, being the unexpected lead time required by Essential Energy and the looming grant deadline on 31 March 2025. Due to the delays this project has endured, a further variation request has been lodged to the funding body to extend this timeframe, but Council is yet to hear whether or not we have been successful. The risk exists that payments made after that date will be disallowed by the NSW Government.

To prevent this situation occurring, it is recommended that Council resolves to not proceed to tender but instead invites quotations as contained in our Procurement Policy from at least three appropriately certified Level 1 Electrical Contractors based on the design already carried out.

It is not certain that the final contract price will, in fact, exceed the tender limit of \$250,000 – in which case Council’s resolution will become redundant – but with the grant deadline in mind Council staff wish to be prepared for this contingency.

#### **4. Attachments**

Nil

#### **5. Recommendation**

1. That Council not invite tenders for the installation of electrical lead-in infrastructure on the proposed residential subdivision on Hoskins Street, Nyngan.
2. That the reason for this decision is based on extenuating circumstances, being Council becoming aware of an extended lead time of 20 weeks for Essential Energy to complete their associated works, timeframes for a tender process during the holiday break and a grant deadline of 31 March 2025 for project funds to be spent.
3. Instead, Council invites quotations from at least three appropriately accredited Level 1 Service Providers (Electrical Contractors) for the installation of electrical lead-in infrastructure on the proposed residential subdivision on Hoskins Street, Nyngan.

## **10.5 STATE OF THE SHIRE REPORT**

### **1. Introduction**

The purpose of this report is to present Council's 2021-24 State of the Shire Report for noting by Council.

### **2. Background**

It is a requirement under the NSW Government's Integrated Planning and Reporting Framework that a State of the Shire Report be presented to the second meeting of a newly elected Council for noting.

### **3. Discussion**

The report covers the term of the previous council and records Council's progress against the Community Strategic Plan.

Apart from informing the Community, the report is intended to assist the new council to undertake a review of the CSP, which is an essential component of Integrated Planning and Reporting cycle.

### **4. Attachments**

1. State of Shire Report

### **5. Recommendation**

That Council notes the content of the attached 2021-24 State of the Shire Report

*Bogan*  
SHIRE

# State of the Shire Report 2022-2024



*Comfortable Country Living*



# Social

*Goal - An inclusive community that works together and is able to access services and opportunities to support our comfortable country living.*

## 1.1 Social and Cultural

**Outcome:** Our community enjoys and actively participates in our rich culture, social environment and communal vibe.

Council has continued to host, support and create opportunities for community festivals, events and cultural activities through planning, marketing, direct involvement and various forms of assistance.

**Australia Day:** Every year Council has planned and implemented an Australia Day celebration. This has involved organising and conducting the celebration which includes community awards for citizenship, sporting achievement and successful local events, hosting an Australia Day ambassador, providing a venue and refreshments for the community and other associated community activities such as cooking and colouring in competitions and providing free entry and activities at the Nyngan Swimming Pool.

Recent Australia Day Ceremonies have been held in Davidson Park in response to community feedback for an outdoor event. The day would not be complete without a G'DAY sign photo opportunity with the Big Bogan himself with his furry best mate rusty. Rusty joined the Big Bogan family in 2022, with the community providing name options for the new addition.



**Big Bogan Festival:** In 2022, Council hosted the inaugural Big Bogan Festival, funded by a NSW Government grant. The festival aimed to foster community engagement post COVID-19, support local businesses, and provide opportunities for families and community members to connect. Spanning several locations, including the Big Bogan Statue, Pangee) Street, Tabratong Street, and Larkin Oval, the event featured a wide range of activities such as live entertainment, a best dressed Bogan Competition, kids' activities, sports coaching lessons, local markets, food vendors, the Dash for Cash race, and a show-and-shine competition.



**Citizenship Ceremonies.** Council conducts citizenship ceremonies as required.

**Holiday Break Programs:** Council has been successful in obtaining the NSW Government’s Holiday Break Program grant funding each term to support youth activities based on youth feedback and interest.

Activities have included laser tag, paint and sip sessions, resin, aerial dance leather making and silversmithing workshops, youth discos, photobooth, totem skateboarding and inflatable fun days. In addition, Council collaborates with other Youth Service providers to organise youth events, such as youth BBQs, bubble soccer, Youth mental health awareness, cyberbullying preventions, and various sporting activities.



**Christmas Lights and Rural Mailbox competitions:** Council has conducted an annual Christmas Lights and Rural Mailbox competition whereby community members, businesses and rural property owners are judged on

*State of the Shire Report 2022 - 2024*

their festive lighting and decorating efforts, with prize money donated by sponsors is awarded.

**Community Events at Nyngan Showgrounds:** Improved facilities at the Nyngan Showground have been used for community events including the Duck Creek Races, the Nyngan Show, the Nyngan Anzac Day Races, the Nyngan Ag Expo and the Big Boar Bonanza.

**Local community organisations and events:** Council has continued to support local community organisations and events in the Shire. These events include:

- Anzac Day: Council supports and contributes to the annual Anzac Day ceremonies conducted by the Nyngan sub-Branch of the Returned and Services League.



- **NAIDOC Week:** Council supports NAIDOC week every year providing facilities and equipment for activities. In 2023 and 2024, Council participated in the Community Day event at the end of the NAIDOC Week festivities.



- **Annual Christmas Community Event:** Council provides a venue, support and equipment to the Nyngan Christmas Committee, which was established in 2023. The committee organises a Christmas street party consisting of markets, food vendors, lighting the tree and family Christmas fun. Council purchased a community Christmas tree in 2022, which remains decorated and lit throughout the month of December, along with new street banners for Pangee Street.
- **Community events co-ordinated by the Nyngan Community Hub:** Council provides a venue (Larkin Oval, O'Reilly Park, Davidson Park, or Rotary Park) and equipment for the events which have included events for White Ribbon Day, Easter, Christmas and Harmony Day.

*State of the Shire Report 2022 - 2024*

- **StormCo Youth Activities:** Council has provided the StormCo group with use of the Bogan Shire Youth and Community Centre for activities and accommodation. It has also provided venues and equipment for StormCo activities around Nyngan's parks and recreation spaces.

**Nyngan Fire Station and Garford Engine:** Works continued towards establishment of a Fire and Rescue Museum in the former NSW Fire Brigade building in Nyngan. The building was painted and renovated including new bathrooms and a kitchenette.

Council arranged for the restoration of Nyngan's 1924 Garford Fire Engine by the Tamworth Classic Fire Engine Club, and it is now a running addition to the Museum's display.



4

**Nyngan Museum and Midstate Shearing Shed Museum:** Council has continued to support the Nyngan Museum and Midstate Shearing Shed Museum. These museums are dedicated to identifying, preserving and displaying European and Aboriginal Heritage Items. Volunteers continue to staff both museums and carry out welcoming and guided tour tasks during weekday mornings at the Nyngan Museum.

Funding was received for new air-conditioning to be installed at the Nyngan Museum through Create NSW.

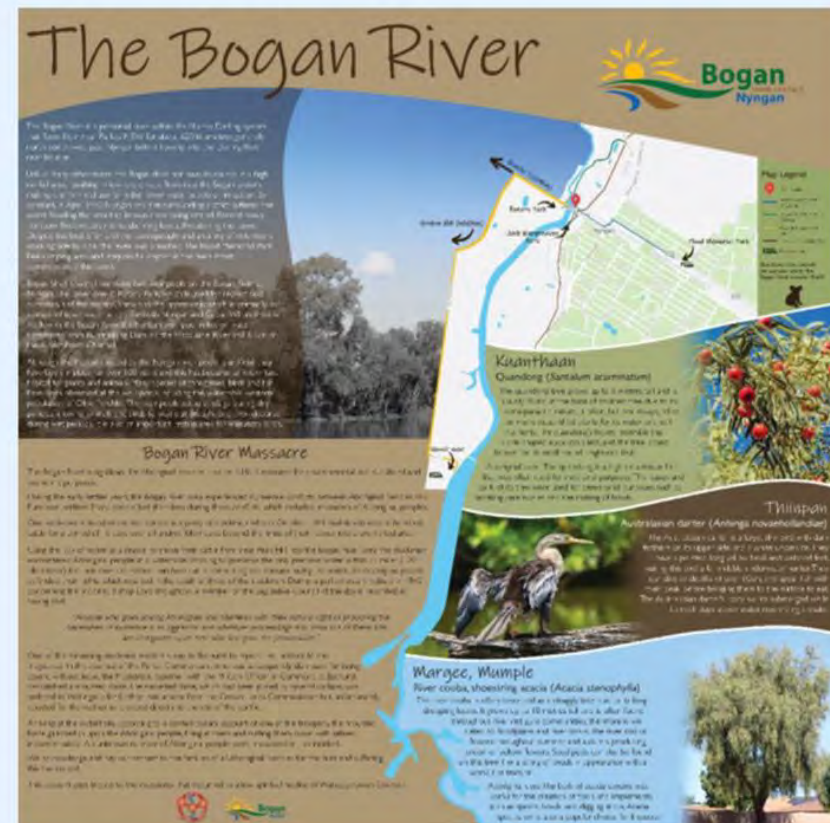
**Community Directory.** Council produces and updates the Community Directory, both in hard copy and on the Council website.

**National Tree Day:** Council has participated every year in National Tree Day. Students from Nyngan High School, St Joseph’s School and Nyngan Public School have planted trees in various locations including O’Reilly Park, Larkin Oval, Nymagee Street, and the vicinity of the Nyngan Golf Club.



State of the Shire Report 2022 – 2024

**Bogan River Signage:** Working collaboratively with the Nyngan Local Aboriginal Land Council, informational signage was developed for three locations along the Bogan River which incorporates information on the “Bogan massacre” which is said to have taken place in 1841 between a group of white stockmen and local indigenous people. In 2023, members of the local Aboriginal community conducted a smoking ceremony at the site before unveiling the sign.



## 1.2 Community Facilities

**Outcome: Our community uses and values the educational, recreational and social opportunities provided by our community centres.**

**Nyngan War Memorial Swimming Pool.** Council’s progressive renovations of the Nyngan War Memorial Pool have continued over the last term of Council including new accessible amenities block which includes unisex change rooms with hot showers, an accessible toilet and change areas.

Significant works were also carried out to reline pipework to limit water losses from leaks and a new automatic chlorine and acid dosing system has been installed to help ensure that the water is treated correctly.



**Bogan Shire Youth and Community Centre (BSYCC):** Constructed in response to consistent community feedback that such a facility was needed, the BSYCC was constructed and commenced operations in September 2022. The Centre features a full-size indoor sports hall, community meeting rooms, a recreation room, study areas, gaming room, kitchen and an outdoor recreation area.

*State of the Shire Report 2022 - 2024*



To support the Centre’s launch, grant-funded Youth Officer roles were created to provide after school and holiday Youth Drop-in Sessions. Grant funding has also been used to engage locally contracted youth services to operate and support these youth programs and activities.

The BSYCC offers a range of activities during drop-in sessions, including a mixture of sports such as volleyball, basketball and cricket as well as cooking, baking, mentoring programs, seasonal decorating of the centre, gaming competition, movies, trivia and boxing lessons. Council also installed major pieces of playground equipment including a giant swing and climbing pyramid.

The BSYCC has also become a valued hub for the wider community. Offering a versatile space for various groups and activities, it is available for local social groups, such as the Nyngan Craft Group and the Bushfellas group, fostering connection and engagement within the community.

In addition, the Centre is available for private hire and corporate use (on a fee-based structure), including training sessions and workshops making it a multifunctional venue for both social, community and professional events.

6

**Parks and Playgrounds.** Council has created a dedicated parks and community facilities team to look after the maintenance and upgrades to parks, other open spaces and playgrounds across the Shire.

**O'Reilly Park:** Major new playground equipment was installed with an adventure playground and flying fox answering long-standing community requests for these facilities in an upgraded playground precinct.

The existing children's play equipment in O'Reilly Park has also been upgraded with softfall to replace the bark chips.



**Davidson Park:** Improvements to Davidson Park, based on a Master Plan, commenced in the previous term of Council and continued throughout this term. New footpaths were created linking contemporary focal points, seating was installed, and the toilet block underwent an external make-over to modernise its appearance.

*State of the Shire Report 2022 - 2024*



**Rotary Park, Jack Hargreaves Park and the lower weir.** Extensive works have been done to this riverside area including the removal of weed vegetation. An upgrade was carried out to the boat ramp which included work on the car park and approach to the ramp.



**Nyngan CWA Hall:** The Nyngan CWA Hall, which was handed over to the Bogan Shire Council during this term, was extensively renovated and upgraded for public use. The ceiling was replaced, a new kitchenette and accessible bathroom installed, and the interior was repainted and carpeted with new air-conditioning installed.

**Flood Memorial Park:** Flood Memorial Park has had further upgrades and is still serving as an attractive stop over for travellers. New toilet facilities were installed and more seating with shelters have been installed. The driveway was also widened to allow easier access for caravanners.



**Hermidale Park:** Upgrades to Hermidale Park have included a toilet block, new perimeter fencing and repairs to the War Memorial.

*State of the Shire Report 2022 - 2024*

**Girilambone Railway Station:** Works were completed on the historic Girilambone Railway Station to bring it back from a ruined building facing demolition to a fit for purpose community space. Community consultation will take place to help Council determine future use of the building which could include a local history museum, an artist's workshop and community function space. As an added attraction for visiting railway enthusiasts Council installed historic rail motors on the tracks at the station platform.



**Sportsgrounds and active recreational facilities:** Council has carried out a regular maintenance program on the sports grounds and active recreational facilities to ensure they can be well utilised.

8

**Upper Weir:** Council has developed the upper weir area. This area suffered damage from flooding in June 2022 and with the assistance of grant funding Council undertook works to help to prevent future damage.



**Larkin Oval:** The improvements at Larkin Oval continued with the installation of a new toilet block on the eastern end of the Oval and the construction of a purpose-built female change room and toilet block.

Two of the four netball courts were also resurfaced with a safe all-weather playing surface.

Further improvement to the canteen facilities were also made with security shutters added, an industrial exhaust fan installed in the kitchen and a sink and hot water installed in the bar/BBQ area.

*State of the Shire Report 2022 - 2024*



**Nyngan Tennis Courts:** Tennis was given a new lease on life in Nyngan with the renovation of the tennis club building which was re-clad. Interior works included a new kitchenette, painting and sanding of the timber floors. On the outside a new covered deck was constructed overlooking the courts. Tennis Courts were also refurbished with a new playing surface installed to all courts.



9

**Nyngan Showgrounds.** Council has made significant improvements to the Nyngan Showground and Racecourse for the purpose of community events. This included new racecourse entry gates designed and installed by Council staff and a new amenities block and BBQ with shelter for the Pony Club.



**Hermidale Village:** Council has installed portable grandstands with shade awnings and a wash down bay for horses at the Hermidale Showgrounds and has resurfaced the two of the tennis courts at the Community Centre in response to community requests to revive the sport.

**Coolabah Village:** A fence has been installed along the Highway to improve safety for people using the rest area. Significant works have been undertaken at the Coolabah Hall including re-cladding and repositioning the access ramp.



**Girilambone Village:** The purchase of a BBQ and installation of a shelter and new amenities block has added to the appeal of the free camping area at Girilambone.

**Nyngan Cemetery.** Council staff have continued to maintain and make improvements to the Nyngan Cemetery. A new lawn cemetery area was constructed to allow expansion to the east of the existing area and trees have been planted to provide shade for this new area. Council regularly waters and mows the lawn areas.



**Nyngan Library:** Council’s strategy has been to focus on community needs to provide quality facilities and access to printed and online information and other sources.

Council secured a NSW Government grant which funded the internal renovation and removal of walls to increase the children’s reading area and flexibility of use of the space. The grant also supported the creation of an enclosed outdoor space with a kitchenette for school holiday craft, community group gatherings, and adult craft sessions, all while minimising disruptions to library users.



The Nyngan Library established a Dolly Parton Imagination Library in partnership with Uniting Way which uses a free book gifting program to inspire a love of reading in young children across the globe. Each month, children who are between the ages of birth and five years can enrol and receive a high-quality, age-appropriate book in the mail, free of charge. The Program has been highly successful with 65 children currently enrolled.

*State of the Shire Report 2022 - 2024*

Library staff have a regular program for young library users such as special craft sessions in the holidays, and a regular story time session. Staff visit the Bogan Shire ELC and the Preschool around twice per term to hold Story Time sessions.

The Library has continued to participate in events such as national Simultaneous Story Time, Australia’s Biggest Morning Tea, and Library Lover’s Day. Other events have included morning teas for seniors, and workshops for young people on 3D printing and belt making.

Each year, a number of eResources, children’s toys, and other resources are purchased under the Local Priority Grant each year ensuring the collection stays up to date and activities and events can continue to be held at the Library, supporting the community and their needs,

The Library continues to be an active member of the North Western Regional Library Service Partnership.

### 1.3 Inclusive Communities

**Outcome: Children, older people and people with disabilities are supported, feel secure, valued and are engaged in our community.**

**Bogan Shire Early Learning Centre:** The Bogan Shire Early Learning Centre provides a centre-based day care and educational service for children aged 0-5 in the Bogan Shire. It is licensed for 43 children in two rooms and open for 50 weeks a year from 7.30am-6pm. Since opening in 2016 the ELC has grown to the extent that there has been a waiting list for some time which has prompted plans for an extension to the Centre.

Bogan Shire Council successfully applied for grant funding to increase the size of the Centre and construction commenced during this term. An additional room and outdoor play area extensions were completed in 2024 and Council was notified that it had met requirements for an increase in licensing capacity to 59 children across the three rooms.



*State of the Shire Report 2022 - 2024*

**Bogan Bush Mobile:** Bogan Bush Mobile transferred its headquarters to the new ELC when the centre was opened in 2016. This service has undergone significant changes to bring it into scope.

Where previously the service travelled to small centres across the region to provide two hourly playgroup sessions, it now offers longer childcare sessions in two locations across the region.



**Youth:** Council has continued to provide opportunities for young people to be actively engaged in the development, design and planning of educational and other programs, services and infrastructure in which they are a stakeholder or user group.

When seeking options for grant funding, Council has carried out extensive community engagement with schools and the school community. As an example, it was decided to build a Youth and Community Centre, on a location and to a design nominated by the youth.

Council also engages with youth to plan and implement programs for Youth Week and holiday break activities.



*State of the Shire Report 2022 - 2024*

**Bogan Shire Seniors Week:** Council co-ordinates five days of community Seniors Week activities including the official morning tea and presentation of the Senior Citizen of the Year at community venue. Other activities have included arranging visits from local preschool to social with the seniors, concerts, paint and sip sessions, community rotated church services, bingo, Shopping trips to Dubbo, free entry to the Nyngan Museum, exercise sessions, wellness brunch with community health.



**Community:** Council has continued to work with the community and Government agencies to understand issues and lobby Government to address them. Examples include:

- Before and After School Care
- Train Speeds through Nyngan
- Water Security
- Nursing shortages affecting the Mick Glennie Hostel

**Bogan Shire Youth Week:** Council has received Youth Week grant funding each year to support a variety of activities, coordinated by staff from the Youth and Community Centre. These staff gather feedback from youth and conduct an annual Youth Week survey with Nyngan High School to help determine the activities. Over the years, Council has organised events such as outdoor movie nights, pizza-making sessions, inflatable fun, volleyball and other sports competitions, photobooths, Glow Roller Disco, and a colour fun run obstacle course.



State of the Shire Report 2022 - 2024

**Disability Inclusion Action Plan:** Council engaged with the community in 2017 to develop and adopt a Disability Inclusion Action Plan (DIAP). There has been additional disabled car parking in the main street and other public areas and improvements made to toilet blocks for disabled access. In 2021 Council installed a new disabled access chair into the Nyngan War Memorial Swimming Pool. The DIAP was updated in line with regulation requirements in 2023.

**Bogan Shire Seniors Living.** In 2020 Council completed and opened the Bogan Shire Seniors Living Project. This project used NSW Government grant funding to build four accessible units on the corner of Dandaloo and Cobar streets, comprising a three two-bedroom units and one single bedroom unit. Community members eligible to receive the Australian Age Pension, and who had resided in the Bogan Shire for 10 years or more were eligible to apply for residency.

The units are currently fully tenanted and are maintained by Council.



14

## 1.4 EDUCATION

**Outcome:** Access to opportunities for education at all levels.

Council has continued to support all schools in our Shire through various initiatives, awards and scholarships. Council representatives attend all end-of-year presentation days.

**School Careers Day:** Bogan Shire Council attends the annual Nyngan High School Careers Day to promote career opportunities and traineeships available through Council.

**Traineeships:** Council continued to support young people through offering apprenticeships in trades including Metal Fabrication, Automotive Engineering, Water Treatment Operations and Horticulture as well as traineeships in Early Childhood Education and Care, Building Surveying, and Business Administration. These are advertised within the local community and marketed towards those about to finish secondary school or to young people wanting to gain a trade certification or commence a career path into these fields.

In addition, Council has also employed people in Graduate roles in Human Resources and Health and Building Surveying.

**Gap Year Program:** Council initiated a Gap Year employment program to help recently graduated Year 12 students to transition to the workplace by providing them with meaningful contract employment with the Bogan Shire Council for up to 12 months on finishing school. In 2024, eight students were placed in the Program in roles which varied from civil construction to youth work to business services.



**Earn while you learn at Bogan Shire Council!**

- ▶ learn valuable workplace skills
- ▶ get hands-on experience in multiple industries
- ▶ figure out what career paths interest you
- ▶ work full or part time
- ▶ **get paid!**

Bogan Shire Council is providing an exciting opportunity for local Year 12 leavers to gain experience in roles that interest them.

This opportunity could help you discover what you want your career to look like, and may lead to further study and ongoing employment opportunities supported by us.

### 1.5 Public Health

**Outcome: Our community has access to the medical services, facilities and programs to enhance and protect our health.**

**Bogan Shire Medical Centre (BSMC):** The BSMC was constructed and opened in 2017 and is operated by Council staff. The original BSMC was partially funded by a Federal Government grant, and included four consult rooms, a procedure room, reception, waiting room and amenities.

Due to increasing demand and expansion of services an extension to the building was completed in 2022 which includes two additional consult rooms, a dedicated pathology space and additional waiting area.

The Practice currently includes two GPs, nursing staff and an Aboriginal Health Worker, as well as a number of visiting allied and specialist health care providers. A pathology service, podiatry, physiotherapy and ultrasound services are also based at the Centre.



*State of the Shire Report 2022 - 2024*

A new ultrasound machine equipped with the latest digital imaging technology was installed during the term. The new machine's higher quality imaging means patients are less likely to have to travel out of town for MRI's for further evaluation.

The Bogan Shire Medical Centre is the only practise west of Dubbo to offer an ultrasound service and attracts patients from across the region.



**Bush Bursary Program:** Council supports the annual Bush Bursary Program by hosting two university students with an insight into both country living and rural medicine.

The Program which is administered by Rural Doctors Network aims to encourage medical, nursing and midwifery students to consider a career in regional NSW and is part funded by the Country Women's Association of NSW with additional bursary funded by Council.

Bogan Shire Council funded the placement of students in Nyngan and facilitated work experience at the Bogan Shire Medical Centre and at the Nyngan Multipurpose Health Service.

**Doctor housing and surgeries:** Council continues to provide accommodation to general practitioners in Nyngan. Two new units were completed at 70 Bogan Street and 28 Tabratong Street which can be used to house clinical staff.

**Dental Service:** Council has continued to support the Nyngan Dental service with the provision of a premises.

## 1.6 Emergency Services

**Outcome: Our fire, police and ambulance services provide effective, efficient services to the community to protect property and the safety of our community**

**Fire services:** Council's strategy is to ensure people within Nyngan and the surrounding villages are protected from fire-related incidents. Covering rural areas, the Mayor and council staff liaise with the Rural Fire Service (RFS) through participation in the local service level agreement meetings to ensure local input into their decision making.

In 2023 the Nyngan Showground was used as a temporary base for up to 80 RFS firefighters following an emergency declaration as a result of the Glenariff Station fire near Coolabah which burned over 5,500 hectares.

**Ambulance Service:** Council continues to advocate to ensure provision of a 24 hour Ambulance Service for the Shire.

**Hazard reduction program:** Council has continued with its hazard reduction program. This includes removing fire risk around areas such as the Villages and the Nyngan Waste and Recycling Facility as well as maintaining the flood levee bank.

**Community Safety:** Council continues to lobby the NSW Government for adequate police numbers in the Bogan Local Government Area. It has also continued its commitment with NSW Police to contribute to the provision of housing (where possible) for police officers. Council works closely with Nyngan police to ensure our community remains safe.

# Infrastructure

*Goal - construct and manage reliable and efficient community assets that provide access to quality services.*

## 2.1 Transport networks

**Outcome:** our well constructed and maintained transport network enables safe and efficient movement of people and freight through the Shire.

**Road networks.** Maintaining and improving the road network throughout the Bogan Shire is an ongoing commitment which accounts for approximately 35 per cent of Council’s budget. Council is responsible for the maintenance of over 1,200 km of local roads, over 1,000 km of which are unsealed; 238 km of regional roads (138 km sealed and 100 km unsealed) and 261 km of State highway.

Council employs 23 staff for roadworks, including four grader teams for construction and maintenance and highway work undertaken on behalf of the NSW Government.

In 2021 Council engaged an additional three grader teams under contract to carry out works funded by the NSW Government’s Flood and Storm Damage Restoration Program.



During the last term, road work projects included the re-sheeting of approximately 76 km of unsealed roads, such as Colane, Pangee, Benah, Warrah, and Paynes Roads, as well as the resealing of 9 km of Yarrandale Road under the Fixing Local Roads Program. These upgrades improved road formation, drainage, and vegetation management, enhancing resilience against increased traffic and adverse weather.



The second round of the Fixing Local Roads Program also facilitated the rehabilitation of Pangee Street in the CBD, featuring a 16,710 m<sup>2</sup> asphalt overlay, new line markings, pedestrian crossings, and nose-in parking.



Additionally, the 2020-2024 Roads to Recovery Program, with funding of \$5.4m has enabled the Council to re-sheet 136 km of gravel roads and perform various maintenance tasks over the past four years.

Under this block grant, rehabilitation works have widened and sealed a total of 8 km of regional roads, including Tottenham Road and Cockies Road, while also supporting annual re-sheeting and maintenance efforts.

The Regional Emergency Road Repair Fund has provided resources for maintenance and gravel re-sheeting on rural roads, including 2.4 km of rehabilitation and widening on Buckiinguy Road.

*State of the Shire Report 2022 - 2024*

To date Council has completed over \$2.3 Million in repairs to address flood damage from the 2022 event.

Contract works on the state highways included continued rehabilitation work on sections of the Mitchell Highway East and West of Nyngan.



Footpaths, kerb and gutter: Grant funding has allowed a major increase in the amount of priority footpath replacement and new construction with around 4,000 metres laid. Significant lengths of kerb and gutter were also replaced throughout Nyngan. Pedestrian bridges were constructed around the Nyngan golf club to link up with existing pathways and access routes.

19

## 2.2 Rail Services

**Outcome: Our Rail Connection remains a cost effective and reliable alternative for freight transport.**

**Freight rail.** Council has continued to lobby State Government and UGL to maintain and improve reliable freight transport network.

**Rail Crossing and rail safety:** Council lobbied for safety improvements to be made at the Moonagee and Hoskins Street Rail crossings. Council has also campaigned extensively to the NSW Government reduce train speeds through the Nyngan township.

**Railway Infrastructure:** Council has successfully lobbied the NSW Government and UGL to upgrade the fencing along the rail corridor in the town precinct to restrict unauthorised access onto the track.

## 2.3 Water

**Outcome: we have access to a secure water supply that is well managed to provide us with a reliable, safe and cost effective service as well as a raw water supply to villages.**

Council ensures it remains compliant with strategic business plans for water through a program of continual capital improvements. It has continued to provide a financially viable, efficient, permanent potable water supply that meets the requirements of the community. Council reports quarterly to the NSW Department of Health and submits an annual report on the Drinking Water Management Plan.

The Water Asset Management Plan is used to develop the annual water budget and make improvements to water supplies. Annual works include maintenance and de-silting of the Albert Priest Channel, vital infrastructure to provide Nyngan and Cobar towns with a secure water supply.

Council has been working with the NSW Government to undertake significant upgrades to local water infrastructure over recent years.

**Emergency Off-River Storages:** During this term of Council, contractors completed the lining of the first of two emergency off-river water storages. The 650 Megalitre storage will help drought proof water supplies for Nyngan and Cobar with works done to line the bottom with a synthetic clay liner to prevent leakage.



A second water storage alongside the first was completed and will provide another 535 Megalitres bringing the total cost for this project to over \$16 Million.

When full the storages contain enough water to supply the essential needs of Cobar and Nyngan towns for 18 months on strict water restrictions.

**Belaringar Creek Syphon:** Many years in the planning, funding became available for the replacement of the Belaringar Creek syphon, which is effectively a pipe which takes the Albert Priest Channel underneath the Belaringar Creek. Costing around \$1.8 million the works will see a reduction in leakage from the Channel which transports water for Nyngan and Cobar.



*State of the Shire Report 2022 - 2024*

## 2.4 Sewerage

**Outcome: We have a reliable, safe and cost-effective sewerage network.**

In accordance with the Sewerage Asset Management Plan, Council has undertaken ongoing replacement and improvements to the Nyngan sewerage system.

During this term a new aeration system was installed to the Primary Pond at the Nyngan Sewer Treatment Works and extensive relining was carried out on Nyngan's sewerage pipe network at a cost of \$700,000.

There has been routine ongoing testing and reporting of this system to ensure compliance with the sewer Treatment Plant license conditions.

## 2.5 Communications Networks

**Outcome: The community has access to the latest communication infrastructure and technology to facilitate communications for learning, business and providing services to our community.**

Council continued to work with telecommunications providers and lobby government for improvements to communications throughout the Shire.

# Environmental

**Goal - To support the current and long-term liveability of our Shire by enhancing an protecting our environment through sound urban planning, managing our waste stream and sewerage services, and providing potable water supplies that are economically sustainable, reliable and environmentally**

## 3.1 Built Environment

**Outcome: Our Shire is enhanced through respectful planning processes and facilitation of development in accordance with statutory requirements.**

Long term sustainability: Council has conducted periodic reviews of its planning instruments to ensure land use planning supports the long-term sustainability of the local community and economy.

**Local Housing Strategy:** Council has started work on a housing strategy using funding provided by the NSW Government. Community workshops were held to better understand the needs of the local population. The Strategy will reflect these needs and will guide future decision making on planning matters.

**Affordable range of housing:** Council has undertaken consultation with significant employers including the local mining industry regarding the future demand for housing in the community.

**Safe, healthy and well-maintained buildings:** In accordance with relevant health and safety legislations, Council conducts regular inspections on the community’s buildings to ensure they comply with the NSW Building Certification Scheme. Council investigated concerns and complaints in relation to overgrown allotments and buildings in a state of disrepair.

In 2018 Council used grant funding to engage an engineer to inspect the awnings of buildings in the Nyngan CBD. A report was made available to the owners of these buildings.

**Planning Portal:** As of 1 July 2021, throughout NSW, Development Applications (DA’s), Complying Development Certificates (CDC’s) and Post Consent Certificates such as Construction Certificates along with Occupation Certificates are now required to be lodged electronically through the Online Service provided by the NSW Planning Portal.

Council has assisted community members with the new online portal by setting up a computer set up in the front foyer of Council’s Development and Environmental Services office for the community to lodge the relevant applications via the online portal with staff available to assist where necessary.

**Flood Management Plan:** Council has developed and implemented flood management plans into the LEP and DCP for all urban flood areas. Council continues to carry out regular inspections and maintenance on its stormwater infrastructure and levee bank.

### 3.2 Waste and Recycling

**Outcome: Our waste stream is effectively managed, reducing waste to landfill and maximising resource recovery through recycling.**

Council has continued with its kerbside household waste and recycling collection. The recyclables picked are taken each fortnight to Gilgandra for sorting and then sent for processing into recycled products.

Works at the Nyngan Waste and Resource Recovery Centre include:

- A new fence with a screen of trees planted around the perimeter to improve aesthetics and meet licensing requirements.
- A new leachate system to remove water from the waste cells.
- The construction of large new cells for general waste and asbestos

In addition, a Resource Recovery Shop was constructed and opened to allow for repurposing of reusable / recoverable / recyclable materials rather than see them go to landfill. “Buyers” are encouraged to make a contribution to Nyngan Can Assist charity via a QR Code at the Shop.



*State of the Shire Report 2022 - 2024*

This term saw the installation of recycle bins in the main street to encourage the public to be aware of appropriately disposing of their waste. These bins are in prime locations near shops and cafes.

The three village landfills in the LGA continue to operate as uncontrolled facilities during this term maintained by Council with areas also provided for the separation of scrap metals. All three facilities are now reaching capacity.

Council continues to be an active member of NetWaste, the regional waste management group of 26 western councils, including supporting innovative recycling ventures such as the annual Waste to Art competition, as well as participating in regional contracts for the collection, processing and recycling or reuse of scrap metals, mattresses, tyres, greenwaste, concrete and masonry, drumMuster and the collection and safe disposal of hazardous household chemical

### 3.3 Natural Environment

**Outcome: Our open space areas are protected and appropriately managed to preserve their valued use and biodiversity whilst minimising the impact of pollution and weeds on the environment.**

Provision of safe, high-quality playgrounds and parks. Council departments carry out routine maintenance on local reserves and recreational areas to ensure they are well used by the community.

Over the past five years Council has embarked on an ambitious program to capitalise on the Bogan River by cleaning away weeds and vegetation around the upper and lower weir areas and developing recreational spaces for the community. The upper weir now has walking paths, a bird hide, a toilet block, fire pits, seating and a garbage bin. This area is a popular free camping site.



*State of the Shire Report 2022 - 2024*

Council has continued to maintain and improve its existing parks, with new playground equipment at Moonagee, Rotary, O'Reilly, Lions, Davidson, and Hermidale Parks. Shade sails have been added to playgrounds at O'Reilly, Lions and Moonagee Parks. There are also new toilet blocks at Hermidale, Girilambone and Coolabah.



**Bogan River Bushcare:** The Bogan River Bushcare Program has been grant funded by the NSW Government and included the construction and establishment of a native plant nursery, or Community Hub, on Council land on Pangee Street. This Hub is intended for interested community members to participate in the propagation and raising of seedlings to plant around the Shire.

The Bogan River Bushcare Program employs a part time Bushcare Coordinator and Assistant to propagate and grow plant species endemic to the Bogan Shire region. The Program aims to use these plants to assist in the rehabilitation and regeneration of degraded riverbank along the Bogan River at Nyngan.

In preparation for engaging with Youth through the local schools, an outdoor classroom was established on the banks of the lower weir.



*State of the Shire Report 2022 - 2024*



**Preservation of the natural environment:** Council has continued to maintain and improve reserves in the Shire. Council has continued to implement a dedicated noxious weeds eradication program in accordance with the Biosecurity Act 2015. This includes participation on the Central West Regional Weeds Committee and on the Macquarie Valley Weeds Advisory Council. Council regularly inspects for listed noxious weeds on public and private property and undertakes action to eradicate them.

**Litter Reduction:** There are new garbage bins along the main street CBD area and along its new pathways and recreation areas to prevent littering. Council was successful in a RID grant which involves signage and reporting to increase public awareness of illegal dumping.

**Levee Bank Walking Path:** In 2022, Council completed works on improving access to the Levee Bank for recreational access. This project was funded by a NSW Government grant and included gravel access ramps, solar lighting, widening of gravel pathways and informational/directional signage.



**Fish Stocking:** Council has been involved in a NSW Government initiative that regularly sees fingerling released in the weir pools at Nyngan.



*State of the Shire Report 2022 - 2024*

### 3.4 Health, Safety and Regulation.

**Outcome: Council meets its compliance and regulatory obligations concerning public health.**

**Local Liquor Accord:** Council has continued to provide information regarding new liquor license applications, and make submissions to the State Government as required.

**Safe Food Standards:** Council undertakes annual inspections of food premises in Nyngan and villages to ensure food handlers comply with standards.

**NSW Companion Animals Act:** Council has an ongoing management and control of companion animals as per the Companion Animals Act 1998, including a pound at the Nyngan Airport.

Council has improved public awareness of companion animal control including lifetime registration. Council rangers carry out enforcement activities relating to dog control measures.



# Economic

*Goal - A vibrant local economy with a diversity of successful businesses that provide local employment opportunities and contribute to a prosperous community.*

## 4.1 Local Industries and Business.

**Outcome: Local industries, including tourism, and the business that support them continue to grow and prosper.**

Council has continued to work with local businesses to identify issues and develop initiatives to actively encourage the establishment of sustainable economic growth and local employment opportunities. Council has maintained a relationship with Regional Development Orana for this purpose, as well as attending and participating in the Local Economic Development Officer network.

Council has continued to make available land for industrial businesses, with all available lots in the John Hoare OAM Business Park now taken. New businesses have included a concrete batching plant and workshops.

Council has continued to implement its streetscape masterplan and rejuvenate the Nyngan CBD to make it visually more appealing to visitors and residents. Council upgraded the paved footpaths, kerb and guttering and road pavement in the CBD.

Council has continued its policy of shopping locally where possible and in the best interests of council.

**Residential Subdivision:** In response to community feedback that lack of residential accommodation in Nyngan was inhibiting employment by local businesses, Council successfully made application for a grant to finance the development of lead-in infrastructure for a new residential subdivision on the “pound paddock” opposite the Nyngan Showgrounds. Planning and design processes had progressed to the point where Council was able to approve the proposed layout of the Subdivision with construction expected to start in early 2025.



**Pangee Street Revitalisation:** Council continued work to revitalise Nyngan’s main street included a complete resurfacing of the main CBD section of roadway as well as extensive new concrete footpaths to modernise the look of the footpaths and eliminate trip hazards caused by the old footpath pavers. To compliment the new footpath, new kerb and guttering was also installed. Together with works done over several years and improvements to Davidson Park, the revitalisation of Pangee Street will make a more attractive destination to bring more people into Nyngan’s CBD.



**Mining Businesses:** Council has continued to maintain relationships with mining companies to explore opportunities for mutual benefit and lobby on behalf of local issues. Council is working with the local mining industry to alleviate the current housing shortage which is viewed as a growth constraint.

*State of the Shire Report 2022 - 2024*

**Agricultural Businesses:** Council has continued to maintain relationships with local agricultural businesses and lobby on behalf of issues.



**Relocation Marketing Campaign:** In 2021, Council provided a budget for a relocation marketing campaign to promote the Bogan Shire as an attractive place to live and work, with the campaign being tied to the establishment of the new residential subdivision to stimulate interest in moving to Nyngan.

The campaign included an initial production of a short promotional video which was distributed throughout social media. The short promotional video was also made available for distribution to local businesses and government agencies to assist with their recruitment efforts.

28



The video centred on Council’s vision of “Comfortable Country Living” and the various themes that contribute to this including:

- Families, housing, a sense of community, friendliness, safe community,
- Recreational and sporting opportunities, natural amenity, Nyngan’s facilities,
- Healthcare, childcare, education,
- Various job opportunities across a range of industries including agriculture and mining, and
- “Working and living” in Nyngan.

## 4.2 Tourism

**Outcome:** Bogan Shire is regarded as a welcoming and attractive place for people to live and visit, producing services, cultural experiences and recreational opportunities.

**Tourism strategy:** Council has developed a business plan and tourism strategy for the Nyngan Visitor Information Centre and achieved accreditation through Destination NSW and the Tourism Group.



The VIC is open 7 days a week for a minimum of 38 hours a week, including 4 hours on each weekend day. Accreditation has enabled the VIC to utilise the yellow I signage. A flagpole was erected, and a yellow flag raised.

*State of the Shire Report 2022 - 2024*

**Nyngan Railway Station:** Extensive works were carried out at the 140-year-old Nyngan Railway Station which houses the Nyngan VIC and the Nyngan Museum. New front doors, in keeping with the original design, were added to the entry vestibule as part of a grant funded heritage tourism project which included replacement of flooring, internal renovations to reposition the customer service counter and a new kitchen. Airconditioning was also installed throughout.

**Teamsters Rest:** As the focal point for people visiting the Big Bogan and his friend Rusty, Teamsters Rest Park was extended, including a new parking area designed to allow better access for people travelling in caravans and mobile homes. The new park area includes picnic shelters, garden beds to match the originals and a new public toilet. For railway enthusiasts a raised viewing platform was constructed to allow visual access to the historic railway turntable – a part of Nyngan’s railway heritage.



30

### 4.3 Public Transport and Air Services.

**Outcome: we have reliable, cost-effective and regular public transport and air services linking the Shire to Dubbo and beyond.**

**Public Transport:** Council has an ongoing relationship with Transport for NSW to provide an ongoing and relevant public transport service to Dubbo and beyond. Council has continued to maintain and upgrade local bus stops in Nyngan, Coolabah and Girilambone for the inter-town buses which pass through. Local service clubs continue to operate courtesy bus services for patrons as needed.



*State of the Shire Report 2022 - 2024*

**Nyngan Airport.** Council has continued to upgrade airport facilities to meet the required standards. Council has resealed the main runway and apron, re-fenced the airport and in 2021 installed refuelling facilities.



# Responsible Local Government

*Goal - Strong, transparent and effective governance with an actively engaged community to ensure we remain Fit For The Future.*

## 5.1. Leadership Advocacy and Governance.

**Outcome:** Open transparent and effective government.

**Community Engagement:** Council has continued to maintain a community consultation database and undertake community engagement regarding major Council plans and projects.

Council has engaged with the community specifically on grant funded projects, for example the Bogan Shire Youth and Community Centre, the Nyngan War Memorial Swimming Pool, the Hermidale Park, Nyngan Skate Park, and the shared recreational pathway.



*State of the Shire Report 2022 - 2024*

Council has also engaged with community to gauge opinion on matters including the changes to speed limits in town, train speeds, and the future of the Palais Theatre.

**Council meetings.** Council has held regular Council meetings over the past term. All Councillors have been encouraged to make reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.

Partnerships through regional and industry bodies. Council has maintained effective partnerships through regional and industry bodies to collaborate on matters of mutual interest and lobby collectively on behalf of the community. Council participated in the new Orana Joint Organisation of Council until 2021 when a joint decision was taken by all member councils to resign from the organisation. Council has resolved to be a member of a new voluntary regional organisation of councils.

**Council reporting:** Council provides accountability to the community by regularly reporting on its activities through the publication of statutory reports, business papers, meeting minutes and general information. Council has ensured these reports are accurate and timely, and proactively released to the public via its website and in hard copy at the Nyngan Library. Council also completes an Annual Report, statutory financial accounts, quarterly reports, a delivery program, budget and operational plans.

**Code of Conduct and Council's Values:** Councillors are encouraged to take pride in our community and be inclusive, respectful, and work together to get things done and contribute positively to our culture. Councillors are provided with Code of Conduct training upon election, and made aware of Council's values.



State of the Shire Report 2022 - 2024



## 5.2 Managing Our Business

**Outcome: Effective and responsive management of Council's services and activities to deliver on our goals and strategies.**

**Financial planning:** Council undertakes sound financial planning, management and reporting to fulfil its stewardship, responsibilities and ensure it remains financially viable. Council has continued to develop and implement a long term financial strategy. It has prepared and presented operation plans and budgets to council for approval within set timeframes. Quarterly budget reviews are prepared and presented to Council for approval.

Council has been striving to meet the new Risk Management and Internal Audit Guidelines issued in November 2023. The Local Government Act 1993 and the Local Government (General) Regulation 2021 and these Guidelines require each council in NSW to have an audit, risk and improvement committee, a robust risk management framework, and an effective internal audit function.

Council has setup an Audit, Risk and Improvement Committee that had its inaugural meeting in December 2021 and has an internal audit function that has operated since this time and provides Council with independent audit advice.

Council has also adopted an Enterprise Risk Management Policy and Strategy on their way to providing a robust risk management framework.

Council also has external auditors that give an independent examination and opinion of Council's financial statements and whether Council is compliant with accounting standards, laws and regulations. Council has lodged on time each year with unqualified audit opinions.

All Council's financial transactions are recorded, and periodic financial reports are presented to Council to assist with monitoring budget performance.

Council actively works to maximise recovery of revenue due to Council in accordance with policy and conducted a sale of land for unpaid rates in February 2024.

**Workforce:** Council aims to manage its people effectively to ensure it meets its goals and can implement its mission and deliver its vision. Council has developed and implemented a Workforce Plan and a Workplace Health and Safety Improvement Plan during the past term.

Council continues to manage its staff recruitment and induction processes as well as its organisational structure, salary system and related processes to ensure that we have the right people at the right time for the right task.

**Asset Management:** Council is continuing to implement and improve asset management practices to ensure adequate provision is made for the maintenance and long term replacement of infrastructure to be able to help Council make informed budget decisions around Council's assets.

Council is the process of re-developing their Asset Management Strategy and Asset Management Policy for the next term of Council to ensure that they are current and accurately reflect Council assets. This will again include plans for the major categories of Council's assets: Transport and Stormwater, Water Supply and Sewerage; and Buildings and other structures.



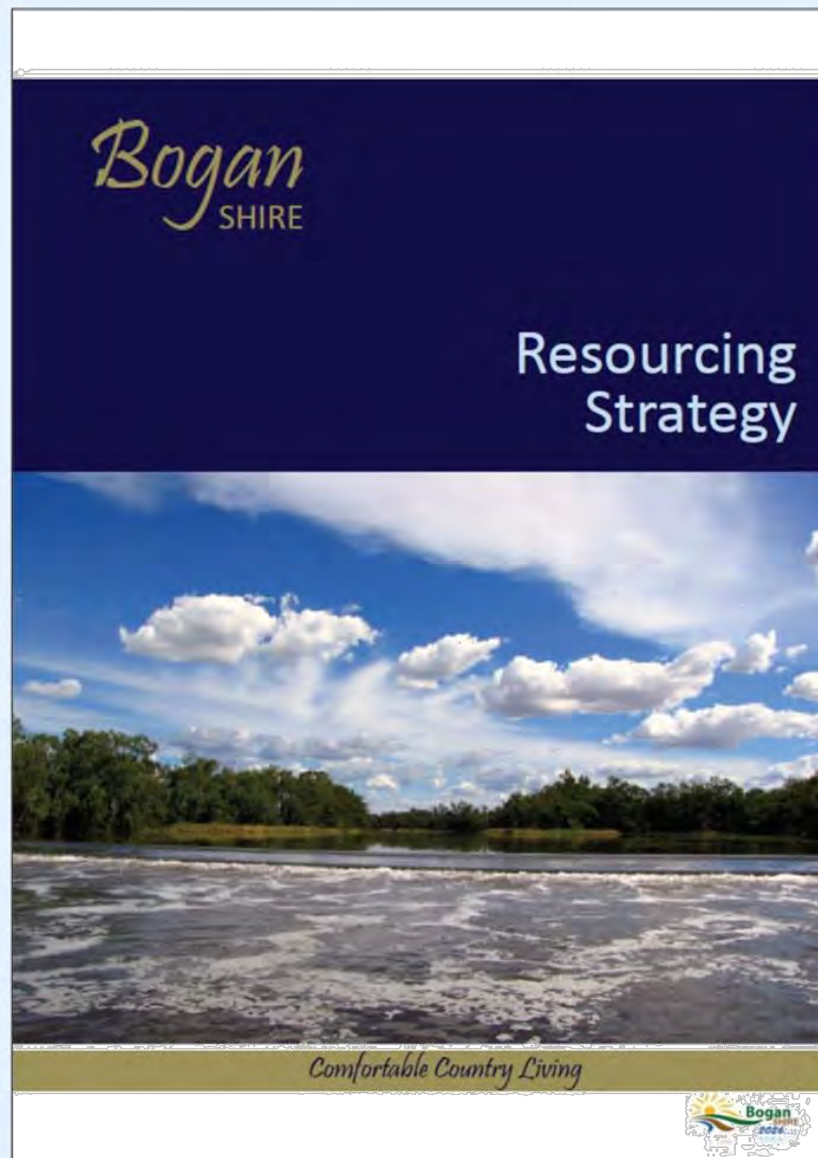
Council has, over the past few years implemented an Asset Management System that will be the one source of truth for all of Councils assets. A grant was used to purchase asset management software shared across three Councils as a collaborative project, managed by Bogan Shire Council, which helped reduce costs. This system will not only help with Councils revaluations required by the Audit Office NSW but will facilitate reporting to Council to help them make informed decisions for future renewals and maintenance of all Councils assets.

**Council Operations Management:** Council aims to manage its operations effectively and on business-like principals to maximise service delivery for the community. This includes the development of a customer service charter to assist employees and customers know their responsibilities. Council uses a Customer Request Management system (CRM) internal program to monitor complaints to identify and rectify issues by delegating requests to the correct work areas.

Council works to actively identify its risks including adequate insurance cover. Policies have been developed and updated including the Community Event Policy that will assist both Council and Event Holders manage their risks when holding events on Council land.

- Council has maintained a record management system.
- Council’s policies and procedures are reviewed and updated.
- Council has managed its communication with the community through a variety of media.
- Council’s ICT resources have been managed including disaster recovery to support our business.
- Council’s procurement system has been designed to ensure probity and best value for money.

*State of the Shire Report 2022 - 2024*



### 5.3 Disaster Management.

**Outcome:** We have the capability to plan, arrange and implement measures for the prevention of, preparation for, response to and recovery from emergencies.

**Local Emergency Management Committee:** Council is a member of the Local Emergency Management Committee which has an Emergency Management Plan in place. The Local Emergency Management Committee meets quarterly to ensure it is equipped, prepared and trained for disasters and incidents. In 2020/21 the Local Emergency Management Committee met frequently to devise strategies to manage the COVID-19 Pandemic.

**Levee:** Council regularly maintains pumps and the levee bank surrounding Nyngan to ensure the township remains safe and secure during adverse weather conditions and the potential influx of floodwaters.

**Levee Pump Access:** Following the 2022 floods, Council purchased five electric pumps to be put into new pump stations strategically placed around the township of Nyngan to extend our network and assist with pumping storm water from the town side of the bank during flooding. The pumps will activate automatically when storm water enters the flood well.





## **11 PEOPLE AND COMMUNITY SERVICES REPORTS**

### **11.1 COMMUNITY ENGAGEMENT - INTEGRATED PLANNING AND REPORTING**

#### **1. Introduction**

The purpose of this report is for Council to adopt a Community Engagement Strategy for engagement with local community to support the development of Council's Integrated Planning and Reporting (IP&R) documents, specifically the Community Strategic Plan.

#### **2. Background**

To support and inform Council's Integrated Planning and Reporting Framework Council is required to prepare a Community Engagement Strategy in order to actively engage with the local community so they can be active participants in shaping their own future.

#### **3. Discussion**

Whilst Council's existing Community Strategic Plan is essentially sound it is recommended that it be updated to consider changed priorities and reflect the accomplishments of the last four years since it was prepared.

The preparation of a Community Engagement Strategy supports the development of all Council's policies, programs, and key activities, including the suite of strategic plans under the Integrated Planning and Reporting Framework. It is the first step in the process of bringing together plans and strategies for our Shire's vision for the future.

While Councils lead the IP&R process, it is a journey that they take in close consultation with communities and elected representatives.

The Community Engagement Strategy must identify relevant stakeholder groups within the community and outline methods of engaging each group. It must be based on the following social justice principles:

- Equity
- Access
- Participation
- Rights

Broadly speaking it is recommended that community engagement includes:

- Consultation with Schools
- Engagement with key State Agencies represented in Nyngan
- A public workshop for the whole community
- A survey for the whole community
- Engagement with Council staff

The engagement process needs to be completed by the first week in March 2025, with Council approving the draft Community Strategic Plan for exhibition at its meeting on 27 March 2025.

Once the draft Community Strategic Plan is adopted, it will go on public exhibition for 28 days and then go back to the April 2025 Council meeting for adoption.

#### **4. Attachments**

1. Draft Community Engagement Strategy

#### **5. Recommendation**

That Council adopts the Community Engagement Strategy for engagement with local community to support the development of Council's Integrated Planning and Reporting (IP&R) documents, specifically the Community Strategic Plan.

*Bogan*  
SHIRE

# Community Engagement Strategy



*Comfortable Country Living*



## Introduction

Council introduced Integrated Planning and Reporting in 2012 as part of the new Local Government requirements. This included developing a Community Strategic Plan which would guide planning and development within the Bogan Shire for the next ten years. The Community Strategic Plan is reviewed every four years when Council commences a new term.

Council is committed to improving the life of Bogan Shire residents and as part of its Community Strategic Plan, Council has formed this Community Engagement Strategy. Council is keen to engage with the community in the development of policies, programs and plans to achieve this commitment. While Councils lead the IP&R process, it is a journey that they take in close consultation with communities and elected representatives.

The preparation of a Community Engagement Strategy supports the development of all Council's policies, programs, and key activities, including the suite of strategic plans under the Integrated Planning and Reporting (IP&R) Framework. It is the first step in the process of bringing together plans and strategies to shape our Shire's future and inform our Vision and direction for Council.

Community input is a key component of this revision process, and an effective Community Engagement Strategy will facilitate this process to ensure that Council not only meets the statutory requirements but also remains open and accountable to its stakeholders. It will provide opportunity for feedback and therefore enable better and more informed decision making.

The intention of this Community Engagement Strategy is to provide the community with a clear understanding of:

- Council's commitment to community engagement
- The relevant stakeholder groups within the Bogan Shire
- What level of engagement will occur
- How the community engagement process will be managed

The Community Engagement Strategy must identify relevant stakeholder groups within the community and outline methods of engaging each group. It must be based on the following social justice principles:

- Equity
- Access
- Participation
- Rights

## Social Justice Principles

### Participation

All individuals are provided with the resources they need to reach comparable outcomes. It acknowledges that some people require more support than others to achieve fairness. Equity should include fairness in decision making, prioritising and allocating resources, particularly for those in need.

Equity ensures everyone has a fair opportunity to participate in the future of our community.



### Rights

All members of our community have fair access to services, resources and opportunities. Access ensures that everyone can obtain essential services, such as healthcare, education, and housing, regardless of their income or social standing. Access is critical for supporting a cohesive society where all citizens could lead fulfilling lives.



### Access

Rights are basic human entitlements that all individuals should have access to, including the right to life, freedom, and security. Rights encompass various aspects such as access to housing, and the protection of Indigenous land rights. Equal rights are established and promoted, with opportunities provided for people from diverse backgrounds and vulnerable groups to participate in community life.



### Equity

All community members have optimum opportunity to genuinely participate in decision which affects their lives. Participation empowers individuals and communities to contribute to societal progress. Participation supports the involvement of all individuals in political and social decision-making processes. It is a fundamental democratic principle that ensures every voice is heard, regardless of economic or social status.





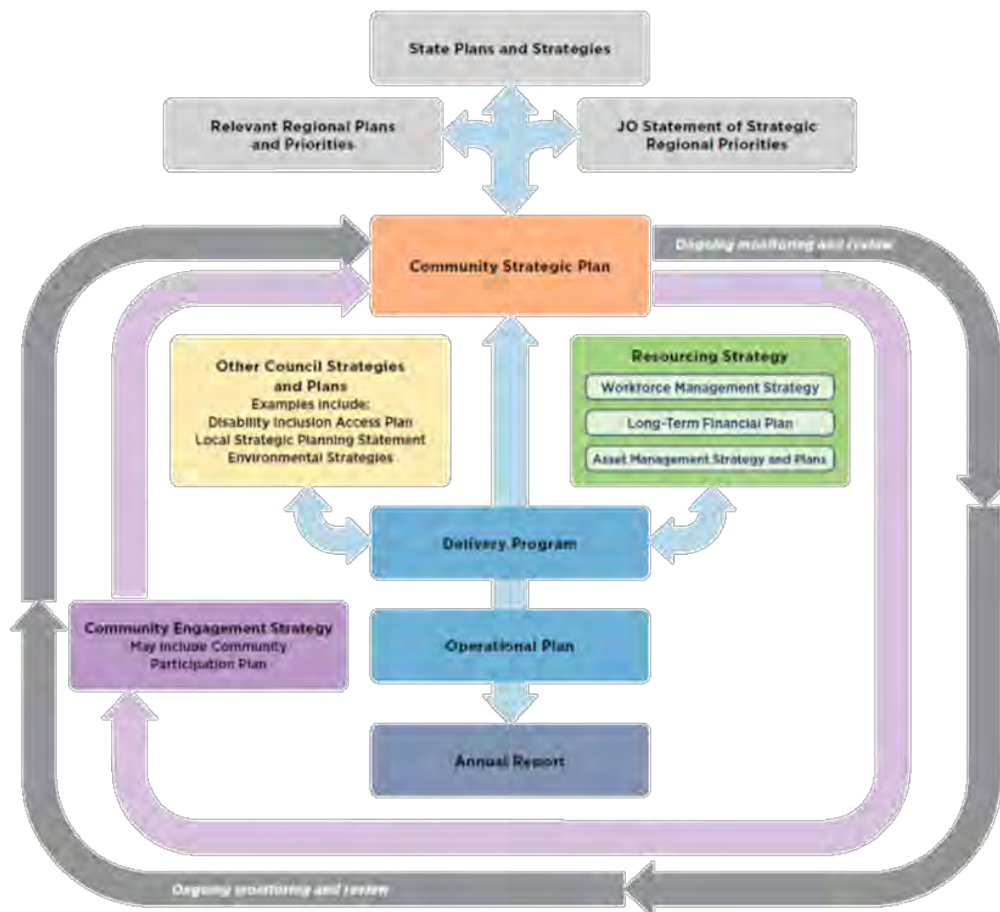
### The Integrated Planning and Reporting Framework (IP&R)

The Integrated Planning and Reporting framework allows Council to draw its various plans together, understand how they interact and get the maximum leverage from its efforts by planning holistically for the future.

The major component of this framework is the Community Strategic Plan (CSP) which forms the basis for all Council’s programs, projects and plans for the next ten years.

The CSP is supported by a Delivery Program (4 year plans – the term of Council); Operational Plan (1 year plan - revised each year); Community Engagement Strategy, Resourcing Strategy - which involves long term financial planning, workforce management planning, and asset management planning, and the Annual Report.

#### Integrated Planning and Reporting Framework



In September 2024, Bogan Shire Council commenced a new term. It is this Council’s responsibility to review the CSP. This will involve a new round of community engagement.

This Community Engagement Strategy will guide that process.

## **Roles and Responsibilities**

### **Mayor**

The Mayor will act as spokesperson for the Council in promoting community strategic planning process and will lead community engagement in the development and review of the Community Strategic Plan. Together with the General Manager the Mayor will ensure adequate opportunities and mechanisms for engagement between Council and the local community and promote partnerships between Council and key stakeholders.

### **Mayor and Councillors**

The Mayor and Councillors will promote engagement on key strategic plans including supporting and participating in community engagement for the development of the CSP. The mayor and Councillors will participate in the development of IP&R component documents, including the CSP and as members of the elected body, endorse the CSP on behalf of the community and approve the remaining component IP&R documents.

### **General Manager**

The General Manager will oversee preparation of the CES and IP&R component documents and endorsement by the elected Council and ensure that community members are given enough information to participate in the IP&R process in a meaningful way.

### **Council Staff**

Council staff, led by the four Directors - People and Community Services, Finance and Corporate Services, Infrastructure Services and Development and Environmental Services, will work with, and support the General Manager to engage the community and implement the Community Engagement Strategy and provide timely advice to the General Manager on community views.

Council staff will also provide input into the development and production of the IP&R component documents in a timely manner for the purposes of public exhibition and adoption by Council. These documents include, but are not limited to:

- Community Strategic Plan
- Delivery Program
- Operational Plan
- Workforce Management Plan
- Long Term Financial Plan
- Asset Management Strategy and Plan
- Annual Report
- Disability Inclusion Action Plan

## What Is Community Engagement?

Community Engagement is the processes through which the community and other interested parties are informed, invited and encouraged to contribute or participate in the decision making necessary for the development adoption and review of the Community Strategic Plan and accordingly, Council's Operational and Delivery Plans.

Community engagement can be:

- Information giving (providing information to the community)
- Information seeking (data collection/scoping – surveys, community meetings etc.)
- Information sharing

Community engagement can be in many forms, utilising communications through personal contact or attendance at meetings or forums, one-on-one contact with Council representatives, response to surveys, written submissions by letter, fax or email, telephone conversations, media or open networks such as Facebook.

Engagement is a two-way process where Council commits to fully consider any forms of engagement and respond accordingly.

The effectiveness of this Community Engagement Strategy will ultimately be measured by the degree to which it leads to better decisions, better use of resources and service provision, and ultimately to better outcomes.

### Objectives

- Provide a process for the revision of the CSP to ensure it considers the community's desires and expectations
- Ensure the views of a wide cross section of the community are incorporated by selecting engagement processes that are inclusive and appropriate
- Enable the continued development of a community vision for the Bogan Shire to guide Council's long-term planning and decision making.
- Ensure Council meets its legislative requirements regarding community engagement
- Provide staff with support to conduct effective community engagement
- Assist Council to allocate resources and responsibilities

### Principles of engagement

- **Integrity** - having openness and honesty about the scope of engagement
- **Inclusion** - providing an opportunity for a diverse range of values and perspectives to be heard
- **Deliberation** - sufficient and credible information provided for dialogue, choice, and opportunity to weigh options, develop common understanding and appreciate roles and responsibilities
- **Influence** - people have input in designing how they participate, when policies and services reflect their involvement and when their impact is apparent

**Levels of engagement**

The IAP2’s Public Participation Spectrum is designed to assist with the selection of the level of participation that defines the public’s role in any community engagement program.

The diagram shows a spectrum of public participation levels from Inform to Empower, with an arrow indicating increasing impact on the decision. The matrix is organized into two rows: Public Participation Goal and Promise to the Public.

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
<b>PUBLIC PARTICIPATION GOAL</b>	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
<b>PROMISE TO THE PUBLIC</b>	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

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**Source:** International Association for Public Participation – IAP2 International.

Bogan Shire's Community Engagement Strategy will prescribe strategies to inform, consult and involve.

### Relevant Stakeholders in the Bogan Shire

Any individual, group of individuals, organisation or entity with a specific stake in the outcome of a decision made by Council is considered a stakeholder. Stakeholder input is needed to support informed decision-making.

Our engagement aims to reach the community to ensure a range of views are heard and all perspectives are considered. The following groups have been identified for community engagement:

- Bogan Shire residents
- Bogan Shire ratepayers
- Councillors
- Council staff
- Council committees
- Schools and education providers
- Health service providers
- Emergency Service providers
- General public, including youth, active seniors, and people with disabilities
- Aboriginal and Torres Strait Islander people and organisations
- Villages and rural communities
- Community groups
- Sporting groups and associations
- Local clubs
- Business owners and industry
- Other service providers

Stakeholder groups from outside the Bogan Shire LGA include:

- Members of Parliament
- State Government departments
- Federal Government departments
- Statutory bodies
- Alliance of Western Councils
- General Managers Advisory Committee
- Lower Macquarie Water Utilities Alliance
- Regional and peak industry bodies and associations
- Visitors

## Methods of Community Engagement

### Advertisements in the Local Newspaper

Council will post advertisements in the Nyngan Weekly to publicise the community meeting.

### Council Column and Mayor's Column

Council publishes a fortnightly information column in the Nyngan Weekly which provides information to keep the community informed on Council activities. The Mayor also contributes a fortnightly column to discuss Council issues.

### Council Facebook Page

Council maintains a Facebook Page which it will use to provide regular and up to date information.

### Council Website

Council's website [www.bogan.nsw.gov.au](http://www.bogan.nsw.gov.au) contains updated information on Council activities and reports, and will be utilised for disseminating information or seeking feedback on specific issues in the Community Strategic Plan.

### Engagement with Schools

Staff will engage with school students via the most appropriate methods to be determined in consultation with school staff.

### Information Posters

These posters will be displayed at the Library, in Council offices and meeting rooms, at the Visitor Information Centre, Early Learning Centre, Youth and Community Centre, and Medical Centre.

### Personal Meetings

These briefings will be held at the request of a member or members of the community to discuss a particular issue with the General Manager and/or the Mayor.

### Public Meetings

A meeting will be used as part of the community planning process.

### Survey

Online and printed surveys can be used to collect data or statistics.

### Village Tours

Councillors conduct a tour of the Villages in the Shire (Hermidale, Girilambone and Coolabah) annually in April. They meet with community representatives to discuss issues and concerns.

### Engagement with State Agencies Represented in Nyngan

The General Manager or their delegate will attend Regional meetings with representatives of state agencies and other General Managers in the region.

## Community Engagement Strategy

### 1: Inform

**Objective:** To keep the entire community informed and up to date of the review of the CSP. To provide appropriate information on Council, governance, decision making processes, community concerns, and on its services, events, projects and other issues.

When	How	Who	Evaluation
<ul style="list-style-type: none"> <li>• Planning stage of strategic plan revision to facilitate engagement</li> <li>• Information on decisions</li> <li>• Site specific issues</li> <li>• Service level changes</li> <li>• Information on service level of facilities</li> <li>• New projects</li> </ul>	<ul style="list-style-type: none"> <li>• Council Column</li> <li>• Facebook</li> <li>• Mail out</li> <li>• Mayor’s Column</li> <li>• Media</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Entire community</li> </ul>	<ul style="list-style-type: none"> <li>• Amount of positive feedback received on the processes, results from community surveys and meetings</li> <li>• Visits to Council’s website and Facebook Page</li> <li>• Feedback to Council and Staff.</li> </ul>

### 2: Consult

**Objective:** To obtain community input on strategic plans, directions, issues, priorities and projects, in particular:

- The Community Strategic Plan
- The planning and development of services and infrastructure including the ongoing provision, management and review of Council services and infrastructure
- Interest and ideas on various concerns and issues
- Feedback on preferences, alternatives and decisions

When	How	Who	Evaluation
<ul style="list-style-type: none"> <li>• Formulating and reviewing Community Strategic Plans</li> <li>• Investigating new projects</li> <li>• Formulating service plans</li> </ul>	<ul style="list-style-type: none"> <li>• Community Surveys</li> <li>• Council Column</li> <li>• Facebook</li> <li>• Meeting by invitation</li> <li>• Public Meetings</li> <li>• Village Tours</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Residents</li> <li>• Ratepayers</li> <li>• Committees / groups</li> <li>• Villages and rural communities</li> <li>• Business owners and industry</li> </ul>	<ul style="list-style-type: none"> <li>• Evaluation process will be to check the process against the outcomes established during the planning process using the identified indicators and targets and summarise and report those findings.</li> </ul>

### 3: Involve

**Objective:**

- To engage with the community on an ongoing basis for the duration of this planning process, to ensure that community ideas, concerns and aspirations are considered, and that community knowledge is utilised for the benefit of all.
- To involve community groups and stakeholders in planning projects and programs and to partner with the community and stakeholders in the development and management of programs and services.

When	How	Who	Evaluation
<ul style="list-style-type: none"> <li>• Formulating and revising Community Strategic Plans</li> <li>• Policy formation and development</li> <li>• Service and infrastructure planning, delivery and development</li> <li>• Major projects</li> <li>• Issues which have a significant impact on or are a major concern to the community.</li> </ul>	<ul style="list-style-type: none"> <li>• Committees / groups</li> <li>• Community Surveys</li> <li>• Consultative Groups</li> <li>• Public and face to face meetings</li> <li>• Advisory groups</li> <li>• Village Tours</li> <li>• Working groups with targeted stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>• Interested and motivated community members who attend public workshops.</li> </ul>	<ul style="list-style-type: none"> <li>• Evaluation process will be to check the process against the outcomes established during the planning process using the identified indicators and targets and summarise and report those findings.</li> </ul>



**11.2 YOUTH AND COMMUNITY 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 Youth and Community Centre (BSYCC).

**2. Discussion**

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

Statistics

Period	No of Attendees
Q3 2024 (July - September)	1,025
Q4 2024 (October - )	257

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

BSYCC staff have been actively collaborating with local youth service providers to deliver both youth-oriented events and programs. Staff have also implemented a variety of activities and programs on a trial or rotation basis to determine what the youth are actively interested in and wanting to see and do at the centre. The main source of feedback on programs comes directly from the Youth, however the creative ideas are also generated by the BSYCC staff.

The Centre adapts its programs to cater to the varying interests of each new group of youth attendees (whether by reaching the age of 12 or moving up to the appropriate grade level), as their preferences can change over time. By maintaining a variety of activities, staff ensure they can engage each group effectively, helping to create a positive and inclusive culture. This approach allows staff to continuously meet the diverse needs of its participants, ensuring all have opportunities to enjoy and benefit from the programs on offer.

Activities

The following activities have been hosted by BSYCC staff during the reporting period:

- Mega-tag – hosted alongside Creative Community Concepts
- Movie afternoon
- Donut and smoothie making
- Boho picnic hosted with Barnardos
- Two Paint and Sip sessions - hosted with Dee Jenkins
- Ping pong competition
- Tie dye tote bags
- Games afternoons - hosted with Mission Australia
- Two Amazing Races - hosted with Mission Australia

- Pizza, burger, and waffle making
- League tag competition
- Polymer clay craft sessions
- Number games
- Round robin sports
- Youth Choice Days - where the youth can select a mutually agreed upon activity
- Journalling
- European Handball
- Floral arrangements

Youth recently participated in the unique activity of floral arrangements. These arrangements were used to decorate the tables under the 100m long marquee at the Big Bogan Street Festival. These floral arrangements were highly complimented on the day by many of the festival goers.



***An assortment of floral arrangements created by Youth at the BSYCC that were used to decorate tables at the recent Big Bogan Street Festival.***

Other community usage and hire of the facility includes:

- Nyngan High School - excursions, cooking lessons, and sport day sessions, end of term reward for year groups, and end of term BBQ.
- St Joseph's Primary School – sports day and excursions
- Boys to the Bush - youth program (weekly to fortnightly usage)
- Barnardos – Mini Meez playgroup and youth program sessions.
- Community Hub / Red cross – cooking sessions
- Bogan Shire Council – staff training, staff meeting, Library story time, Library outdoor family fun days, Waste 2 Art exhibition, RU OKAY Day, NSW Police meeting, Regional Youth NSW workshop
- Bogan Bush Mobile – regular sessions
- Christmas Committee - community group meeting
- Nyngan Craft Group – weekly meetings
- Allied health, therapy room bookings - occupational therapy and speech pathology
- Best Employment services
- Dying to Know sessions
- My Money Dream - Catholic Care
- AECG - Local Aboriginal Land Council
- Bogan Bush Fellas Social Group – fortnightly meetings
- Indian Malayalis Get Together
- Community Concepts - Footy for Fun sport sessions
- AMP Employment

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

The Centre continues to contract external youth provider James Tuitahi, who collaborates with Council staff on youth programs for 12 to 18 year olds. With a focus on holistic health, wellbeing, and fitness, James leads activities such as basketball competitions, League Tag, volleyball, nutrition and cooking classes, and mentoring sessions. Youth are very receptive to James's programs and frequently request his involvement. He also gathers youth feedback to ensure the programs are engaging, safe, and responsive to their needs.

### Grants and Funding

Council's recent application for funding under the Regional Youth Holiday Break – Summer / Autumn 2024/25 program was successful. The grant funding, which aims to provide young people in regional communities' access to social and recreational activities. Applications for up to \$10,000 were eligible, and due to the Bogan Shire LGA being considered 'remote' under the guidelines, Council could also access Travel Loading of up to an additional \$3,000 to cover travel expenses for an external supplier to deliver the program/event.

All applications are assessed in the order in which they are received (otherwise known as a 'first in, first served') basis until the funding round closes. The Department of Primary Industries and Regional Development also identified several priority youth groups for the Program and can choose to allocate funding to eligible applications which deliver projects

to these priority groups first. Council's grant application was submitted two days after the grant opened.

Council's grant funding totalled \$12,416, and includes the following for each holiday break:

- Summer – "Youth Roll into 2025"
  - Glow Roller Disco
  - 360 Photo Booth
  - Catering

This event will be held in the school holidays in January 2025 and will be promoted through Council's Facebook page and the BSYCC's Instagram page, as well as in the Nyngan Weekly and on 2WEB.

- Autumn – "Bogan Youth Challenge"
  - Rock Climbing Wall
  - Mechanical Bull
  - Catering

This event will be held in the April school holidays, which also coincides with Youth Week and will be promoted in due course.

### **3. Attachments**

Nil

### **4. Recommendation**

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

## 11.3 LIBRARY OPERATIONAL REPORT

### 1. Introduction

The purpose of this report is to provide Council with information both statistical and informative regarding the Library's operations.

### 2. Discussion

#### Activities

This quarter started with the July holiday activities, which were held at the Bogan Shire Youth and Community Centre (BSYCC) whilst the Library underwent renovations.

Library staff held the following activities:

- 4 craft activities for children, including crafting library bags with 17 children attending
- Canvas craft with 15 children attending
- Playdough with 21 children attending
- Dream catchers with 14 children attending

Library staff also continued holding outdoor holiday activities at the BSYCC, working with Community Hub, Mission Australia, Barnardos and Catholic Care. There were 2 sessions with a total of 108 parents and children in attendance.

Library staff organised a performance by Pooka the Clown, featuring an interactive magic show for children, where each child received a balloon animal 'friendship turtle'.

This quarter concluded with the start of spring holiday activities, including:

- Rock painting with 34 children attending
- Bird feeder crafting with 22 children attending
- Noodle crafts with 20 children attending
- Weaving session with Catholic Care, attended by 10 adults and children

Additionally, 16 Story Time sessions were held this period, with 153 children and carers participating. Library staff visited the Early Learning Centre for a Story Time session with 16 children. Nine Baby Time sessions were also held, attended by 28 mothers and their babies.

#### Renovations and Grants

Renovations in the children's area of the Library were commenced and completed during this period. The Library successfully received the 2022/2023 Public Library Infrastructure Grant, totalling \$300,149, enabling the transformation of this area by removing storerooms to create a spacious, open environment for children. The grant also funded an external extension to the back of the Library building, which will serve as a program room for holiday activities and as a hireable space for community services.

In addition, the Library was successful in securing additional funding under the 2023/2024 Public Library Infrastructure Grant, receiving \$180,580 to refurbish updated library spaces and the service desk. This funding will support a more efficient use of the space and enhance overall functionality.

An application for the 2024/2025 Public Library Infrastructure Grant was recently submitted to the NSW State Library, for an amount of \$237,808 to complete the refurbishment and internal upgrades. This funding aims to create a cohesive flow throughout the Library by integrating previous updates and aligning with modern Library standards recommended during recent State Library consultations. Additionally, the upgrades will support increased community usage by promoting the Library space and its collections and adapting the area to suit a variety of community needs. The outcome of the application is currently pending.

The Local Priority Grant (LPG) application was submitted to the NSW State Library for the 2024-2025 funding allocation of \$62,755 for Library expenses, with 30% allocated to specific LPG projects. These projects include enhancements to collections with e-resources, building upgrades with new furniture and toys for the children’s area, and promotional efforts, such as the Dolly Parton Imagination Library and resources for Library activities and programs. An estimated 11% (\$7,020) of this funding will support the Imagination Library Dolly Parton program, which currently serves 71 babies (enrolled since November 2022) with numbers continuing to increase.

Statistics

Statistics for the past quarter dating from 1.07.2024 to 30.09.2024 are as follows with a comparison of the previous year figures for the same period:

<b>July 1<sup>st</sup> – September 30<sup>th</sup>, 2023</b>		<b>July 1<sup>st</sup> – September 30<sup>th</sup>, 2024</b>	
<b>Adult Fiction</b>	<b>275</b>	<b>Adult Fiction</b>	<b>200</b>
<b>Western Fiction</b>	<b>60</b>	<b>Western Fiction</b>	<b>29</b>
<b>Large Print</b>	<b>122</b>	<b>Large Print</b>	<b>66</b>
<b>Magazines</b>	<b>67</b>	<b>Magazines</b>	<b>87</b>
<b>Adult Non-Fiction</b>	<b>32</b>	<b>Adult Non-Fiction</b>	<b>19</b>
<b>Talking Books</b>	<b>60</b>	<b>Talking Books</b>	<b>66</b>
<b>Stories are magic items</b>	<b>7</b>	<b>Stories are magic items</b>	<b>0</b>
<b>Junior Fiction</b>	<b>50</b>	<b>Junior Fiction</b>	<b>45</b>
<b>Junior Non-Fiction</b>	<b>7</b>	<b>Junior Non-Fiction</b>	<b>13</b>
<b>Easy &amp; Easy2 &amp; RR</b>	<b>146</b>	<b>Easy &amp; Easy2 &amp; RR</b>	<b>170</b>
<b>Toys</b>	<b>0</b>	<b>Toys</b>	<b>0</b>
<b>Junior Talking Books</b>	<b>0</b>	<b>Junior Talking Books</b>	<b>0</b>
<b>Home Start Resources</b>	<b>0</b>	<b>Home Start Resources</b>	<b>0</b>
<b>Young Adult Fiction</b>	<b>9</b>	<b>Young Adult Fiction</b>	<b>1</b>
<b>Equipment</b>	<b>0</b>	<b>Equipment</b>	<b>0</b>
<b>DVD’s</b>	<b>39</b>	<b>DVD’s</b>	<b>142</b>
<b>TOTAL ISSUES</b>	<b>828</b>	<b>TOTAL ISSUES</b>	<b>816</b>
<b>TOTAL MEMBERS</b>	<b>1263</b>	<b>TOTAL MEMBERS</b>	<b>1321</b>
<b>New Members</b>	<b>20</b>	<b>New Members</b>	<b>20</b>
<b>Internet Usage ½ hr sessions</b>	<b>1704</b>	<b>Internet Usage ½ hr sessions</b>	<b>502</b>
<b>People Counter</b>	<b>1965</b>	<b>People Counter</b>	<b>1016</b>

There are six computers available for public use, the total number of people using computers was 224 over a period of 502 hours. A total 24 people required IT/computer help and 12 people used the Wi-Fi.

**3. Attachments**

Nil

**4. Recommendation**

That the Library Operational Report be received and noted.

## 11.4 BOGAN SHIRE EARLY LEARNING CENTRE – FEE POLICY AMENDMENTS

### 1. Introduction

The purpose of this report is for Council to

- i. note certain management decisions in relation to financial management of the Bogan Shire Early Learning Centre and
- ii. to approve a general Bogan Shire Early Learning Centre bond as well as a two week annual holiday discount on gap fees for families.

### 2. Background

Bogan Shire Council levies fees, based on a daily rate, for children attending the Bogan Shire Early Learning Centre (ELC). These fees make up almost 100% of the revenue for the ELC in a typical financial year.

Families accessing early childhood education and care services through a service provider such as the ELC are eligible, subject to certain conditions, to a government Child Care Subsidy (CCS) which is paid directly to the Service.

### 3. Discussion

The objective of the ELC is to provide quality early education and care that responds to a very real need from families within our community. In order to be able to do that in a financially sustainable way it is essential that fees payable are recovered and, within appropriate limits, fee income is maximised for the benefit of all families wishing to access the Service.

Improvements to certain current business practices within the ELC have been recommended in line with the above:

#### 1. Payments by direct debit only

- Current practice allows for payment by cash, direct debit, bank transfer or eftpos.
- It is proposed by management that a direct debit only system be introduced with direct bank transfers being available for any necessary adjustments.
- This will resolve situations where staff need to follow up unpaid fees and, in certain instances, institute debt recovery procedures. It also allows for more accurate projections of revenue to allow for better financial and business planning.

#### 2. Payments in advance

- Current practice allows for payment in arrears whereby statements sent out at the end of the week are due for payment the following week.
- It is proposed by management that all fees are billed two weeks in advance based on known placements. Statements would be sent out on a Tuesday for payment via direct debit the next day (Wednesday) for the following weeks' enrolment. Any changes to enrolments (for example reducing days enrolled) will require two weeks' notice.



- This avoids a lag in cash flow for the ELC which is currently exacerbated by the payment methods listed above and provides a more secure revenue stream for the Service.

### 3. Bond

- Currently no bonds are held by the ELC to cover unpaid fees.
- It is recommended that a bond of \$500 be collected with all new enrolments.
- This addresses situations where families have given the required two weeks' notice of intention to cease attending the ELC but have then not sent their children to the Centre and have not paid fees.

This results in a financial loss to the ELC of not only the parent's portion of the fees but also the subsidy component. The only way to rectify the situation currently is to institute time consuming and costly debt recover processes.

### 4. Changes to allowable fee-free absences.

- Current practice allows families to withdraw their children from the ELC for up to six weeks (in any calendar year) whilst still retaining their placement at the ELC. This is in addition to the allowable 42 absence days (for illness / holidays) provided for under the Child Care Subsidy system and also in addition to the two week annual shutdown period.

During the six week period children are withdrawn from the ELC, no fees are payable. This has a negative impact on the finances of the ELC which ultimately affects all users of the Service.

It is understood that the current practice of allowing up to six weeks withdrawal from the Service whilst still retaining placement is highly unusual in the Early Childhood Education and Care industry. It also exposes Council to criticism as children on the wait list cannot be offered a permanent placement for the vacancy that arises as a result of the six week withdrawal.

- It is recommended that this practice be replaced with a policy that allows up to two weeks "holiday leave" to be billed at 50% of applicable fees.
- This will assist with financial sustainability for the ELC and bring Council into line with industry practice around management of enrolments. At the same time, offering a discounted gap fee for a two week period within the allowable 42 day absences allows some fee relief for parents.

These changes, proposed to come into effect from Monday 2 December 2024, are all aimed at supporting a more equitable and financially sustainable fee policy for the ultimate benefit of all families accessing the Service.

### 4. **Attachments**

Nil

**5. Recommendation**

That Council:

1. Notes the management proposals to introduce a direct debit only system for fee payment and that fees are to be billed two weeks in advance.
2. Approves the introduction of a Bogan Shire Early Learning Centre enrolment bond of \$500 for each new child enrolled at the Centre
3. Approves the introduction of a 50% discount on the gap fees payable for each child enrolled for a period of up to two weeks in any financial year for the purpose of holiday leave.

## 11.5 VISITOR INFORMATION CENTRE OPERATIONAL REPORT

### 1. Introduction

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

### 2. Discussion

#### General

The VIC is currently operated by Council staff seven days a week, Monday to Friday from 8.30am until 4.00pm, and on weekends from 10am until 2pm in line with the NSW Accredited Visitor Information Centre (AVIC) Network's accreditation requirements.

Many visitors have been calling in to Nyngan either on their way to or from major Outback events such as Music in the Mulga (Eulo, QLD), Coober Pedy Oval Festival (Coober Pedy, SA), Birdsville Races (Birdsville, QLD), along with the regular outback surrounding locations.

There continues to be a strong demand for free camping, as many of these travellers are towing caravans or are in motorhomes that are fully self-contained. Numbers of vans overnighing at the Flood Memorial free camp option have decreased this quarter due to less travellers on the road for this time of year. The weir free camping area is once again being utilised with several travellers visiting the VIC to check on directions to their preferred camping spot.

#### Tourism Booklet

Council has recently completed the new tourism booklet, *Visitors Guide to the Bogan Shire*. In collaboration with an external design company, the guide has been carefully redesigned to provide clear guidance and an inviting layout, showcasing the attractions and scenic highlights in and around Bogan Shire. The booklet has received significant positive feedback and high demand from information centres, other councils, visitors, and locals, who appreciate its effective representation of the region.

#### Accreditation

Since 2015, the Nyngan VIC has been a fully accredited visitor information centre. Accreditation requires staff and management to complete an annual self-assessment checklist against 56 accreditation criteria covering 20 areas. The self-assessment form is then submitted for review and an on-site visitation is carried out by the accreditation body.

On Wednesday 24 July 2024, The Tourism Group, the appointed consultancy company contracted as the Program Manager for Destination NSW's Accredited Visitor Information Centres network visited the Nyngan VIC for an Accreditation Review. As a result, the Nyngan VIC has once again been granted accreditation for another 12 months. The reviewers expressed their admiration for the progress and operations of the Nyngan VIC.

### Merchandise

The VIC's range of merchandise has continued to be popular, especially the Big Bogan stubby holders which have been the highest selling item consistently for years. Big Bogan magnets, Bogan Country stickers and Flannelette Shirts (in cooler months) have also been popular.

### Merchandise Statistics

Most popular items sold (January 2024 to October 2024):

Postcards:	177
Stickers:	114
Stubby Holders:	288
Magnets:	155
BBF22 Cattle Tags:	93
Flannelette Shirts:	32
Big Bogan Hat Badges:	76

### Statistics

The total number of visitors through the centre (Jan 2024 to Oct 2024) and / or enquiries was as follows:

Visitors:	4,555
Phone:	159
Email:	21

### **3. Attachments**

1. Nyngan VIC Accreditation Certificate

### **4. Recommendation**

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



# Certificate of Accreditation

*This verifies the*

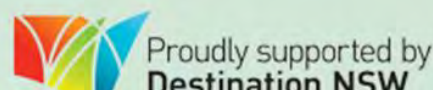
## Nyngan Visitor Information Centre

**Is a fully Accredited Visitor Information Centre**

Valid 1 July 2024 to 30 June 2025  
NSW Accredited Visitor Information Centre (AVIC) Network.

*The AVIC Network is proudly managed by The Tourism Group on behalf of Destination New South Wales.*

**E:** [admin@thetourismgroup.com.au](mailto:admin@thetourismgroup.com.au) | **ABN:** 18 097 447 302



## 11.6 AUSTRALIA DAY AMBASSADOR DINNER 2025

### 1. Introduction

The purpose of this report is to seek direction from Councillors to assist staff in planning for the Australia Day Ambassador dinner which will be held on the evening of Saturday 25 January 2025.

### 2. Background

In previous years, the Australia Day Ambassador lunch/dinner has been held at the following locations:

2013 and 2015:	Chinese Restaurant (Bowling Club)
2014, 2017 to 2022:	The Australian Hotel
2016:	Nyngan RSL Club
2023:	Nyngan Golf Club
2024:	Nyngan RSL Club (upstairs private dining room)

Each year Councillors, the General Manager and Directors along with their partners are invited to the official lunch or dinner to welcome the allocated Australia Day Ambassador for the Bogan Shire.

### 3. Discussion

In 2025, Australia Day falls on a Sunday. It is recommended that the Australia Day Ambassador dinner be held on Saturday 25 January. This timing will fit with the travel arrangements of the Ambassador and is also a great opportunity to meet and welcome the Ambassador to the Bogan Shire prior to the main event and celebrations held the following day.

In determining the best location for the Australia Day Ambassador dinner, Councillors should take into consideration the following:

- The number of Councillors, staff and partners who will be attending the event,
- Whether private dining options are available, if preferred,
- The style/type of meals that would be preferable, and,
- The size of the dining rooms available at each location.

The 2024 Ambassador dinner had a total of 22 attendees, with the RSL providing an alternate meal set menu of 3 courses and provided a staff member to serve drinks.

Council staff collected locally sourced native Australian foliage, set the private dining room up on the day of the event and decorated the table and included other iconic "Aussie" table decorations. Feedback on the setup and dinner was very complimentary both from Councillors and the Ambassador and his wife.



***Name card, homemade cookie (local provider), native foliage and menu for the dinner setup, which had an Australian bush theme.***

**4. Attachments**

Nil

**5. Recommendation**

That Council determines the location for the Australia Day Ambassador dinner, to be held on Saturday 25 January 2025, to assist staff with the planning of the event.

## **11.7 PROMOTING BOGAN SHIRE**

### **1. Introduction**

The purpose of this report is to provide information to Council on a recent invitation to join the Dubbo and Great Western Plains Partnership agreement for cooperative marketing purposes and for Council to consider joining the partnership and approving the associated fee of \$5,500 (including GST).

### **2. Background**

Council staff have recently produced and distributed a brand-new Bogan Shire Visitor Information Guide, completed and posted the Bogan Shire promotional video, and are currently in production on two further videos due to be completed in early 2025. Staff are also currently in the planning stages of the update to the Council website – an integral platform for advertising and promoting the Bogan Shire and increasing and improving our online presence.

The Great Western Plains Partnership (GWP) brand was developed in 2014 in collaboration with partner LGAs – those within 2 hours drive of Dubbo; Gilgandra, Narromine, Warren, Wellington and Warrumbungle. The intention was to leverage the brand recognition of the Zoo and Dubbo, so that smaller LGAs could market their destinations under a ‘hub and spoke’ philosophy.

### **3. Discussion**

The GWP Partnership’s current ‘Great Big Adventures’ brand strategy has created a platform to tell a compelling story to visitors, which focuses on the rich opportunity and broad appeal of the natural and man-made visitor attractions across the region. The website that has been created includes four key areas – ‘Visit’, ‘Live’, ‘Business’, and ‘Events’ and can be viewed here <https://dubbo.com.au/visit/great-western-plains>

The GWP Partnership could assist in promotion of the Bogan Shire by boosting exposure to its 1.4 million visitors to the region. The benefit of the Partnership can be realised through adverts in Dubbo, Wellington and GWP Visitor Guides, special features on social media channels, sharing of social media content, promotion of Nyngan and the Bogan Shire in Dubbo and Wellington Visitor Information Centres, a designated Visitor Guide display and destination marketing video on display screens at the Dubbo Regional Airport arrivals lounge, as well as our Visitor Guides being distributed from a number of tourist attractions in the region. It also offers opportunities for blog content, paid ads, and collaborative promotions to attract more visitors to the Bogan Shire.

The GWP Partnership will run for 18 months, cost \$5,500 (Including GST) and includes a number of marketing objectives and benefits, and offers extensive marketing exposure and collaboration opportunities for businesses.



**Included Key Benefits:**

- Double page spread in the Dubbo Region Visitor Guide
- Feature on the website and Dubbo Region social media channels
- Inclusion in the Online Guide as a flipbook
- Premium promotion at Dubbo and Wellington Visitor Centres
- Advertising in the arrivals lounge at Dubbo Regional Airport, (including marketing video displayed above the luggage carousel)
- Distribution of guides at key locations such as Taronga Western Plains Zoo, Old Dubbo Gaol, Wellington Caves, Royal Flying Doctor Experience
- Distribution of guides at over 160 information centres across multiple states
- Distribution of guides at 210 local businesses in the Dubbo Region LGA
- Leaflet to Dubbo Region LGA promoting the guide to 18,000+
- Inclusion in destination appeal campaigns for 2025-2026
- Special features on the GWP website and Dubbo Region social media channels, including re-share of appropriate social media content.

**Added Benefits and Opportunities:**

- Dedicated business directory on the GWP website (additional businesses can be included for a fee)
- Opportunity to submit blog content for the Dubbo Region website and social media
- Monthly meetings to discuss activities in each location and explore opportunities for collaboration and social media initiatives
- Paid advertising option on Dubbo Region social media to promote events (reduced fee of \$250 per ad)

The GWP Partnership presents a great opportunity to increase our visibility across the region while promoting the Bogan Shire area to a broader audience. Through the placement of advertising mentioned above, council will be able to showcase the unique attractions and experiences our area offers. Additionally, exposure at high-traffic locations like the Dubbo and Wellington Visitor Centres and Dubbo Regional Airport will help drive interest in the Bogan Shire as a key destination, reaching many tourists.

Beyond marketing, the partnership provides valuable networking opportunities with other regional businesses, fostering collaboration and sharing of ideas. Council staff will also be able to contribute blog content and visitation images to promote the Bogan Shire and its offerings. With the added option of paid social media advertising, Council can target specific events or promotions to further highlight our area.

Overall, the GWP Partnership will help increase awareness of the Bogan Shire, boost tourism, and connect with other businesses to support long-term growth and visibility. Council can review the outcome and benefits of the GWP Partnership at the end of the commitment to determine whether to continue with the Partnership moving forward.

**4. Attachments**

1. GWP Partnership Booking Form

**5. Recommendation**

That Council signs up to the Dubbo and Great Western Plains Partnership agreement for cooperative marketing purposes and provides a budget of \$5,000 excluding GST, with this amount to be included in the February Budget Review to be funded from identified savings.

**2025-2026**  
**DUBBO + GREAT WESTERN PLAINS**  
**PARTNERSHIP**  
**BOOKING FORM**

This booking form is to be used for Local Government Areas to book a partnership agreement for cooperative marketing activity for Dubbo + Great Western Plains.



WORKING TOGETHER TO PROMOTE  
 DUBBO + GREAT WESTERN PLAINS  
 AS A DESTINATION OF  
 GREAT BIG ADVENTURES

DUBBO + GREAT WESTERN PLAINS  
**GREAT BIG**  
**ADVENTURES**

**FOR MORE INFORMATION**  
 Marketing and Creative Service  
 Dubbo Regional Council  
 P (02) 6801 4000  
 E marketing@dubbo.nsw.gov.au

**CONTACT (Contact details of the person who will approve the ad)**

Surname: \_\_\_\_\_ Given name: \_\_\_\_\_

Contact email: \_\_\_\_\_

**BUSINESS DETAILS (The details that will appear on your invoice)**

Business name: \_\_\_\_\_

ABN: \_\_\_\_\_

Street address: \_\_\_\_\_

Suburb: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_

Business phone: \_\_\_\_\_

Business email: \_\_\_\_\_

**BOOKING AGREEMENT**

BENEFIT	\$5,500 Incl GST
2 page spread in Dubbo, Wellington + GWP Visitors Guide featuring key experiences and events	100,000 copies distributed over 18 months
Special features on Dubbo, Wellington or Great Western Plains social media channels	22,650+ combined followers
Re-share of appropriate social media content	
Distribution of guide from Dubbo and Wellington Visitor Information Centres	72,539 annual visitors
Premium promotion of your destination in the Dubbo and Wellington Visitor Information Centres	
Online Guide - Flip book style on dubboregion.com.au including a link to your website and emailed as a link in response to all email enquiries received by Dubbo and Wellington Visitor Information Centres	
Promotion of your destination on the dubboregion.com.au website via dedicated content pages, maps and itineraries	
A designated space in the arrivals lounge of Dubbo Regional Airport will promote our region and display the Dubbo and Wellington + GWP Visitors Guide	Approx. 200,000 annual airport passenger
Latest destination marketing video displayed on screen over luggage carousel in Arrivals at Dubbo Regional Airport	
The Guide will be distributed from Torongu Western Plains Zoo	
The Guide will be distributed from Old Dubbo Gaol	2023 annual visitors: 364,293
The Guide will be distributed from Wellington Caves	
The Guide will be distributed from Royal Flying Doctor Visitor Experience	
The Guide will be distributed to Visitor Information Centres in NSW, QLD, ACT and VIC	Over 160 Information Centres
A leaflet promoting the guide will be delivered to every household across the Dubbo Regional Council LGA	18,000+ deliveries
The Guide will be delivered to over 210 businesses across the Dubbo Regional Council LGA (requested by visitors)	
Inclusion in visitor experience-led campaign activity via special offers, itineraries or content development	
Visitor Guides provided in packs to event competitors, support staff and officials	
Inclusion in destination appeal campaign activity during 2025-2026 including media opportunities to extend marketing activities	

I accept the booking agreement

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

Signature: \_\_\_\_\_

**Bookings close Friday 15 November 2024.**

**DUBBO REGION DUBBO + GREAT WESTERN PLAINS**

## 12 FINANCE AND CORPORATE SERVICES REPORTS

### 12.1 INVESTMENTS OCTOBER 2024

#### 1. Introduction

The purpose of this report is to outline the performance of Council's investment portfolio for the month of October 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 October 2024 are shown below. At the 31st October 2024 Council had \$31 million invested. There has been a decrease of \$2.5 million due to expenditure of grants where Council has already received the income as well as outstanding claims for expenditure on TfNSW flood grants and RMCC ordered works.

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

#### Investment Movements for October 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 Sep 24	Bal Oct 24
42-150-6894	NAB - Professional Funds	4/05/2016	At Call	4.350%	16,557,234.33	14,023,325.26
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
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%	2,800,000.00	2,800,000.00
76-135-1489	NAB	9/05/2024	9/05/2025	5.250%	2,000,000.00	2,000,000.00
88-392-4994	NAB	29/05/2024	29/05/2025	5.200%	2,000,000.00	2,000,000.00
	Balance securities held				<b>33,357,234.33</b>	<b>30,823,325.26</b>
	Balance Ledger 19010.8200.8200				<b>33,357,234.33</b>	<b>30,823,325.26</b>
	<b>Summary by institution</b>					
	WESTPAC				6,000,000.00	6,000,000.00
	NAB				27,357,234.33	27,357,234.33
	COMMONWEALTH				0.00	0.00
					<b>33,357,234.33</b>	<b>30,823,325.26</b>

**4. Attachments**

Nil

**5. Recommendation**

That Council receive and note the Investments Report

## 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 31<sup>st</sup> October 2024, with the same period last year.

### 2. Background

This report is provided for the information of Councillors.

### 3. Discussion

Rate Collections	2024-2025	2023-2024
Arrears Prior to 01/07/2024	330,329	540,648
First Instalment in arrears as at 31/10/2024	98,791	93,587
Second Instalment Outstanding as at 31/10/2024	987,735	1,002,245
Third Instalment Outstanding as at 31/10/2024	1,112,156	1,064,746
Fourth Instalment Outstanding as at 31/10/2024	1,134,447	1,085,156
<b>Total Arrears</b>	<b>429,120</b>	<b>634,235</b>
<b>Total Outstanding</b>	<b>3,663,458</b>	<b>3,786,382</b>
<b>Monthly Transactions</b>		
Amount Levied & B/Fwd	6,251,070	6,253,216
Add: Adjustments	31,011	50,966
Less: Payments to end of October	-2,543,380	-2,446,194
Less: Rebates	-75,243	-71,606
<b>Gross Total Balance</b>	<b>3,663,458</b>	<b>3,786,382</b>
<b>Arrears of total amount levied %</b>	<b>6.9%</b>	<b>10.1%</b>

Total arrears have decreased from \$634,235 at the 31<sup>st</sup> October 2023 to \$429,120 as at 31<sup>st</sup> October this year.

Each instalment amounts to approximately \$1,563,000 (Total Rates, Waste, Water & Sewer Access Charges)

As at the 31<sup>st</sup> October 2024 Council had collected \$97,186 more than at the same time last year. At the time of writing this report council has collected an additional \$135,590 and arrears have reduced to \$414,324 or 6.6% of the total amount levied.

Council continues to work closely with our debt recovery agents to recover outstanding debt.

### 4. Attachments

Nil

### 5. Recommendation

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

## **12.3 ANNUAL REPORT 2023/2024**

### **1. Introduction**

The purpose of this report is to present the Annual Report 2023/2024 to Council.

### **2. Background**

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

### **3. Discussion**

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

The report includes the Audited Financial Statements and the Objectives and Performance report, as well as the State of our Shire report which reports on Council's progress in implementing the Community Strategic Plan over the past three years.

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

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

### **4. Attachments**

Nil

### **5. Recommendation**

That Council receive and note the Annual Report 2023/2024.

## **12.4 DATA BREACH POLICY**

### **1. Introduction**

This draft Data Breach Policy (Policy) informs the public of Council's procedure for identifying, responding to, and reporting data breaches of Council held information.

This Policy will assist Council to meet its legal obligations in respect of mandatory reporting of data breaches under the *Privacy and Personal Information Protection Act 1998* (PPIP Act) and *Privacy Act 1988* and complies with best practice guidelines.

### **2. Background**

Council has obligations under the PPIP Act, the HRIP Act and the Privacy Act including mandatory reporting obligations in respect of Data Breaches.

This draft Policy only relates to Data Breaches.

### **3. Discussion**

The Mandatory Notification of Data Breach Scheme ('MNDB Scheme') was created by amendments to the *Privacy and Personal Information Protection Act 1998* (NSW) (PPIP Act) and commenced on 28 November 2023.

The MNDB Scheme requires that Council notify affected individuals and the Privacy Commissioner when there has been an 'eligible data breach'.

The MNDB Scheme requires Council to satisfy other data management requirements, including to maintain an internal data breach incident register, and have a publicly accessible data breach policy.

The objective of this draft Policy is to set out Council's approach to identifying and managing a data breach, including:

- providing examples of situations considered to constitute a data breach
- the steps involved in responding to a data breach.

### **4. Attachments**

1. Data Brach Policy AP018

### **5. Recommendation**

That Council adopts the Data Breach Policy AP018.



Bogan Shire Council – Policy AP018 – Data Breach Policy

## **POLICY AP018**

### **DATA BREACH POLICY**



Bogan Shire Council – Policy AP018 – Data Breach Policy

**Contents**

**Policy Outcomes Statement**..... 3  
**Overview**..... 3  
**Policy Scope**..... 3  
**Definitions** ..... 4  
**Policy** ..... 5  
**Links to Policy**..... 9  
**Exceptions**..... 9  
**Review** ..... 9  
**Legislation**..... 9  
**Authority**..... 10  
**Policy Owner / Further Assistance** ..... 10  
**Review Date**..... 10  
**Revision History**..... 10

## Bogan Shire Council – Policy AP018 – Data Breach Policy

**Policy Outcomes Statement**

This Data Breach Policy has been developed to provide transparency regarding Bogan Shire Council's process for managing Data Breaches of Council Held Information and to assist Council to meet its legal obligations concerning Mandatory Reporting of Data Breaches under the *Privacy and Personal Information Protection Act 1998* (PPIP Act) and Privacy Act.

**Overview**

The objective of this Policy is to outline Council's approach to identifying and managing a Data Breach, including:

- Providing specific examples of incidents considered to constitute a Data Breach.
- Outlining the five essential steps in responding to a Data Breach.
- Addressing the considerations surrounding mandatory or voluntary notification of individuals whose privacy may be affected by a Data Breach. This ensures the Council responds effectively to such incidents.
- Assisting the Council in mitigating potential harm to both the affected individuals and the Council itself.

**Policy Scope**

Council's Data Breach Policy applies to all stakeholders, including Councillors, employees, volunteers, and contractors, and encompasses all activities involving the collection and retention of personal or classified information.

Any individual who suspects that a theft, breach or exposure of Bogan Shire Council protected data or sensitive data has occurred, must immediately provide a description of what occurred to their Supervisor/Manager or Director.

Any Council staff found in violation of this policy may be subject to disciplinary action, up to and including termination of employment. Any third-party partner company found in violation may have their network connection terminated.

Council will implement a training initiative designed to educate employees on the potential risks associated with data breaches and to clarify their roles and responsibilities in identifying, addressing, reporting, and preventing such occurrences.

Bogan Shire Council – Policy AP018 – Data Breach Policy

**Definitions**

<b>Affected Individual</b>	Means an “affected individual” as defined in the PPIP Act.
<b>Commonwealth Notifiable Data Breach</b>	Means an “eligible data breach” as defined in the Privacy Act.
<b>Council Officer</b>	Means any officer or employee of Council.
<b>Data Breach</b>	A data breach occurs when personal, commercially sensitive or confidential information held by Council is lost or subjected to unauthorised access, modification, disclosure, or other misuse or interference.
<b>Data Breach Response Plan</b>	A framework which sets out the roles and responsibilities for managing an appropriate response to a data breach as well as describing the steps to be taken by Council in managing a breach if one occurs.
<b>Data Breach Response Team</b>	Nominated Council personnel who are responsible for ensuring that a data breach is managed appropriately.
<b>Eligible data breach</b>	Occurs when there is unauthorised access to, or disclosure of, information, and a reasonable person would conclude that the access or disclosure would likely result in serious harm to any individuals to whom the information relates. Information is lost in circumstances where unauthorised access to, or unauthorised disclosure of, information is likely to occur and, if it did occur, a reasonable person would conclude that the access or disclosure would be likely to result in serious harm to any individual to whom the information relates.
<b>Personal Information</b>	Personal information means any information from which a living individual may be uniquely and reliably identified, including an individual’s name, Tax File Number (TFN), Medicare number, medical or healthcare data, driver’s licence number or associated card information, credit/debit card number, access PIN or Password that would provide access to that individual’s financial account or any other non-public personal information.
<b>Reasonable person</b>	A phrase frequently used in Tort and Criminal law to denote a hypothetical person in society who exercises average care, skill and judgement in conduct and who serves as a comparative standard for determining liability. Judges since the 19 <sup>th</sup> Century have named the reasonable man as “the man on the Clapham omnibus”. In Australia, NSW courts modified it to “the man on the Bondi tram”.
<b>Serious harm</b>	Serious physical, psychological, emotional, economic and financial harm, as well as serious harm to reputation and other forms of serious harm that a reasonable person in the entity’s position would identify as a possible outcome of the data breach.

## Bogan Shire Council – Policy AP018 – Data Breach Policy

**Policy****4.1 What is a data breach?**

A data breach occurs when there is a failure that has caused or has the potential to cause unauthorised access to Council data, such as:

- accidental loss or theft of classified material data or equipment on which such data is stored (e.g. loss of paper record, laptop, tablet or mobile phone, compact disk or USB stick);
- unauthorised use, access to, or modification of data or information systems (e.g. sharing of user login details (deliberately or accidentally) to gain unauthorised access or make unauthorised changes to data or information systems);
- unauthorised disclosure or misuse of classified material or personal information (e.g. email sent to an incorrect recipient or document posted to an incorrect address or addressee), or personal information posted onto Council website without consent;
- compromised user account (e.g. accidental disclosure of user login details through phishing);
- failed or successful attempts to gain unauthorised access to Council IT network information or information systems;
- equipment failure;
- malware infection;
- disruption to or denial of IT services.

A data breach most commonly, but not exclusively, results in unauthorised access to, or the unauthorised collection, use, or disclosure of personal information.

Council is committed to maintaining comprehensive records of all Data Breaches, irrespective of severity or containment status. Effective management of data breaches, including appropriate notification where necessary, is crucial for minimizing potential harm to affected individuals or organizations, safeguarding Council's reputation, and mitigating future breaches.

**4.2 What is an 'eligible' data breach?**

In accordance with the PPIP Act, Council is obligated to notify the Privacy Commissioner and affected individuals of eligible data breaches under the Mandatory Data Breach Notification Scheme.

## Bogan Shire Council – Policy AP018 – Data Breach Policy

An eligible data breach is an unauthorised access, disclosure or loss of an individual's personal information which is likely to result in serious harm to the affected individual.

Determining if a data breach necessitates mandatory reporting obligations involves a dedicated assessment by the Data Breach Response Team and may also be guided by legal advice.

In assessing seriousness of the breach, the Data Breach Response Team will consider:

- the type of data that has been breached;
- the data context;
- the risk of individuals being identified;
- the circumstances of the breach.

Council's *Data Breach Response Plan* outlines a process to assess eligibility and seriousness so that a risk threshold can be applied to data breach protocols.

#### **4.3 Potential Impacts of a data breach**

The impact of a data breach depends on the nature and extent of the breach and the type of information that has been compromised. Some breaches may involve only one or two people while others may affect hundreds or thousands. Larger breaches expose a wider group of people and could require considerable notification and remediation activities. However, it is not only the initial size of the breach that determines its impact. If there is a breach of sensitive or confidential information, reputational and financial harm can occur to both Council and staff. Serious impacts of a data breach could include:

- risk to individuals' safety;
- financial loss to an individual or organisation;
- damage to personal reputation or position;
- loss of public trust in Council and/or the services it provides;
- commercial risk through disclosure of commercially sensitive information to third parties;
- threat to Council's systems, impacting the capacity to provide services;
- impact on reputation, finances, interests or operation.

Breaches of personal data can result in significant harm, including people having their identities stolen or the private home addresses of protected or vulnerable people being disclosed. In some circumstances, this can expose an individual to a significant risk of harm. As such, even a breach affecting a small number of people

Page | 6

## Bogan Shire Council – Policy AP018 – Data Breach Policy

may have a large impact.

#### 4.4 Responding to a data breach

The immediate actions taken once a data breach is suspected or identified are crucial in minimising the harm that the data breach could cause. This process will be managed by the Data Breach Response Team, which includes Executive decision makers, information management and technology/security, the Privacy Officer and Communication staff.

The below actions will be undertaken in response to an identified data breach when it occurs:

1. **Report** – Any Council Officer who suspects that a data breach has occurred must immediately provide a description to their Manager and Director.
2. **Contain** – All necessary steps possible should be taken to contain the breach and minimise any resulting damage.
3. **Evaluate** – Assess the type of data involved in the breach, and the risks associated with the breach within 30 days, to determine if there are reasonable grounds to believe that an eligible data breach has occurred. Consider the type of data breach, who is affected, what caused the breach, and what are the specific risks that could follow.
4. **Notify** – If on assessment an eligible data breach has occurred, Council will:
  - Notify the NSW Privacy Commissioner and each affected individual
  - Issue a public notification on Council's website where notifying each affected individual is not practicable
  - In instances where Data Breaches involve other public agencies, the General Manager (or delegate) will directly engage with the affected agencies to address any notification requirements for Mandatory Reporting Data Breaches.
  - Notify the OAIC if a Commonwealth Notifiable Data Breach has been identified.
  - Council may consider voluntary data breach notification to the IPC for non-eligible data breaches.
5. **Act** – Take all reasonable steps to mitigate the harm done by the suspected breach.
6. **Prevent** – Put into action preventative efforts, based on the type and

## Bogan Shire Council – Policy AP018 – Data Breach Policy

seriousness of the breach. This may include a security audit of both physical and technical security controls, a review of policies and procedures, a review of employee training practices or a review of contractual obligations with contracted service providers. If the breach has been reported to the Privacy Commissioner, further preventative and remedial actions may be recommended subsequent to the Privacy Commissioner's assessment.

7. **Record** – Details of the Data Breach incident are to be recorded in Council's Legislative Compliance & Data Breach Register. Eligible data breaches, for which public notifications have been issued, will be published via a public notification on Council's website.



## Bogan Shire Council – Policy AP018 – Data Breach Policy

**Links to Policy**

Legislative Compliance & Data Breach Register  
Council's Code of Conduct  
NSW Mandatory Notification of Data Breach scheme  
Cyber Crime and Security Incident Policy  
Access Control Policy  
Cloud Services Policy  
Information Management Policy  
Handling a Security Incident  
Business Continuity Policy

**Exceptions**

Nil

**Review**

Regular reviews, testing, and updates will be conducted for this Policy, following Council's established policy review procedures or prompted by evolving best practices and legislative changes.

**Legislation**

Bogan Shire Council is subject to the provisions of the Local Government Act 1993, Privacy and Personal Information Protection Act 1998 (NSW) (PIIP Act), Government Information (Public Access) Act 2009 (NSW) GIPA Act and State Records Act 1998 (NSW).

In accordance with the *Privacy and Personal Information Protection Act 1998* (NSW), Council is obligated to notify the Privacy Commissioner and affected individuals of eligible data breaches under the Mandatory Data Breach Notification Scheme (MDBN scheme) from 28 November 2023.

Under the legislation, Council must also publish this policy on its website, along with a data breach incident public notification register.

Under the PPIP Act there are legal obligations which Council must abide by when they collect, store, use or disclose personal information. As exemptions may apply in some instances, it is recommended that staff contact Council's Privacy Officer for further advice.

Page | 10



## **12.5 RELATED PARTY DISCLOSURES POLICY**

### **1. Introduction**

The purpose of this report is to review and adopt Councils Related Party Disclosures Policy that has been effective since 1 July 2016.

### **2. Background**

Council is required to have a Related Party Disclosure Policy to assist Council in complying with disclosure requirements concerning key management personnel, their close family members and entities controlled or jointly controlled by any of them stipulated under the Australian Accounting Standard AASB 124 Related Party Disclosures and Australian implementation guidance for not-for-profit public sector entities.

Council last adopted the revised policy at the February 2022 meeting, and it is now due for review.

### **3. Discussion**

As of 1 July 2016, the requirements of AASB 124 Related Party Disclosures apply to the General Purpose Financial Statements prepared by Bogan Shire Council. The Financial Statements for each year must disclose related party relationships, transactions and outstanding balances including commitments.

A related party is a person or entity that is related to the entity preparing its financial statements, including Key Management Personnel (KMP).

A related party transaction is a transfer of resources, services or obligations between Council and a related party regardless of whether or not a fee is charged.

Key Management Personnel are defined as those persons having the authority and responsibility for planning, directing, and controlling the activities of Council, either directly or indirectly including any manager of Council. In Bogan Shire Council these include Councillors, the General Manager, all members of Manex. This also relates to any person that has acted in these roles or have previously been a Councillor during the reporting period.

Close members of the family of a person are those family members who may be expected to influence, or be influenced by, that person in their dealings with Council and would include;

- a) That person's children and spouse or domestic partner;
- b) Children of that person's spouse or domestic partner; and
- c) Dependents of that person or person's spouse or domestic partner.

The definition of close family members included in AASB124 is very broad and may include family members outside the immediate family such as siblings, grandparents, in-laws etc.

The requirements of AASB124 are also different from the requirements of the Pecuniary Interest Form and therefore require Council to collect the related party disclosures separately. Information collected will be subject to audit during the annual audit financial

statements and therefore must be sufficiently comprehensive to satisfy the requirements of Councils auditors.

Related parties transactions and disclosures questionnaire for the new Councillors will be handed out at this meeting.

#### **4. Attachments**

1. Related Party Disclosure Policy FIN006

#### **5. Recommendation**

That Council adopt the attached policy FIN006 known as Bogan Shire Council's "Related Party Disclosures Policy" with any amendments to the previous policy.

Bogan Shire Council – Policy FIN006 – Related Party Disclosures Policy

## **POLICY FIN006**

### **RELATED PARTY DISCLOSURES POLICY**



Bogan Shire Council – Policy FIN006 – Related Party Disclosures Policy

**Contents**

**Policy Outcomes Statement**..... 3

**Overview**..... 3

**Applicability**..... 3

**Principles**..... 3

**Policy** ..... 4

**Definitions** ..... 6

***Related Parties*** ..... 6

    Identification of Key Management Personnel (KMP)..... 6

    Identification of Related Parties ..... 6

    Close members of the family of a person are:..... 7

***Transactions*** ..... 8

    Materiality of Transactions ..... 8

    Ordinary Citizen Transactions ..... 8

    Identification of all Related Party Transactions ..... 9

**Links to Policy**..... 10

**Related Forms** ..... 10

**Availability** ..... 10

**Review** ..... 10

**Legislation**..... 10

**Authority**..... 10

**Policy Owner / Further Assistance** ..... 10

**Review Date**..... 10

**Revision History**..... 10

## Bogan Shire Council – Policy FIN006 – Related Party Disclosures Policy

## Policy Outcomes Statement

This Policy is to ensure that the existence of certain related party relationships, related party transactions and information about such transactions, necessary for the user to understand the potential effects on the Financial Statements of Council are properly identified, recorded and disclosed in Council's General Purpose Financial Statements in compliance with *Australian Accounting Standards Board AASB124 Related Party Disclosures July 2015 (AASB124)*, the *Privacy and Personal Information Act 1998 (PPIPA)* and the *Government Information Public Access Act 2009 (GIPA)*.

## Overview

This policy is to assist Council to meet the disclosure requirements of AASB124 by identifying related party relationships and transactions and establish systems to capture and record these transactions and then to identify the circumstances in which disclosure is required.

## Applicability

This policy applies to those who have authority and responsibility for planning, directing and controlling the activities of Council and entities controlled by Council, including elected Councillors, the General Manager, Directors, and close family members who can be expected to influence or be influenced by the aforementioned key management personnel.

## Principles

Council is committed to responsible corporate governance, including compliance with laws and regulations governing related party transactions.

Related Party relationships are a normal feature of business. For example, entities frequently carry on parts of their activities through subsidiaries, joint ventures and associates. In those circumstances, there is the possibility of the entity having the ability to affect the financial and operating policies of Council through the presence of control, joint control or significant influence.

A Related Party relationship could influence the normal business operations of Council even if Related Party Transactions do not occur. The mere existence of the relationship may be sufficient to affect the transactions of the Council with other parties. Alternatively, one party may refrain from trading with Council because of the significant influence of another—for example, a local supplier may be instructed by its parent not to engage in supplying goods to Council.

Page | 3

## Bogan Shire Council – Policy FIN006 – Related Party Disclosures Policy

For these reasons, knowledge of Council's transactions and outstanding balances (including commitments and relationships with Related Parties) may affect assessments of Council's operations.

### Policy

The Australian Accounting Standards Board (AASB) determined in AASB 124 that from 1 July 2016 related party disclosures will apply to government entities, including local governments (Councils).

AASB 124 provides that Council must disclose the following financial information in its financial statements for each financial year period:-

- disclosure of any related party relationship;
  - must disclose in its Annual Financial Statements its relationship with any related parties or subsidiaries (where applicable), whether or not there have been transactions within the relevant reporting period;
- Key Management Personnel (KMP) compensation disclosures;
  - must disclose in its Annual Financial Statements details for each of the categories of KMP compensation, as stated in the definitions of this Policy, in total.

Council is committed to responsible corporate governance, including compliance with laws and regulations governing related party transactions.

AASB 124 provides that Council must disclose all material and significant Related Party Transactions and outstanding balances; including commitments, in its Annual Financial Statements. Generally, disclosure will only be made where a transaction has occurred between council and a related party of council. In addition the transaction must be material in nature or size, when considered individually or collectively.

When assessing whether such transactions are significant the following factors will be taken into consideration: -

- significance in terms of size;
- was it carried out on non-market terms;
- is it outside normal day-to-day council operations;
- was it subject to council approval;
- did it provide a financial benefit not available to the general public; and
- was the transaction likely to influence decisions of users of the Annual Financial Statements.

Regard must also be given for transactions that are collectively, but not individually significant.

Page | 4



**Bogan Shire Council – Policy FIN006 – Related Party Disclosures Policy**

To enable Council to comply with AASB 124 Council's KMP are required to declare full details of any Related Parties and Related Party Transactions. Such information will be retained and reported, where necessary, in Council's Annual Financial Statements.

All transactions involving Related Parties will be captured and reviewed to determine materiality or otherwise of such transactions, if the transactions are Ordinary Citizen Transactions, and to determine the significance of each of the transactions.

The method for identifying the close family members and associated entities of KMP will be by KMP self-assessment. KMP have an ongoing responsibility to advise Council immediately of any Related Party Transactions and any change to their circumstance which may require disclosure or alter their previous disclosure to Council.

The preferred method of reporting details of Related Parties and Related Party Transactions, is by completing the Related Party Transactions and Disclosures Questionnaire, and delivering it to the Director Finance & Corporate Services.

KMPs must complete the Related Party Transactions and Disclosures Questionnaire, notifying any existing or potential Related Party Relationships between Council and any related parties of the KMP, by no later than the following periods during a financial year:

- 30 days after the commencement of the application of this Policy
- 30 days after a KMP commences their term or employment with Council

During the financial year, a KMP must proactively notify of any new or potential Related Party Relationships that the person knows of, or any changes to previously notified Related Party Relationships to the General Manager by no later than 30 days after the person knows of the transaction or change.

Should a KMP have any uncertainty as to whether a transaction may constitute a related party transaction they should contact the General Manager or Director of Finance and Corporate Services.

Information provided will be reviewed in accordance with the Council's operational requirements and held on Council's Record Management System (HPE Content Manager 9).

Collection, storage, use and disclosure of information collected from Related Parties is governed by the Privacy & Personal Information Protection Act 1998 and the Government Information (Public Access) Act 2009. Information provided by KMP and other related parties shall be held for the purpose of compliance with Council's legal obligation and shall be disclosed where required for compliance or legal reasons only.

## Bogan Shire Council – Policy FIN006 – Related Party Disclosures Policy

A review of KMP's and their related parties will be completed at intervals not exceeding twelve months. This policy will also be reviewed when any of the following occur:-

- a change of Councillors, General Manager or other KMP;
- a change of corporate restructure;
- the related legislation/documents are amended or replaced;
- other circumstances as determined from time to time by a resolution of Council; and
- as a result of changes to the OLG Local Government Code of Accounting Practice and Financial Reporting.

This Policy will be provided to KMP in the initial awareness raising and data collection and as part of KMP inductions including Councillor inductions. It will also be regularly communicated to KMP at a twelve monthly review.

### Definitions

#### *Related Parties*

Identification of Key Management Personnel (KMP)

KMP for Bogan Shire Council are considered to include:-

- the Mayor,
- Councillors,
- the General Manager,
- all Directors,
- the Manager Road Works,
- the Manager Works and Services,
- the Manager Education and Community Services,
- the Health and Building Surveyor,
- staff whom from time to time will act in any of the above mentioned positions
- 

#### Identification of Related Parties

A person or entity is considered a related party of Council if any of the following conditions apply:-

- a) They are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others)
- b) They are an associate or belong to a joint venture of which Council is part of
- c) They and Council are joint ventures of the same third party
- d) They are part of a joint venture of a third party and council is an associate of the third party

Page | 6

## Bogan Shire Council – Policy FIN006 – Related Party Disclosures Policy

- e) They are a post-employment benefit plan for the benefit of employees of either Council or an entity related to Council.
- f) They are controlled or jointly controlled by close or possibly close members of the family of a person with significant influence over Council or a close or possibly close member of the family of a person who is a KMP of Council.
- g) They are identified as a close or possibly close member of the family of a person with significant influence over Council or a close or possibly close member of the family of a person who is a KMP of Council.
- h) They, or any member of a group which they are a part, provide KMP services to Council.

For the purposes of this policy, related parties of Council are:

- a) Entities related to Council;
- b) KMP of Council;
- c) Close family members of KMP;
- d) Possible close family members of KMP; and
- e) Entities or persons that are controlled or jointly controlled by KMP, or their close family members, or their possible close family members.

Please see Appendix 1 for examples of common related parties of council.

KMP's will identify all entities that are controlled or jointly controlled by close family members through the self-assessment process. Should uncertainties or any other contentious issues arise during this process the KMP's are responsible for discussing this with Councils Director of Finance and Corporate Services who can consult Councils external auditor for clarification if necessary.

Close members of the family of a person are:

-those family members who may be expected to influence, or be influenced by, that person in their dealings with the Council and include:-

- a) that person's children and spouse or domestic partner;
- b) children of that person's spouse or domestic partner; and
- c) dependants of that person or that person's spouse or domestic partner.

For the purposes of AASB 124, close family members may include extended members of the family (such as, without limitation, parents, siblings, grandparents, uncles, aunts or cousins) if they could be expected to influence, or be influenced, by the KMP in their dealings with Council.

Bogan Shire Council – Policy FIN006 – Related Party Disclosures Policy

The following table may assist in identifying close family members.

<b>Definitely a close family member</b>	<b>May be a close family member</b>
Your spouse/domestic partner	Your brothers and sisters , if they could be expected to influence or be influenced by you in their dealings with council
Your children	Your aunts , uncles and cousins, if they could be expected to influence or be influenced by you in their dealings with council
Your dependants	Your parents and grandparents , if they could be expected to influence or be influenced by you in their dealings with council
Children of your spouse/domestic partner	Your nieces and nephews , if they could be expected to influence or be influenced by you in their dealings with council

**Transactions**

Materiality of Transactions

AASB 124 grants Council discretion to use their judgement when determining the level of detail to be disclosed in the financial statements. It should be noted that Materiality is not simply determined by the value of a transaction, many other factors are considered. As well as considering the closeness of the related party relationship other factors to be considered, when assessing related party transactions, are;

- significant in terms of size;
- carried out on non-market terms;
- outside normal day-to-day business operations, such as the purchase and sale of businesses;
- disclosed to regulatory or supervisory authorities;
- reported to senior management;
- subject to shareholder approval.

Ordinary Citizen Transactions

Ordinary citizen transactions are those transactions that are made on an arm’s length basis between Council and related parties that an ordinary citizen of the community would transact with the Council.

Examples of these are rates payments for properties owned by the related party and dog registration payments.

### Bogan Shire Council – Policy FIN006 – Related Party Disclosures Policy

Council will identify all transactions between Council and related parties. Any that are deemed to be ordinary citizen transactions will not typically be required to be disclosed in the annual financial report.

Transactions between Council and related parties that would normally be considered to be ordinary citizen transactions but where the terms and conditions differ from normal practice will not be considered to be an ordinary citizen transaction for the purposes of this policy. These will be disclosed in Council's annual financial statements in the related party disclosure.

Please note that KMP's are still required to notify the Director Finance and Corporate Services of these transactions via the process outlined below and the determination of whether or not disclosure is required is vested with this officer. Should uncertainties or any other contentious issues arise during this process the KMP's are responsible for discussing this with Councils Director Finance and Corporate Services who can consult Councils external auditor for clarification if necessary.

#### Identification of all Related Party Transactions

All related party transactions will be captured to allow a full assessment of transactions that are to be included in the related party disclosure per the disclosure requirements contained in AASB 124.

This will also allow Council's external auditors to perform a full analysis of the entire process that results in the related party transaction disclosure.

All KMP will be required to complete and submit a Related Party Transaction Declaration (Appendix 3) to the Director Finance and Corporate Services, a notification advising of any known related party transactions that have occurred in the past 12 month period and any related party transactions that have the potential of occurring in the next 12 month period. A Nil notification will be required to be submitted if no transactions are required to be reported. This notification will be due by 31 July covering the preceding financial year period.

To ensure all related party transactions are captured and recorded, the Director Finance and Corporate Services is responsible for reviewing, if required, other sources of information held by Council including, without limitation:

- a) a register of related parties of a KMP and of persons related to the KMP;
- b) Council's pecuniary interest returns;
- c) minutes of Council and committee meetings;
- d) Council's Contracts' Register.

Councils Director Finance and Corporate Services will maintain a register of all declared and independently identified related party transactions.

Bogan Shire Council – Policy FIN006 – Related Party Disclosures Policy

**Links to Policy**

Model Code of Conduct

**Related Forms**

Related Party Transactions and Disclosures Questionnaire

**Availability**

This Related Party Disclosures Policy is available:-

- for public inspection at the Council Office during normal office hours;
- on the Council’s web-site free of charge; and
- from the Council offices free of charge.

**Review**

This Related Party Disclosures Policy will be reviewed at least once every two years in accordance with the *Local Government Act 1993*.

**Legislation**

Local Government Act 1993.  
 Australian Accounting Standard AASB 124  
 Local Government (General) Regulation 2005  
 Privacy & Personal Information Protection Act 1998  
 Government Information (Public Access) Act 2009

**Authority**

Council Resolution No. \_\_\_\_\_ dated \_\_\_\_\_ .

**Policy Owner / Further Assistance**

Director Finance & Corporate Services

**Review Date**

October 2026

**Revision History**

Date	Description of Change	Sections Affected
27 April 2017	Adopted by Council	All
23 May 2019	Adopted by Council	All
24 February 2022	Adopted by Council	All
28 November 2024	Adopted By Council	All

Bogan Shire Council – Policy FIN006 – Related Party Disclosures Policy

**13 INFRASTRUCTURE 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 Infrastructure 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 14 October 2024, to 15 November 2024 consisted of the following:

No.	Name	Comments
	Local Roads	
50	Priors Road	Maintenance grading & re-sheeting completed
24	Canonba Road	Heavy patching of flood damage repairs completed
22	Moonagee Road	Heavy patching of flood damage repairs completed
60	Whiterock Road	Heavy patching of flood damage repairs completed
20	Murrawombie Road	Heavy patching of flood damage repairs completed
23	Buckiinguy Road	Heavy patching of flood damage repairs completed
24	Canonba Road	Shoulder grading commenced
48	Fords Road	Maintenance & Flood Damage Repairs continuing
5	Peisley Road	Maintenance grading completed
78	Okeh Road	Maintenance & Flood Damage Repairs continuing
24	Canonba Road	3.6km of re-sheeting continuing
64	West Bogan Road	2km of re-sheeting completed
92	Colane Road	Heavy patching of flood damage repairs completed
25	Merryanbone Road	Maintenance grading/flood damage repairs completed



<b>14</b>	Gilgai Road	5km of re-sheeting works under IBF continuing
<b>74</b>	Doneys Road	Maintenance grading/flood damage repairs completed
<b>73</b>	Jumps Road	Maintenance grading commenced
	Hermidale Village	Hazard Reduction grading commenced
<b>49</b>	Temples Lane	Maintenance grading completed
<b>19</b>	Cooneybar Road	4km Re-sheeting/Maintenance commenced
	<b>Regional Roads</b>	
<b>7514</b>	Cockies Road	Maintenance grading continuing
<b>61</b>	Condo Cobar Road	Maintenance grading/flood damage repairs commenced

	<b>State Highways</b>	
<b>HW7</b>	Mitchell Highway	Routine Maintenance continuing
<b>HW8</b>	Barrier Highway	Routine Maintenance continuing
<b>MR70</b>	Arthur Hall VC Way	Routine Maintenance continuing
<b>HW7</b>	Mitchell Highway	Commenced roadside slashing

Council has completed pothole repairs on the following roads:

• Old Warren Road	• Mitchell Highway
• Whiterock Road	• Canonba Road
• Colane Road	• Buckiinguy Road
• Nyngan Town Streets	• Murrawombie Road
• Girilambone Village	• Tottenham 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,
  - Cooneybar Road
  - Tubbavilla Road
  - Glengarriff Road
  - Jumps Road
  - Monkey Bridge Road

- Commencing works funded under Infrastructure Betterment Funding for Coffils Lane, Currans Road, Budgery Road and Gilgai Road.
- Continuing shoulder Grading on Canonba Road in preparation for resealing.
- Commencing Shoulder grading on the Mitchell and Barrier Highways in preparation for resealing.

### **Works and Services**

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

#### **Civil Works**

- Completed safe pedestrian access pathway to the Nyngan Golf Club
- Installed new drainage & culvert stock bridge reserve to divert storm water to river from Wambiana/Lawlor Streets
- Installed new headwall on Wambiana Lane culvert
- Erected new shed / shelter at Girilambone Park
- Installed footpath in Terangion Street between Bogan & Cobar streets (eastern side)
- Commenced pedestrian Bridge Nymagee Street, as part of safe pedestrian access from Mick Glennie Hostel to CBD
- Removed graffiti from Coolabah Public toilets
- Carried out drainage maintenance Dandaloo St between Wambiana & Gregory Streets
- Refurbished storm water pump Peter Sinclair Bridge
- Erected new signage Hermidale Sports Ground
- Erected new grandstand at Tennis courts

#### **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)
- Tree maintenance carried out Oxley Street
- Additional fertilising carried out at Larkin oval
- Ant spraying carried out on levee bank and nature strips (ongoing)

#### **Water & Wastewater**

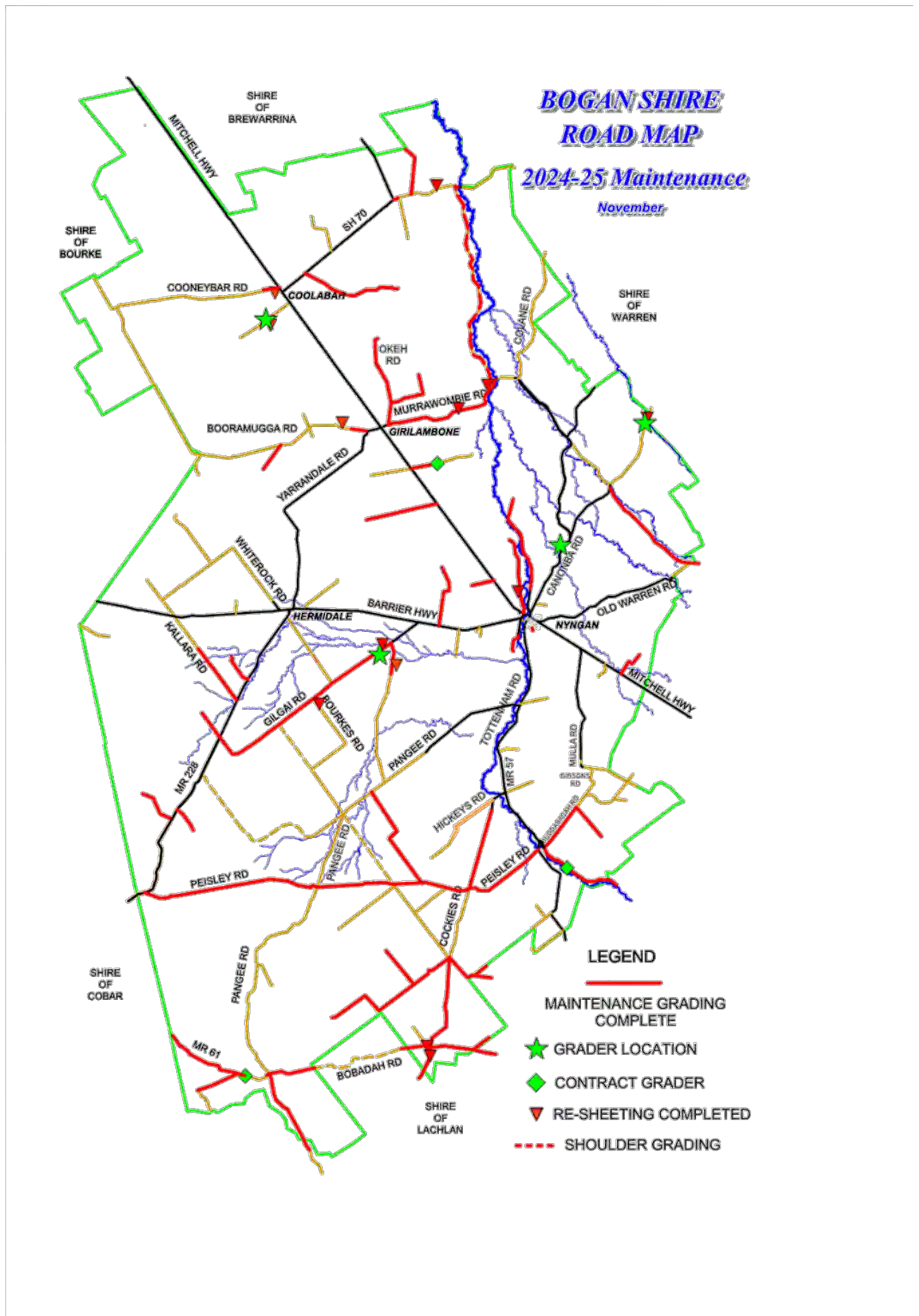
- New meter installed at Albert Priest Channel (APC) off take
- Commenced Desilting APC
- APC water flow ordered to commence 2 December
- Pumping from Wilga Tank to Girilambone ground tank
- Belaringar Syphon replacement on target for completion end of November
- Replaced service to 61 Canonbar Street
- Replaced fire Hydrant Bogan Street
- Replaced control valve to Pony Club Clubhouse
- Carried out ongoing water mains flushing

**4. Attachments**

1. Road Maintenance Map

**5. Recommendation**

That the Infrastructure Services Departmental Report be received and noted.



**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
2023/021	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
2024/012	Mr J Bourke	40 Dandaloo Street Nyngan	New Private Awning and In-Ground Swimming Pool	\$40,000	Additional Information Required
2024/013	Mr M Arnott	19 Pangee Street Nyngan	New Multi-Dwelling Housing	\$405,027	Approved
2024/018	Bogan Shire Council	Oxley Street Nyngan	Subdivision	\$1,676,584	Under Assessment
2024/019	Mr M Beetson	30 Cathundril Street Nyngan	New single Dwelling and private shed	\$500,000	Approved

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 2024	1	0	0	1	0	0	0	\$60,000.00
August 2024	3	0	1	0	0	1	1	\$2,306,884.00
September 2024	1	0	1	0	0	0	0	\$500,000.00
October 2024	0	0	0	0	0	0	0	\$0.00
November 2024								
December 2024								
January 2025								
February 2025								
March 2025								
April 2025								
May 2025								
June 2025								
<b>Total 2024/25</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>\$2,866,884.00</b>
Total 2023/24	27	0	8	14	1	0	4	\$7,576,651.00
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

## 14.2 BIOSECURITY REPORT

### 1. Introduction

The purpose of this report is to advise Council of the activities and statistics relating to Council's Biosecurity functions and provide Council with information on the implementation of biosecurity legislation in NSW and outline Council's responsibilities under the Biosecurity Act 2015 (NSW).

### 2. Background

The Noxious Weeds Act 1993 was repealed by the *Biosecurity Act 2015* and is supported by the *Biosecurity Regulation 2017*. *The Biosecurity Act 2015* covers both agricultural and human medical biosecurity risks and is designed to manage diseases and pests that may cause harm to human, animal or plant health or the environment. For the purpose of this report, the focus will be on weeds.

### 3. Discussion

Under the *Biosecurity Act 2015* there is a general obligation for people, especially those that deal with plants through commercial, professional, volunteer, recreational or lifestyle activities to be aware of their surroundings and take action to prevent the introduction and spread of weeds.

*The Act* applies to all land and waterways within NSW with a focus on priority weeds at both state and regional levels.

State priority weeds are determined by the Minister for Agriculture whilst regional priority weeds are determined through Regional Weed Committees. Although priority weeds are at the forefront of the *Biosecurity Act 2015*, local Councils may prioritise additional weeds for management.

Key stakeholders in the management of weeds include:

- The Minister for Agriculture and Western NSW who is responsible for administration of the *Biosecurity Act 2015*, determinations of state priority weeds and annual collection of NSW Weeds Action Funding.
- NSW Department of Primary Industries and Regional Development (DPIRD) supports weed management by leading and administering the NSW Weeds Action Program, managing the NSW weeds information database (WIDX), managing the Weeds Extranet, providing education and training services, leading the response to new incursions of state priority weeds and nationally significant weeds, develop non-regulatory approaches and incentives, conducting weeds research, providing biological control services, capturing state wide weeds data through the Biosecurity Information System, resourcing the NSW DPIRD Biosecurity Helpline and developing policies and guidelines to support the work of the State Weed Committee.

- Local Land Services have established and administered a Regional Weed Committee where they employ a Regional Weeds Coordinator to assist in facilitating and coordinating obligations. Local Land Services facilitate the management of NSW Weeds Action Program (WAP) regional sub programs, monitors responses to new incursions of regional priority weeds and coordinates Council input into Regional Strategic Weed Management Plans.
- Regional Weeds Committee develop review and update Regional Strategic Weed Management Plans, monitor and evaluate implementation of Regional Strategic Management Plans, make recommendations to Local Land Service boards on weeds management, support Local Land Services with the allocation of Regional WAP funds, provide regional oversight and peer review of regional progress, seek and support partnerships and investments to enhance regional weed management, refer weeds policy issues to the State Priority Weed Co-Ordinator.
- Land Managers as previously mentioned, have a responsibility to take action to prevent the introduction and spread of weeds.

Local Councils are the local control authority for weeds and are required to appoint and support staff as authorised officers, inspect lands for high-risk weeds and seek compliance with the Act from owners/occupiers, educate their communities about weeds risk and best practice weeds management, control high risk weeds, submit weeds management records to the NSW government and participate in regional strategic weeds management through their regional weed committee.

Council employs a Biosecurity and Weeds Officer who is an authorised officer under the *Biosecurity Act 2015*. This position undertakes a range of activities to ensure Council is in compliance with the responsibilities outlined above.

A major requirement of Council's Biosecurity and Weeds Officer is the implementation, monitoring and reporting of the NSW Weed Action Plan (WAP).

The WAP is a NSW government initiative to reduce the impact of weeds. The Department of Primary Industries and Regional Development provides the program funding to Local Land Services who operate at a regional level and roll out the WAP, which is generally a five-year plan. Bogan Shire Council enters into an Agreement with the Central West Local Land Services on an annual basis to secure grant funding to assist with weed management. The WAP has a number of components to adhere to with targets set annually and key aspects include:

- Roadside inspections – looking for existing or new weed incursions.
- Water course inspections - looking for existing or new weed incursions.
- Rail corridor inspections - looking for existing or new weed incursions.
- Inspections of nurseries, pet shops, sale yards and quarries.
- Inspections of land owned / managed by state bodies (Crown Land).
- Inspections of Council owned land.
- Private property inspections.
- Follow up inspections.



Additional requirements of the WAP include:

- Continually review and improve early detection capabilities.
- Undertake regular review of sightings to identify and address emerging trends that could lead to increased biosecurity risks.
- Increase public awareness of incursion risk and reporting mechanisms.
- Maintain a sufficient state-wide network of biosecurity staff to respond to incursions.
- Management to be undertaken in accordance with best practice management guidelines and standard operating procedures.
- Provide a range of information, education and training resources.
- Maintain an adequate network of biosecurity professionals across the state that can be rapidly deployed to manage biosecurity emergencies.

Further to the above listed requirements, quarterly reports, weed spraying and mapping of high risk pathways are a fundamental part of the Weed Action Plan.

Attachment 1 outlines WAP targets and completed activities for the 2023/2024 financial year.

At times, the Biosecurity and Weeds Officer may be required to take appropriate regulatory enforcement action for breaches of the Biosecurity Act and Regulation.

The appointed officer first seeks cooperation from landholders in the control of priority weeds to avoid regulatory enforcement, however at times, it is required. Initially Council's Officer will send a courtesy letter to the private property owner informing them that a property inspection will be taking place to check for any weed incursions. Should priority weeds be identified when completing a property inspection, the Officer will attempt to work with the landholder to develop a plan for removal which must be completed within the nominated timeframe. Should no action from the landholder to remove priority weeds take place by the deadline, a penalty infringement notice may be issued which can incur fines of up to \$2,000.

At this point, a second letter to the landholder would be issued to complete the removal of priority weeds within a new nominated timeframe.

Should the work not be completed, Council may undertake the weed removal charging all associated costs back to the landholder.

Additional information regarding weeds and the Biosecurity Act can be found in the handout (Attachment 2), "*Weeds and the Biosecurity Act. A handbook for local councils and Councillors in NSW*".

The phone app "Weed Wise" was developed by DPIRD and is also a useful tool to identify weeds and understand the biosecurity duty and control measures required.

#### **4. Attachments**

1. WAP targets - EOFY 2024
2. Weeds and Biosecurity Handbook for Councils

#### **5. Recommendation**

That the Biosecurity Report be received and noted.

Table 1 below summarises Central West WAP targets for the end of the financial year 2024.

<b>Table 1</b>			
<b>Sub-Categories</b>	<b>Yearly Target</b>	<b>EOFY</b>	<b>% Complete</b>
Inspection of Roadsides	4300km	4311.5km	100.25%
Inspection of Watercourses	215km	229.5km	106%
Inspection of Rail Corridors	200km	201km	100%
Inspection of Nurseries, Saleyards, Pet Shops and Quarries	6	6	100%
Inspection of Land Owned/Managed by State Bodies	9	9	100%
Inspection of Council Owned Land	12	12	100%
Inspection of Private Property	60	63	105%
Follow up Inspections	10	12	120%

Table 2 below summarises Western WAP targets for the end of the financial year 2024.

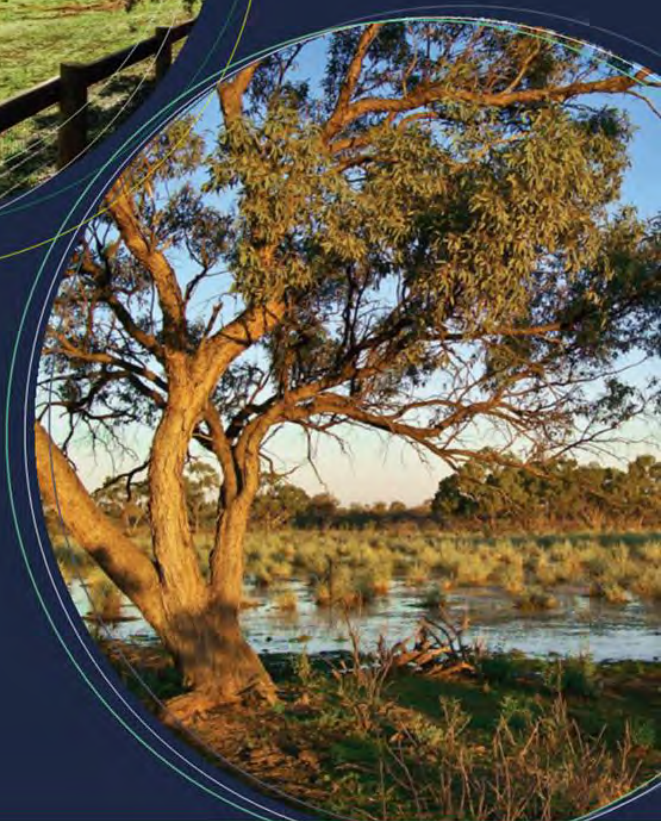
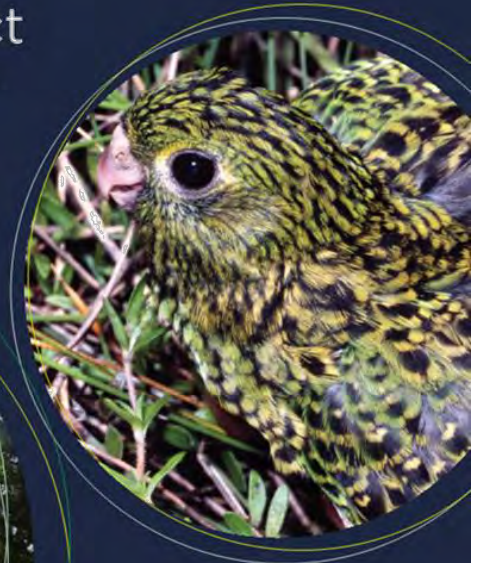
<b>Table 2</b>			
<b>Sub-Categories</b>	<b>Yearly Target</b>	<b>EOFY</b>	<b>% Complete</b>
Inspection of Roadsides	500km	575km	115%
Inspection of Watercourses	30km	33km	110%
Inspection of Rail Corridors	60km	61km	100%
Inspection of Land Owned/Managed by State Bodies	1	1	100%
Inspection of Council Owned Land	2	2	100%
Inspection of Private Property	10	10	100%
Follow up Inspections	2	2	100%



Department of  
Primary Industries

# Weeds and the Biosecurity Act

A handbook for local councils and councillors in NSW



Beautiful, right?  
Let's keep it that way.

No Space for  
**Woooooooooooooooooooooeds**

[dpi.nsw.gov.au/biosecurity/weeds](http://dpi.nsw.gov.au/biosecurity/weeds)

Published by the NSW Department of Primary Industries, an office within the Department of Regional New South Wales.

More information: Invasive Species Biosecurity [www.dpi.nsw.gov.au/weeds](http://www.dpi.nsw.gov.au/weeds)  
Email: [weed.resource@dpi.nsw.gov.au](mailto:weed.resource@dpi.nsw.gov.au)

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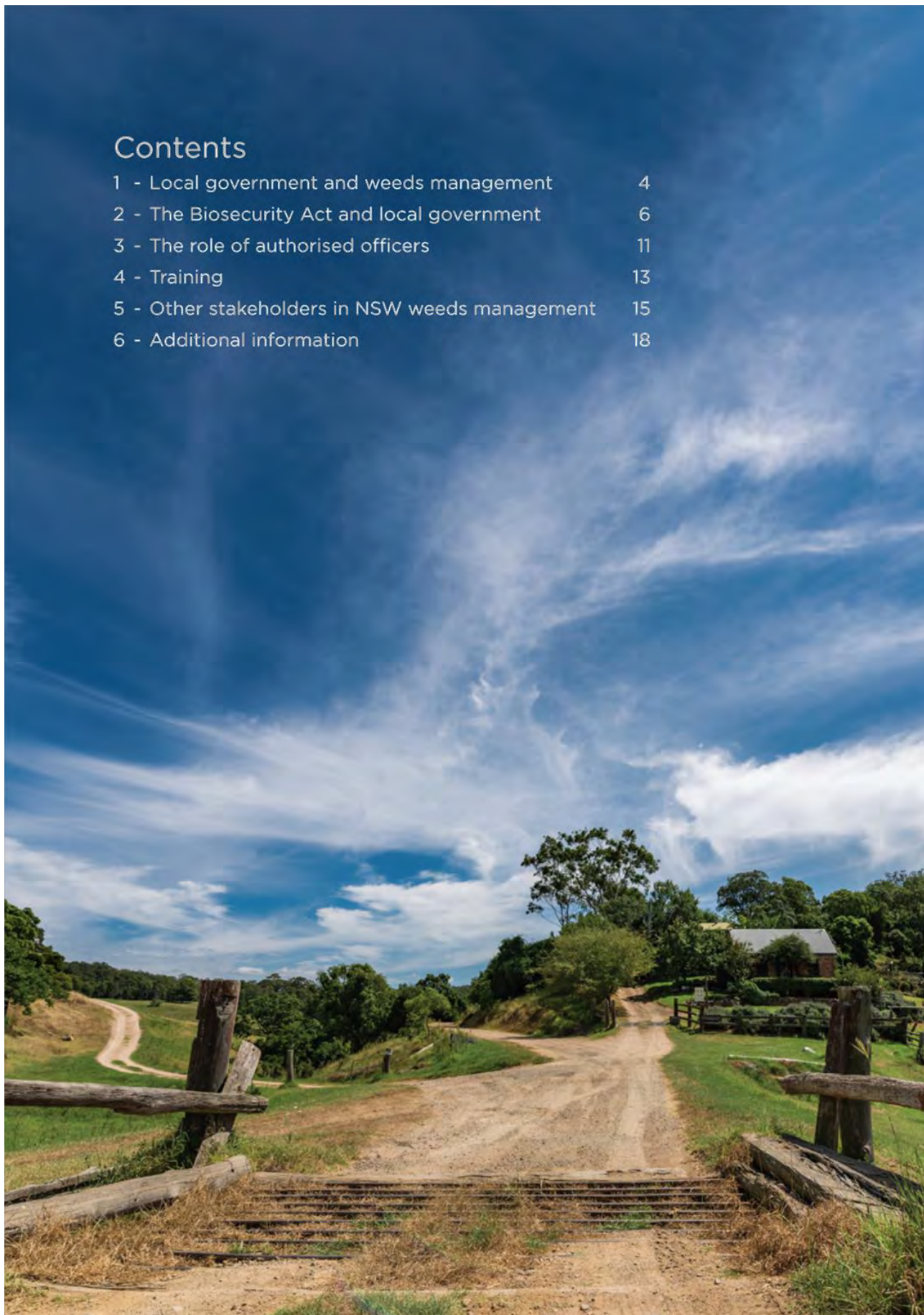
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16420-02/22

## Contents

1 - Local government and weeds management	4
2 - The Biosecurity Act and local government	6
3 - The role of authorised officers	11
4 - Training	13
5 - Other stakeholders in NSW weeds management	15
6 - Additional information	18



# 1 – Local government and weeds management

## 1.1 Why does local government have a responsibility for weeds?

Local government delivers services for communities across New South Wales (NSW). These are grouped broadly into five core functions and services: protecting the local environment, providing and maintaining infrastructure, safeguarding public health, supporting community development and planning for sustainable development (*Councillor Handbook*, Office of Local Government, 2021).

Managing weeds is part of providing these five core services. Different weeds create different problems in different parts of NSW, and councils are best placed to make or inform decisions about the weeds management priorities for their local communities. Responsive weeds management is a strategic, ongoing component of local government work.

NSW local government has had a legal responsibility for managing weeds across their lands for more than 100 years. Weeds management has been legislated under a number of Acts in that time, including the *Local Government Extension Act 1906*, the *Local Government Act 1919* and the *Noxious Weeds Act 1993*. Weeds management is now legislated under the *Biosecurity Act 2015* (the Act) and *Biosecurity Regulation 2017* (the Regulation) – see *Section 2*.

The Act maintains local councils as the local control authority for weeds within their area of operation – see *Section 3*. This provides continuity in weeds management, while other key stakeholders support local government initiatives to manage weeds – see *Section 5*

As local control authorities for weeds, local governments:

- appoint and support staff as authorised officers under the Act - see *Section 4*
- inspect lands for high-risk weeds and seek compliance with the Act from owners/occupiers
- educate their communities about weeds risk and best practice weeds management
- control high-risk weeds
- submit weeds management records to the NSW government
- participate in regional strategic weeds management through their Regional Weed Committee.

## 1.2 What is biosecurity?

“Biosecurity” means protecting the economy, environment, and community from the negative impacts of pests and diseases, weeds and contaminants.

Weeds biosecurity includes:

- preventing the entry of new weeds
- finding, containing and eradicating emerging weeds
- minimising the impacts from weeds that cannot be eradicated.



### 1.3 Why are weeds identified as biosecurity risks?

Weeds harm our economy, environment and community because they:

- reduce the quantity and quality of agricultural, horticultural and forestry products
- outcompete and displace native plants and animals
- clog waterways which prevents boating and water sports, increase the risk of drowning and ruin fishing spots
- harbour pests and diseases
- increase bushfire intensity
- restrict animal access to water sources and shade
- lower the natural beauty and monetary value of the land
- cause injury, allergies, poisoning, and respiratory problems for humans and animals
- impact the mental health of landholders who are affected by weeds
- threaten natural and cultural heritage sites.



Weeds cost NSW agriculture  
\$1.8billion per year  
(NSW Invasive Species Plan)

## 2 - The Biosecurity Act and local government

### 2.1 Key concepts

In NSW, all biosecurity risks including weeds are managed under the *Biosecurity Act 2015* (the Act). The Act came into effect on 1 July 2017 and is supported by the Biosecurity Regulation 2017.

The Act supports a national approach to biosecurity and gives effect to intergovernmental biosecurity agreements. It is underpinned by the concepts of shared responsibility and risk-based decision making.

#### 2.1.1 Shared responsibility

The vision of shared responsibility is: "Government, industry and the people of NSW working together to protect the economy, environment and community from the negative impacts of animal and plant pests, diseases and weeds for the benefit of the people of NSW" (NSW Biosecurity Strategy).

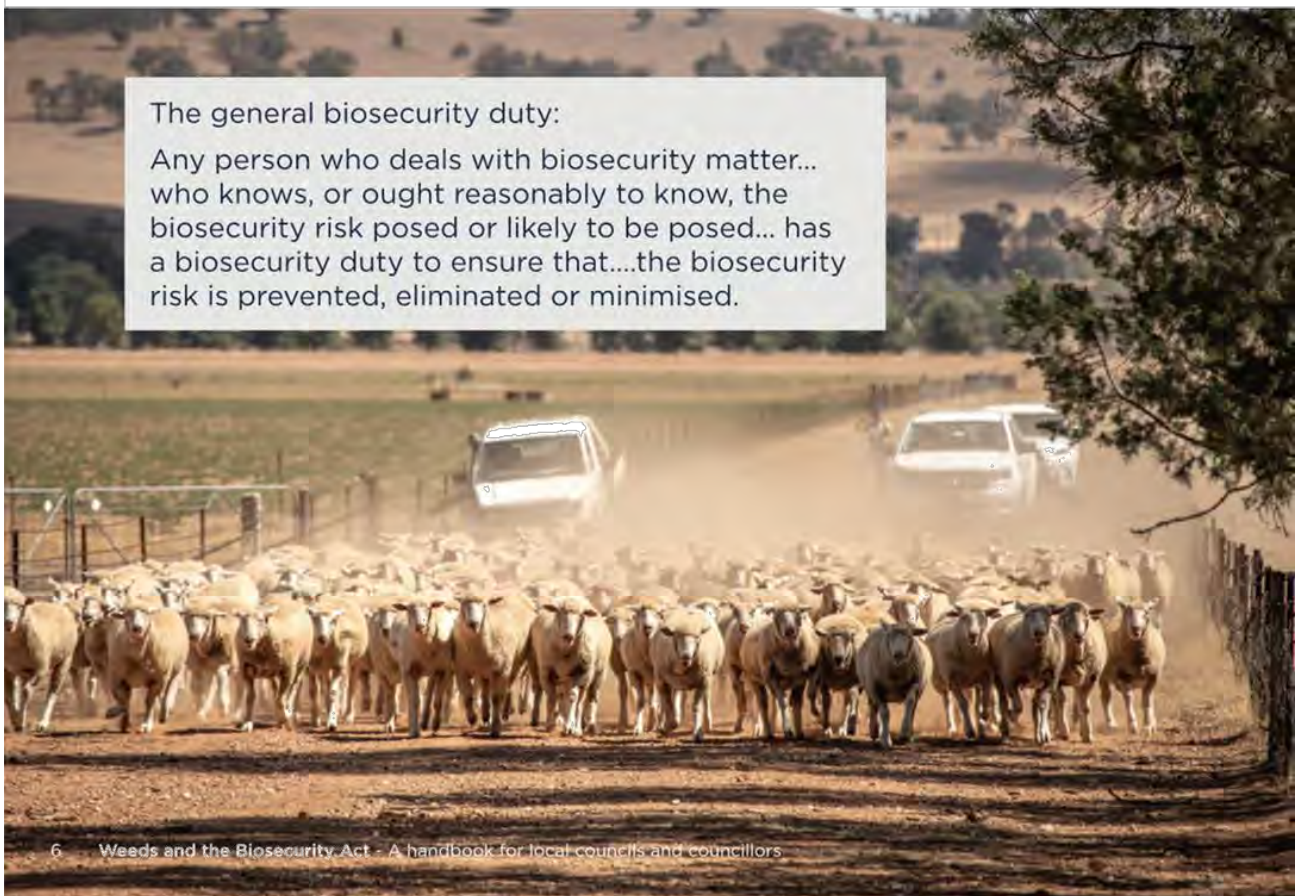
To ensure responsibility is shared across government, community and industry, the Act applies equally to all people and all land in NSW. The Act also applies to all plants in NSW, which are regulated through the general biosecurity duty. All people who deal with plants through their commercial, professional, volunteer, recreational or lifestyle activities have a duty to be aware of the impacts the plants they deal with might have. These people must take action to remove or reduce the likelihood of those impacts occurring.

#### 2.1.2 Risk-based decision making and priority weeds

Weeds are regulated under the Act according to the risk they pose to the environment, community and economy. Weeds that create the highest level of risk are called priority weeds. Management action, investment and compliance effort should be directed toward priority weeds.

The general biosecurity duty:

Any person who deals with biosecurity matter... who knows, or ought reasonably to know, the biosecurity risk posed or likely to be posed... has a biosecurity duty to ensure that....the biosecurity risk is prevented, eliminated or minimised.



6 Weeds and the Biosecurity Act - A handbook for local councils and councillors



**State priority weeds** pose a high risk to the entire state of NSW. Specific legal requirements apply to state priority weeds. They are regulated through:

- Prohibited Matter
- Control Orders
- Biosecurity Zones
- Mandatory Measures

**Regional priority weeds** pose a high risk to particular regions of NSW. Regional priority weeds and the management outcomes that land managers must achieve for those weeds are determined by Regional Weed Committees. The Committees have local government representation - see Section 5.5.

State and regional priority weeds are listed in Regional Strategic Weed Management Plans and in NSW WeedWise. Local councils within a region may prioritise other weeds for management. The NSW Weed Risk Management system is a decision-support tool that can help to determine which weeds are the most important to their local communities.

Risk-based decision-making and weed prioritisation ensure that the weeds management response is:

- reasonably practicable
- matched to the degree of risk posed
- flexible and non-prescriptive

It is guided by the principle that managing new weeds earlier rather than later is the most efficient and cost-effective way to protect local communities, environments and industries from the impacts of weeds in the long-term - see Figure 1.

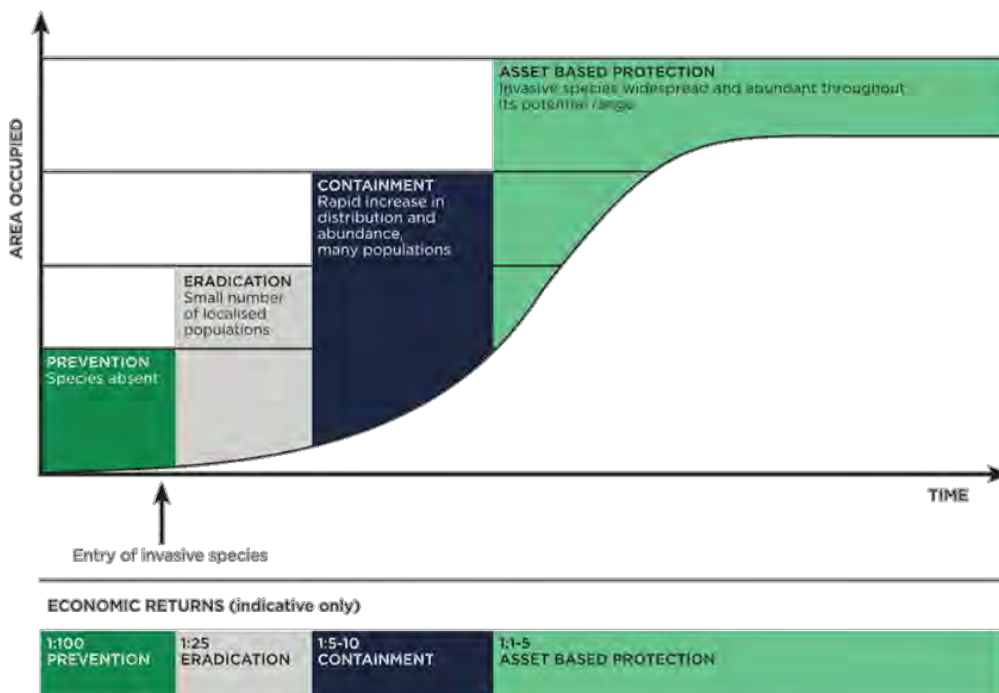


Figure 1: Generalised invasion curve showing actions appropriate to each stage and indicative economic return on investment.

## 2.2 Councils as the local control authorities for weeds

Councils are the local control authorities for weeds under the Act unless that function has been conferred upon a county council or other joint organisation (as defined by the Local Government Act 1993). Local control authorities are responsible for implementing and enforcing compliance with the Biosecurity Act on *all* lands within their areas of operation.

### 2.2.1 Local control authority functions

Local control authorities have the following weed control functions (*section 371*):

- prevent, eliminate, minimise and manage the biosecurity risk posed or likely to be posed by weeds on their lands
- develop, implement, coordinate and review weed control programs
- inspect land in connection with their functions under the Act
- keep records about the exercise of their functions under the Act
- report to the Secretary about the exercise of their functions under the Act.

As the local control authority for weeds under the *Biosecurity Act 2015*, it is the elected council that is ultimately responsible for delivery of these weed control functions.

### 2.2.2 Appointment of authorised officers

For a local control authority to deliver its weed control functions effectively, they must appoint an authorised officer/s under section 372 of the Act.

Only authorised officers can lawfully exercise powers under Part 8 of the Act, including:

- enter all premises
- gather information and evidence
- examine and inspect items
- take, remove and destroy items
- carry out treatment measures
- isolate, confine or detain items.

The role of authorised officers is detailed in *Section 3*.

Under the Act, local control authorities may delegate their functions to their employees. Any employee (such as the General Manager) who appoints authorised officers on behalf of a local control authority must have delegation from the local control authority. There must be a record (captured in writing) of delegating to this person before they can appoint authorised officers. The record can take the form of council meeting minutes or an official document. Alternatively, NSW DPI have developed a delegation template for local control authorities to use.



The Instruments of Appointment and Delegation templates to be used by local control authorities to appoint authorised officers are available on the Weeds Extranet at:  
<https://extranet.dpi.nsw.gov.au>  
 The Weeds Extranet facilitates information and resource sharing for weeds professionals. It is managed by the NSW Department of Primary Industries.

### 2.2.3 Local control authority weeds management programs

Local control authority weeds management programs should:

- have documented policies and procedures in place for inspections, surveillance and enforcement
- inspect and monitor public and private lands strategically and proactively to manage weed risk
- consult and develop partnerships with communities, industries and land managers so that all stakeholders engage in best practice weeds management

- support all staff that influence weed management to acquire and develop skills so that they are suitably trained and authorised to deliver their tasks and statutory functions effectively
- apply the Act systematically in an objective, repeatable manner using a risk-based methodology
- use enforcement fairly, equitably and in a manner appropriate to any identified risks
- collect, evaluate and record information about weeds management in a consistent and repeatable manner
- regularly report weeds management activity at organisational, regional and state scales to the required standard and format
- allocate resources according to risk.

These and other service delivery requirements are identified in the *Standard for Weed Management Capacity in NSW*. The Standard outlines the corporate, policy, procedural and managerial components that local control authorities should have in place to deliver their weed management functions.

The Standard for Weed Management Capacity in NSW is available online at:  
<https://www.dpi.nsw.gov.au/biosecurity/weeds/local-government-responsibility-for-weeds>

The NSW Department of Primary Industries will audit local control authorities against the Standard. If the Department finds that there are gaps in a local control authority program, Department staff will provide support and guidance for the local control authority to reach the standard over a period of time. If this doesn't happen then the local control authority may be referred to the Secretary of the Department. The Secretary may direct the local control authority to exercise their statutory functions or the matter may be escalated further.

### 2.2.4 Funding for local control authorities

The NSW Weeds Action Program is grant funding that may assist local control authorities to deliver some of their weed control functions, where activities address the objectives of the NSW Invasive Species Plan. For example:

- early detection of high-risk weeds through routine inspections and surveillance
- eradication and containment of high-risk weeds through on-ground control
- increasing the capacity of the community to identify, report and manage weeds.

Participation in a regional Weeds Action Program is encouraged because it strengthens weed management outcomes at the regional and cross-regional scale. Local control authorities must resource delivery of their weed control functions regardless of whether they receive grant funding through their regional Weeds Action Program.

### 2.3 Councils as public land managers

Councils are responsible for knowing whether they have weeds on their lands that create a biosecurity risk. They must take action to prevent, eliminate or minimise those risks.

Councils may implement additional ratepayer-funded programs that target common and widespread weeds (e.g. in public reserves and waterways and on roadsides and playing fields). Management of these weeds may not be regulated under the Act if the weeds do not create a biosecurity risk but necessary to meet community needs and expectations or to meet the requirements of other legislation.

As both public land managers and as the local control authority for weeds in their areas of operation, councils have significant statutory responsibilities under the NSW *Biosecurity Act 2015*. "Failure to comply with State and Commonwealth Law and regulations" is capable of having a major impact on councils (NSW Audit Office Risk Management Framework).

Council responsibilities under the NSW *Biosecurity Act 2015* should be addressed in each council's risk register.



10 Weeds and the Biosecurity Act - A handbook for local councils and councillors

### 3 - The role of authorised officers

Staff appointed by their local control authority as authorised officers under the Act must be able to:

- interpret and administer legislation, standards, policies and procedures
- schedule and conduct routine property and site inspections strategically according to risk
- correctly identify weeds
- assess weed risk by applying the NSW Weed Risk Management system
- plan and undertake investigations
- gather, manage and give evidence
- apply statutory tools and take appropriate regulatory enforcement action for breaches of the Biosecurity Act and Regulation
- seek co-operation of landowners in the control of weeds
- manage conflict to achieve successful outcomes
- communicate effectively to ensure people understand their legal responsibilities, the risk posed by weeds and effective methods to mitigate the risk posed by weeds
- plan, implement and monitor weed control activities
- maintain accurate qualitative and quantitative records
- record and submit weeds management data to the NSW Biosecurity Information System each month as per the NSW Weeds Metadata Standard.

Authorised officers may also be responsible for:

- participating in rapid response cross-regional and cross-border exercises to effectively manage weed risk
- conducting weed control activities including chemical application
- participating and representing their organisation in regional weed committees
- contributing to the development of local and regional strategic weed management plans and strategies
- developing policies and procedures to manage weed risk
- developing weed education resources
- planning and delivering weeds awareness and community education events
- coordinating and delivering training
- organising and reviewing the performance of vegetation control contractors
- planning and monitoring the weeds management budget and external grant budgets
- preparing and submitting grant applications
- managing projects.

Due to the nature of the skills that authorised officers require, local control authorities typically appoint staff employed in the following roles as authorised officers:

- Biosecurity/pest officers.
- Natural resource/environmental officers.
- Compliance officers.

Other weeds professionals within council may perform some of the weeds management tasks listed above without being appointed as authorised officers appointed under the Act. They may not exercise the powers in Part 8 of the Act if they are not appointed as authorised officers under the Act.





## 4 – Training

Authorised officers are the face of the council in a range of public and professional forums. They have diverse and often difficult roles (see Section 3) and should be suitably trained to deliver their tasks effectively and meet any associated challenges. Training improves the capability of the local government workforce to meet the changing demands of the modern biosecurity environment.



Accredited and non-accredited training courses are available for weeds biosecurity officers. Accredited training is linked to nationally recognised qualifications under the Australian Qualifications Framework (AQF). These courses are associated with a competency unit and code. Non-accredited training can provide specialised content that does not lead to a formal qualification. Both modes of training are needed to develop skills and awareness that assist weeds biosecurity officers to implement effective weed management programs.

NSW Department of Primary Industries staff facilitate the development and delivery of this training through the Weeds Training Program. The NSW DPI Weeds Training Program has dedicated staff available to assist local control authorities achieve their staff training needs.

### 4.1 The NSW DPI Weeds Training Program

The Program provides three areas of training:

#### 4.1a Weeds Biosecurity Officer Induction

To help recently employed weeds biosecurity officers settle into their new role, a one day face-to-face workshop introduces key documents, systems and processes to assist officers to undertake their functions and to develop relevant training pathways. In addition to this, support networks are developed among peers, DPI and LLS to strengthen understanding of how their work at the local council level contributes to the wider management of weeds in NSW.

#### 4.1b NSW Biosecurity Legislation training for authorised officers

Before weeds biosecurity officers in local control authorities can be appointed as authorised officers under the Act, they must complete the 11 introductory biosecurity legislation modules available through the online Emergency Management learning and development program known as EMtrain.

All local council staff are welcome to complete introductory biosecurity legislation modules available online through EMtrain at:

[www.dpi.nsw.gov.au/emergencies/emergency/management/training](http://www.dpi.nsw.gov.au/emergencies/emergency/management/training)

Modules 1-10 summarise the key elements of the Act and Module 11 is specific about application of the Act to weed management scenarios.

After the 11 modules are completed, authorised officers can participate in whole day workshops that take a more in depth look at some of the module content. The Phase 1 Introduction Workshop consolidates the learning of the on-line course and provides an opportunity to work through practical applications of the Act. The Phase 2 Management Tools Workshop teaches participants when and how to apply biosecurity undertakings, biosecurity directions and biosecurity permits in compliance, investigation, and enforcement scenarios. Information and registration details for these courses can also be accessed through EMtrain.

#### 4.1c Skills Training for Weeds Biosecurity Officers

The NSW DPI Weeds Training Program and Tocal College provide additional short courses, often tailored for weeds professionals to support, develop and reinforce skills such as weed identification, weed control, machinery hygiene and working with people. The range of short courses delivered regionally throughout NSW can be found on the NSW Department of Primary Industries Weeds Extranet.

## 4.2 Further training to assist application of regulatory powers

It is recommended that authorised officers also complete:

- Compliance and Regulatory training for Biosecurity Officers authorised under the Biosecurity Act 2015 including units that form part of the Certificate IV in Government Investigations. (3 and 5-day courses are available. Contact [invasives.training@dpi.nsw.gov.au](mailto:invasives.training@dpi.nsw.gov.au)).
- Training on how to correctly issue Penalty Infringement Notices under the Self Enforcement Infringement Notice Scheme. No fee applies. Contact: [BusinessPartners@revenue.nsw.gov.au](mailto:BusinessPartners@revenue.nsw.gov.au)

## 4.3 Qualifications for Weeds Biosecurity Officers

### 4.3a Weed Biosecurity Essentials Industry Certificate

Officers that complete the eleven EMtrain modules along with several short courses can earn the Weed Biosecurity Essentials Industry Certificate. This is a part qualification that connects accredited and non-accredited training to promote an industry benchmark of core skills for Weeds Biosecurity Officers in NSW. From here, a pathway to formal qualification may be the next step.

### 4.3b Nationally recognised qualifications

Experienced officers can pursue formal accreditation by consolidating their training and existing skills through Recognition of Prior learning (RPL).

National qualifications that can be achieved through RPL pathways relevant to the weed management industry include:

- Certificate III in Conservation and Ecosystem Management (weed management specialisation).
- Certificate IV in Conservation and Ecosystem Management.
- Diploma of Conservation and Ecosystem Management.





## 5 - Other stakeholders in NSW weeds management

A number of key stakeholders support local government efforts to manage weeds. The relationship between them is shown in Figure 2.

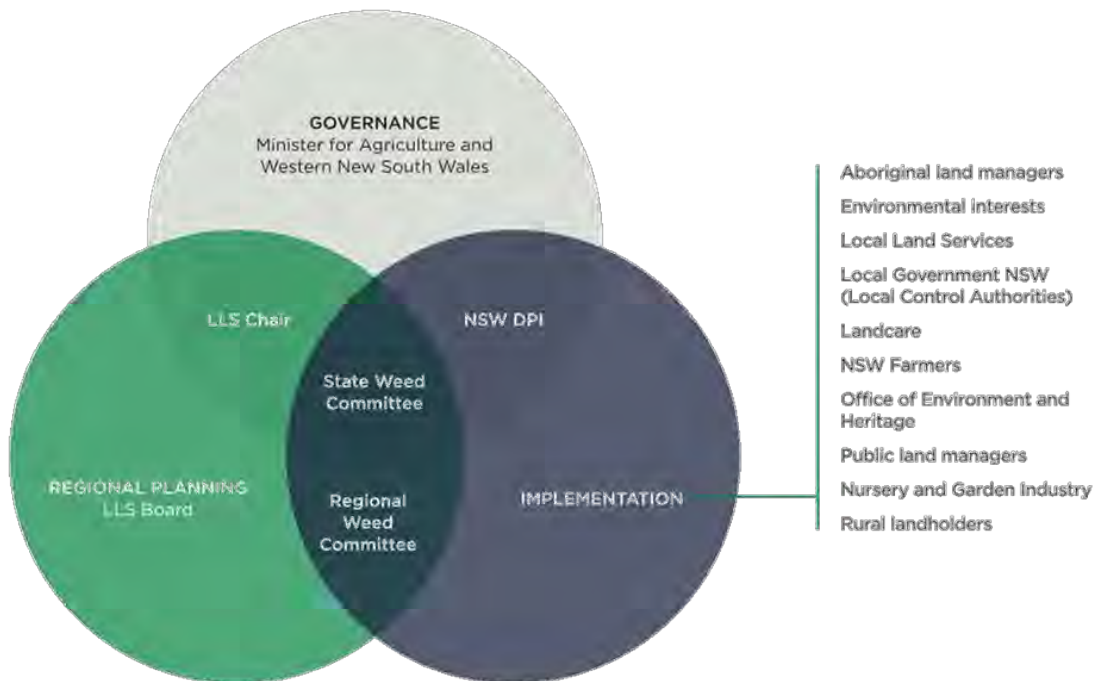


Figure 2: The relationship between weed management stakeholders in NSW

### 5.1 The Minister

The Minister for Agriculture and Western NSW is responsible for:

- administration of the *Biosecurity Act 2015*
- determinations of state priority weeds
- annual allocation of NSW Weeds Action Program funding.

### 5.2 State Weed Committee

The State Weed Committee is accountable for:

- advising on regional and state weed management policy and strategy
- overseeing the implementation of the weeds component of the NSW Invasive Species Plan
- overseeing the implementation of, and reporting on, the NSW Government endorsed recommendations from the NSW Weed Review
- undertaking transparent, evidence-based evaluations of weed declarations
- developing and communicating service delivery standards for NSW weeds management
- establishing priorities for grant projects and evaluating performance of the Weed Action Program
- commissioning audits of DPI, LLS and local control authorities weed functions where appropriate
- commissioning audits of Weed Action Program lead organisations where appropriate
- providing a forum for information from Regional Weeds Committees
- evaluating the performance of Regional Weeds Committees

- promoting best practice in strategy development and planning for weed control
- undertaking timely communication with member organisations, and
- developing a 3 year action plan to guide the Committee.

The organisations that are invited to nominate representatives on the Committee include:

- NSW Department of Primary Industries
- National Parks and Wildlife Service
- Nursery and Garden Industry NSW & ACT
- Local Government NSW
- NSW Weeds Officers Association
- NSW Farmers Association
- Local Land Services
- Nature Conservation Council of NSW
- NSW Crown Lands

The Minister may appoint representatives from other organisations from time to time. Committee members are expected to inform their organisations about developments and issues concerning weeds and to publicise weed issues.

### 5.3 NSW Department of Primary Industries

NSW Department of Primary Industries supports weeds management in NSW by:

- managing updates and amendments to the *Biosecurity Act 2015*
- leading the response to new incursions of state priority weeds and nationally significant weeds
- leading and administering the NSW Weeds Action Program
- managing the NSW Weeds Information Database, which provides information about over 300 weeds for the NSW WeedWise website and app
- managing the Weeds Extranet, which facilitates information and resource sharing for weeds professionals in NSW and interstate
- providing extension, education and training services
- developing non-regulatory approaches and incentives
- conducting weeds research and collaborating with other researchers
- providing biological control services
- capturing state-wide weeds data through the Biosecurity Information System - Weeds
- resourcing the NSW DPI Biosecurity Helpline
- developing policies and guidelines to support the work of the State Weed Committee.

### 5.4 Local Land Services

Each of the 11 Local Land Services:

- has established and administers a Regional Weed Committee
- employ or contract a Regional Weeds Coordinator to assist with regional planning, facilitation and coordinating obligations - see *Section 6* for contact details
- facilitates the management of NSW Weeds Action Program regional sub-programs
- monitors responses to new incursions of regional priority weeds
- coordinates local council input into Regional Strategic Weed Management Plans to ensure they are engaged and represented in weeds management planning.



### 5.5 Regional Weed Committees

Each of the 11 Local Land Services regions has a Regional Weed Committee. The Regional Weed Committees are local community advisory groups under *Section 33* of the *Local Land Services Act 2013*. They are made up of community, industry and government stakeholders that contribute to regional weeds management decision making. There are local government representatives on each committee – typically local control authority authorised officers.

The purpose of each Regional Weed Committee is to:

- develop, review and update Regional Strategic Weed Management Plans
- monitor and evaluate implementation of Regional Strategic Weed Management Plans
- make recommendations to Local Land Service boards on weeds management
- support local land services with the allocation of regional Weeds Action Program funds
- provide regional oversight and peer review of regional Weeds Action Program progress
- seek and support partnerships and investments to enhance regional weeds management
- provide tenure-neutral strategic planning and coordination of weeds management activities at the regional level
- refer weeds policy issues to the State Weed Committee
- support the State Weed Committee in the implementation of performance standards.



Regional Strategic Weed Management Plans provide the basis for a cooperative and coordinated approach to weed management in the regions. Regional Weed Committees undertake a collaborative assessment process before including a weed as a 'regional priority weed'.

Each Regional Weed Committee has produced a regional:

- Monitoring, Evaluation, Reporting and Improvement Plan
- Weed Communications Strategy
- Regional Inspection Plan (identifying high-risk pathways and sites, and rapid response procedures)

Local councils can use these documents to guide local weeds programs. They are available from each region's Regional Weed Coordinator - see *Section 6*

### 5.6 Land managers

The Biosecurity Act applies equally to all land whether publicly or privately owned. All occupiers of land are required to manage weeds according to their General Biosecurity Duty and any legislated requirements identified in the Act or the Regulation - see *Section 2.1*.

DPI has developed a policy that clarifies the roles and responsibilities of agencies that enforce, administer or execute the *Biosecurity Act 2015*  
[https://www.dpi.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0005/722840/Weed-Management-in-NSW.pdf](https://www.dpi.nsw.gov.au/__data/assets/pdf_file/0005/722840/Weed-Management-in-NSW.pdf)

## 6 - Additional information

The following is a list of contacts for further information on weed management.

### Plant identification

Botanical Information Service  
National Herbarium of NSW

T: (02) 9231 8111  
E: botanical.is@rbgsyd.nsw.gov.au  
A: Royal Botanic Gardens and Domain Trust,  
Mrs Macquaries Road Sydney NSW 2000

### Weed enquiries and reporting prohibited matter

Weed enquiries

T: 1800 680 244  
E: weeds@dpi.nsw.gov.au

### Weeds training

Weeds Training Coordinator

E: invasives.training@dpi.nsw.gov.au

Tocal Skills Training

T: 1800 025 520  
E: tocal.college@dpi.nsw.gov.au  
W:www.tocalskillstraining.com.au

TAFE NSW

T: 131 601 (within NSW)  
W:www.tafensw.edu.au/

Local Government NSW  
Learning Solutions

T: (02) 9242 4081  
E: learning@lgnsw.org.au  
W:www.lgnsw.org.au

### Weeds information

Weeds extranet

W:<https://extranet.dpi.nsw.gov.au/weeds>

NSW WeedWise

T: 02 6626 1268  
E: weed.resource@dpi.nsw.gov.au  
W:[weeds.dpi.nsw.gov.au/](https://weeds.dpi.nsw.gov.au/) or download the NSW WeedWise app

### Industry associations

NSW Weeds Officers  
Association Inc.

President - Doug Campbell  
T: 0408 683 490  
E: admin@uhwa.org.au

The Weed Society of NSW

E: secretary@nswweedsoc.org.au  
W:<http://www.nswweedsoc.org.au>

### NSW Weeds Action Program and Biosecurity Information System

Weeds Biosecurity Programs

T: 02 6391 3100  
E: weeds@dpi.nsw.gov.au  
A: NSW DPI Head Office 105 Prince St ORANGE NSW 2800

### Regional Weed Coordinators

Region	Regional Weed Coordinator	
Central Tablelands	T: 1300 795 299	E: admin.ct@lls.nsw.gov.au
Central West	T: 1300 795 299	E: admin.centralwest@lls.nsw.gov.au
Greater Sydney	T: 1300 795 299	E: gs.service@lls.nsw.gov.au
Hunter	T: 1300 795 299	E: admin.hunter@lls.nsw.gov.au
Murray	T: 1300 795 299	E: land.murray@lls.nsw.gov.au
North Coast	T: 1300 795 299	E: land.northcoast@lls.nsw.gov.au
North West	T: 1300 795 299	E: admin.northwest@lls.nsw.gov.au
Northern Tablelands	T: 1300 795 299	E: enquiry.northerntablelands@lls.nsw.gov.au
Riverina	T: 1300 795 299	E: admin.riverina@lls.nsw.gov.au
South East	T: 1300 795 299	E: enquiry.southeast@lls.nsw.gov.au
Western	T: 1300 795 299	E: admin.western@lls.nsw.gov.au

Or visit <https://www.lls.nsw.gov.au/i-want-to/contact-my-local-office> to find out how to contact your local office.

### Useful websites

Biosecurity - Department of Agriculture (Commonwealth)	<a href="http://www.agriculture.gov.au/biosecurity">www.agriculture.gov.au/biosecurity</a>
Biosecurity - NSW Department of Primary Industries	<a href="http://dpi.nsw.gov.au/biosecurity">dpi.nsw.gov.au/biosecurity</a>
Council of Australasian Weed Science Societies	<a href="http://caws.org.nz">caws.org.nz</a>
Weeds Australia	<a href="http://www.weeds.ala.org.au">www.weeds.ala.org.au</a>
Australasian Legal Information Institute	<a href="http://www.austlii.edu.au">www.austlii.edu.au</a>
Australian Centre for Environmental and Financial Compliance	<a href="http://www.acfec.edu.au">www.acfec.edu.au</a>
Australian Pesticides and Veterinary Medicines Authority	<a href="http://www.apvma.gov.au">www.apvma.gov.au</a>
Community Justice Centres	<a href="http://www.cjc.justice.nsw.gov.au">www.cjc.justice.nsw.gov.au</a>



**14.3 DEVELOPMENT APPROVAL - PROPOSED RESIDENTIAL SUBDIVISION**

**1. Introduction**

The purpose of this report is for Council to approve a development application for a proposed thirty-three lot Torrens Title residential subdivision on Hoskins Street in Nyngan, subject to the conditions of consent in Attachment 1.

The following details are relevant to the application:

<b>Date of lodgement:</b>	29 August 2024
<b>Development Application Number:</b>	DA2024/018
<b>Applicant:</b>	Bogan Shire Council
<b>Owner:</b>	Bogan Shire Council
<b>Land:</b>	Lots 4 and 5 Section 11 DP 758803
<b>Date of public exhibition:</b>	17 October 2024 – 14 November 2024
<b>Number of submissions received:</b>	one

**2. Background**

As the proposed development is “council-related development”, that is, the Council is the applicant, consent authority and the regulator for the development, an external consultant has undertaken the assessment of the application, in order for Council to manage any perceived conflicts of interest. For this reason, the determination of the development application should be made by the full Council and not under delegated authority.

The site is located on the southern side of Nyngan within the existing residential footprint and approximately 900m from the central business district of the town. It has a combined area of 3.6ha with a frontage of 143m to Hoskins Street, 211m to Oxley Street, 193m to Oatley Street and 228m to an unformed extension of Derrybong Street.

The site is flat, with scattered native vegetation. It is bound by roads on all sides, with the Nyngan Showground to the east, low density residential development to the west, residential development to the north, and vacant residential land to the south. The site location is shown in Figure 1.

The development is considered to be a low-risk for a conflict of interest as:

- It has limited commercial interest in the development as the cost of developing each lot will potentially outweigh the value of each lot.
- The development is not highly controversial to the community as it will have a beneficial social impact.
- There are no individual councillors with any conflict of interest.
- The development is of a value less than \$2million.



Figure 1: Site location. Source: ePlanning Spatial Viewer October 2024

**Description of Proposed Development**

The applicant is seeking approval for a thirty-three lot Torrens Title residential subdivision, including all required civil works, to be delivered in two stages:

**Stage 1:** Lots 1 to 26 and Lots 32 and 33. All required civil works.

**Stage 2:** Lots 27 to 31.

The lots range in size from 660.5m<sup>2</sup> to 2,674.9m<sup>2</sup>. The largest lot, on the corner of Oxley Street and Derrybong Street (Lot 33), will include a sewer pump station and will be retained in Council ownership. Lots 27 to 31 will be delivered as stage 2 of the development when funds become available to upgrade the unformed section of Derrybong Street.

The original plans lodged with the development application showed Lot 33 providing a drainage reserve. During the development assessment process, it was determined that the drainage reserve was not required, as all lots will drain to the Council roadside drainage system. The plans were amended, and Lot 33 is only shown to include the proposed sewer infrastructure. The development plans are included in Attachment 2.

The proposed development will include the construction of a new north-south public road located within the centre of the site, together with an extension of water and electricity infrastructure as well as a new sewer pump station and rising main.



The land is in the ownership of Bogan Shire Council. Funding for the development of the land has been provided by the NSW Government's Department of Regional NSW *Resources for Regions Regional Growth Fund* which provides funds to Local Councils for new infrastructure and community projects that support economic and social prosperity. The program aims to support the ongoing prosperity of mining communities in regional NSW by providing economic opportunities, improved amenity and positive social outcomes.

The successful project was for lead-in infrastructure for the residential subdivision of the land as the cost of lead-in infrastructure has been identified as a barrier to development of residential land in the Shire. The total funds of \$1,676,584 were awarded to Council on 9 June 2022. The funds will contribute to delivery of the lead-in infrastructure, though Council will also be required to make a contribution to fully fund the delivery of the development.

A Statement of Environmental Effects (SEE) was prepared by an external consultant to assess the potential impacts of the proposed development on the natural and built environments. That SEE is available from Council on request.

### **3. Discussion**

#### ***Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999***

Under the EPBC Act, a referral is required to the Australian Government for proposed actions that have the potential to significantly impact on Matters of National Environmental Significance. This includes impacts to threatened species, communities and migratory species listed under the EPBC Act. These are considered in Section 5.7.2 of the Biodiversity Development Assessment Report, which is available from Council on request.

The assessment of the proposal's impact found that there is unlikely to be a significant impact on relevant matters of national environmental significance or on Commonwealth land. Accordingly, the proposal has not been referred to the Australian Government Department of the Environment under the EPBC Act.

#### ***Biodiversity Conservation (BC) Act 2016***

The BC Act, together with the *Biodiversity Conservation Regulation 2017*, outlines the framework for addressing impacts on biodiversity from development and clearing. It establishes a framework to avoid, minimise and offset impacts on biodiversity from development through the Biodiversity Offsets Scheme (BOS). Thresholds for entry into the scheme are:

- whether the impacts occur on an area mapped on the Biodiversity Values map published by the Minister for the Environment; or
- whether the amount of native vegetation being cleared exceeds a threshold area; or
- whether the proposal would have a significant impact on threatened communities or species – determined by the “5-part test”.

The site is not impacted by mapped biodiversity values, with the nearest values occurring approximately 1600 metres to the west of the site, identified as 'biodiverse riparian land'.

The associated threshold for entry into the BOS is 0.25 hectares. The proposal exceeds this threshold, and subsequently biodiversity impacts related to the proposal are to be assessed in accordance with the Biodiversity Assessment Method (BAM) and documented in a Biodiversity Development Assessment Report (BDAR). A BDAR has been prepared by an accredited assessor (BC Act, S.6.10) and includes information in the form detailed in the BC Act (S.6.12), BC Regulation (S.6.8) and the BAM 2020.

The BDAR notes that a small number of ecosystem credits are required to offset the proposal. The requirement for offset credits has been included in the conditions of consent in Attachment 1.

### ***Rural Fires (RF) Act 1997***

Subdivision of land that could lawfully permit residential purposes, within a bush fire prone area requires a Bush Fire Safety Authority (BFSA) to be obtained from the NSW Rural Fire Service (RFS) under section 100B of the RF Act. Clause 45 of the *Rural Fires Regulation 2022* specifies the requirements for any application for a BFSA. These requirements have been addressed within the Bushfire Assessment which is available from Council on request.

The entire site is designated as bushfire prone land 'Category 3 vegetation' as shown in Figure 2 below.



Figure 2: Bush fire prone land mapping. Source: Integrated Consulting October 2024.

The Bushfire Assessment demonstrates that the site is suitable for future residential development as it can achieve the requirements of *Planning for Bushfire Protection (PBP) 2019*. As the specific location of the future dwellings are not known, any future dwellings will be separately required to demonstrate compliance with PBP at the time the DA is lodged for the dwelling.

A BFSA has been issued by the RFS and their general terms of approval (GTAs) are included in the conditions of consent in Attachment 1. The BFSA and general terms of approval in their entirety are included in the report.

### ***Environmental Planning and Assessment (EP&A) Act 1979***

Under Section 4.15 of the EP&A Act a consent authority (the Council), when determining a development application, “*is to take into consideration such of the following matters as are of relevance to the development the subject of the development application*”.

The relevant matters for consideration are documented in this report.

### ***4.15 (1)(a)(i) the provisions of any environmental planning instrument***

#### **State Environmental Planning Policies**

#### ***State Environmental Planning Policy (Resilience and Hazards) 2021***

#### **Chapter 4 – Remediation of Land**

A Preliminary Site Contamination Investigation (PSCI) was prepared for the development application and is included in a Contamination Report which is available from Council on request.

The site has historically been used for grazing and is currently vacant. No evidence of mines, sheep dips or mixing sheds were identified on the site. A small stockpile of grey, sandy gravel was located on site, though no foreign materials were observed in the stockpile. Low levels of heavy metals near environmental background levels and below adopted thresholds for human health and the environment were detected in some soil samples collected from the site and the stockpile. Although hydrocarbons and copper were detected on the site, these were also below adopted thresholds.

No elevated levels of potential contaminants were detected across the site and no further contamination investigations are required. Relevant conditions of consent have been included in Attachment 1 to manage any unexpected finds.

*State Environmental Planning Policy (Transport and Infrastructure) 2021*

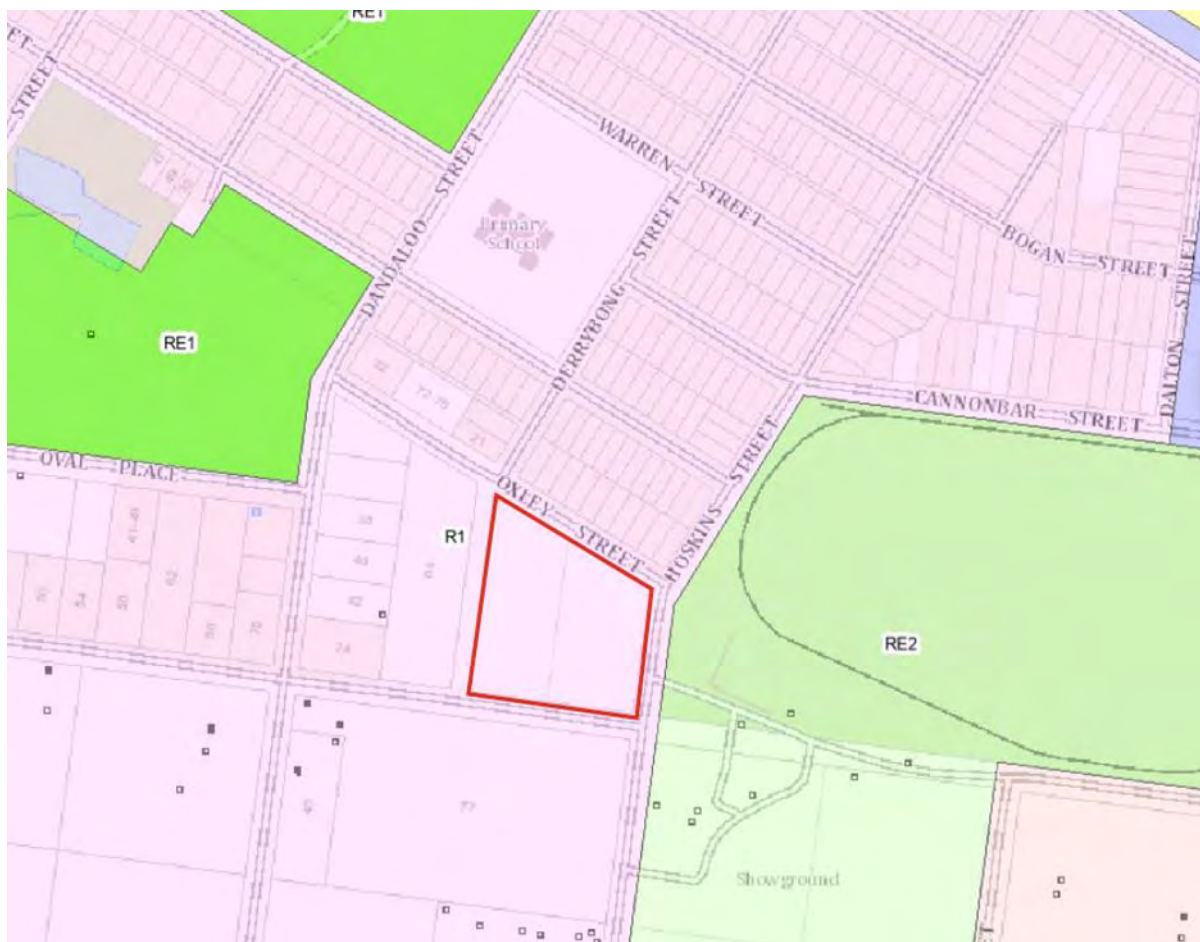
Subdivision 2 Development likely to affect an electricity transmission or distribution network

In accordance with Section 2.48 prior to granting consent for an application which may affect an electricity network, the consent authority must give written notice to the electricity supply authority and take into consideration any advice received.

The application was referred to Essential Energy for comment and a response was received noting that the application was supported subject to general terms of approval (GTAs). All GTAs have been included in the conditions of consent in Attachment 1.

**Bogan Local Environmental Plan 2011**

The site is located in the R1 General Residential zone as shown in Figure 3 below.



*Figure 3: Land use zoning. Source: ePlanning Spatial Viewer October 2024.*

The objectives of the R1 zone are:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposed subdivision is consistent with the objectives of the zone as it will facilitate the development of land for housing.

#### *Part 4: Principal development standards*

There are no principal development standards applying to the site.

#### *Part 7: Additional local provisions*

7.1 Earthworks: The objectives of this clause are:

*(a) to ensure that earthworks...will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,*

*(b) to allow earthworks of a minor nature without requiring a separate development consent.*

The proposed earthworks are ancillary to the development of the land for a residential subdivision. The potential impacts of the earthworks have been considered in the development application and conditions of consent included in Attachment 1 to manage any potential erosion and sedimentation impacts.

7.3 Stormwater management: The objectives of this clause are:

(1) to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining downstream properties, native bushland and receiving waters.

(2) This clause applies to all land in residential and employment zones. A stormwater management plan has been lodged with the application and is included in Attachment 2. The lots will drain to Council's roadside drainage system. Consideration of stormwater re-use will occur when applications are lodged for dwellings.

It is unlikely that there would be any significant impacts on receiving environments from site stormwater runoff.

7.9 Essential services: The clause states that development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

- (a) the supply of water,*
- (b) the supply of electricity,*
- (c) the disposal and management of sewage,*
- (d) stormwater drainage or on-site conservation,*

(e) *suitable road access.*

The site is capable of being serviced. Conditions have been included on the consent in Attachment 1 to ensure that essential services will be made available.

**4.15 (1)(a)(ii) the provisions of any draft environmental planning instrument**

No draft environmental planning instrument is applicable to the proposed development.

**4.15 (1)(a)(iii) any development control plan**

The Bogan Shire Council Development Control Plan 2012 applies to the proposed development. The proposal complies with the relevant performance criteria:

Performance Criteria	Assessment
Servicing Strategy <ul style="list-style-type: none"> <li>• Sewer</li> <li>• Water</li> <li>• Stormwater drainage</li> <li>• Telecommunications</li> <li>• Electricity</li> </ul>	Services are required to be extended to service the proposed development. A servicing strategy has been lodged with the development application demonstrating that the lots are capable of being serviced.  The land will be graded to drain to Council’s roadside stormwater drainage system.
Lot size	There is no minimum lot size applying to the site. Each lot has been appropriately sized to have a generous frontage to accommodate a driveway, and each lot is capable of accommodating residential development.
Road network design	The proposed road construction will comply with the relevant guidelines and standards.
Landscaping	A landscape plan will be required to be lodged with the subdivision works certificate.
Site access	Each lot will have access from a public road.
Lot orientation	Lots have been orientated to provide suitable solar access.
Open space	Lot sizes allow for suitable private open space for future dwellings.
Vegetation	Tree clearing will be limited to only that required for construction of the subdivision.
Garbage collection	All lots have frontage to a public road, which will allow for adequate garbage collection.
Contamination	A PSCI has been prepared for the site. The site is suitable for residential uses.
Road widths	The proposed road has been designed to comply with the relevant standards.

**4.15 (1)(a)(iiia) any planning agreement or any draft planning agreement**

No planning agreements are applicable to the proposed development.

**4.15 (1)(a)(iv) any matters prescribed by the regulations**

There are no provisions relevant to the proposed development.

**4.15 (1)(b) the likely impacts of that development****Context and Setting**

The applicant proposes to subdivide land for residential purposes, within an existing residential area in a residential zone. The site adjoins dwellings and / or other residential lands in the area and is located close to the Nyngan Showground to provide good access to open space. The CBD is less than 1km from the proposed development, and local schools and civic services are within walking distance. Lot sizes are variable and are consistent with the surrounding residential pattern.

The context and setting of the proposed development is appropriate.

**Site Design and Internal Layout**

The lots have been designed with generous frontages to allow driveway access. Lot orientation will allow good solar access for future dwellings and lot sizes will allow generous private open space and setbacks to ensure high levels of amenity for future residents.

The lots have been designed at various sizes to encourage a variety of residential development, including single dwellings, dual occupancies and townhouses.

The site design and internal layout is appropriate.

**Access, Transport and Traffic**

Vehicular access to each lot will be provided from a public road, including a new road that will connect Oxley and Oatley Streets. The lots proposed to be developed in stage 2 will have access via an extension of Derrybong Street, when funds become available.

The proposed new road will have a bitumen sealed pavement of not less than 9m in width and will be wide enough for on-street parking without impeding through traffic.

As the proposal is only to deliver thirty-three lots, the proposed development is unlikely to have any detrimental impacts on traffic numbers or the surrounding road network.

**Services**

A reticulated sewer network will connect all of the lots to a collection and pumping station in the north-western corner of the site in a lot to be retained in Council's ownership until such time that the lot is additionally subdivided (subject to a separate development application). All lots will be serviced with reticulated water via an extension to Council's reticulated water supply system. Electricity will be supplied to all lots from the existing overhead power supply via an extension along the proposed new central road. Stormwater will drain to Council's roadside drainage system.

## **Biodiversity**

The vegetation occurring within the site is most consistent with Plant Community Type (PCT) 37 - *Black Box Woodland on NSW central and northern floodplains*.

PCT 37 is associated with the Endangered Ecological Community (EEC) *Coolibah-Black Box Woodland in the Darling Riverine Plains, Brigalow Belt South, Cobar Peneplain and Mulga Lands Bioregions* listed under the BC Act. The patches of remnant woodland within the site are consistent with the EEC listing and whilst the remaining areas are highly modified and lack a native tree or shrub component, these areas may be representative of a highly disturbed example of this EEC as listed under the BC Act. Accordingly, mitigation measures have been included in the conditions of consent in Attachment 1 and ecosystem credits will be required to be paid to offset the proposal.

## **Heritage**

An assessment of the site has been undertaken by the Nyngan Local Aboriginal Land Council and is included in the SEE. The survey identified no Aboriginal artefacts or areas of archaeological sensitivity; however recommendations were made to retain native vegetation.

The site is not included on Council's heritage mapping and is not located in close proximity to any mapped heritage sites or areas.

No heritage impacts are likely as a result of the proposal.

## **Natural Hazards**

The site is mapped as bush fire prone. Provided that the RFS general terms of approval are adhered to, it is unlikely that bushfire would pose an unacceptable risk to future occupants of dwellings on the lots.

The land is located inside the Nyngan flood levee and is not mapped as flood prone.

There are unlikely to be any unacceptable impacts from natural hazards.

## **Safety and Security**

All proposed lots will have adequate frontage to a public road which will allow for adequate passive surveillance over future residential development on the site. The lot layout complies with the objectives of *Safer by Design* and the development is unlikely to exacerbate crime risk in the area.

## **Construction Impacts**

During the construction of the subdivision there is likely to be a minor loss of amenity through increased noise, vehicle fumes and dust. These are likely to be minimal and short in duration. Conditions have been included on the consent to minimise potential construction impacts.



**Socio-economic Impacts**

The Bogan Shire local government area has a shortage of affordable, high-quality housing. This has a detrimental impact on the liveability of the Shire and an indirect effect on employment and the wellbeing of the community. In the current economic climate, land development profits in the area are marginal and residential land is often slow to be released due to the costs associated with lead-in infrastructure. The proposed development would be likely to have a positive socio-economic impact on the local area as it will provide residential land to address the housing shortage and affordability.

**4.15 (1)(c) the suitability of the site for the development**

The site is located within the existing residential footprint of Nyngan and can be readily serviced with minor extensions of existing infrastructure. It is located within walking distance of schools and the central business district and has good access to areas of open space.

Although the site has some biodiversity values, these are limited and can be offset.

The site is mapped as bush fire prone, however with the implementation of the RFS general terms of approval, bush fire risk can be managed. The site is not prone to any other known natural hazards.

The site is suitable for the proposed development.

**4.15 (1)(d) any submissions made in accordance with this Act or the Regulations**

One objection was received during the exhibition period. See **Attachment 3**.

The issues raised in that objection are summarised below.

Issue	Response
The development of a site for 33 residential lots, that was proposed to be a pound, seems excessive.	It is likely that the amenity and disruption associated with the use of the site for a Council pound would have been greater than the use of the site for residential purposes.
Building 33 homes will invade our privacy by having homes facing our backyard.	All future dwellings will be required to comply with the Bogan LEP and DCP to address setbacks and preserve privacy.
There will be a major increase to traffic which will disrupt our peace and quiet.	It is not expected that development of an additional 33 residential lots would have adverse traffic impacts as most roads in the Shire operate well below capacity and at a good level of service.

<p>What infrastructure is proposed regarding sewage, water, power and roads?</p>	<p>The subdivision plans include the proposed servicing layout. The lots can be adequately serviced by all essential infrastructure.</p>
<p>Will the road named Derrybong Street be sealed and have kerb and guttering?</p>	<p>At this time Council does not have the funds available to upgrade the unformed section of Derrybong Street.</p>
<p>Are footpaths proposed on the side of our fenceline?</p>	<p>No additional footpaths are shown on the plans.</p>
<p>Are streetlights proposed for the lane? If so, where will they be located and how many? How close will the infrastructure be to our fenceline?</p>	<p>It is assumed this refers to the unformed part of Derrybong Street. It is not proposed to develop Derrybong Street at this time.</p>
<p>Are restrictions proposed on the types of houses being built.</p>	<p>There are no restrictions proposed on the types of houses that can be built on the lots.</p>
<p>What type of fencing is proposed?</p>	<p>The type of fencing on the lots will be considered when development applications are lodged for dwellings.</p>
<p>What plans are there to plant trees on the nature strip?</p>	<p>There are no landscape plantings proposed for this development.</p>
<p>The proposed subdivision is not in line with current blocks in the area. The blocks will be smaller and congested. Council should reduce the number of blocks to 6 or 8.</p>	<p>Reducing the number of blocks to 8 is not economically feasible and does not address the residential housing shortage. A range of lot sizes has been proposed on the site to cater for a diversity of residents and dwelling types. Lot sizes are consistent with residential lot sizes in Nyngan and the lots are capable of providing sufficient room for required setbacks, generous private open space, driveways and ancillary infrastructure such as pools and sheds etc.</p>

**4.15 (1)(e) the public interest**

The proposed development will create an additional thirty-three residential lots (and one service lot) in Nyngan, where there is an identified housing shortage. The proposed development will contribute to the liveability and wellbeing of the local community, allowing residential growth in an area located in good proximity to open space, schools, civic services and shops.

Approval of the development is in the public interest.

**4. Attachments**

1. Notice of Determination
2. Development Plans
3. Redacted Submission

**5. Recommendation**

That Development Application DA2024/018 for a thirty-three lot residential subdivision be approved, subject to the conditions of consent in Attachment 1.



*“Comfortable Country Living”*

**Date:**

**Bogan Shire Council  
PO BOX 221  
NYNGAN NSW 2825**

**Notice of Determination of Development Application  
Section 4.18(1)(a), Environmental Planning and Assessment Act 1979**

**Land to which Notice refers: Lots 4 and 5 Section 11 DP 758803, Hoskins Street  
NYNGAN NSW 2825**

**Proposed Development: Subdivision of Land**

The application submitted by you for approval to undertake the development described above, has been approved by Council.

The application has been determined as a conditional consent subject to compliance with the conditions attached to this Notice of Determination and adherence to the requirements of the *Environmental Planning and Assessment Act 1979* and Regulation thereunder.

**Development Application Number: DA2024/018**

**Determination Date: XXXX**

**Operation of Consent Date: XXX**

**Consent Expiry Date: XXX**

**Note:** Such consent will not lapse once the proposed development is physically commenced before the date the consent would otherwise lapse, except where a specific condition of consent limits the duration of consent.

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Address all  
communications to:  
The General Manager  
PO Box 221

Council Chambers  
81 Cobar Street  
Nyngan  
New South Wales

**DA No. 2024/018**

**GENERAL CONDITIONS**

**1. Approved plans and supporting documentation**

The Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Document Title	Prepared By	Dated
Statement of Environmental Effects. Thirty-three Lot Subdivision – Hoskins Street Nyngan	Bogan Shire Council	6 August 2024
Plan of proposed subdivision of Lots 4 and 5 Section 11 in DP 758803. Sheet numbers 1 to 10.	Duncan Priestley Civil Engineering	30 September 2024
Bush Fire Assessment Report Proposed Subdivision Oxley Street Nyngan	Integrated Consulting	October 2024
Biodiversity Development Assessment Report Proposed subdivision Lots 4 and 5 DP 758803	Accuplan	October 2024
Preliminary contamination investigation Lots 4 and 5 Hoskins Street Nyngan	Envirowest Consulting	12 July 2022

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

**Reason:** To ensure all parties are aware of the approved plans and supporting documentation that applies to the development

**2. Approved plans and supporting documentation**

The development is to be delivered in the following stages:

Stage 1: Lots 1 to 26 and Lots 32 and 33.

Stage 2: Lots 27 to 31.

All of the services and infrastructure necessary are to be made available at such time that they are necessary for the delivery of each stage.

**Reason:** To ensure that services are available to all lots for each respective stage.

**PRIOR TO ISSUE OF A SUBDIVISION WORKS CERTIFICATE****3. Construction Site Management Plan**

Before the issue of a subdivision works certificate, a construction site management plan must be prepared, and provided to the certifying authority. The plan must include the following matters:

- Provisions for public safety;
- Pedestrian and vehicular site access points and construction activity zones;
- Details of construction traffic management
- Details of bulk earthworks to be carried out;
- The location of site storage areas and sheds;
- The equipment used to carry out works;
- The location of skips or bins for construction waste;
- Dust, noise and vibration control measures;
- The location of temporary toilets for workers (if required); and
- Measures to protect any vegetation on site.

A copy of the construction site management plan must be kept on-site at all times while work is being carried out.

**Reason:** To require details of measures that will protect the public, and the surrounding environment, during site works and construction

**4. Erosion and sediment control plan**

Before the issue of a subdivision works certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the certifying authority:

- a) Council's relevant development control plan.
- b) The guidelines set out in the NSW Department of Housing manual '*Managing Urban Stormwater: Soils and Construction Certificate*' (the Blue Book) (as amended).

**Reason:** To ensure no substance other than rainwater enters the stormwater system and waterways

**5. Utilities and services**

Before the issue of a subdivision works certificate, written evidence of the following service provider requirements must be provided to the certifying authority:

- a) A letter from the electricity supply authority demonstrating that satisfactory arrangements can be made for the installation and supply of electricity.
- b) A letter from the telecommunications authority demonstrating that satisfactory arrangement can be made for the installation and supply of telecommuincations and the national broadband network.

**Reason:** To ensure relevant utility and service providers' requirements are provided to the certifier

**6. Construction Environmental Management Plan**

A Construction Environmental Management Plan (CEMP) is to be prepared for the works including:

- Plans showing areas to be cleared and areas to be protected, including exclusion zones, protected trees and habitat features, and weed management areas.
- Pre-clearing requirements including pre-clearing surveys, ecologist supervision, and compensatory nest box installation.
- Procedures to safely fell habitat trees to avoid and minimise impacts to any resident fauna.
- Procedures for unexpected threatened species finds and fauna handling.
- Protocols to manage weeds and pathogens.
- Monitoring and reporting requirements. This shall include monitoring and reporting of pre-clearance fauna surveys, tree clearance supervision, nest box installation (if required) and relocation of suitable habitat trees/ hollows.
- Weed and pathogen management measures.

Vegetation not required to be removed for the subdivision works will be retained and protected with suitable hoarding during works.

**Reason:** To ensure the biodiversity values of the site are managed.

**7. Ecosystem credits**

Before the issue of a subdivision works certificate the following ecosystem credits are required to offset the proposal. Evidence of the retirement of credits must be provided to the consent authority.

PCT ID	BAM-C Zone ID #	Vegetation Class	Vegetation Formation	Associated TEC	Offset Trading Group	Hollow-bearing trees present?	IBRA Sub-region	Ecosystem Credits
PCT 37	Moderate	North-west Floodplain Woodlands	Semi-arid Woodlands (Grassy sub-formation)	Coolibah-Black Box Woodland in the Darling Riverine Plains, Brigalow Belt South, Cobar Penepplain and Mulga Lands Bioregions	Coolibah-Black Box Woodland in the Darling Riverine Plains, Brigalow Belt South, Cobar Penepplain and Mulga Lands Bioregions	Yes	Bogan - Macquarie	10

**8. Engineering construction plans**

Prior to the issue of a subdivision works certificate, engineering construction plans and specifications must be submitted to and approved by the certifying authority for the works listed below. All works must comply with the current version of AUSPEC, and all relevant adopted engineering specifications. The following specifications or alternatives acceptable to the principal certifying authority will apply:

**Road width, pavement and location:** construct the roads to the dimensions show in the approved subdivision plan and:

- 200mm of base material.
- Compacted to 95% of standard.
- 14/7 twin coat seal

**Stormwater infrastructure:** construct the stormwater infrastructure as shown in the approved subdivision plan and:

- a) Trim and fill existing internal road table drains to grade as per the approved plan.
- b) Place on grade with design drains suitable 300mm RCPC culverts at each end of the new road where it joins Oatley Street and Oxley Street.
- c) Place on grade with design drains, suitable dish drain or 225mm RCPC at each property access.

**Water infrastructure:**

- a) Install new pipelines at a depth of 600mm with suitable back fill
- b) Pipe sizes as per the approved subdivision plan.
- c) Place location markers at bends and junctions and locate on as-built survey.

**Sewer infrastructure:**

- a) Install sewer network and pump station in locations as per the approved subdivision plan or to a design alternative accepted by the principal certifying authority.
- b) Grades to be flattened to 1%.
- c) Pipe sizes to be reduced to 150mm.
- d) Locate manholes on as-built survey.

**Reason:** To ensure works are constructed to a suitable standard.

#### **9. Water and sewer certificate of attainment**

Prior to the issue of a subdivision works certificate, a Certificate of Attainment from Bogan Shire Council must be submitted to the principal certifying authority, stating that satisfactory arrangements have been made and all payments finalised for the provision of water supply and sewerage to the development.

**Reason:** To ensure suitable water and sewage disposal is provided to the development.

#### **10. Cultural management**

Prior to the commencement of works the Local Aboriginal Land Council (LALC) is to be offered (in writing) the opportunity for a member of the LALC to attend site during works. The LALC is to be contacted in regard to this not less than 10 days before works commence.

**Reason:** To implement the recommendations of the Cultural Heritage Survey.

### **DURING WORKS**

#### **11. Soil management**

While site work is being carried out, the principal certifier must be satisfied that all soil removed from or imported to the site is managed in accordance with the following requirements:

- a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste



management facility and the classification and the volume of material removed must be reported to the principal certifier.

b) All fill material imported to the site must be:

- i) Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997, or
- ii) a material identified as being subject to a resource recovery exemption by the NSW EPA, or
- iii) a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 and a material identified as being subject to a resource recovery exemption by the NSW EPA.

**Reason:** To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.

## **12. Discovery of relics and Aboriginal objects**

While site work is being carried out, if a person reasonably suspects a relic of Aboriginal object is discovered:

- a) the work in the area of the discovery must cease immediately;
- b) the following must be notified
  - i) for a relic – the Heritage Council; or
  - ii) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

Site work may recommence at a time confirmed in writing by:

- a) for a relic – the Heritage Council; or
- b) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

**Reason:** To ensure the protection of objects of potential significance during works.

## **13. Hours of work**

Site work must only be carried out between the following times:

7am to 6pm Monday to Friday. 8am to 4pm on Saturdays. No work on Sundays or public holidays.

**Reason:** To protect the amenity of the surrounding area

## **14. Implementation of the site management plans**

While site work is being carried out:

- a) the measures required by the construction site management plan and the erosion and sediment control plan must be implemented at all times, and
- b) a copy of these plans must be kept on site at all times and made available upon request.

**Reason:** To ensure site management measures are implemented during the carrying out of site work

**15. Construction dust suppression**

All necessary actions must be undertaken to control dust pollution on the site during works. These works must include, but are not limited to:

- restricting topsoil removal
- regularly and lightly watering dust prone areas (note: prevent excess watering as it can cause damage and erosion)
- alter or cease construction work during periods of high wind

**Reason:** To maintain amenity during construction of the development.

**16. Unexpected finds (contamination)**

In the event that works cause the generation of odour or uncover previously unidentified contaminants, works must immediately cease.

The principal certifying authority must be notified in writing within seven (7) days. Works shall not recommence on-site until authorised by Council.

**Reason:** To protect the environment and ensure public health and safety.

**PRIOR TO ISSUE OF A SUBDIVISION CERTIFICATE****17. Requirement for a Subdivision Certificate**

Prior to the issue of a Subdivision Certificate, the applicant shall submit an original plan of subdivision plus three (3) copies for Council's endorsement with an application for a subdivision certificate. The following details shall also be submitted:

- a) Evidence that all conditions of development consent have been satisfied
- b) Evidence of payment of all relevant application fees and charges
- c) The 88B instrument plus three (3) copies, if relevant
- d) All surveyor's or engineer's certification required by the development consent

**18. Restrictions to be Shown on Title**

Prior to release of the Subdivision Certificate, if any easement(s)/ rights of way / restrictions on title or covenants exists on the land at the date of approval, then unless these restrictions are formally extinguished, the applicant must ensure that the lots created have these restrictions registered on the title for the relevant lot in accordance with the Real Property Act 1900 and Conveyancing Act 1919.

The Section 88B instrument shall establish the title encumbrances for services on the site with Bogan Shire Council being nominated as the sole authority to release, vary or modify each encumbrance unless specifically noted otherwise.

**Reason:** To ensure the land is managed appropriately.

**19. All Services Provided Within Lots**

A registered surveyor shall provide certification that all relevant services (e.g. drainage, water supply, electricity, telephone etc) are contained within each lot, or within appropriate easements to accommodate such services. The certification is to be provided to the principal certifying authority prior to the issue of a Subdivision Certificate.

**Reason:** To ensure the land is appropriately serviced.

#### **20. Relocation of Services**

The registered proprietor of the land shall be responsible for all costs incurred in the necessary relocation of any services affected by the subdivision. The relevant service authorities should be contacted for specific requirements prior to commencement of any works.

**Reason:** To ensure Council does not incur unnecessary costs.

#### **21. Driveway Crossings**

New or existing driveways must demonstrate appropriate sight-lines at the access points, in accordance with the relevant guidelines and must be able to safely accommodate emergency vehicles including standard Rural Fire Service trucks.

Standards for driveways from the edge of the existing gravel surface to the existing / new gate entrance for proposed lots is to be maintained at a minimum of 6 metres in width with any culverts or drains to be installed, if required.

**Reason:** To ensure driveways are suitably constructed.

#### **22. Insurance**

Public liability insurance for any works within the public road corridor is required and a copy shall be provided to Council prior to any works commencing.

**Reason:** To ensure appropriate insurance coverage.

#### **23. Street Lighting**

The applicant shall be responsible for the design and construction of street lighting. Street lighting shall be provided on all roads within the subdivision and designed in accordance with AS/NZS 1158 "Lighting for roads and pedestrian spaces" to cover all vehicle manoeuvring and pedestrian access areas.

The street lighting shall also be designed and installed so that no obtrusive light will be cast onto any adjoining property in compliance with AS4282-2019 "Control of obtrusive effects of outdoor lighting" will satisfy this condition.

**Reason:** To ensure safety and amenity

#### **24. Repair of infrastructure**

Before the issue of a Subdivision Certificate:

a) any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of council, and at no cost to council, or

b) if the works in (a) are not carried out to council's satisfaction, council may carry out the works required and the costs of any such works must be paid as directed by council and in the first instance will be paid using the security deposit required to be paid under this consent.

**Reason:** To ensure any damage to public infrastructure is rectified.

**25. Works-as-executed plans and any other documentary evidence**

Prior to the issue of a Subdivision Certificate, all works approved under the subdivision works certificate must be completed including submission of Works-As-Executed plans prepared and certified by a suitably qualified engineer or a registered surveyor to Bogan Shire Council.

Evidence of practical completion must be provided to Council as part of the Subdivision Certificate Application.

**Reason:** To ensure civil works are appropriately constructed.

**26. Development contributions**

Prior to the issue of a Subdivision Certificate a development contribution payment is to be made to Council pursuant to section 7.12 of the Environmental Planning and Assessment Act 1979 (EP&A Act), being 1% of the cost of the development at the time the development application was lodged.

**Reason:** To ensure that an appropriate contribution is made to the provision of community infrastructure.

**OTHER AGENCY CONDITIONS****Essential Energy**

- A. An easement is to be created for any existing electrical infrastructure. The easement is to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision.
- B. If the proposed development changes there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.
- C. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the property should be complied with.
- D. Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions.
- E. Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline – *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*.
- F. Prior to carrying out any works a *Dial Before You Dig* enquiry should be undertaken in accordance with the requirements of Part 5E (*Protection of Underground Electricity Power Lines*) of the *Electricity Supply Act 1995* (NSW).
- G. Given there is electricity infrastructure in the area it is the responsibility of the persons completing any works around powerlines to understand their safety responsibilities. SafeWork NSW has publications that provide guidance when working close to electricity infrastructure including the *Code of Practice – Work Near Overhead Power Lines* and *Code of Practice – Work Near Underground Assets*.

**NSW Rural Fire Service. Reference DA20241015004269 – Original - 1****Asset Protection Zones**

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the commencement of works and until each lot is land titled registered and sold, the entire site shall be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019.

**Access – Public Roads**

The intent of measures is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

2. Prior to the issue of a Subdivision Works Certificate, the certifier is to be satisfied that the perimeter roads are designed in accordance with the following standards:

- A minimum sealed trafficable width of 8m kerb to kerb,
- Parking is provided outside of the carriageway width,
- Curves of roads have a minimum inner radius of 6m,
- A minimum clearance height of 4m above the road,
- Crossfall not to exceed 3 degrees,
- Maximum gradient 15 degrees for sealed roads,
- Roll top kerbing is used on the hazard side of the perimeter road where kerbing is provided,
- Hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression,
- Capacity is sufficient to carry a fully loaded fire fighting vehicle (23 tonnes), and
- Traffic management devices are to be designed and constructed to facilitate access by emergency service vehicles.

3. Prior to the issue of a Subdivision Works Certificate, the certifier is to be satisfied that the non-perimeter road are designed in accordance with the following standards:

- A minimum sealed trafficable width of 5.5m kerb to kerb,
- Parking is provided outside of the carriageway width,
- Curves of roads have a minimum inner radius of 6m,
- A minimum clearance height of 4m above the road,
- Crossfall not to exceed 3 degrees,
- Hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression,
- Capacity is sufficient to carry a fully loaded fire fighting vehicle (23 tonnes), and
- Traffic management devices are to be designed and constructed to facilitate access by emergency service vehicles.

**Water and Utility Services**

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

4. Prior to the issue of a Subdivision Works Certificate, the certifier is to be satisfied that the provision of reticulated water and electricity comply with Table 5.3c of Planning for Bush Fire Protection 2019.

#### **Landscaping Assessment**

The intent of measures is for landscaping. To achieve this, the following conditions shall apply:

5. Landscaping of the streetscape (public road reserves) shall be in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019.

#### **ADVISORY**

- a) If you are dissatisfied with this notice of determination or the conditions contained within this notice of determination, Section 8.2 of the Environmental Planning and Assessment Act 1979 gives you the right to request a review of the determination within 12 months after the date on which the application has been deemed to be determined.
- b) If you are dissatisfied with this decision, Section 8.7 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which the application has been deemed to be determined.
- c) In accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979, unless otherwise stated by a condition of this consent, this consent will lapse unless the development is commenced within five (5) years of the date of this notice.
- d) These conditions are imposed to control development, having regard to 4.15 of the Environmental Planning and Assessment Act 1979.
- e) "DIAL BEFORE YOU DIG" DIAL 1100. Before any excavation work starts, contractors and others should phone the "Dial Before You Dig" service to access plans/information for underground pipes and cables, or you can lodge a free enquiry at: <http://www.1100.com.au>
- f) The Bogan Shire Council Local Government area soils and ground water may be subject to varying levels of salinity. Whilst Council may require applicants to obtain salinity reports relating to some developments, no assessment may be made by Council in that regard. Soil and ground water salinity levels can change over time due to varying factors. It is recommended that all applicants make their own independent inquiries as to appropriate protection against the current and future potential effect of salinity to ensure the ongoing structural integrity of any work undertaken. Bogan Shire Council will not accept any liability for damage occurring to any construction of any type affected by soil and or ground water salinity.
- g) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.
- h) Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or the applicant's agents may be

liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such an adjoining property.

- Index:  
Sheet No.
1. Cover
  2. Plan: Detail Survey
  3. Plan: Lot Layout
  4. Plan: Earthworks with volumes
  5. LS and XS of Road
  6. LS and XS of Preimeter drain
  7. Plan: Services
  - 8 to 10 LS of Sewer

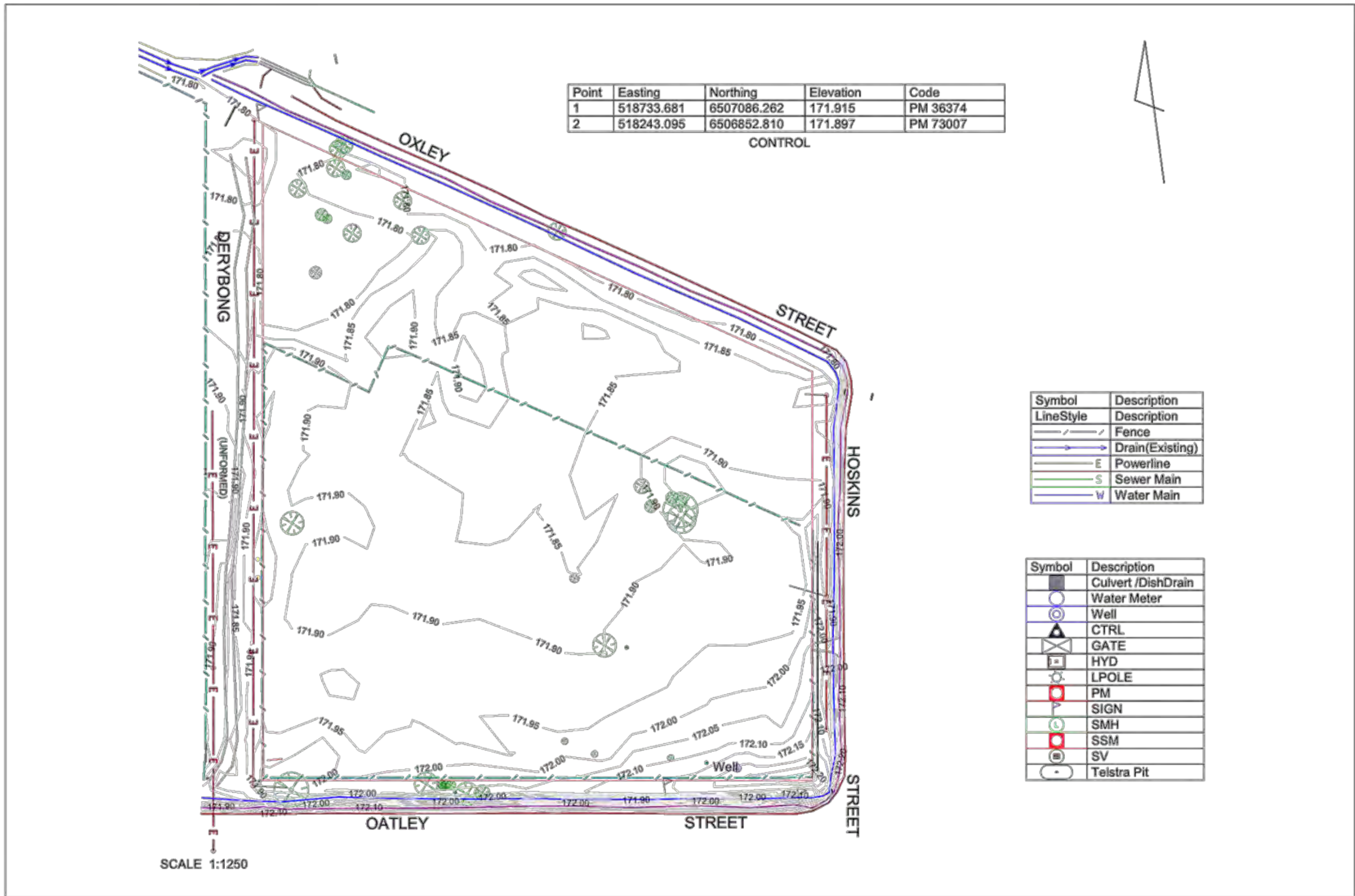


**BOGAN SHIRE COUNCIL.  
PROPOSED SUBDIVISION OF LOTS 4 & 5 SECTION 11 IN DP 758803**

Scale Horizontal 1:200 Vertical 1:200

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	MGA Zone 55	DUNCAN PRIESTLEY CIVIL ENGINEERING	DUNCAN PRIESTLEY CIVIL ENGINEERING	<b>BOGAN SHIRE COUNCIL</b>	HOSKINS ST SUBDIVISION V2 - MP	
<b>30/09/2024</b>	HEIGHT DATUM			<b>PROPOSED SUBDIVISION OF</b>	PLAN NUMBER	Sheet Number: 1
SCALE: \$SCALE	AHD	SURVEYED: D Priestley	DESIGNED: D Priestley	<b>LOTS 4 &amp; 5, SECTION 11, IN DP 758803</b>	<b>HOSKINS STREET NYNGAN</b>	

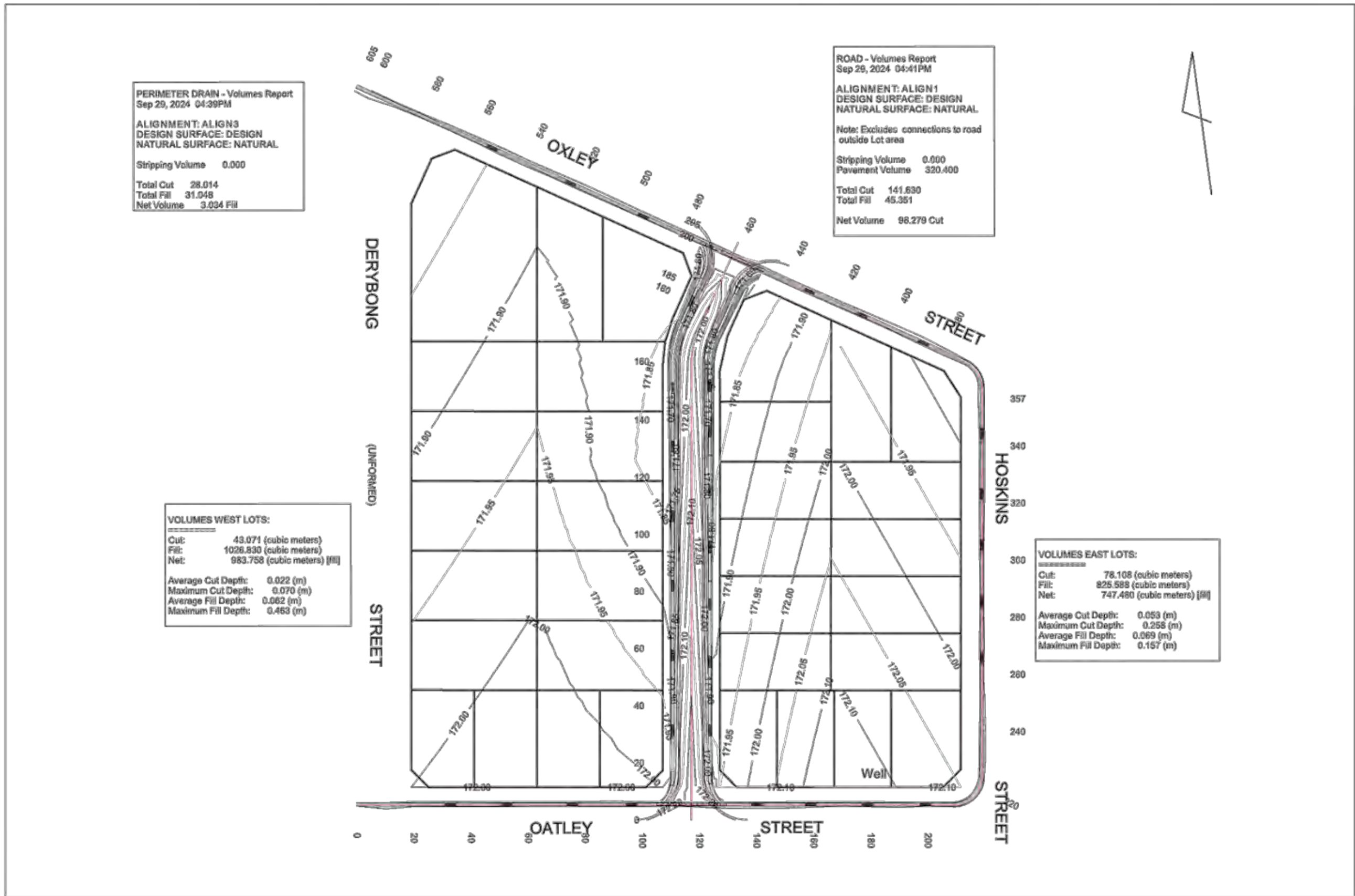




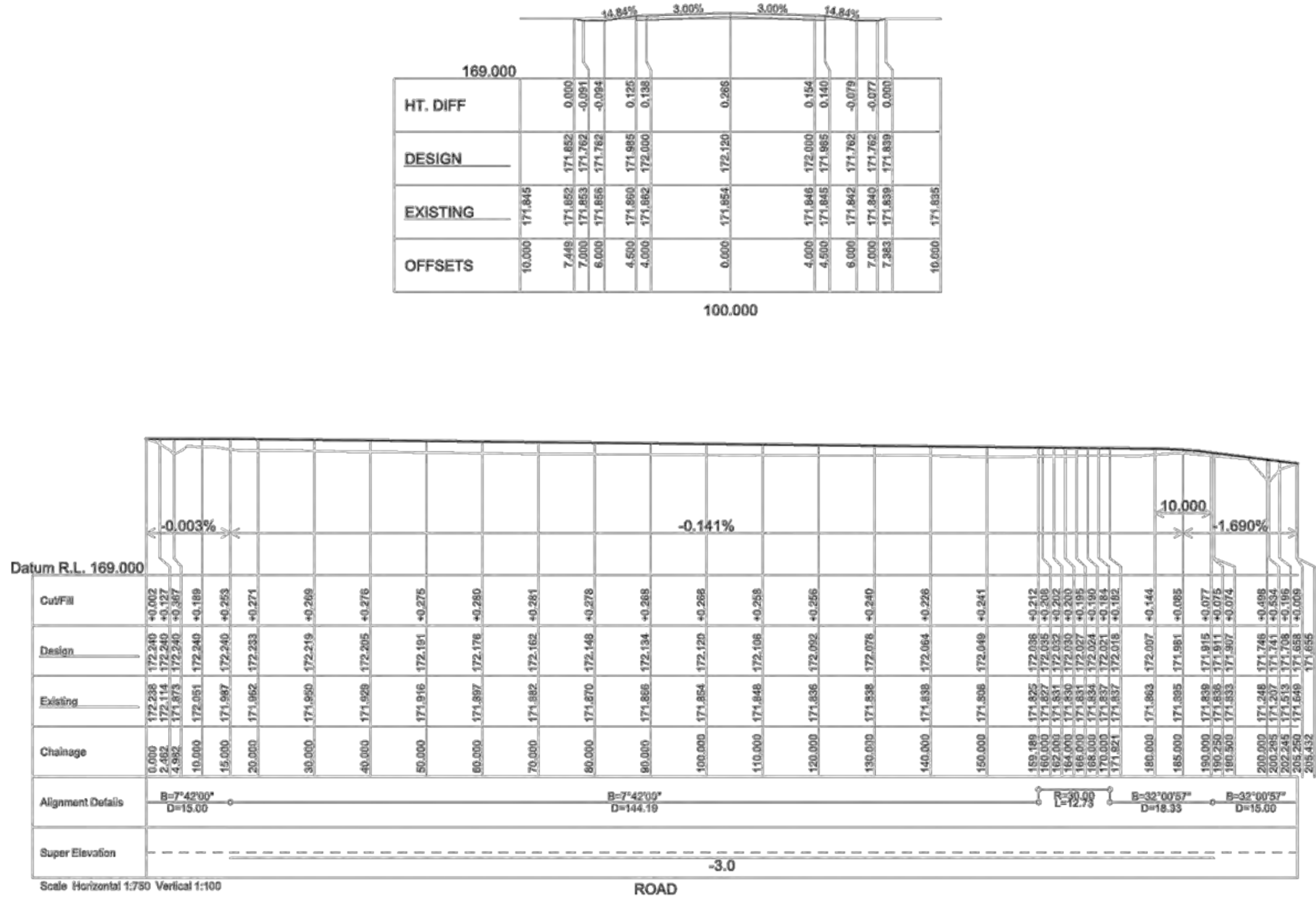
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ISSUE STATUS	COORD SYSTEM	SURVEY	DESIGN	DUNCAN PRIESTLEY CIVIL ENGINEERING	DRAWING	Total Sheets: 10
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30/09/2024	HEIGHT DATUM			PROPOSED SUBDIVISION OF	PLAN NUMBER	Sheet Number: 3
SCALE: \$SCALE	AHD	SURVEYED: D Priestley	DESIGNED: D Priestley	LOTS 4 & 5, SECTION 11, IN DP 758803	HOSKINS STREET NYNGAN	



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<b>30/09/2024</b>	HEIGHT DATUM			<b>BOGAN SHIRE COUNCIL</b>	PLAN NUMBER	Sheet Number: 4
SCALE: \$SCALE	AHD	SURVEYED: D Priestley	DESIGNED: D Priestley	<b>PROPOSED SUBDIVISION OF LOTS 4 &amp; 5, SECTION 11, IN DP 758803</b>	<b>HOSKINS STREET NYNGAN</b>	



ISSUE STATUS	COORD SYSTEM	SURVEY	DESIGN	<b>DUNCAN PRIESTLEY CIVIL ENGINEERING</b> <b>BOGAN SHIRE COUNCIL</b> <b>PROPOSED SUBDIVISION OF</b> <b>LOTS 4 &amp; 5, SECTION 11, IN DP 758803</b>	DRAWING	HOSKINS ST SUBDIVISION V2 - MP PLAN NUMBER <b>HOSKINS STREET NYNGAN</b>	Total Sheets: 10
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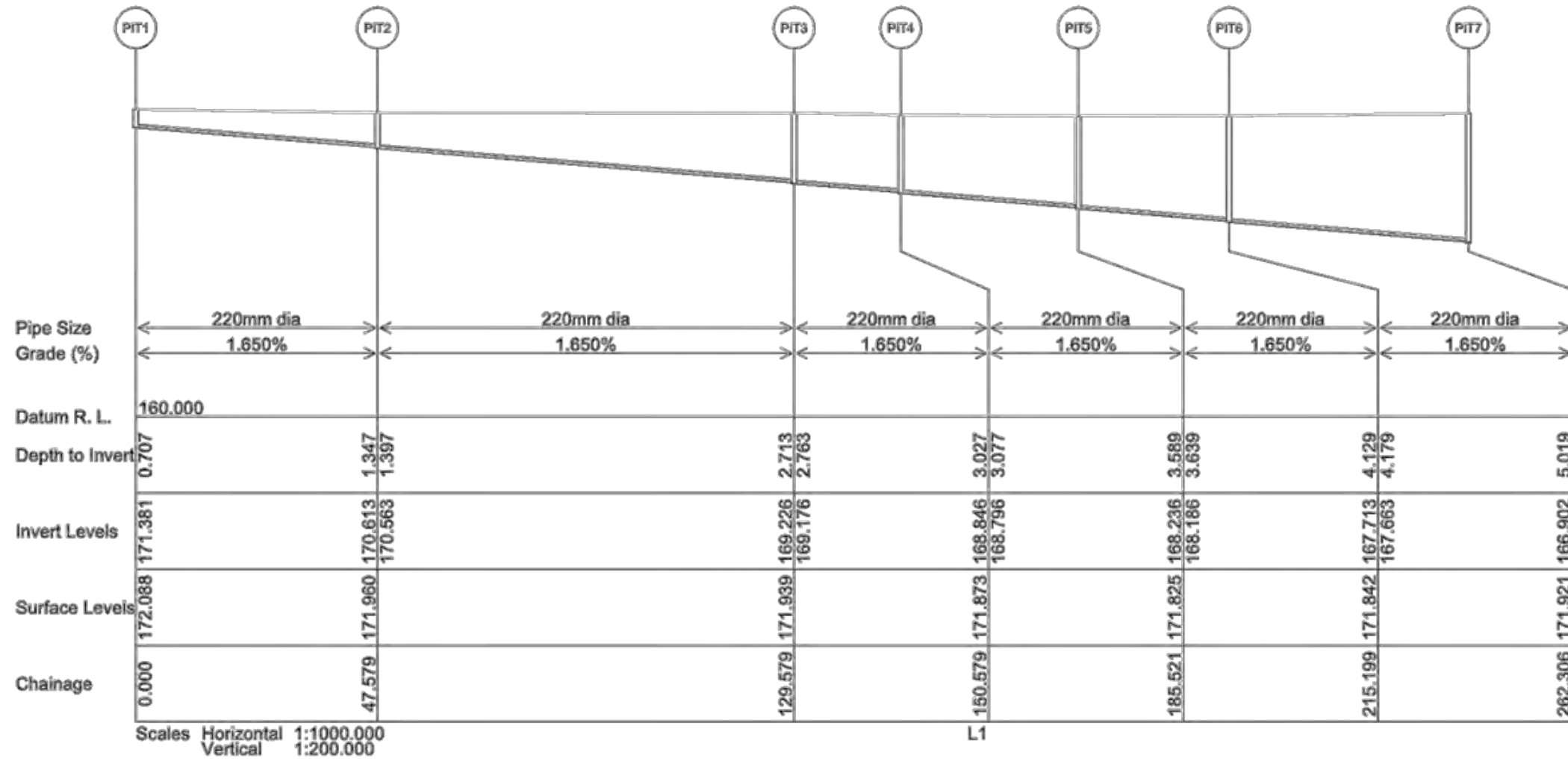


Symbol	Description
LineStyle	Description
	Fence
	Drain(Existing)
	Powerline
	Sewer Main
	Water Main

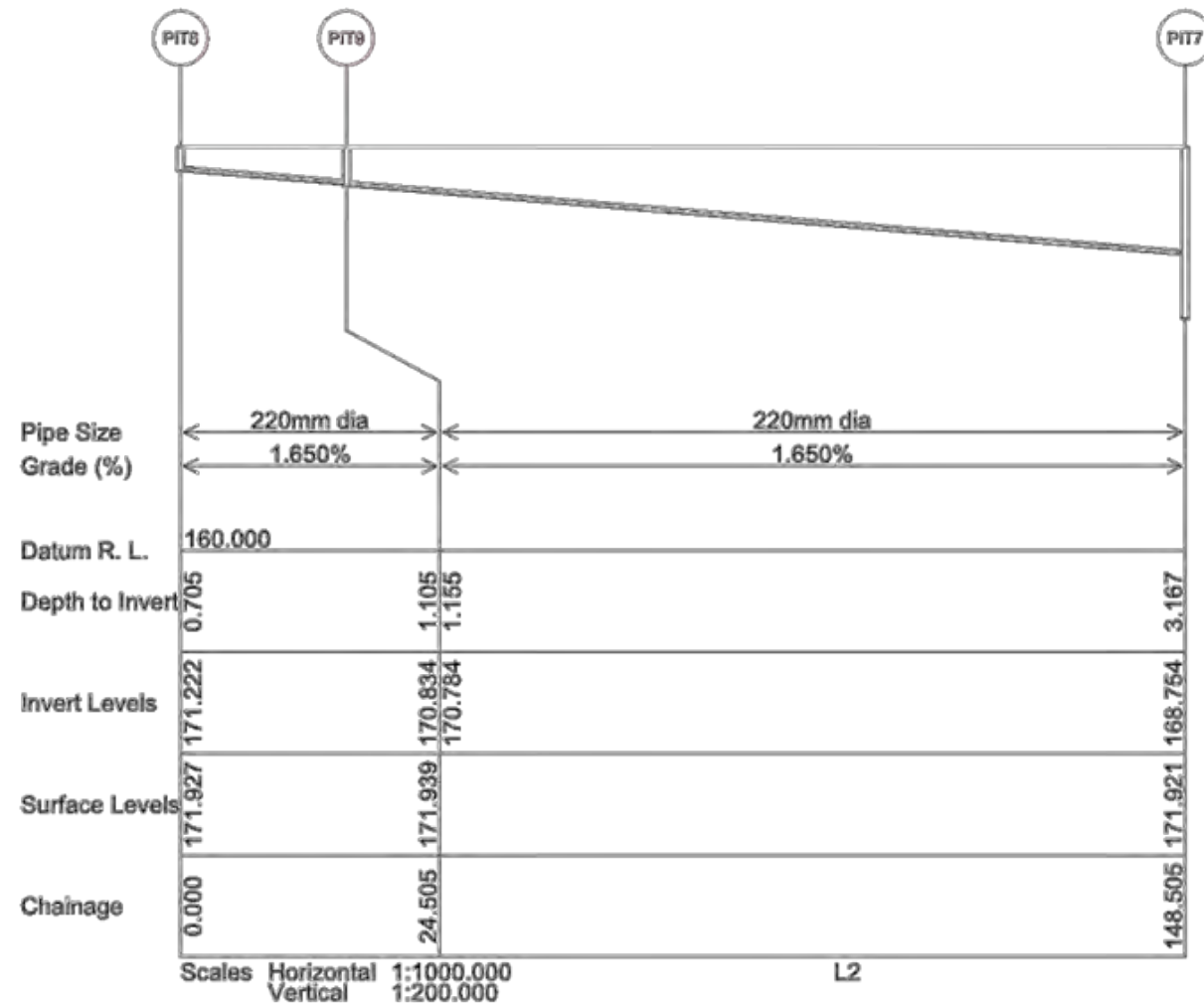
Symbol	Description
	Culvert / Dish Drain
	Water Meter
	Well
	Control
	Gate
	HYD
	Lamp
	PM
	Sign
	SMH
	SSM
	SV
	Telstra Pit



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30/09/2024	HEIGHT DATUM			PROPOSED SUBDIVISION OF	PLAN NUMBER	Sheet Number: 7
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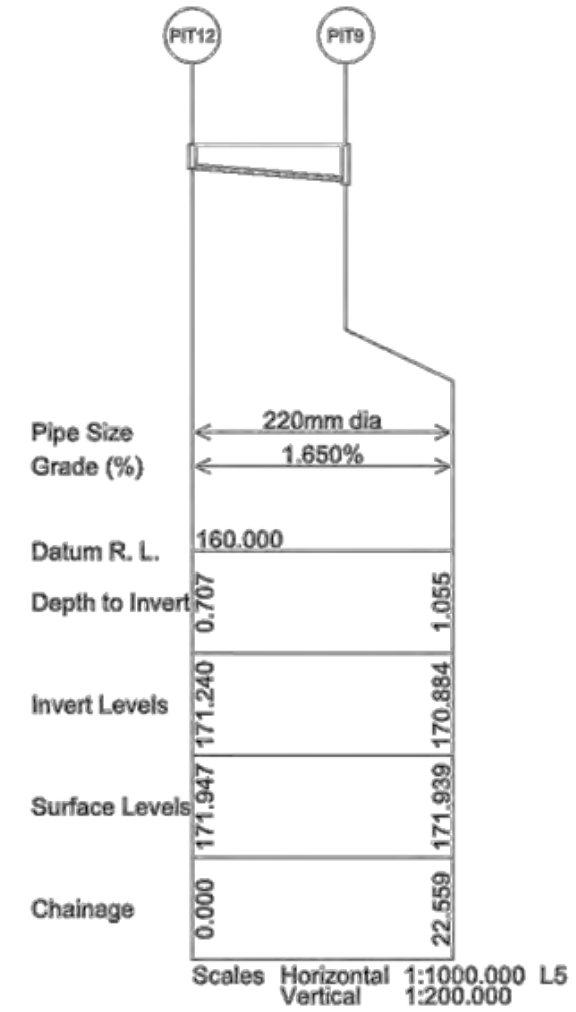
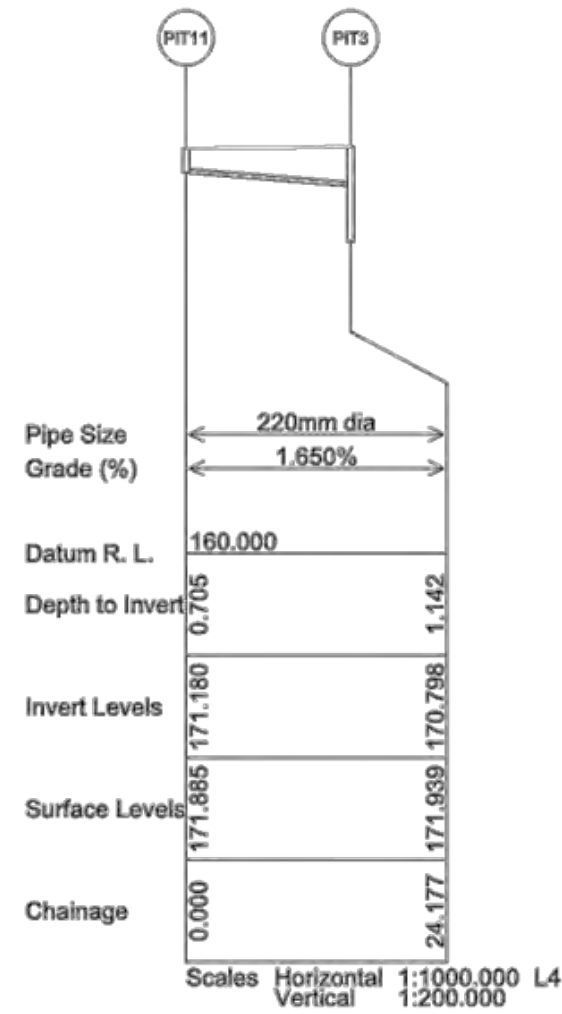
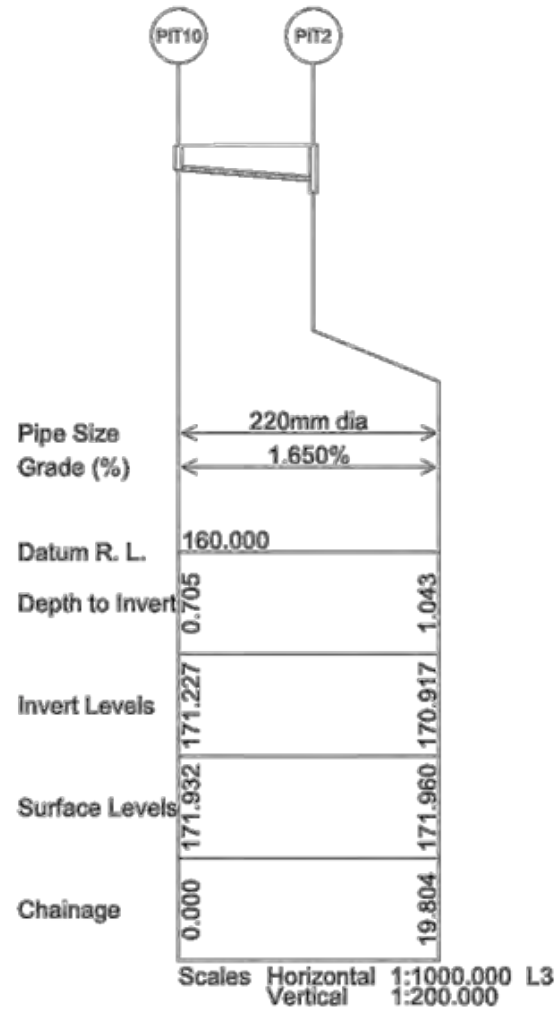


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SCALE: \$SCALE	AHD	SURVEYED: D Priestley	DESIGNED: D Priestley	<b>LOTS 4 &amp; 5, SECTION 11, IN DP 758803</b>	<b>HOSKINS STREET NYNGAN</b>	





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4 November 2024

Nyngan Shire Council

Development Application No. 2024/018

Lots 4 and 5 Section 11 D.P. 758803 No. Oxley Street Nyngan NSW 2825

In regards to the proposed Residential subdivision of 33 lots at the abovementioned property, we are the closest neighbouring property and we have the following concerns:

1. This property was purchased by our family because it was on the edge of town and we had the pound next to us, over the years the pound has been reduced and is now set for development of 33 lots, this seems excessive.
2. To the right of our land, there has been a recent subdivision and the number of blocks is only 6, and these back onto our fence line. With no neighbours facing us.
3. Building 33 homes will invade our privacy in our backyard, by having homes facing our backyard.
4. There will be a major increase to traffic with 33 homes being built, this will disrupt our peace & quite.
5. What infrastructure is being put into place around sewage, water, power & roads?
6. Will the road named Derrybone St (the lane), be sealed with Kerb & Guttering?
7. Are there footpaths being installed on the side of our fence line?
8. Are streetlights proposed for the Lane? If so, how many and where will they be located?
9. How close will the Road, Footpaths & Kerb & Guttering be to our fence line?
10. Are there any restrictions on the type of houses being built, in the subdivision?
11. What type of fencing is proposed on the 33 blocks?
12. Are there any plans to plant vegetation on the Nature strip? What type of trees/plants are being considered?

In summary, we believe the proposed subdivision of 33 blocks is not inline with the current blocks in the area, these blocks will be smaller and congested and we would like council to consider reducing the number of blocks to 6 or 8, instead of the proposed 33.

Regards



BOGAN SHIRE COUNCIL	
FILE	R/N
05 NOV 2024	
ASSIGNEE	

**15      PRECIS OF CORRESPONDENCE**

**15.1    MACQUARIE RIVER AND MARSHES FLOW-MER PROGRAM**

Correspondence received, Macquarie River and Marshes Flow-MER Program Fact Sheet.

**Attachments**

1.    UNSW Macquarie River & Marshes Flow-MER Project
2.    Macquarie River & Marshes Flow-MER Program Fact Sheet August 2024

**Recommendation**

That the Macquarie River and Marshes Flow-Mer Program Fact Sheet be received and noted.

**From:** Jane Howard <[REDACTED]>  
**Sent:** Wednesday, October 23, 2024 4:02 PM  
**To:** Bogan Shire Council <[administrator@bogan.nsw.gov.au](mailto:administrator@bogan.nsw.gov.au)>  
**Cc:** Kate Brandis <[REDACTED]>  
**Subject:** UNSW Macquarie River and Marshes Flow-MER Project

Dear Mayor Neill

The University of New South Wales (UNSW) has been engaged by the Commonwealth Environmental Water Holder (CEWH) to conduct monitoring and research activities in the Macquarie River and the internationally significant, Ramsar-protected Marshes. The CEWH's Flow-MER program involves scientific monitoring, evaluation and research (MER) on the outcomes of environmental water delivery to provide information to support environmental water management in the Murray-Darling Basin.

The current program runs until June 2029 with MER activities informing five themes: cultural outcomes (determined by Aboriginal People); river flows and connectivity; native vegetation; waterbirds and native fish. See the attached flyer for more information.

To ensure Bogan Shire Council and the local community are aware of the project, we would like to offer for a representative to give an overview presentation at a Council meeting or other relevant public meeting in early 2025.

We will endeavour to present in person if the timings work with one of our field trips, however, we can also give the presentation and answer any questions via an online presentation.

If this is of interest, please let me know and I can work with the relevant Council team member to organise.

Please do not hesitate to contact me if you have any questions.

Warm regards

Jane Howard

Communications and Engagement Officer - Flow MER

Centre for Ecosystem Science

University of New South Wales

0422 374 804

*Wiradjuri Country*



**UNSW**  
SYDNEY



UNSW  
Centre for  
Ecosystem Science



## Macquarie River and Marshes Flow-MER program

The Macquarie River and Marshes waterways and wetlands are not only vital for the wildlife that depend on them but the people who call the region their home and ancestral lands and those who rely on them for recreation, agriculture and other activities.

Flow-MER is a program run by the [Commonwealth Environmental Water Holder](#) (CEWH) to undertake monitoring, evaluation and research (MER) on the outcomes of environmental water delivery to provide information to support environmental water management in the Murray-Darling Basin.

The program has been running for several years with three new MER areas added to the program in 2024 including the Macquarie River and Marshes region.

The University of New South Wales (UNSW) Centre for Ecosystem Science has been engaged by the CEWH to conduct Flow-MER activities in the Macquarie River and the internationally significant, Ramsar-protected Marshes.

The Macquarie River and Marshes Flow-MER project team is headed up by UNSW’s Professor Richard Kingsford, who works with researchers and others to undertake the work.



Macquarie River, May 2024.

The current program runs from July 2024 until June 2029 with MER activities informing the below themes:

- Cultural outcomes (determined by Aboriginal People)
- River flows and connectivity
- Native vegetation
- Waterbirds
- Native fish.



Macquarie Marshes, August 2024.

### More information

Visit [www.flow-mer.org.au](http://www.flow-mer.org.au) or [www.unsw.edu.au/research/ecosystem](http://www.unsw.edu.au/research/ecosystem) to learn more about the program, or contact the UNSW’s Flow-MER Communications Officer, Jane Howard, at [jane.howard@unsw.edu.au](mailto:jane.howard@unsw.edu.au).

Top banner image: Macquarie Marshes, August 2024.



The Flow-MER Program team acknowledges the Aboriginal communities of the Murray–Darling Basin and pays respect to Elders past and present. We acknowledge Aboriginal People as the Traditional Owners of the land, water and sky Country across the Basin and value the expertise, wisdom and enduring connections that have informed their care for Country over millennia. We recognise the intrinsic connection of Aboriginal People to Country, and value the enduring cultural, social, environmental, spiritual, and economic connection to the rivers, wetlands, and

**15.2 LOCAL SMALL COMMITMENTS ALLOCATION - PLAYGROUND AND PARK UPGRADES**

Correspondence received from The Premiers Department, Local Small Commitments Allocation Program Office.

**Attachments**

1. Correspondence from The Premiers Department, Local Small Commitments Allocation - Playground and Park Upgrades

**Recommendation**

1. That this correspondence be received and noted.
2. That the General Manager nominate an existing playground and park upgrade grant project to allocate the LSCA grant of \$910 to.

OFFICIAL

Premier's Department



Ref: A6210025  
12 November 2024

Mr Derek Francis  
General Manager Bogan Shire Council  
admin@bogan.nsw.gov.au

Re: Local Small Commitments Allocation – Playground and Park Upgrades

Dear Mr Francis,

I am pleased to offer Bogan Shire Council the opportunity to apply for grant funding as part of the NSW Government's Local Small Commitment Allocation (LSCA) Program.

The LSCA Program is a \$37.2 million grants program, managed by the NSW Government, that will deliver \$400,000 to each of the 93 NSW electorates, providing benefits to local communities through a range of projects.

As part of the LSCA Program, Bogan Shire Council is invited to apply for the LSCA funding amount shown in the following electorates:

Funding Amount	Electorate where funds must be spent	Member of Parliament
\$910.00	Barwon	Mr Roy Butler MP
\$910.00		

The application must be used to:

- increase the value of an **existing** LSCA grant for a playground and park upgrade project  
AND/OR
- apply for a **new** LSCA grant to deliver a playground and park upgrade project.

Your local Member(s) of Parliament (MP) has been informed of this LSCA funding allocation.

OFFICIAL

52 Martin Place Sydney NSW 2000  
GPO Box 5341 Sydney NSW 2001  
ABN 34 945 244 274

02 9228 5555  
[premiersdepartment.nsw.gov.au](http://premiersdepartment.nsw.gov.au)

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**Next Steps**

Council should first decide whether you wish to select any or all of the three options below:

- a) **apply to vary an approved playground and park upgrade project that is not yet completed, and the project can still be completed by 31 December 2026.**

Your LSCA projects eligible for variation requests are:

LSCA ID	Project Title	Electorate
	No applicable projects	

The types of variations that can be considered by the LSCA Program office are:

- expanding the project scope, and/or
- meeting increased project costs, and/or
- substituting funds for an existing council co-contribution.

If this is your preferred option, notify the LSCA Program Office by email of your proposed variation/s. They will upload a Variation Request Form into SmartyGrants for you to complete. The variation will be assessed by the LSCA Program Office, and you will be notified of the outcome by email.

- b) **apply for a new playground and park upgrade project or projects, that are able to be delivered by 31 December 2026.**

If this is your preferred option:

- liaise with your Local MP to identify the priority playground and park upgrade project(s) that your council could deliver. The final decision on the nominated project(s) is up to council and should be aligned with your strategic plans
- advise the LSCA Program Office by email of your nominated project(s), and if this meets the requirements for playground and park upgrade projects, a Project Details Form (PDF) will be uploaded into SmartyGrants for you to complete by **31 December 2024**. You will be notified of the Special Minister of State's decision by letter.

Please remember:

- the LSCA Program Guideline provides information about the requirements for playground and park upgrade projects
- any input received from Local MPs must be documented in the relevant section of the PDF in order to comply with Section 6.3.3 of the *NSW Grants Administration Guide* and Section and 7.1 of the LSCA Guideline
- both Bogan Shire Council and the local MP(s) must **keep the details of newly proposed project(s) confidential** until a funding decision has been made
- if successful, you must **execute a Funding Agreement by 16 May 2025**, or the funds will be relinquished.

- c) **relinquish a portion, or all, of the allocation.**

If this is your preference, please advise the LSCA Program Office by email as soon as possible.

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If you have any questions, please contact the LSCA Program Office at (02) 9228 5260 or via email at [lscapremiersdepartment.nsw.gov.au](mailto:lscapremiersdepartment.nsw.gov.au).

Thank you for your participation in the LSCA Program and your commitment to enhancing communities across NSW. We look forward to working with you as you deliver benefits to your community.

Sincerely,



**Alison Morgan**  
Executive Director  
Local Small Commitments Allocation Program Office  
Premier's Department

**OFFICIAL**

52 Martin Place Sydney NSW 2000  
GPO Box 5341 Sydney NSW 2001  
ABN 34 945 244 274

02 9228 5555  
[premiersdepartment.nsw.gov.au](mailto:premiersdepartment.nsw.gov.au)

3

### **15.3 NYNGAN RSL SUB-BRANCH AVENUE OF REMEMBRANCE**

Correspondence received from Nyngan RSL sub-Branch regarding an Avenue of Remembrance.

#### **Attachments**

1. Nyngan RSL sub-Branch Correspondence

#### **Recommendation**

For Council's Consideration.



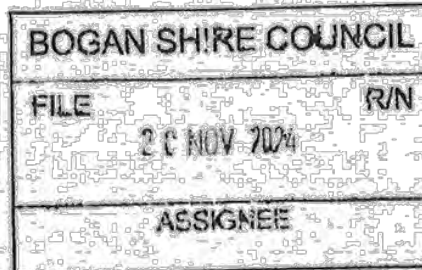
**RSL**  
**NSW**

**Nyngan sub-Branch**

President: Derek Francis  
Vice-President: Don Simpson  
Secretary: Ray Donald OAM  
Treasurer: Don Hamblin

18 November 2024

Derek Francis  
General Manager  
Bogan Shire Council  
Email: [admin@bogan.nsw.gov.au](mailto:admin@bogan.nsw.gov.au)



Dear Derek,

**Avenue of Remembrance**

At a meeting of the Nyngan RSL sub-Branch on 6 November 2024, a resolution was passed that a letter be sent to Council regarding further provisional plans for an Avenue of Remembrance to be located in Nyngan. We suggest this avenue of trees be located either side of Cannonbar Street, between Hoskins Street and the Graincorp bunker, with an Avenue of Remembrance sign located at either end.

We seek Councils agreement of this suggested location, assistance with a suggested design and an estimate of the cost to establish this Avenue of Remembrance.

Our next meeting is scheduled for late February next year to finalise arrangements for the Anzac Day service next year. A definite location plan, etc, would be meaningful and significant announcement for this service.

Thanking you  
Yours sincerely,

**Ray Donald OAM**  
Secretary

Please address all communications to:

The Secretary

PO Box 198

NYNGAN NSW 2825

Telephone: 0438 699 910

Email: [raydidonald@gmail.com](mailto:raydidonald@gmail.com)

**15.4 GARETH WARD MP, MEMBER FOR KIAMA**

Correspondence received, from Gareth Ward, Member for Kiama, Private Members Bill, Automated External Defibrillators (Public Access) Bill 2024.

**Attachments**

1. Correspondence from Gareth Ward MP, Member for Kiama
2. Automated External Defibrillators (Public Access) Bill 2024 (No2) PDF

**Recommendation**

That this correspondence be received and noted.

**From:** ElectorateOffice Kiama <[REDACTED]>  
**Sent:** Monday, November 4, 2024 3:50 PM  
**To:** ElectorateOffice Kiama <[REDACTED]>  
**Subject:** Automated External Defibrillators (Public Access) Bill 2024

Dear CEO,

I enclose a copy of my Private Members Bill entitled, Automated External Defibrillators (Public Access) Bill 2024.

This bill will save lives.

Last year, South Australia passed legislation to mandate that all public buildings over a certain size must have defibrillators – making them common place just like fire hydrants that became an accepted and necessary feature of all public buildings years ago.

On average, around 3800 people die of an out-of-hospital cardiac arrest in NSW every year. Between 70-90% of these people could have been saved if a defib was on hand.

Given that we have just had council elections, I thought it appropriate to send you a copy of my updated bill.

I would appreciate any feedback, comment and especially support from your elected body, should they be so inclined.

I would be more than happy to discuss this bill with you and your elected members, should there be any questions or feedback.

Thank you for your assistance. I look forward to your response.

Kind regards,  
Gareth Ward  
Member for Kiama

Phone: (02) 4232 1082  
Electorate Office: 102 Terralong Street, Kiama NSW 2533  
[kiama@parliament.nsw.gov.au](mailto:kiama@parliament.nsw.gov.au)  
<https://www.garethwardmp.com.au>

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Introduced by Mr G J Ward, MP

First print



New South Wales

## Automated External Defibrillators (Public Access) Bill 2024 (No 2)

### Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

### Overview of Bill

The objects of this Bill are to—

- (a) require the installation of automated external defibrillators (*defibrillators*) in certain buildings and vehicles, and
- (b) require the registration and maintenance of the defibrillators, and
- (c) require the Minister to—
  - (i) keep a publicly accessible register of the defibrillators, including the location of the defibrillators, and
  - (ii) develop a strategy to inform the public about defibrillators.

### Outline of provisions

#### Part 1 Preliminary

**Clause 1** sets out the name, also called the short title, of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act.

**Clause 3** provides for the dictionary in proposed Schedule 2 to define certain words and expressions used in the proposed Act.

**Clauses 4 and 5** define certain key concepts used in the proposed Act, including *relevant building*, *relevant vehicle* and *responsible person*.

**Clause 6** provides that the proposed Act binds the Crown.

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b2024-089.d01

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Automated External Defibrillators (Public Access) Bill 2024 (No 2) [NSW]  
Explanatory note

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## **Part 2 Installation of defibrillators**

**Part 2** requires the responsible persons for relevant buildings and relevant vehicles to ensure the following—

- (a) a certain number of defibrillators are installed in each relevant building or relevant vehicle,
- (b) each defibrillator is properly maintained,
- (c) each defibrillator is tested at least once every 12 months,
- (d) signage is installed to indicate the location of each defibrillator.

The proposed part also requires responsible persons to—

- (a) give relevant information about the defibrillators required to be installed under the proposed Act to the Minister responsible for the administration of the proposed Act (the *Minister*), and
- (b) notify the Minister of changes to the relevant information.

The proposed part also makes it an offence for a person to intentionally and without a reasonable excuse—

- (a) damage or destroy a defibrillator, or
- (b) remove a defibrillator required to be installed under the proposed Act from the location at which it is installed.

## **Part 3 Access to information and training**

**Part 3** requires the Minister to—

- (a) establish and keep a register of the defibrillators required to be installed under the proposed Act, and
- (b) ensure the register is accessible on a software application, and
- (c) develop and implement a strategy to inform the public about defibrillators, and
- (d) ensure training in the use of defibrillators is made available to prescribed persons.

## **Part 4 Miscellaneous**

**Part 4** provides that the Minister must prepare a report on how the Government will support responsible persons who are required under the proposed Act to install a defibrillator.

The proposed part also—

- (a) enables the Governor to make regulations for the proposed Act, and
- (b) enables offences prescribed by the regulations as penalty notice offences to be dealt with by the issue of a penalty notice rather than through court proceedings.

## **Schedule 1 Savings, transitional and other provisions**

**Schedule 1** provides that the regulations may contain savings, transitional and other provisions consequent on the commencement of—

- (a) a provision of the proposed Act, or
- (b) a provision amending the proposed Act.

## **Schedule 2 Dictionary**

**Schedule 2** defines certain words and expressions used in the proposed Act.

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Page 2

**Tabling copy**

Introduced by Mr G J Ward, MP

First print



New South Wales

# Automated External Defibrillators (Public Access) Bill 2024 (No 2)

## Contents

		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Name of Act	2
2	Commencement	2
3	Definitions	2
4	Meaning of "relevant building" and "relevant vehicle"	2
5	Meaning of "responsible person"	3
6	Act to bind Crown	3
<b>Part 2</b>	<b>Installation of defibrillators</b>	
7	Installation, maintenance and signage	4
8	Installation of defibrillators must be notified	4
9	Damage, destruction or removal	4
<b>Part 3</b>	<b>Access to information and training</b>	
10	Register	6
11	Awareness strategy	6
12	Training	6
<b>Part 4</b>	<b>Miscellaneous</b>	
13	Report	7
14	Penalty notices	7

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**Tabling copy**



Automated External Defibrillators (Public Access) Bill 2024 (No 2) [NSW]  
 Contents

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	Page
15 Regulations	7
<b>Schedule 1 Savings, transitional and other provisions</b>	<b>8</b>
<b>Schedule 2 Dictionary</b>	<b>9</b>

*This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly*

*Clerk of the Legislative Assembly*



New South Wales

## **Automated External Defibrillators (Public Access) Bill 2024 (No 2)**

No , 2024

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### **A Bill for**

An Act to require the installation and registration of automated external defibrillators in certain buildings and vehicles; and for related purposes.

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*The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.*

*Legislative Council*

*Clerk of the Parliaments*

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**Tabling copy**

<b>The Legislature of New South Wales enacts—</b>	1
<b>Part 1 Preliminary</b>	2
<b>1 Name of Act</b>	3
This Act is the <i>Automated External Defibrillators (Public Access) Act 2024</i> .	4
<b>2 Commencement</b>	5
This Act commences on the day that is 2 years after the date of assent to this Act.	6
<b>3 Definitions</b>	7
(1) The dictionary in Schedule 2 defines words and expressions used in this Act.	8
<b>Note—</b> The <i>Interpretation Act 1987</i> contains definitions and other provisions that affect the interpretation and application of this Act.	9 10
(2) A reference in this Act, other than in section 7(2), to a defibrillator installed in a building includes a reference to a defibrillator installed in an external area near the building.	11 12 13
<b>4 Meaning of “relevant building” and “relevant vehicle”</b>	14
(1) In this Act, the following buildings are <i>relevant buildings</i> —	15
(a) a large commercial building,	16
(b) a government building,	17
(c) an educational establishment,	18
(d) a correctional centre,	19
(e) a retirement village within the meaning of the <i>Retirement Villages Act 1999</i> ,	20
(f) a facility that provides residential care within the meaning of the <i>Aged Care Act 1997</i> of the Commonwealth,	21 22
(g) an entertainment facility,	23
(h) a recreation facility (major),	24
(i) for a caravan park—a building that is part of the caravan park,	25
(j) a casino or other venue where gambling is authorised, other than a venue where the only gambling authorised is the selling and buying of lottery tickets.	26 27
(2) In this Act, the following vehicles are <i>relevant vehicles</i> —	28
(a) an emergency services vehicle,	29
(b) a public passenger vehicle.	30
(3) The regulations may—	31
(a) prescribe a building as a relevant building or a vehicle as a relevant vehicle, and	32 33
(b) exclude a building from being a relevant building or a vehicle from being a relevant vehicle.	34 35
(4) In this section—	36
<i>caravan park, correctional centre, educational establishment, entertainment facility</i> and <i>recreation facility (major)</i> have the same meaning as in the standard instrument set out in the <i>Standard Instrument (Local Environmental Plans) Order 2006</i> .	37 38 39 40

Automated External Defibrillators (Public Access) Bill 2024 (No 2) [NSW]  
 Part 1 Preliminary

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<b>5</b>	<b>Meaning of “responsible person”</b>	1
	In this Act—	2
	<i>responsible person</i> means the following—	3
	(a) for a relevant building—the owner of the building,	4
	(b) for an emergency services vehicle—the head of the emergency services organisation,	5 6
	(c) for a public passenger vehicle—the operator of the public passenger service provided using the vehicle,	7 8
	(d) for another vehicle prescribed as a relevant vehicle—the person prescribed by the regulations.	9 10
<b>6</b>	<b>Act to bind Crown</b>	11
	This Act binds the Crown in right of New South Wales and, to the extent the legislative power of the Parliament of New South Wales permits, the Crown in all its other capacities.	12 13 14

<b>Part 2</b>	<b>Installation of defibrillators</b>	1
<b>7</b>	<b>Installation, maintenance and signage</b>	2
(1)	A responsible person for a relevant building or relevant vehicle must ensure—	3
(a)	1 defibrillator is installed in the relevant building or relevant vehicle, and	4
(b)	for a relevant building with a footprint greater than 1,200m <sup>2</sup> —1 additional defibrillator is installed for each additional 1,200m <sup>2</sup> by which the footprint of the building is greater than 1,200m <sup>2</sup> , and	5 6 7
(c)	each defibrillator is properly maintained, and	8
(d)	each defibrillator is tested at least once every 12 months.	9
	Maximum penalty—180 penalty units.	10
(2)	The responsible person must also ensure a sign indicating the location of a defibrillator is installed as follows—	11 12
(a)	for a defibrillator installed in a building—	13
(i)	near the defibrillator, and	14
(ii)	outside, and near an entrance of, the building,	15
(b)	for a defibrillator installed in an external area near a building—near the defibrillator,	16 17
(c)	for a defibrillator installed in a vehicle—on the outside of the vehicle.	18
	Maximum penalty—22 penalty units.	19
<b>8</b>	<b>Installation of defibrillators must be notified</b>	20
(1)	The responsible person for a relevant building or relevant vehicle in which a defibrillator is required to be installed under this Act must—	21 22
(a)	give relevant information about the defibrillator to the Minister, in the approved way, within 30 days after the installation of the defibrillator, and	23 24
(b)	notify the Minister, in the approved way, of a change to the relevant information within 14 days after the change.	25 26
(2)	In this section—	27
	<i>approved way</i> means the way and form approved by the Minister.	28
	<i>relevant information</i> , about a defibrillator, means the following—	29
(a)	for a defibrillator installed in a relevant building—the location of the defibrillator,	30 31
(b)	for a defibrillator installed in a relevant vehicle—the ordinary location of the vehicle when it is not in use,	32 33
(c)	the times during which the defibrillator is accessible by the public,	34
(d)	for a battery within the defibrillator—	35
(i)	the date the battery was last replaced, and	36
(ii)	the date by which the battery must next be replaced,	37
(e)	other information prescribed by the regulations.	38
<b>9</b>	<b>Damage, destruction or removal</b>	39
	A person must not intentionally and without a reasonable excuse—	40
(a)	damage or destroy a defibrillator, or	41
(b)	remove a defibrillator required to be installed under this Act from the location at which it is installed.	42 43

Automated External Defibrillators (Public Access) Bill 2024 (No 2) [NSW]  
Part 2 Installation of defibrillators

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Maximum penalty—90 penalty units or imprisonment for 5 years, or both.

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Page 5

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<b>Part 3</b>	<b>Access to information and training</b>	1
<b>10</b>	<b>Register</b>	2
(1)	The Minister must establish and keep a register (the <i>register</i> ) of the relevant information about defibrillators given to the Minister under section 8.	3 4
(2)	The register must be published on a website determined by the Minister and accessible by the public without charge.	5 6
(3)	The Minister must ensure the register is also accessible on a software application that—	7 8
(a)	is compatible with smartphones, and	9
(b)	directs the user of the software application to nearby defibrillators.	10
<b>11</b>	<b>Awareness strategy</b>	11
(1)	The Minister must develop and implement a strategy to inform the public about defibrillators.	12 13
(2)	The strategy must include information about the following—	14
(a)	registering and locating defibrillators,	15
(b)	signs indicating the location of a defibrillator,	16
(c)	the fact that, while training in the use of defibrillators is available, a person does not need to be trained to use a defibrillator.	17 18
(3)	The strategy must be implemented as soon as practicable after the commencement of this section and the Minister must ensure the strategy is promoted for at least 5 years.	19 20
<b>12</b>	<b>Training</b>	21
	The Minister must ensure training in the use of defibrillators is made available to a person or class of persons prescribed by the regulations.	22 23

<b>Part 4</b>	<b>Miscellaneous</b>	1
<b>13</b>	<b>Report</b>	2
(1)	The Minister must prepare a report on how the Government will support responsible persons who are required under this Act to install a defibrillator.	3 4
(2)	The Minister must, within 6 months of the commencement of this section, ensure copies of the report are laid before both Houses of Parliament.	5 6
<b>14</b>	<b>Penalty notices</b>	7
(1)	An authorised officer may issue a penalty notice to a person if it appears to the officer that the person has committed a penalty notice offence.	8 9
(2)	A penalty notice offence is an offence against this Act or the regulations that is prescribed by the regulations as a penalty notice offence.	10 11
(3)	The <i>Fines Act 1996</i> applies to a penalty notice issued under this section.	12
	<b>Note</b> — The <i>Fines Act 1996</i> provides that, if a person issued with a penalty notice does not wish to have the matter determined by a court, the person may pay the amount specified in the notice and is not liable to further proceedings for the alleged offence.	13 14 15
(4)	The amount payable under a penalty notice issued under this section is the amount prescribed for the alleged offence by the regulations, which must not be more than the maximum amount of penalty that could be imposed for the offence by a court.	16 17 18
(5)	This section does not limit the operation of another provision of, or made under, this or another Act relating to proceedings that may be taken in relation to offences.	19 20
(6)	In this section—	21
	<i>authorised officer</i> means any of the following persons designated by the Secretary of the Department as an authorised officer for this section—	22 23
	(a) a person employed in the Department, or	24
	(b) another person prescribed by the regulations.	25
	<i>Department</i> means the department in which this Act is administered.	26
<b>15</b>	<b>Regulations</b>	27
(1)	The Governor may make regulations, not inconsistent with this Act, about—	28
	(a) matters required or permitted to be prescribed by this Act, or	29
	(b) matters necessary or convenient to be prescribed for carrying out or giving effect to this Act.	30 31
(2)	Without limiting subsection (1), the regulations may provide for matters relating to the following—	32 33
	(a) the installation, maintenance and testing of defibrillators,	34
	(b) the signs required to be installed under this Act,	35
	(c) the register,	36
	(d) training in the use of defibrillators.	37
(3)	The regulations may also create offences about the matters.	38
(4)	The maximum penalty that may be imposed for an offence created by the regulations is 10 penalty units.	39 40
(5)	The regulations may exempt specified persons or entities from specified provisions of this Act.	41 42



Automated External Defibrillators (Public Access) Bill 2024 (No 2) [NSW]  
 Schedule 1 Savings, transitional and other provisions

<b>Schedule 1</b>	<b>Savings, transitional and other provisions</b>	<b>1</b>
<b>Part 1</b>	<b>General</b>	<b>2</b>
<b>1</b>	<b>Regulations</b>	<b>3</b>
(1)	The regulations may contain provisions of a savings or transitional nature consequent on the commencement of—	4 5
(a)	a provision of this Act, or	6
(b)	a provision amending this Act.	7
(2)	A savings or transitional provision consequent on the commencement of a provision must not be made more than 2 years after the commencement.	8 9
(3)	A savings or transitional provision made consequent on the commencement of a provision is repealed 2 years after the commencement.	10 11
(4)	A savings or transitional provision made consequent on the commencement of a provision may take effect before the commencement but not before—	12 13
(a)	for a provision of this Act—the date of assent to this Act, or	14
(b)	for a provision amending this Act—the date of assent to the amending Act.	15
(5)	A savings or transitional provision taking effect before its publication on the NSW legislation website does not—	16 17
(a)	affect the rights of a person existing before the publication in a way prejudicial to the person, or	18 19
(b)	impose liabilities on a person for anything done or omitted to be done before the publication.	20 21
(6)	In this section—	22
	<i>person</i> does not include the State or an authority of the State.	23

<b>Schedule 2</b>	<b>Dictionary</b>	1
	section 3(1)	2
<i>building</i>	includes a structure or part of a structure.	3
<i>defibrillator</i>	means an automated external defibrillator that is—	4
(a)	included on the Australian Register of Therapeutic Goods maintained under the <i>Therapeutic Goods Act 1989</i> of the Commonwealth, section 9A, or	5
(b)	if there is no defibrillator included on the Register—approved by the Minister for this Act.	6
<i>emergency services organisation</i>	means each of the following organisations—	7
(a)	the Ambulance Service of NSW,	8
(b)	Fire and Rescue NSW,	9
(c)	the NSW Police Force,	10
(d)	the NSW Rural Fire Service,	11
(e)	the State Emergency Service,	12
(f)	another body or organisation prescribed by the regulations as an emergency services organisation.	13
<i>emergency services vehicle</i>	means a vehicle used by an emergency services organisation to provide emergency services.	14
<i>government building</i>	means a building occupied by the Crown, a statutory body or a local council to which the public has access, whether or not admission is obtained by the payment of money, and includes—	15
(a)	a public swimming pool, and	16
(b)	a local library within the meaning of the <i>Library Act 1939</i> , and	17
(c)	a courthouse, and	18
(d)	a building used to provide services directly to the public.	19
<i>head</i>	of an emergency services organisation, means—	20
(a)	for the Ambulance Service of NSW—the chief executive of the Ambulance Service of NSW,	21
(b)	for Fire and Rescue NSW—the Commissioner of Fire and Rescue NSW,	22
(c)	for the NSW Police Force—the Commissioner of Police,	23
(d)	for the NSW Rural Fire Service—the Commissioner of the NSW Rural Fire Service,	24
(e)	for the State Emergency Service—the Commissioner of the State Emergency Service,	25
(f)	for another body or organisation prescribed by the regulations as an emergency services organisation—the person prescribed by the regulations.	26
<i>large commercial building</i>	means a building that—	27
(a)	has a footprint greater than 600m <sup>2</sup> , and	28
(b)	is used for commercial purposes.	29
<i>public passenger service</i>	has the same meaning as in the <i>Passenger Transport Act 2014</i> .	30
<i>public passenger vehicle</i>	means a vehicle used to provide a public passenger service.	31
<i>register</i>	—see section 10.	32
<i>relevant building</i>	—see section 4.	33
<i>relevant information</i>	—see section 8.	34
<i>relevant vehicle</i>	—see section 4.	35
<i>responsible person</i>	—see section 5.	36

Automated External Defibrillators (Public Access) Bill 2024 (No 2) [NSW]  
Schedule 2 Dictionary

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*vehicle* includes an aircraft, train or vessel but does not include a motorbike.

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Page 10

**Tabling copy**

**15.5 THE HON. JENNY AITCHISON MP, MINISTER FOR REGIONAL TRANSPORT AND ROADS**

Correspondence received from The Hon. Jenny Aitchison MP, Minister for Regional Transport and Roads.

**Attachments**

1. Correspondence received from The Hon. Jenny Aitchison MP, Minister for Regional Transport and Roads

**Recommendation**

That the correspondence be received and noted.

OFFICIAL

**The Hon Jenny Aitchison MP**  
Minister for Regional Transport and Roads



14/1/24

**Councillor Glen Neill**  
**Mayor**  
**Bogan Shire Council**  
gneill@neilearthmoving.com.au

Dear Mayor Neill *Glen*

I am writing to extend my heartfelt congratulations on your recent re-election as Mayor of Bogan Shire Council. As NSW Minister for Regional Transport and Roads, I look forward to continue to work closely with you and your fellow councillors to enhance the safety and efficiency of our NSW road network and continue to improve transport solutions for our regional communities.

Most importantly, I want you to be assured that as Minister for Regional Transport and Roads, I am committed to working with you and your colleagues within your Council but across the 95 local government authorities within my remit to improve the roads and transport network across regional NSW. I am committed to meeting with you at all opportunities whether it is in Sydney or on your road network.

As the local State Member for a regional area, and having lived in Walcha, Maitland and the Canberra/South East Tablelands areas, I know how challenging it can be to maintain and develop great transport and roads networks in the regions. I strongly believe transport and roads are a social determinant of health, education, opportunity and jobs, and that they are vital for resilience and social inclusion.

**Commitment to building stronger communities**

The NSW Government is committed to working with local government to build stronger, more vibrant communities and connections across NSW. To achieve this goal and deliver on a range of strategic priorities for roads and transport in NSW, we rely on the input and involvement from local councils. Following the recent local government elections, it is an opportune time to strengthen our relationships and work together to ensure the effective maintenance and management of our road and public transport networks and ensure community needs are met.

Historically, there have been complex funding models for local government to improve the local roads people use every day, I continue to work closely with my Ministerial colleagues towards clearer, simpler and more accessible funding opportunities across all NSW regional councils.

I want to briefly outline several significant and related Transport initiatives the NSW Government is delivering to improve our approach to planning, managing, and maintaining roads in NSW and the role they play in our communities' lives.

**Approach to road network reviews and change requests**

Among these initiatives, we will be introducing a simplified and evidence-based process for identifying and enacting road category changes, to ensure roads are effectively managed according to their function within the broader network.

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This updated process replaces the previous periodical road network reviews and re-classifications, which resulted in a backlog of change requests and a report that sat on the former Minister's desk for over four months and was never publicly released by the former Government. I will be sharing more information on the Government's fresh approach in the coming months and asking for council feedback, so a more transparent and fairer process can be implemented in early 2025.

#### **Support for Natural Disaster Recovery**

The NSW Government is committed to supporting local councils impacted by natural disasters. This includes assistance with the repair and reconstruction of damaged roads and transport assets. Eligible recovery works are funded through cost-sharing arrangements between the Australian and NSW Governments, under the Disaster Recovery Funding Arrangements (DRFA), with additional support from Transport for NSW.

Since being elected in 2023, the Minns Labor Government has increased the rate of funding for natural disaster recovery funding from an average of around \$190 million per year to \$3.3 billion over four years (on average around \$825 million per annum). This significant increase in funding, along with greater resourcing of Transport for NSW in assessing Essential Public Asset Reconstruction (EPAR), will allow councils across our regions to catch up on natural disaster recovery on their road network.

We have recently stood up a specialist disaster recovery team within Transport for NSW so that lessons learned, particularly over the last five years, can be applied across the state.

#### **Tripartite Agreement Pilot**

A key aspect of this approach has been the implementation of Tripartite Agreements which allow councils to get on with the work of recovery with funding certainty.

This initiative aims to ease the financial pressure on councils in funding recovery projects. The Agreements are designed to expedite road reconstruction works, enabling local councils to respond more swiftly and effectively after a natural disaster.

#### **The Regional Emergency Road Repair Fund (RERRF), the Regional and Local Roads Repair Program (RLRRP) and the Pothole Repair Round (PRR)**

Significant periods of wet weather across NSW in recent years have tested our road network and added a considerable backlog of maintenance and repair activities for councils. This is why a year ago we prioritised getting direct funding to regional NSW councils through the Regional Emergency Road Repair Fund (RERRF).

This fund provided an additional \$390 million to regional councils to start vital repair and maintenance work and built on the existing \$280 million allocated to regional NSW councils through the Regional and Local Roads Repair Program (RLRRP) and the \$50 million statewide Pothole Repair Round (PRR). The RERRF, RLRRP and the PRR total over \$670 million to be spent on Regional and Local roads over the next four years, with the funds paid to councils last calendar year. This is an historic uplift in funding for Regional and Local roads.

I have already seen councils deliver urgent repairs through this funding, improving the road condition through resurfacing, patching, drainage repairs, and other rehabilitation works. I am eager to continue seeing councils putting this critical funding to use. The funding allocated under the \$390 million RERRF program for your council was provided in our first budget in October 2023. The deadline for spending the \$280 million was extended to February 2027, to provide councils with the opportunity to complement their funding under the DRFA. Under the RERRF, RLRRP and PRR, your council has received historic funding of \$7,617,436.

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**SRITP Consultation and Progress**

Transport is developing a suite of nine Strategic Regional Integrated Transport Plans (SRITPs) aligning with the Department of Planning, Housing and Infrastructure's Regional 2041 Plans to efficiently respond to anticipated changes in land use, demographics, and travel demand across the state.

The Minns Labor Government is very keen to hear your voice in the conversation about roads and transport planning for your region. You can find out more about what is happening in your region on our website <https://www.haveyoursay.nsw.gov.au/sritp>. The government is changing the way consultation on connecting communities takes place, and I am hopeful you will engage in the process with enthusiasm. The maps are easy to use and can be shared with your local stakeholders and community on social media, with a pin drop function to enable people to tell Transport for NSW about their ideas and challenges easily.

The SRITPs will cover the road and rail network, public transport, point to point operations and active transport. They will cover passengers and freight. It is a genuine attempt to get a comprehensive view of how people move in and around our regions. Safety, inclusion and resilience will be key parts of the plans.

Each SRITP will be developed in collaboration with local government, community, key stakeholders, Members of Parliament (State and Federal), and other government agencies. Extensive engagement during the development is then followed by public exhibition and community consultation on each draft plan, before the final release of each SRITP.

The nine plans are being delivered in three tranches:

- **Tranche 1** – Hunter and South East and Tablelands. Early engagement has concluded; public exhibition on draft plans due late 2024, with more consultation on the drafts, and the final delivery due mid-2025.
- **Tranche 2** – Central Coast, Central West and Orana, and Illawarra Shoalhaven. Early engagement underway; public exhibition on draft plans due Q2 2025; final delivery due Q3 2025.
- **Tranche 3** – Far West, North Coast, Riverina-Murray, and New England North West. Early engagement to commence Q1 2025; public exhibition Q4 2025; final delivery Q1 2026.

We look forward to continuing to work closely with your council, to provide local insights for individual SRITPs that impact your region and communities. I encourage you to identify key stakeholders early in the consultation process so that Transport can connect with them to get a broader perspective on their needs. This might include business, industry, advocacy or progress associations, social and community groups, large businesses and unions.

**Towards Zero Safer Roads and Road Safety Programs**

Despite regional communities only accounting for a third of the state's population, tragically deaths on regional roads make up around two thirds of all road deaths. The Towards Zero Safer Roads Program is a road safety infrastructure upgrade and speed management program, aimed at delivering sustainable and long-term reduction in road trauma across the NSW road network by addressing high risk locations.

Over the life of the Program, the vital upgrades made are expected to prevent over 2,000 fatal or serious injuries caused by vehicle crashes. I am pleased to share that regional and outer metropolitan councils have successfully secured \$45,799,478 in recent funding for 23 projects across the state in [Round Two of the Program](#). This is in addition to the \$200 million recently announced on State Roads.

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3

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In addition, the Road Safety Program 2023/24-2025/26 offers \$91.8 million in funding to NSW Councils. Jointly funded by the NSW and Australian Governments, this Program aims to enhance road safety by reducing severe injuries and fatalities, with a particular focus on vulnerable road users such as pedestrians and cyclists. Successful applicants will be notified in the coming weeks.

#### **Renewable Energy Zones (REZ)**

NSW has a number of Renewable Energy Zones (REZs) in development, and we have heard the concerns of communities about the movement of oversize and/or overmass (OSOM) vehicles to move the large plant and equipment required. Just as the NSW Government has funded upgrades to the State Road network to enable the movement of oversize and/or overmass (OSOM) vehicles for agriculture, mining and other industries, we are also supporting the energy transition.

Since being elected to Government, we have signed an MOU with Energy Co to fund planners in Transport for NSW to address the issue. This has already resulted in a commitment of \$128.5 million towards delivery and further planning work, to upgrade 320 kilometres of road and ancillary works between the Port of Newcastle and Renewable Energy Zones.

Transport for NSW is now leading a whole of government steering committee on transport and logistics for the REZ, and we are working to support local councils with impacts on their local roads as well as the State Road network.

#### **Active Transport**

Regional councils across the state have better access to active transport funding, with the NSW Labor Government's Get NSW Active program grants. These grants have been tailored to help in regional NSW, with 40 per cent of funding quarantined for regional councils. Councils can make up to five applications, with a maximum of three successful grants (or \$5 million combined value). Funding is available for strategy/plan projects, design projects, and construction projects. This has seen some councils in regional areas able to obtain funding for developing active transport plans, where they had not had the capacity to do so previously. The current funding round for 2025/2026 project applications is currently open and will close on 25 November.

#### **Looking Forward**

I am confident, together, we can achieve significant progress in enhancing the resilience of infrastructure and transport services for regional communities. Please feel very welcome reach out if you require any further information or assistance. Our state is so much stronger when our local and state governments work together, and I am committed to always putting the needs of our regional communities first.

I hope you will join with me in ensuring the bespoke needs of your community are considered at every opportunity. Please participate in consultation proactively and provide your feedback.

If you need further information on any roads or transport issues in your local government area, please reach out to your Transport for NSW Regional Director Holly Davies, [holly.davies@transport.nsw.gov.au](mailto:holly.davies@transport.nsw.gov.au) or 0438 149 764, she will be able to provide further details about projects in your area.

Of course, my Ministerial team and I are also available to assist you with any issues or concerns. Please contact my office by email: [office@aitchison.minister.nsw.gov.au](mailto:office@aitchison.minister.nsw.gov.au) or call 02 7225 6220.

I am always keen to catch up with Mayors, Councillors and Council staff, and I do hope you will take the opportunity to catch up with me when you are in Sydney or on my many visits around the state. I have found that briefings with all of Council and the local MP are often a great way of working on a unified approach to overcoming difficult challenges on the network.

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4



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Once again, congratulations on your election. I look forward to a long, productive and collaborative relationship.

Yours sincerely,



The Hon. Jenny Aitchison MP  
Minister for Regional Transport and Roads

It was great to catch up with you  
earlier in the year again. I hope we  
continue to have such a positive working  
relationship.



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5

**16 MEETING CLOSURE**