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ITEM 1 - APPLICATIONS FOR LEAVE OF ABSENCE

REPORT IN BRIEF

Reason For Report	To allow tendering of apologies for councillors not present.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	1.2.2.1a - Facilitate Council and standing committee meeting processes.
Annexures	Nil
File Number	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS LEAVE OF ABSENCE - 1646795

RECOMMENDATION

THAT any apologies tendered be accepted and the necessary leave of absence be granted.

GENERAL MANAGER'S REPORT

A call for apologies is to be made.

ITEM 2 - DECLARATIONS OF INTEREST

REPORT IN BRIEF

Reason For Report	To allow an opportunity for councillors to declare an interest in any items to be determined at this meeting.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	1.2.2.1a - Facilitate Council and standing committee meeting processes.
Annexures	Nil
File Number	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL – COUNCILLORS AND STAFF DECLARATION OF INTEREST – 2024 - 1646801

RECOMMENDATION

THAT the Declarations of Interest be noted.

GENERAL MANAGER'S REPORT

A call for Declarations of Interest.

ITEM 3 - DECLARATIONS OF POLITICAL DONATION

REPORT IN BRIEF

Reason For Report	To allow for an opportunity for Councillors to declare any Political Donation received.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	1.2.2.1a - Facilitate Council and standing committee meeting processes.
Annexures	Nil
File Number	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS DECLARATION OF POLITICAL DONATIONS - 1646807

RECOMMENDATION

THAT any political donations be noted.

GENERAL MANAGER'S REPORT

A call for declarations of any political donations.

ITEM 4 - MINING & ENERGY RELATED COUNCILS

REPORT IN BRIEF

Reason For Report	For the information of the committee.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	1.2.2.1a - Facilitate Council and standing committee meeting processes.
Annexures	1. MERC Ordinary Meeting Draft Minutes 8th December 2023 ↓ 2. Draft Minutes Annual General Meeting 8th December 2023 ↓ 3. MERC Executive Committee Meeting Minutes 7 Dec 23 ↓ 4. Delegates Report Ordinary Meeting 8th December 2023 ↓

File Number	\\OFFICIAL RECORDS LIBRARY\GOVERNMENT RELATIONS\LOCAL AND REGIONAL LIAISON\ASSOCIATION OF MINING AND ENERGY RELATED COUNCILS - 1663255
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RECOMMENDATION

THAT the information contained in the report be noted.

DEPUTY GENERAL MANAGER - CABONNE SERVICES REPORT

On 8 December 2023, Clr Batten and Deputy General Manager Cabonne Services, Heather Nicholls attended the Mining & Energy Related Committee meeting. The minutes of the December 2023 meeting of the Mining & Energy Related Councils meeting are attached for the information of the committee.

Also attached is the following;

1. Draft Minutes of the Annual General Meeting held on 8 December 2023;
2. Draft minutes of the Annual General Meeting held on 8 December 2023;
3. Minutes of the Executive Committee Meeting held on 7 December 2023;
4. Delegates report from the Ordinary Meeting held on 8 December 2023

ITEM 5 - ELECTRIFY CABONNE

REPORT IN BRIEF

Reason For Report	To present proposed Electrify Cabonne Program for endorsement.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	1.3.2.1a - Implement the adopted actions from Council's Renewable Energy Action Plan (REAP).
Annexures	Nil
File Number	\\OFFICIAL RECORDS LIBRARY\ENVIRONMENTAL MANAGEMENT\PLANNING\RENEWABLE ENERGY ACTION PLAN - 1665879

RECOMMENDATION

THAT the Committee endorse the development of the Electrify Cabonne program.

DEPARTMENT LEADER - INNOVATION & TECHNOLOGY'S REPORT

Council has for a number of years had a Renewable Energy Action Plan, as well has had input into the development of an Emissions Reduction Plan and

an Electric Vehicle (EV) Transition Plan. A common component of these plans is council's use of electricity, either the generation of renewable energy, the efficiency of its use or, in the case of the EV Transition Plan, the infrastructure required to support future increases in demand at specific locations.

Electrify Cabonne aims to take similar themed projects from across the three plans and look at them in a wholistic manner, to identify projects that complement each other, ensure council isn't duplicating effort and to make sure projects such as electrical infrastructure upgrades consider the requirements of other projects.

From an emissions reduction perspective the Electrify Cabonne program would see council be 100% renewable in its electricity use, eliminating 16.3% of council's emissions and would lay the foundation for council's transition to a net zero vehicle fleet, whether these be electric vehicles or hydrogen, which would eventually eliminate a further 20.7% of emissions based on the baseline 2019 financial year. The energy efficiency measures would reduce council's overall electricity consumption and allow the excess generation to offset emissions in areas that are harder to treat, such as those generated via wastewater treatment or landfill operations.

A presentation will be made at the committee meeting.

Grant Opportunity

The Federal Government through the Department of Climate Change, Energy, the Environment and Water (DCCEEW), have opened a round of funding under the Community Energy Upgrades Fund. The fund will deliver \$100 million over 2 funding rounds run over 3 years. The program is intended to co-fund energy efficiency and electrification upgrades for local governments to deliver reduced energy bills and emissions from local government owner and/or operated facilities. Councils can apply for a maximum of \$2.5 million worth of funding with a 50/50 co-contribution. Many of the projects identified in Electrify Cabonne align with the grant guidelines and council staff are currently working through the grant requirements. Applications close April 30.

ITEM 6 - MID-SCALE SOLAR PLANT UPDATE

REPORT IN BRIEF

Reason For Report	To update the committee on the progress of the Mid-Scale Solar Plant.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	1.3.2.1a - Implement the adopted actions from Council's Renewable Energy Action Plan (REAP).
Annexures	1. ESF Project Update March 2024 ↓

File Number	\\OFFICIAL RECORDS LIBRARY\ENERGY SUPPLY AND TELECOMMUNICATIONS\PLANNING\PROPOSED SOLAR ELECTRICITY PROJECT - 1665887
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RECOMMENDATION

THAT the information in this report be noted.

DEPARTMENT LEADER - INNOVATION & TECHNOLOGY'S REPORT

Council staff continue to progress the Mid-Scale Solar plant project. A working group has been formed including council's General Manager, Deputy General Manager – Cabonne Infrastructure, Department Leader – Innovation & Technology, Department Leader – Water Utilities and consultants Constructive Energy.

The requisite network studies and Connection Access Standard have been completed and approved by Essential Energy with the next step being to develop the Offer to Connect. The approval of the network studies marks the clearing of a potential major barrier to the completion of the project.

Council's General Manager and Department Leader – Finance have met with a suitable lender and have secured credit approval for \$4,000,000 with a variable interest rate, being variable the rate changes all the time however the last market update had the rate at 6.05%.

Council is now ready to procure the detailed design of the plant and the design of the contestable grid works required to connect the plant to the electricity grid. Council staff and Constructive Energy are currently working on developing the Request for Quotation documents for both pieces of design work.

Constructive Energy have provided a further revised project budget which is attached as an annexure to this report. Constructive Energy will also provide the committee with an update directly.

ITEM 7 - SCOPE 3 EMISSIONS REPORT

REPORT IN BRIEF

Reason For Report	To present report findings to the Committee.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	1.3.2.1d - Work with other stakeholders to lead actions and initiatives in climate change for Cabonne and the region.
Annexures	1. Scope 3 Emissions Report Final ↓

File Number	\\OFFICIAL RECORDS LIBRARY\ENVIRONMENTAL MANAGEMENT\PLANNING\EMISSIONS REDUCTION PLAN - 1665889
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RECOMMENDATION

THAT the information in this report be noted.

DEPARTMENT LEADER - INNOVATION & TECHNOLOGY'S REPORT

Council, through the Central NSW Joint Organisation and via funding received from the Office of Energy and Climate Change (OECC), have procured a Scope 3 Emissions Report on the 2019 financial year. The report was developed by consultants 100% Renewables with the findings largely developed by an analysis of council's expenditure.

Scope 3 emissions are emissions generated both upstream and downstream of council's operations and include emissions produced in the production and transport of materials and goods, emissions generated by staff commutes and emissions produced by 3rd parties in the provision of services to council. A full description is available in the report.

Figure 4 on page 7 of the report shows a percentage breakdown of council's scope 3 emissions and Table 2 on page 8 shows a percentage breakdown across scopes 1, 2 & 3. Unsurprisingly given the volume of materials involved, road maintenance and construction forms a large component of Council's scope 3 emissions accounting for 56% of scope 3 emissions and 26.39% of overall emissions. Other large emitters include non-residential building construction at 12%, and sanitary and garbage disposal at 11%.

The report can assist council's future efforts to reduce emissions, through sustainable procurement practices and engaging with suppliers, however the scope for this is potentially limited currently due to the lack of viable and cost-effective alternatives.

ITEM 8 - ENVIRONMENTAL SERVICES UPDATE REPORT

REPORT IN BRIEF

Reason For Report	For the information of the committee.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	3.2.1.2a - Review the Waste Management Strategy.
Annexures	1. Ranger Procedure Manual review 2024 ↓
File Number	\\OFFICIAL RECORDS LIBRARY\WASTE MANAGEMENT\PLANNING\WASTE MANAGEMENT PLANS - 1666740

RECOMMENDATION

THAT the information be noted.

DEPARTMENT LEADER - ENVIRONMENTAL SERVICE'S REPORT

The following report provides an overview of the services provided by the Environmental Services department of council:

Domestic Waste Contract

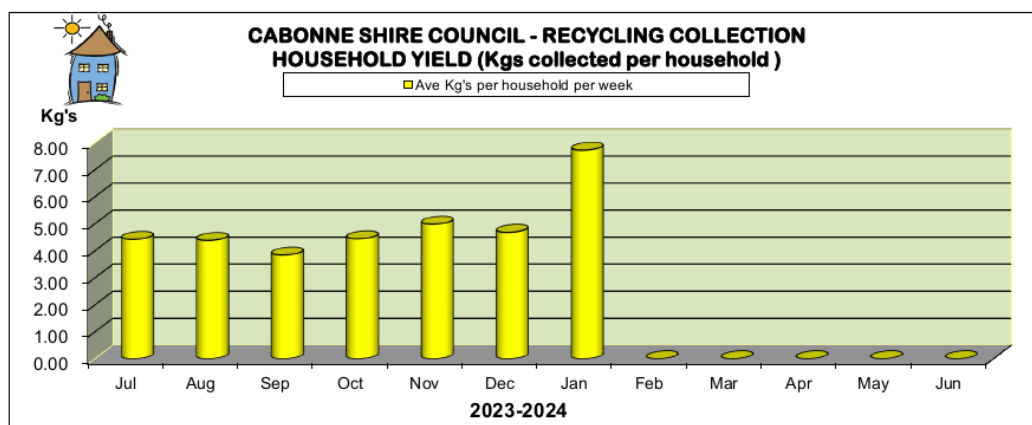
The following figures have been provided by council's contractor JR Richards relating to the domestic waste service this current financial year.



**CABONNE COUNCIL - RECYCLING COLLECTION
HOUSEHOLD YIELD
(Kgs collected per household)**



Recycling						
2023-2024	Weeks	Ave Kg's per household per week	Service Base	Total Kg's	No. of Bins Collected	% of bins collected
Jul	4	4.42	3,846	33969	4,935	64.16%
Aug	4	4.38	3,850	33707	5,023	65.23%
Sep	5	3.84	3,856	36987	5,247	54.43%
Oct	4	4.44	3,857	34226	5,133	66.54%
Nov	4	4.98	3,859	38430	4,597	59.56%
Dec	5	4.68	3,865	45192	8,265	85.54%
Jan	4	7.72	3,867	59703	5,529	71.49%
Feb						
Mar						
Apr						
May						
Jun						
TOTAL	30			282213		



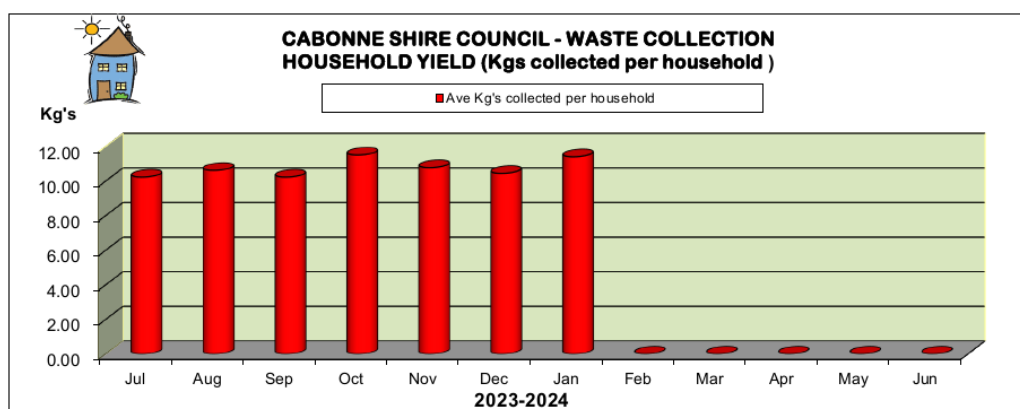
GENERAL MANAGER'S REPORT ON MATTERS FOR DETERMINATION SUBMITTED TO THE ENVIRONMENT, INNOVATION AND ENERGY COMMITTEE TO BE HELD ON TUESDAY 12 MARCH, 2024



CABONNE COUNCIL - WASTE COLLECTION HOUSEHOLD YIELD (Kgs collected per household)



Waste						
2023-2024	Weeks	Ave Kg's collected per household	Service Base	Total Kg's	No. of Bins Collected	% of bins collected
Jul	4	10.22	3,852	157,520	11,813	76.67%
Aug	4	10.61	3,856	163,710	11,608	75.26%
Sep	5	10.22	3,862	197,380	14,042	72.72%
Oct	4	11.50	3,863	177,640	12,031	77.86%
Nov	4	10.77	3,865	166,550	11,788	76.25%
Dec	5	10.44	3,872	202,060	14,258	73.65%
Jan	4	11.40	3,874	176,580	11,862	76.55%
Feb						
Mar						
Apr						
May						
Jun						
TOTAL	30			1,241,440		



CABONNE COUNCIL RECYCLING FIGURES JULY TO JUNE 2023

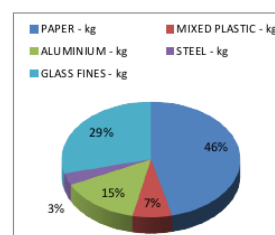


MONTHLY

	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	TOTAL
PAPER - kg	18,271	18,049	19,739	18,196	20,653	16,265	21,285						132,458
MIXED PLASTIC - kg	2,699	2,720	3,206	2,788	3,337	2,450	3,098						20,298
ALUMINIUM - kg	194	189	212	226	233	17,425	22,767						41,246
STEEL - kg	1,296	1,160	1,383	1,603	1,597	1,086	1,446						9,571
GLASS FINES - kg	11,508	11,590	12,447	11,414	12,610	9,858	13,615						83,042
TOTAL - kg	33,969	33,708	36,987	34,226	38,430	47,084	62,211	0	0	0	0	0	286,615
WASTE %	10.89%	10.78%	10.94%	10.52%	10.98%	10.97%	11.13%						
WASTE - kg	4,151	4,073	4,543	4,024	4,740	5,568	7,477						

QUARTERLY

	Jul to Sep 23	Oct to Dec 23	Jan to Mar 24	Apr to Jun 24	TOTAL
PAPER - kg	56,060	55,114	21,285		132,458
MIXED PLASTIC - kg	8,625	8,575	3,098		20,298
ALUMINIUM - kg	595	17,884	22,767		41,246
STEEL - kg	3,839	4,286	1,446		9,571
GLASS FINES - kg	35,545	33,882	13,615		83,042
TOTAL - kg	104,663	119,740	62,211	0	286,615



These figures are comparable to the previous financial year. Although there was a decrease in waste in December.

Landfill and transfer station sites

Manildra Waste Facilities' first dumping cell (stage one) reached 100% capacity and was covered over in early February 2024. In line with Council's Waste

Management Strategy a new cell (stage two) has been constructed and is now open for dumping.

Throughout the hotter months, two self combusting fires were recorded at both Canowindra and Manildra Waste Facilities. Canowindra's fire was the more significant of the two consuming the whole current dumping cell. The firefighting equipment on site proved to be invaluable as staff were able to keep the fire from spreading until Rural Fire Service NSW was able to attend. Both events were recorded with EPA and reports and investigations have been completed.

Environmental Services implementation of new waste management system Cooee is in its early testing stages. This system makes collection and tracking of the data a lot more streamlined which will help immensely with reporting deadlines. This will be tested in-house and on-site over the next month to iron out any bugs and should be launched in April or May this year.

Cemeteries

Environmental Services Cemetery Maintenance Officer has been busy getting on top of our 11 active cemeteries, despite tough seasonal conditions which has proved challenging. A general works schedule has been created to inform the public roughly when in a fortnightly period their cemetery will be tended to.

Extension of the columbarium wall at Eugowra has been scheduled within the coming months. This will be a much-needed addition as there are currently only 5 available niche plots in the current setting. A contractor has also been approached to quote on construction of additional beams at Canowindra Cemetery. These works will finish off the planned Catholic portion expansion.

Ranger services

Our Ranger has been completing regular patrols around the LGA. 15 dogs have been transferred to council's pound. 5 of those dogs have been released back to their owners, 5 have been rehomed either through council staff or agencies, 4 are currently awaiting adoption with the 5th being deemed dangerous and is awaiting its two-week holding period.

The pound continues to receive an influx of complaints about constant barking. This has been monitored closely by the ranger with only one instance of the dogs barking continuously being noted. Citronella collars have been implemented and are resolving some of the issue.

Biosecurity

The team have been busy with private property inspections throughout the LGA. There have been 269 private property inspections conducted towards our target of 350 for this financial year. These inspections have been well received and good relationships and results are being noticed.

In conjunction with Local Land Services our new 5-year Central Tablelands Strategic Weed Management Plan 2023-2027 has been released and now is in effect. This will determine what plants are described as a priority for the next 5-year period.

The Biosecurity team have also approached UGL for a few problem areas of blackberry along their rail corridors. UGL have been very prompt and receptive to this, already treating one of the problem sites at Canowindra. This partnership is a good win for Cabonne Council and should reduce the volume of complaints received around rail corridors in the LGA.

Current weeds/Actions

The biosecurity team is focusing on controlling St John's Wort, Blackberry, Serrated Tussock, Sticky Nightshade, Coolatai Grass and Blue Heliotrope across the LGA. In coming months, the team will focus on African Boxthorn, Chilean Needle Grass, Sweet Briar and continue to focus on Blackberry while the season allows. The Biosecurity team will also be looking to hold information nights across the LGA to discuss with landholders their obligations under the Biosecurity Act 2015 and services council can offer.

MINUTES OF THE ASSOCIATION OF MINING & ENERGY RELATED COUNCILS (NSW) INC. ORDINARY MEETING HELD AT CLUB YORK, YORK ROOMS, 99 YORK ST, SYDNEY, 8th DECEMBER 2023

Present

Cr Kevin Duffy	Orange City Council (Chair)
Cr Dennis Brady	Lachlan Shire Council (Dep Chair)
Cr Denis Todd	Warrumbungle Shire Council (Ex Comm)
Cr Jason Hamling	Orange City Council
Cr Mathew Deeth	Wollondilly Shire Council
Cr Michael Banasik	Wollondilly Shire Council
Cr Chris Roylance	Forbes Shire Council
Steve Loane OAM	Forbes Shire Council
Cr Peter Batten	Cabonne Shire Council
Heather Nicholls	Cabonne Shire Council
Cr Dom Figliomeni	Wollongong City Council
Cr Cath Blakey	Wollongong City Council
Ron Zwicker	Wollongong City Council
Mark Dicker	Blayney Shire Council
Kent Boyd	Parkes Shire Council

Apologies

Cr Phyllis Miller OAM	Forbes Shire Council (Dep Chair)
Cr Jim Hickey	Broken Hill City Council
Cr Scott Ferguson	Blayney Shire Council (Ex Comm)
Cr Liz McGlynn	Bland Shire Council (Ex Comm)
Gary Woodman	Warren Shire Council
Cr Katrina Walker	Warren Shire Council
Cr Ros Jackson	Warren Shire Council
Greg Tory	Lachlan Shire Council
Cr Mathew Dickerson	Dubbo Regional Council
Murray Wood	Dubbo Regional Council
Cr Jarrod Marsden	Cobar Shire Council
Peter Vlatko	Cobar Shire Council
Cr Des Kennedy	Mid-Western Regional Council
Brad Cam	Mid-Western Regional Council
Cr Jasen Ramien	Walgett Shire Council
Megan Dixon	Walgett Shire Council
Cr Pam Kensit	Upper Lachlan Shire Council
Alex Waldron	Upper Lachlan Shire Council
Cr Aneillo Iannuzzi	Warrumbungle Shire Council
Owen Hasler	Life Member

Condolences

Delegates noted the recent passing of John Davis (Orange City Council – ex Mayor and Chair of the Association) and Cr Peter Abbott (Cobar Shire Council – ex Mayor and former delegate)

In attendance

Greg Lamont, Executive Officer (Minute Taker), Martin Rush and Michael Askew (FTG), Georgina Beattie (Department Regional NSW, Executive Director, Mining, Exploration and Geosciences).

MINUTES OF THE ASSOCIATION OF MINING & ENERGY RELATED COUNCILS (NSW) INC. ORDINARY MEETING HELD AT CLUB YORK, YORK ROOMS, 99 YORK ST, SYDNEY, 8th DECEMBER 2023

1. Welcome.

The Chair, Councillor Kevin Duffy, welcomed members to the meeting and declared the meeting open at 11.05am.

2. Acknowledgement of Country by Chair

“I acknowledge the traditional custodians of the land that we meet on today and pay our respects to the Elders past, present & emerging”.

3. Apologies.

OM 32/2023 Resolved (Cr Roylance/Boyd) that the apologies as per the above list be received and noted.

4. Disclosures of Interest.

(a) Ron Zwicker declared a non-significant pecuniary interest with his shares in AGL

OM 33/2023 Resolved (Cr Brady/Cr Banasik) that the disclosures of interest be received and noted.

SUSPENSION OF STANDING ORDERS AT 11.10am

OM 34/2023 Resolved (Cr Brady/Cr Batten) that the meeting be suspended at 11.10am to receive the presentation from the following speaker:

Georgina Beattie, Executive Director, Department Regional NSW, Mining, Exploration and Geoscience: Matters of interest raised and discussed:

- The Division supports & regulates the minerals and petroleum industry.
- This involves 45% of NSW exports.
- Government receives \$49billion in royalties pa, mainly from coal mining.
- Copper and scandium are becoming critical for renewable energy developments. The growth in minerals is in these Group 1 metals.
- Minister for Resources, Hon Courtney Houssos is establishing and driving with her country meetings with “Future Jobs and Investment” Authorities to address mine/power station closures and transitioning to renewable energy growth.
- Coal mining is strong & will continue for decades.
- See www.minview.geoscience.nsw.gov.au for data on the mining exploration and processing activities through out NSW.
- Agrees that Councils should be more involved in the closure of mines with the development of the Rehabilitation Plans with miners.
- Planning Act is being reviewed by the Future Jobs & Investment Authorities.
- Ian Smith, Regions NSW, is the contact person for the Authorities for MERC to liaise with.

[Note: if slides are available (awaiting permission to circulate from Georgina) they will be sent to delegates)].

MINUTES OF THE ASSOCIATION OF MINING & ENERGY RELATED COUNCILS (NSW) INC. ORDINARY MEETING HELD AT CLUB YORK, YORK ROOMS, 99 YORK ST, SYDNEY, 8th DECEMBER 2023

RESUMPTION OF STANDING ORDERS AT 12.10pm

OM 35/2023 Resolved (Cr Brady/Cr Todd) that the meeting be resumed at 12.10pm to continue with the meeting items.

5. Adoption of the Minutes of the Ordinary Meeting held on 3rd August 2023

OM 36/2023 Resolved (Cr Brady/Cr Banasik) that the minutes of the Ordinary meeting held on 3rd August 2023 be received and noted.

6. Business Arising from Minutes of the Ordinary meeting held on 3rd August 2023 - Nil

(Note: It was agreed that the Executive Officer submit a delegate's report to accompany the draft minutes when they are sent to members after each Ordinary meeting).

7. Adoption of Minutes of the Executive Committee Meeting held 7th December 2023

OM 37/2023 Resolved (Loane/Cr Brady) that adoption of the minutes of the Executive Committee meeting held on 7th December 2023 be deferred until after the Executive Officer's Report in Item 11 provides a background report on the items in the Executive Committee meeting minutes of 7th December 2023.

OM 38/2023 Resolved (Cr Loane/Cr Deeth) that the minutes of the Executive Committee meeting held on 7th December 2023 be received and noted.

8. Business Arising from the Minutes of Executive Committee Meeting held on 4th December 2023

Resources for Regions Program replacement, matters discussed:

- Executive Officer outlined status of meeting with Minister for Regions & Western NSW, Hon Tara Moriarty that he and Cr Jarrod Marsden attended with Roy Butler MP Barwon, John Clements, Ministers Chief of Staff-Brad Fitzmaurice and Senior Policy Officer Liam O'Callaghan:
 - Roy raised issue that \$250m already in the Working Regions Fund (funded by Restart NSW) for mining affected communities and funds in the Regional Development Trust Fund \$350m both are yet to be allocated.
 - Minister wants to run everything through the 12-month term Advisory Council and the results from the review of the Regional Development Act 2004, considerations, which closes end of January 2024, this will dictate what programs will be developed, rebadged, and announced.
 - For MERC to have a seat on the 7-person Advisory Council being set up to review the Regional Development Act 2004, where a replacement program for Resources for Regions will be formulated, MERC will have to overcome any conflicts of interest. Martin/Michael to talk to Chief of Staff, Ministers office.
- Crs Deeth and Banasik raised issue that any replacement program must include Wollondilly Shire and Wollongong City Councils as per previous list, as a minimum. A strategy needs to be urgently developed to ensure Councils have an equivalent replacement program for 2024/25 budget next year.
- Kent Boyd – must ensure it is not a competitive process in any new program.

MINUTES OF THE ASSOCIATION OF MINING & ENERGY RELATED COUNCILS (NSW) INC. ORDINARY MEETING HELD AT CLUB YORK, YORK ROOMS, 99 YORK ST, SYDNEY, 8th DECEMBER 2023

- Cr Figliomeni – Need to develop an Action Plan as soon as possible with new EO team on board from 8th December who can contact Ian Smith and government officials and include this for current members of MERC as an incentive to join MERC.
- Martin Rush – delegate this to the Executive Committee to develop an Action Plan and they will implement as soon as possible.
- Micheal Askew – will need several days to develop a Strategy after Martin/Michael talk to relevant government officials, Ian Smith & Steve Galilee. (see below)

NSW Minerals Council Request to Collaborate with MERC on Submission for Review of Regional Development Act 2004 - Martin Rush to contact Steve Galilee NSW Minerals Council CEO on this item.

OM 38/2023 Resolved (Cr Banasik/Cr Roylance) that:

(a) the Executive Committee urgently develop an Action Plan to address the loss of the Resources for Regions program.

(b) The Action Plan to identify common requirements for all MERC members including the existing recipients such as Wollondilly Shire and Wollongong City Councils ensuring that they are to be regarded as regional and others with no mines but have affectation and impacts from mining occurring in their LGA's.

9. Delegates Reports – Nil.

10. Speakers - As above

11. Executive Officer's Report

Executive Officer's Report

The Executive Officer went through the items in the Executive Officer's report that related to matters on the agenda for this meeting as information or for decision prior to the consideration of them in this meeting if required.

12. General Business

(a) Next Meeting.

OM 30/2023 Resolved (Cr Brady/Duffy) that the next meeting of MERC be left with Executive Committee to determine.

Close – the meeting closed at 1.00pm

The minutes (pages 1-6) were confirmed at the Ordinary Meeting held in _____ 2024 and are a concise and accurate record of proceedings of the Ordinary General meeting held on 8th December 2023.

.....
Cr Kevin Duffy
Chairperson

MINUTES OF THE ASSOCIATION OF MINING & ENERGY RELATED COUNCILS (NSW) INCORPORATED, ANNUAL GENERAL MEETING HELD ON 8th DECEMBER 2023, SECOND LEVEL, CLUB YORK 99 YORK ST, SYDNEY

Present

Cr Kevin Duffy
Cr Dennis Brady
Cr Denis Todd
Cr Jason Hamling
Cr Mathew Deeth
Cr Michael Banasik
Cr Chris Roylance
Steve Loane OAM
Cr Peter Batten
Heather Nicholls
Cr Dom Figliomeni
Cr Cath Blakey
Ron Zwicker
Mark Dicker
Kent Boyd

Orange City Council (Chair)
Lachlan Shire Council (Dep Chair)
Warrumbungle Shire Council (Ex Comm)
Orange City Council
Wollondilly Shire Council
Wollondilly Shire Council
Forbes Shire Council
Forbes Shire Council
Cabonne Shire Council
Cabonne Shire Council
Wollongong City Council
Wollongong City Council
Wollongong City Council
Blayney Shire Council
Parkes Shire Council

Apologies

Cr Phyllis Miller OAM
Cr Jim Hickey
Cr Scott Ferguson
Cr Liz McGlynn
Gary Woodman
Cr Katrina Walker
Cr Ros Jackson
Greg Tory
Cr Mathew Dickerson
Murray Wood
Cr Jarrod Marsden
Peter Vlatko
Cr Des Kennedy
Brad Cam
Cr Jasen Ramien
Megan Dixon
Cr Pam Kensit
Alex Waldron
Cr Aneillo Iannuzzi
Owen Hasler

Forbes Shire Council (Dep Chair)
Broken Hill City Council
Blayney Shire Council (Ex Comm)
Bland Shire Council (Ex Comm)
Warren Shire Council
Warren Shire Council
Warren Shire Council
Lachlan Shire Council
Dubbo Regional Council
Dubbo Regional Council
Cobar Shire Council
Cobar Shire Council
Mid-Western Regional Council
Mid-Western Regional Council
Walgett Shire Council
Walgett Shire Council
Upper Lachlan Shire Council
Upper Lachlan Shire Council
Warrumbungle Shire Council
Life Member

Condolences

Delegates noted the recent passing of John Davis (Orange City Council – ex Mayor and Chair of the Association) and Cr Peter Abbott (Cobar Shire Council – ex Mayor and former delegate)

In attendance

Greg Lamont, Executive Officer (Minute Taker), Martin Rush and Michael Askew (FTG).

1. Welcome by Chair.

The Chair, Councillor Kevin Duffy, welcomed members to the meeting which he declared open at 9.05am.

2. Acknowledgement of Country by Acting Chair

"I acknowledge the traditional custodians of the land that we meet on today and pay our respects to the Elders past, present & emerging".

3. Apologies.

AGM 15/2023 Resolved (Cr Todd/Cr Brady) that the apologies as per the above list be received and noted.

4. Disclosures of Interest.

AGM 16/2023 Resolved (Cr Brady/Cr Hamlin) that the following declaration be noted: - Ron Zwicker declared a non-significant pecuniary interest with his shares in AGL.

5. Adoption of Minutes of Annual General Meeting held on 22nd February 2023.

AGM 17/2023 Resolved (Loane/Cr Todd) that the minutes of the Association's Annual General Meeting held on 22nd February 2023, be received, and noted as a true and accurate record of proceedings.

6. Business arising from the Minutes of Annual General Meeting held on 22nd February 2023. Nil

7. Life Membership Owen Hasler-Suspension of Standing Orders

Note: Did not proceed, see Item 8

8. Life Membership Owen Hasler - Resumption of Standing Orders

Note: Owen Hasler could not attend the meeting to receive his life membership

9. Chairperson's 2022 - 23 Annual Report

AGM 18/2023 Resolved (Cr Duffy/Cr Brady) that the Chairperson's 2022-23 Annual Report be received and noted.

10. Executive Officer's 2022 - 23 Annual Report.

AGM 19/2023 Resolved (Cr Todd/Cr Figliomeni) that the Executive Officer's 2022-23 Annual Report be received and noted.

11. Election of Chairperson, Deputy Chairpersons and Executive Committee.

SUSPENSION OF STANDING ORDERS AT 9.30AM

AGM 20/2023 Resolved (Cr Brady/Cr Hamlin) That the meeting be suspended to allow the Returning Officer to conduct the election of the Executive Committee.

The Executive Officer as Returning Officer reported that the nominations for the Executive Committee received by the due date equated to the vacancies for Chair and the two Deputy Chair positions plus three Executive Committee positions.

The Returning Officer declared the results of the election as follows:

- Chair – Cr Kevin Duffy (Orange City Council)
- Deputy Chair – Cr Phyllis Miller OAM (Forbes Shire Council)
- Deputy Chair – Cr Dennis Brady (Lachlan Shire Council)
- Executive Committee –
 - Cr Scott Ferguson (Blayney Shire Council),
 - Cr Denis Todd (Warrumbungle Shire Council) and
 - Cr Liz McGlynn (Bland Shire Council)

The Returning Officer and Delegates congratulated the Executive Committee on their appointment's.

RESUMPTION STANDING ORDERS AT 9.35AM

AGM 21/2023 Resolved (Cr Banasik/Cr Todd) that the Association resume the Annual General Meeting business with Cr Kevin Duffy as Chairperson.

12. Financial Statements – 1/7/22 to 30/6/23

AGM 22/2023 Resolved (Cr Brady/Cr Figliomeni) that the Financial Report for 2022-2023 financial year be referred to the NSW Department of Fair Trading to note, in accordance with the Association Incorporations Act 2009, by 31st December 2023.

13. 2023-2024 Budget

AGM 23/2023 Resolved (Cr Brady/Cr Todd) that the 2023-2024 budget as presented be adopted by the Association with the inclusion of provision for any membership fee increase in Item 13 and the Executive Officer's Contract provisions in Item 16.

14. Membership Fees

AGM 24/2023 Resolved (Cr Roylance/Cr Brady) that the Association membership fees for 2024 – 2025 be increased by 5%, based on the 2024-25 proposed rate peg changes recommended by IPART (range 4.5-5.5%) and changes to the rate peg calculation per member.

15. 2024 Meeting Dates & Venues

AGM 25/2023 Resolved (Cr Brady/Cr Hamlin) that the meeting cycle for 2024 be deferred until after the February 2024 Strategic Planning workshop in Lithgow, noting that an Ordinary meeting will be held on 7th June 2024 in Dubbo as part of the REIIF.

16. Review by Future Together Group (FTG) & Three Pillars Advisory (TPA)

Michael and Martin (FTG) presented their plans for next 90 days with Michael to finalise an Action Plan to implement them as outlined.

AGM 26/2023 Resolved (Cr Brady/Loane) that:

- (a) the presentation by FTG comments on the two review reports be noted.
- (b) the proposed 90 Day Action Plan for MERC as outlined by FTG be noted and referred to Executive Committee for endorsement as soon as possible.

17. Executive Officer’s Contract Renewal

AGM 27/2023 Resolved (Cr Roylance/Cr Brady) that the information be noted

18. General Business

(a) Next Annual General Meeting -

AGM 14/2023 Resolved (Loane/Cr Batten) that the Annual General Meeting to be held in November or December 2024 at a location to be determined by Executive Committee.

19. Close. The meeting closed at 10.45am

DRAFT

The minutes (pages 1-4) were confirmed at the Annual General meeting of the Association held on the _____ and are a full and accurate record of proceedings of the meeting held on 8th December 2023

.....

Cr Kevin Duffy
Chairperson

MINUTES OF THE EXECUTIVE COMMITTEE OF THE ASSOCIATION OF MINING & ENERGY RELATED COUNCIL'S (NSW) INCORPORATED, HELD ON 7th DECEMBER 2023. IN THE CLUB YORK BOARD ROOM, 99 YORK ST, SYDNEY, NSW

Present

Cr Kevin Duffy (Chair)	Orange City Council
Cr Phyllis Miller OAM (Dep Chair)	Forbes Shire Council
Cr Dennis Brady (Deputy)	Lachlan Shire Council
Cr Denis Todd	Warrumbungle Shire Council
Cr Chris Roylance	Forbes Shire Council
Greg Lamont (as the minute taker)	MERC - Executive Officer
Michael Askew & Martin Rush	FTG

1. Welcome

The Chair, Councillor Kevin Duffy welcomed Executive Committee members, FTG key persons Michael & Martin and opened the meeting at 2.05pm

2. Acknowledgement of Country

The Chair acknowledged the traditional owners of the land that the meeting was held on and paid his respects to the Elders past, present & emerging.

3. Apologies

EM 18/2023 Resolved (Cr Todd/Cr Brady) That the apologies of Cr McGlynn, Cr Scott Ferguson be received and noted.

4. Disclosure of Pecuniary Interests – Nil

5. Executive Officer's Report

(a) For Information

- i. **Correspondence**
- ii. **Finance Report – 1st July – 30th September 2023**
- iii. **Meetings with Ministers & Senior Government Staff**
- iv. **Membership of MERC**
- v. **Submissions**
- vi. **Progress Report on Outstanding Decisions of Association**
- vii. **Progress Report on Strategic Plan 2023 – 2026 Actions**
- viii. **Renewable Energy Zones Update**
- ix. **Resources Energy Industry & Innovation Forum Dubbo 5-7th June 2024**

Martin & Michael left the room at 2.55pm returned at 3.05pm as Item 5(b)ii was discussed

EM 19/2023 Resolved (Cr Todd/Cr Miller that Items (a) i-xi that the information be noted.

(b) For decision:

i. Fees for AGM Meeting

EM 20/2023 Resolved (Cr Brady/Cr Miller) That the Executive Committee has recommended that the fees for 2024/2025 be increased by 5% based on the IPART rate peg setting, adjusting for population growth for 2024-25 financial year, ranging from 4.5-5.5%.

MINUTES OF THE EXECUTIVE COMMITTEE OF THE ASSOCIATION OF MINING & ENERGY RELATED COUNCIL'S (NSW) INCORPORATED, HELD ON 7th DECEMBER 2023. IN THE CLUB YORK BOARD ROOM, 99 YORK ST, SYDNEY, NSW

ii. Appointment of Future Together Group

EM 21/2023 Resolved (Cr Miller/Cr Brady)

- 1 That the Association endorse the following actions by the Executive Committee:
 - (a) the engagement of the Future Together Group for the next 12 months from 8th December 2023 until 7th December 2024 to provide Executive Officer Services as per the contract.
 - (b) acceptance of the fee for services being \$124,000 plus GST, for 21 hours pw, payable monthly with the provision for reimbursement of reasonable expenses for accommodation, meals, and travel as approved by the Chair.
 - (c) the signing of the contract by the Chair on behalf of the Executive Committee and MERC.
2. That the Executive Officer's contract (Greg Lamont) be extended until 18th December 2023 to allow sufficient time for transition to FTG, as outlined.
3. That authority be given to Future Together Group "key persons" (Martin Rush and Dr Michael Askew) to be the new signatories to act on behalf of the Association of Mining & Energy Related Councils' NSW Inc. on the CBA bank account, Visa Debit Card, CommBiz Internet banking system and Beyond Bank Investment account transactions to replace Greg Lamont and/or Julie Goodwin.
4. That authority be given to Future Together Group (FTG) to carry out the functions of Public Officer for the Association Mining & Energy Related Councils NSW and Department of Fair Trading and ATO be advised accordingly of names.

iii. Review of MERC by FTG & TPA

EM 22/2023 Resolved (Cr Miller/Cr Brady) that the 90 Day Action Plan proposed by Executive Officer be endorsed and presented to delegates on 8th December as information.

iv. Submission on Regional Development Act 2004 with NSWMC

EM 23/2023 Resolved (Cr Miller/Cr Todd) that the Association join with NSW Minerals Council to prepare a submission on the review of the Regional Development Act 2004

6. General Business

(a) Location/dates for next meetings in 2024

(b) Life Memberships – That the information that Owen Hasler be noted.

(c) Executive Officer Presentation

EM 24/2023 Resolved That the Association invite the EO to attend the next Association meeting in February 2024 to acknowledge services rendered.

7. Close – the meeting closed at 4.30pm.

The minutes (pages 1-2) were confirmed at the Ordinary General Meeting held on the 8th December 2023 and are a full and accurate record of proceedings of the meeting held on 7th December 2023.

.....Cr Kevin Duffy,
Chairperson



Delegates Report – MERC Ordinary Meeting 8th December 2023

This report provides a summary of a very successful meeting held on 8/12/23 in Club York rooms, 99 York St Sydney for the Association Mining & Energy Related Councils NSW (MERC).

Executive Committee Meeting held 7th December 2023

The meeting focussed on the engagement of Future Together Group from 8th December 2023 and their proposed “90 Day Plan” proposal (see later item). Michael Askew to be the Executive Officer 14 hours a week and Martin Rush as Director Policy, 7 hours a week. The package value is \$ 124,000 for 12 months then review. There is an expectation that membership will increase with target of 40 mentioned in due course.

Already Martin with his extensive contacts is working with other groups and with a group of 11 x GMs lead by Lithgow and Lake Macquarie, plus with Muswellbrook, Oberon and Cessnock have previously expressed an interest in re-joining. Future looks bright with new approach.

FTG gave a presentation on their 90 Day Action Plan to start policy development to improve MERC’s value proposition and attract more members using a stronger focus on mining, energy. Resource sha and quarrying, plus setting up a Workshop in February at Lithgow on the start of the month for members, their GMs and technical staff.

Michael is to develop a work plan for this 90 Day Plan. Current EO finishes 18th Dec 2023, which means current Finance Officer of many years, some of will know her (Julie Goodwin) leaves MERC when the EO goes, unless FTG engage her to assist. Julie was always paid by EO out of his contract money after Gunnedah Shire Council dispensed with doing the MERC financials, some years back.

The transition to new EO service providers (FTG) Michael and Martin required the Executive Committee to resolve to change over banking, public officer, ATO etc signatories.

MERC agreed to collaborate with NSW Minerals Councils’ approach to prepare a joint submission on the review of the Regional Development Act 2004, where the changes proposed for Resources for Regions will come from via the Advisory Council being established to consider submissions and grant programs possibly be funded either of Working Regions Fund of \$350m and Regional Development Trust \$350 or combination.

Executive Officer has been invited to attend next meeting of MERC in Lithgow in February to acknowledge contribution to MERC last 7 years. Presentation to Owen Hasler for Life membership has been postponed until Lithgow or Dubbo in June



Other matters were the recommendations to the AGM of:

- Fee increase for 2024/2025 year of 5% based on IPART recommendations and range of 4.5 to 5.5 % for all Councils in NSW.
- Finance Report results 2022-2023 to be lodged with Dept Fair Trading.
- Budget for 2024-2025.

Annual General Meeting

Executive Committee election results (same as last AGM):

- Chair Cr Kevin Duffy, Orange City Council.
- Deputy Chairs – Cr Dennis Brady, Lachlan Shire Council & Cr Phyllis Miller, OAM, Forbes Shire Council.
- Executive Committee – Crs Liz McGlynn, Bland Shire Council, Scott Ferguson, Blayney Shire Council and Cr Denis Todd, Warrumbungle Shire Council

Adopted the Fee increase with 5% Fee for 2024/2025 year based on IPART recommendations and range of 4.5 to 5.5 % for all Councils in NSW plus Finance Report results 2022-2023 to be lodged with Dept Fair Trading and Budget for 2024-2025.

Ordinary Meeting

All the Executive Committee decisions were adopted. Main issue was advocacy for Resources for Regions replacement, so it was resolved that:

(a) the Executive Committee urgently develop an Action Plan to address the loss of the Resources for Regions program.

(b) The Action Plan to identify common requirements for all MERC members including the existing recipients such as Wollondilly Shire and Wollongong City Councils ensuring that they are to be regarded as regional and others with no mines but have affectation and impacts from mining occurring in their LGA's.

There was only one speaker Georgina Beattie, Department Regional NSW, Executive Director, Mining, Exploration and Geosciences who mentioned following details:

- The Division supports & regulates the minerals and petroleum industry.
- This involves 45% of NSW exports.
- Government receives \$49billion in royalties pa, mainly from coal mining.
- Copper and scandium are becoming critical for renewable energy developments. The growth in minerals is in these Group 1 metals.
- Minister for Resources, Hon Courtney Houssos is establishing and driving with her country meetings with "Future Jobs and Investment" Authorities to address mine/power station closures and transitioning to renewable energy growth.
- Coal mining is strong & will continue for decades.
- See www.minview.geoscience.nsw.gov.au for data on the mining exploration and processing activities through out NSW.



- Agrees that Councils should be more involved in the closure of mines with the development of the Rehabilitation Plans with miners.
- Planning Act is being reviewed by the Future Jobs & Investment Authorities.
- Ian Smith, Regions NSW, is the contact person for the Authorities for MERC to liaise with.

[Note: if slides are available (awaiting permission to circulate from Georgina) they will be sent to delegates)].

Greg Lamont
Executive Officer
0407937636
info@miningrelatedcouncils.asn.au



CONSTRUCTIVE ENERGY

Eugowra Solar Farm – project status update

www.constructiveenergy.com.au

Contents

1. Revised project delivery schedule
2. Preliminary risk register
3. Progress update
4. Business case update



Revised Timeline

Headline Tasks

1. Network Approval
2. Augmentation
3. Internal HV
4. Detailed Design
5. Procurement
6. Civils
7. Array construction
8. Retailer
9. Start-up

		2024												2025						
		Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept
EE Network Approvals																				
	Design review																			
	Network studies																			
	Offer to Proceed																			
	Commissioning																			
Augmentation																				
	L3 design																			
	Contestible works																			
Internal HV																				
	Design																			
	Install																			
Detailed Design - DC + BESS																				
	Specification																			
LLTI procurement																				
	MVPS																			
	Batteries																			
	Panels																			
	HV cable + augment'n																			
	Substructure																			
Early Civil Works																				
	Array + pad																			
	Fencing																			
	Access																			
Array construction																				
	Site mobilisation																			
	Delivery																			
	DC construction																			
	Electrical																			
Market Participant/energy trading																				
	Source provider																			
Start up																				
	Commissioning																			
	Energisation																			



Risk Register

Key risk areas:

- Organisational
- Financial
- Legislative
- Quality
- Construction
- Environment and Safety

Category	Risk	Impact	Mitigation	Residual
Organisation, Reputation				
	CSC experiences loss of reputation due to perception that council is not focussing enough on 'core business'.	Moderate	Develop clear messaging and communicate regularly to constituents	Low
	CSC attracts criticism for preferencing 1 township over another	Low	Include site selection methodology in project communications	Low
	CSC attracts criticism for supporting renewable energy, visual impact, anti-farming, etc.	Low	Develop clear messaging and communicate regularly to constituents	Low
	CSC experiences negative responses to the solar array from local rate payers and business, influencing how Councillors support the project approvals going forward	Moderate	Develop clear messaging and communicate regularly to constituents and Councillors	Low
	Failure of the project to meet performance expectations creates a burden on Council	High	Ensure project meets acceptable thresholds in design and closely manage execution.	Low
	Withdrawing from the CNSWJO energy deal creates a poor relationship and reputation within the organisation and/or group of councils	Low	Proactively explain decision via energy working group	Low
	Low involvement of local contractors leads to resentment and complaints to Councillors/Council	Low	Establish local supplier preference and weighting in procurement processes. Hold a local supplier briefing.	Low
Finance				
	Failure to reach approvals results in project stopping and existing expenditure being written off.	Moderate	Apply stage gateways to release funding. Maintain proactive and functional relationship with Essential Energy.	Low
	Changes in costs and market values for energy result in an insufficient return on investment	Moderate	Increase the percentage of self consumption through electrification and seek higher value offtake options.	Moderate
	Significant increases in the cost of capital items and augmentation costs result in the project exceeding budget constraints/lending limits	High	Factor exchange rate forecasts into procurement of high-cost imported items. Adapt powerplant output to limit augmentation costs. Lobby State Gov/EE for assistance with augmentation.	Moderate
	Difficulty allocating costs and benefits creates internal tension and difficulties in financial accounting	Low	Consider and agree to allocation of costs and benefits internally in parallel with securing retailer arrangements.	Low
Legislation, Compliance				
	The procurement process for Construction is in conflict with Procurement Guidelines	Moderate	Seek legal advice	Low
	Council is disallowed from participating in the market or subject to unworkable constraints.	Low	Collaborate with Councils in similar circumstances	Low
	Changes in standards or legislation related to Network Approvals result in an unworkable project or excessively expensive pathway to energisation	Low	Work with government and regulators to not apply retrospectively	Low
Quality				
	The equipment procured and/or construction is of poor quality and the powerplant does not meet performance expectations	Low	Assess for quality in procurement process and apply quality/performance guarantees. Seek rectification and hold to 'make good' contract provisions.	Low
	The multiple project suppliers/partners are poorly coordinated resulting in timeframe and expense blow-outs	Moderate	Establish clear and open communications, shared documentation and robust coordination capacity.	Low
	Inability to source local skilled labour and suppliers for construction adds time and expense	Moderate	Hold a local supplier briefing and work with contractors to proactively source personnel.	Low
Project and Construction				
	Essential Energy approval seriously delays project progress and/or results in reworking of studies etc.	Moderate	Maintain proactive and functional relationship with Essential Energy. Turn-around responses quickly and hold EssE to account.	Moderate
	Global geopolitical circumstances impact supply of key items.	Moderate	Order early and establish on-site storage capacity to safely and securely store items in advance of construction.	Low
	Pandemic strikes resulting in difficulty sourcing people to execute the project	Low	Preference key contractors and suppliers locally and from within NSW.	Low
	Extreme weather events prevent construction progress	Moderate	Establish all-weather access, lay-down pad and array landform in early civil works.	Low
	RMS standards result in expensive roadworks to enable access	Moderate	Investigate and offer alternative solutions, such as modified truck movements.	Low
	Procurement standards and/or payment processes cause frustration and slow project delivery.	Low	Set clear expectations and follow acceptable standards.	Low
Environment and Safety				
	Civil works uncover items of cultural significance or toxic nature.	Low	Establish and follow the legislated pathway and seek to resolve quickly.	Low
	Lack of skilled labour/suppliers leads to inexperienced workers and potentially unsafe practices	Low	Set clear expectations around WHS and follow CSC WHSMS and Site-specific Plan.	Low
	Construction results in fire that spreads to neighbouring land	Low	Comply with measures in Bushfire Management Plan.	Low



Progress Update

1. Detailed Design – scope developed to identify provider able to turn concept design into ‘For construction’ drawings etc. Also used to optimise technology stack within budget.
2. L3 Electrical Engineering – scope developed to engage supplier to establish accurate scope, costs and facilitation of network augmentation.
3. Draft Electrify Cabonne Strategy written to support strategic direction and attract funding.
4. Grant application commenced for electrifying key assets and preparing for self-consumption retail model.
5. Iberdrola non-longer able to support market Participation.

Business case update

Revision in progress

Early indications that size is 'about right'

Detailed design process likely to impact Capex Estimations and powerplant performance

New modelling required to reflect move from Iberdrola offtake to Power Pass Through (PPT)





Constructive Energy (CE)

Based in regional NSW, Constructive Energy is developing mid-scale renewable powerplants with Local Government and Agribusiness.

Through this work, we become aware of, and involved in, multiple network connection opportunities.

Having project delivery experience, CE has identified the best value technology and EPC partners in the market to deliver cost-effective, dispatchable, renewable powerplants.

Our approach is scalable, replicable and low risk.





Cabonne Regional Council

SCOPE 3 EMISSIONS INVENTORY FOR FY 2019

Final Report

Date: 12 Dec 2023



Treasury



CENTRAL NSW
JOINT ORGANISATION



www.100percentrenewables.com.au



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1 Executive Summary

100% Renewables was engaged by Central NSW Joint Organisation via the Office of Energy and Climate Change (OECC), to work with Cabonne Council to develop a scope 3 carbon footprint. This project builds upon Council’s Emissions Reduction Plan and aims to provide a fuller overview of Council’s baseline emissions.

A scope 3 carbon footprint seeks to assess emissions upstream and downstream of Council’s operations. In FY 2019, Council’s scope 3 carbon footprint was **8,057 t CO₂-e**. The most significant emission source is roads and bridges (56%), followed by non-residential building construction (12%) and waste disposal activities (11%). The breakup of Council’s scope 3 emissions is illustrated below.

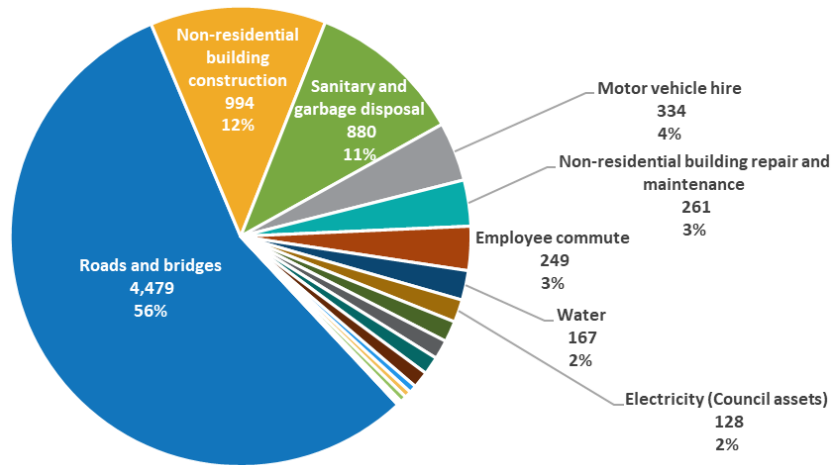


FIGURE 1: CONTRIBUTION OF EMISSIONS TO COUNCIL’S SCOPE 3 CARBON FOOTPRINT

In addressing scope 3 emissions, there are several action items that Council could consider moving forward:

- Regularly capture and report Scope 3 emissions: Implement a systematic process to measure and track indirect emissions associated with Council's activities. This will provide a clear understanding of the overall carbon footprint and allow for effective monitoring of progress over time.
- Identify major suppliers with high emissions impact: Conduct a detailed analysis of the data to identify suppliers in each spend/emissions category that contribute significantly to Council's carbon footprint. This information will help prioritise efforts and develop targeted strategies for emissions reduction.
- Review sustainable procurement policies and procedures: Evaluate Council's existing sustainable procurement policy, procedures, and processes. Assess how well they align with the net-zero objectives and identify areas for improvement. Ensure that sustainable practices are integrated into future purchasing decisions.
- Engage with suppliers to capture information: Establish communication channels with suppliers, both large and small, to gather data on their awareness, maturity, readiness, and



Scope 3 Emissions Inventory: Cabonne Council

willingness to collaborate on emissions reduction. This engagement can be done through face-to-face meetings, surveys, or other appropriate means to foster dialogue and promote sustainable practices.

- Collaborate with suppliers on emissions reduction: Develop partnerships with suppliers to actively work together on emissions reduction initiatives. This collaboration can involve sharing best practices, setting reduction targets, and jointly implementing sustainable solutions. Encourage suppliers to align their own sustainability goals with Council's net-zero objectives.
- Explore opportunities for innovation and efficiency: Encourage suppliers to explore innovative approaches and technologies that can help reduce emissions throughout the supply chain. This may include optimising transportation logistics, or implementing circular economy principles, for example.

By taking these suggestions into account, Council can begin to proactively address Scope 3 emissions, engage suppliers in sustainability efforts, and drive meaningful progress towards its net-zero objectives.



2 Project background and purpose of this report

Central NSW Joint Organisation, via the Office of Energy and Climate Change (OECC), commissioned 100% Renewables to develop a scope 3 carbon footprint for Cabonne Council, building on the emissions reduction plan developed for Council.

To help differentiate between different emissions sources, emissions are classified into the following scopes according to the GHG Protocol – Corporate Standard:

- **Scope 1** emissions include all direct greenhouse gas emissions from sources that are within the organisation’s control boundary. These could be emissions from fuel use, refrigerants and on-site electricity generation.
- **Scope 2** emissions include purchased electricity, heat, cooling and steam (i.e. energy produced outside the organisation’s control boundary but used within the organisation).
- **Scope 3** emissions are all indirect emissions that occur as a result of the activities of the organisation but occur from sources outside the organisation’s control boundary.

These emissions scopes are illustrated below.

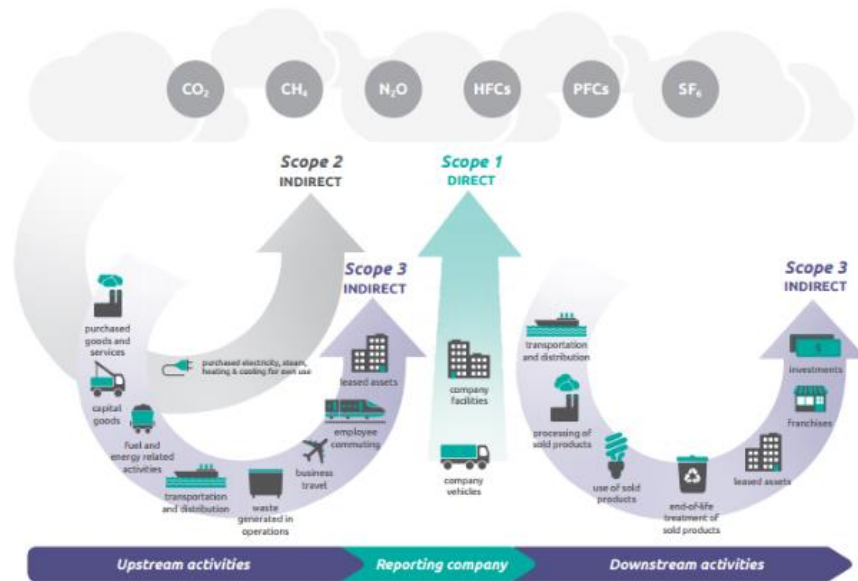


FIGURE 2: DIRECT AND INDIRECT EMISSIONS – SCOPES



Categories of scope 3 emissions sources that may need to be considered are as follows:

- | | |
|---|---|
| 1. Purchased goods and services | 9. Downstream transportation and distribution |
| 2. Capital goods | 10. Processing of sold products |
| 3. Fuel- and energy-related activities (not included in scope 1 or scope 2) | 11. Use of sold products |
| 4. Upstream transportation and distribution | 12. End-of-life treatment of sold products |
| 5. Waste generated in operations | 13. Downstream leased assets |
| 6. Business travel | 14. Franchises |
| 7. Employee commuting | 15. Investments |
| 8. Upstream leased assets | |

The following picture shows upstream scope 3 emissions on the left, and downstream scope 3 emissions on the right, applied to Cabonne Council’s situation, where emissions from waste are categorised as scope 1 emissions as Council is the owner and operator of waste management assets.



FIGURE 3: OPERATIONAL SCOPE 1+2, AND UPSTREAM + DOWNSTREAM SCOPE 3 EMISSIONS

A scope 3 carbon footprint refers to the measurement of all indirect greenhouse gas emissions that are produced in an organisation's value chain. This includes emissions that occur upstream and downstream of the organisation's operations, such as those generated by the production of purchased goods and services, and the transportation and distribution of products.

Scope 3 emissions are often the largest source of an organisation's carbon footprint and can account for a significant portion of their overall greenhouse gas impact. Measuring and managing scope 3 emissions is therefore an essential part of effective sustainability and climate action.

100% Renewables seeks to assess emissions upstream and downstream of Council’s operations covering the period from 1 July 2018 to 30 June 2019 (FY 2019).



3 Cabonne Council’s scope 3 carbon footprint

The inventory was developed in accordance with the general principles of:

- The Greenhouse Gas Protocol, A Corporate Accounting and Reporting Standard developed by the World Business Council for Sustainable Development (GHG Protocol);
- GHG Protocol: Corporate Value Chain (Scope 3) Accounting and Reporting Standard.

This inventory measures greenhouse gases in carbon dioxide equivalence (CO₂-e) and includes the following seven greenhouse gases covered by the Kyoto Protocol as well as hydrofluorocarbons covered by the Montreal Protocol (where applicable).

TABLE 1: GREENHOUSE GAS EMISSIONS THAT WERE CONSIDERED IN THIS INVENTORY

Greenhouse gases covered by the Kyoto Protocol	
Carbon dioxide	CO ₂
Methane	CH ₄
Nitrous oxide	N ₂ O
Perfluorocarbons	PFCs
Hydrofluorocarbons	HFCs
Sulphur hexafluoride	SF ₆
Nitrogen trifluoride	NF ₃
Greenhouse gases covered of the Montreal Protocol	
Hydrochlorofluorocarbons	HCFCs

In FY 2019, Council’s scope 3 carbon footprint was **8,057 t CO₂-e**. The most significant emission source is roads and bridges (56%), followed by non-residential building construction (12%) and waste disposal activities (11%). The breakup of Council’s scope 3 emissions is illustrated in the following page.

The following figure shows the contribution of emissions sources to the scope 3 inventory.

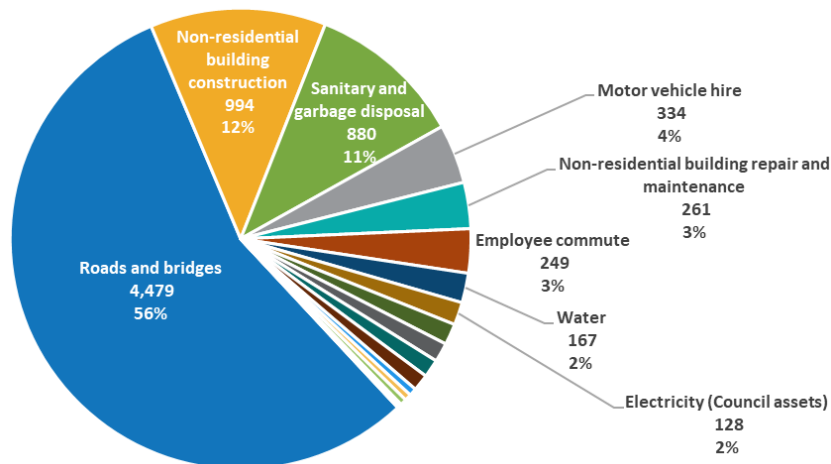


FIGURE 4: CONTRIBUTION OF EMISSIONS TO COUNCIL’S SCOPE 3 CARBON FOOTPRINT



Scope 3 Emissions Inventory: Cabonne Council

TABLE 2: COUNCIL'S CARBON FOOTPRINT IN FY 2019

	Emission source	Activity data	Unit	Scope 1 (t CO ₂ -e)	Scope 2 (t CO ₂ -e)	Scope 3 (t CO ₂ -e)	Total (t CO ₂ -e)	Ratio (%)
	Diesel	674	kL	1,834			1,834	10.80%
	Petrol	5	kL	11			11	0.07%
	Electricity (Council assets)	1,424,627	kWh		1,125	128	1,254	7.39%
	Streetlighting	419,297	kWh		331	38	369	2.17%
	Landfill waste	4,950	t	5,425			5,425	31.97%
	Wastewater	188	t CO ₂ -e	188			188	1.11%
	Roads and bridges	18,460,613	\$			4,479	4,479	26.39%
	Non-residential building construction	3,364,755	\$			994	994	5.86%
	Sanitary and garbage disposal	1,390,029	\$			880	880	5.18%
	Motor vehicle hire	1,880,839	\$			334	334	1.97%
	Non-residential building repair and maintenance	1,615,825	\$			261	261	1.54%
	Employee commute	1,417,613	km			249	249	1.47%
	Water	327,486	kL			167	167	0.98%
	Motor vehicle and lawn mower repairs	908,004	\$			119	119	0.70%
	Food and catering	71,262	\$			108	108	0.64%
	Business services	1,599,173	\$			102	102	0.60%
	Fleet - Diesel	674	kL			94	94	0.55%
	Parks, botanical gardens and zoos	417,019	\$			43	43	0.25%
	Fire brigade	389,320	\$			36	36	0.21%
	Insurance	626,735	\$			13	13	0.08%
	Cleaning service	51,866	\$			5	5	0.03%
	Computer and technical services	41,890	\$			5	5	0.03%
	Taxi and ridesharing	3,030	\$			1	1	0.01%
	Fleet - Petrol	5	kL			1	1	0.00%
	Total (t CO₂-e):			7,458	1,457	8,057	16,971	100.00%



Scope 3 Emissions Inventory: Cabonne Council

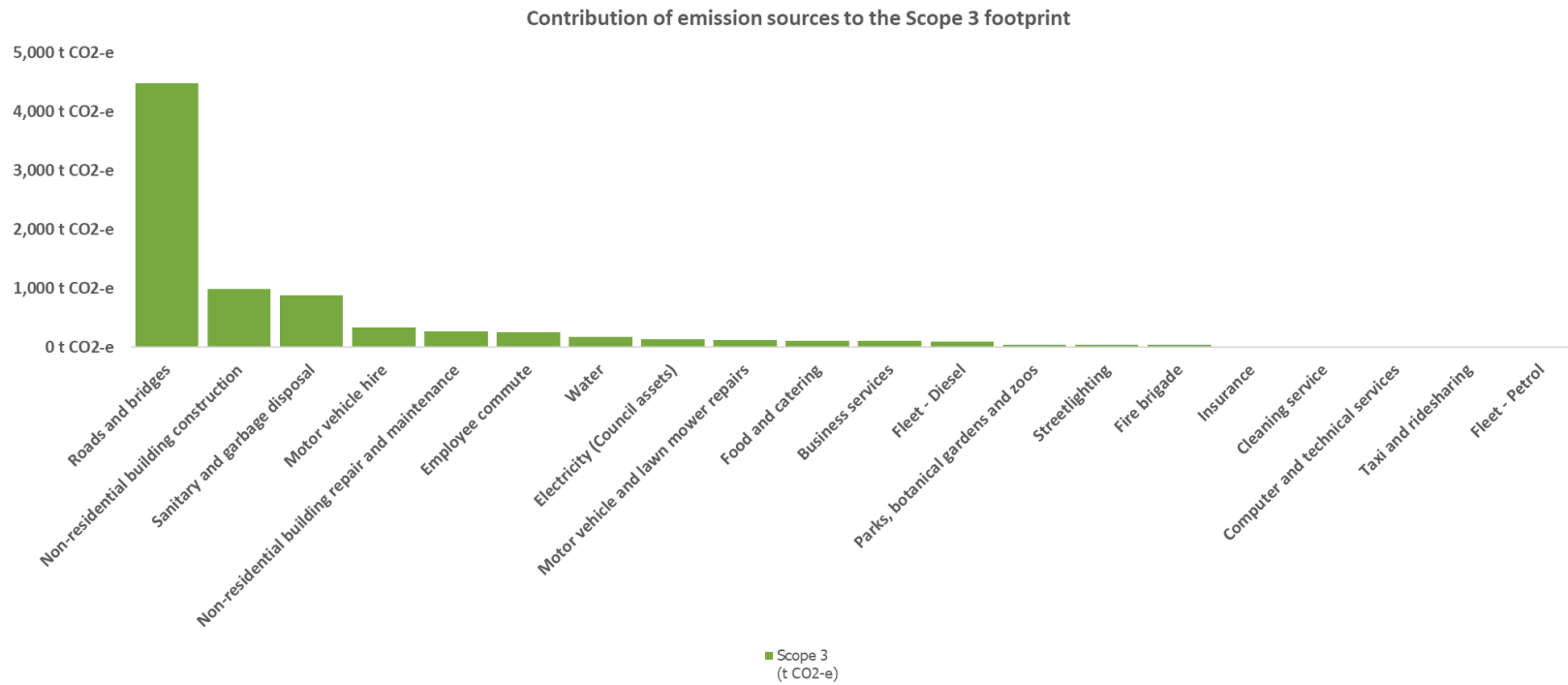


FIGURE 5: SCOPE 3 CARBON FOOTPRINT FOR FY2019 BY EMISSION SOURCE





3.1 Review of key scope 3 emission sources

This section looks further at Council's key scope 3 emissions.

3.1.1 Purchased goods and services

Emissions captured from the finance extract represent the majority (97%) of scope 3 emissions for Cabonne Council. A summary table below shows the breakdown of scope 3 emissions from purchased goods and services.

Roads and bridge construction make up the biggest share in Cabonne Council's scope 3 at 56%. Other high emissions sources are non-residential building construction (12%) and sanitary and garbage (waste) disposal (11%)¹.

TABLE 3: COMPARISON OF EMISSIONS FROM CABONNE COUNCIL'S FINANCE EXTRACT

Emission source	FY 2019 (t CO ₂ -e)	Ratio (%)
Roads and bridges	4,479	55.60%
Non-residential building construction	994	12.34%
Sanitary and garbage disposal	880	10.92%
Motor vehicle hire	334	4.14%
Non-residential building repair and maintenance	261	3.24%
Water	167	2.07%
Electricity (Council assets)	128	1.59%
Motor vehicle and lawn mower repairs	119	1.47%
Food and catering	108	1.34%
Business services	102	1.26%
Fleet - Diesel	94	1.16%
Parks, botanical gardens and zoos	43	0.53%
Streetlighting	38	0.47%
Fire brigade	36	0.44%
Insurance	13	0.17%
Cleaning service	5	0.07%
Computer and technical services	5	0.06%
Fleet - petrol	1	0.01%

3.1.2 Employee commute

The FY 2019 employee commute emissions was estimated using the average commuting distance published in the ABS 2016 Census data and Council's FY 2019 FTE (152). It was assumed that all FTEs drive to work. The estimated employee commute emissions are 249 t CO₂-e (3.09% of the FY 2019 inventory).

¹ Costs for this activity in Council's finance extract are for 3rd party services and not reflective of waste disposed of in Council's landfills which are already accounted for as scope 1 emissions in Council's ERP.



Scope 3 Emissions Inventory: Cabonne Council

TABLE 4: SUMMARY OF CABONNE COUNCIL'S EMPLOYEE COMMUTE EMISSIONS

Emission	FY 2019 (t CO ₂ -e)	Ratio (%)
Employee commute (drive to work)	249	3.09%

3.1.3 Business travel

Emissions from business travel includes taxis and ridesharing. In FY2019, Council's travel expenses were less than 1% of the total operational expenses and therefore emissions from air travel and business accommodation were deemed immaterial. There were no spend for hire cars in FY2019. The table below summarises the business travel emissions.

TABLE 5: SUMMARY OF CABONNE COUNCIL'S BUSINESS TRAVEL-RELATED EMISSIONS

Emission source	FY 2019 (t CO ₂ -e)	Ratio (%)
Taxi and ridesharing	1	0.01%



4 Assumptions and limitations of the carbon footprint calculation

A series of assumptions were made to complete the scope 3 carbon footprint. The table below explains these assumptions:

TABLE 6: SCOPE 3 CARBON FOOTPRINT ASSUMPTIONS

Emission source	Assumptions / limitations and justification
Employee commute	The FY 2019 employee commute emissions was estimated from the average commuting distance published in the ABS 2016 Census data for the Cabonne Area (19.43km) and Council’s FY 2019 FTE (152). It was assumed that all FTEs drive to work.
Taxi and rideshare	Emissions from taxi travel was estimated from the travel expenditure data provided (spend for ‘Taxi vouchers’). It was assumed that all taxi travels are domestic travel within a metro area.
Air travel Business accommodation	Council’s travel expenses under GL Code 11200030 includes all travel expenses such as flights and accommodation. In FY2019, travel expenses comprised 0.09% of the total operating expenditure and therefore it was deemed immaterial.



Scope 3 Emissions Inventory: Cabonne Council

Appendix A: Description of scope 3 emission categories

As per the GHG Protocol², there are 15 categories of scope 3 emission sources (also called supply chain emissions). The table below provides further details on the different categories.

TABLE 7: CATEGORIES OF SUPPLY CHAIN EMISSIONS

#	Category name	Category description	Minimum boundary
1	Purchased goods and services	Extraction, production, and transportation of goods and services purchased or acquired by the reporting company in the reporting year, not otherwise included in Category 2	All upstream (cradle-to-gate) emissions of purchased goods and services
2	Capital goods	Extraction, production, and transportation of capital goods purchased or acquired by the reporting company in the reporting year	All upstream (cradle-to-gate) emissions of purchased capital goods
3	Fuel- and energy-related activities (not included in scope 1 or scope 2)	Extraction, production, and transportation of fuels and energy purchased or acquired by the reporting company in the reporting year, not already accounted for in scope 1 or scope 2, including: <ul style="list-style-type: none"> a. Upstream emissions of purchased fuels (extraction, production, and transportation of fuels consumed by the reporting company) b. Upstream emissions of purchased electricity (extraction, production, and transportation of fuels consumed in the generation of electricity, steam, heating, and cooling consumed by the reporting company) 	<ul style="list-style-type: none"> a) For upstream emissions of purchased fuels: All upstream (cradle-to-gate) emissions of purchased fuels (from raw material extraction up to the point of, but excluding combustion) b) For upstream emissions of purchased electricity: All upstream (cradle-to-gate) emissions of purchased fuels (from raw material extraction up to the point of, but excluding, combustion by a power generator) c) For T&D losses: All upstream (cradle-to-gate) emissions of energy consumed in a T&D system, including emissions from combustion

² GHG Protocol: Technical Guidance for Calculating Scope 3 Emissions

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Scope 3 Emissions Inventory: Cabonne Council

#	Category name	Category description	Minimum boundary
		c. Transmission and distribution (T&D) losses (generation of electricity, steam, heating and cooling that is consumed (i.e., lost) in a T&D system) – reported by end user d. Generation of purchased electricity that is sold to end users (generation of electricity, steam, heating, and cooling that is purchased by the reporting company and sold to end users) – reported by utility company or energy retailer only	d) For generation of purchased electricity that is sold to end users: Emissions from the generation of purchased energy
4	Upstream transportation and distribution	Transportation and distribution of products purchased by the reporting company in the reporting year between a company’s tier 1 suppliers and its own operations (in vehicles and facilities not owned or controlled by the reporting company) Transportation and distribution services purchased by the reporting company in the reporting year, including inbound logistics, outbound logistics (e.g., of sold products), and transportation and distribution between a company’s own facilities (in vehicles and facilities not owned or controlled by the reporting company)	The scope 1 and scope 2 emissions of transportation and distribution providers that occur during use of vehicles and facilities (e.g., from energy use) <i>Optional:</i> The life cycle emissions associated with manufacturing vehicles, facilities, or infrastructure
5	Waste generated in operations	Disposal and treatment of waste generated in the reporting company’s operations in the reporting year (in facilities not owned or controlled by the reporting company)	The scope 1 and scope 2 emissions of waste management suppliers that occur during disposal or treatment <i>Optional:</i> Emissions from transportation of waste
6	Business travel	Transportation of employees for business-related activities during the reporting year (in vehicles not owned or operated by the reporting company)	The scope 1 and scope 2 emissions of transportation carriers that occur during use of vehicles (e.g., from energy use)

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Scope 3 Emissions Inventory: Cabonne Council

#	Category name	Category description	Minimum boundary
			<i>Optional:</i> The life cycle emissions associated with manufacturing vehicles or infrastructure
7	Employee commuting	Transportation of employees between their homes and their worksites during the reporting year (in vehicles not owned or operated by the reporting company)	The scope 1 and scope 2 emissions of employees and transportation providers that occur during use of vehicles (e.g., from energy use) <i>Optional:</i> Emissions from employee teleworking
8	Upstream leased assets	Operation of assets leased by the reporting company (lessee) in the reporting year and not included in scope 1 and scope 2 – reported by lessee	The scope 1 and scope 2 emissions of lessors that occur during the reporting company’s operation of leased assets (e.g., from energy use) <i>Optional:</i> The life cycle emissions associated with manufacturing or constructing leased assets
9	Downstream transportation and distribution	Transportation and distribution of products sold by the reporting company in the reporting year between the reporting company’s operations and the end consumer (if not paid for by the reporting company), including retail and storage (in vehicles and facilities not owned or controlled by the reporting company)	The scope 1 and scope 2 emissions of transportation providers, distributors, and retailers that occur during use of vehicles and facilities (e.g., from energy use) <i>Optional:</i> The life cycle emissions associated with manufacturing vehicles, facilities, or infrastructure
10	Processing of sold products	Processing of intermediate products sold in the reporting year by downstream companies (e.g., manufacturers)	The scope 1 and scope 2 emissions of downstream companies that occur during processing (e.g., from energy use)
11	Use of sold products	End use of goods and services sold by the reporting company in the reporting year	The direct use-phase emissions of sold products over their expected lifetime (i.e., the scope 1 and scope 2 emissions of end users that occur from the use of: products that directly consume energy (fuels or electricity) during use; fuels and feedstocks; and GHGs and products that contain or form GHGs that are emitted during use)

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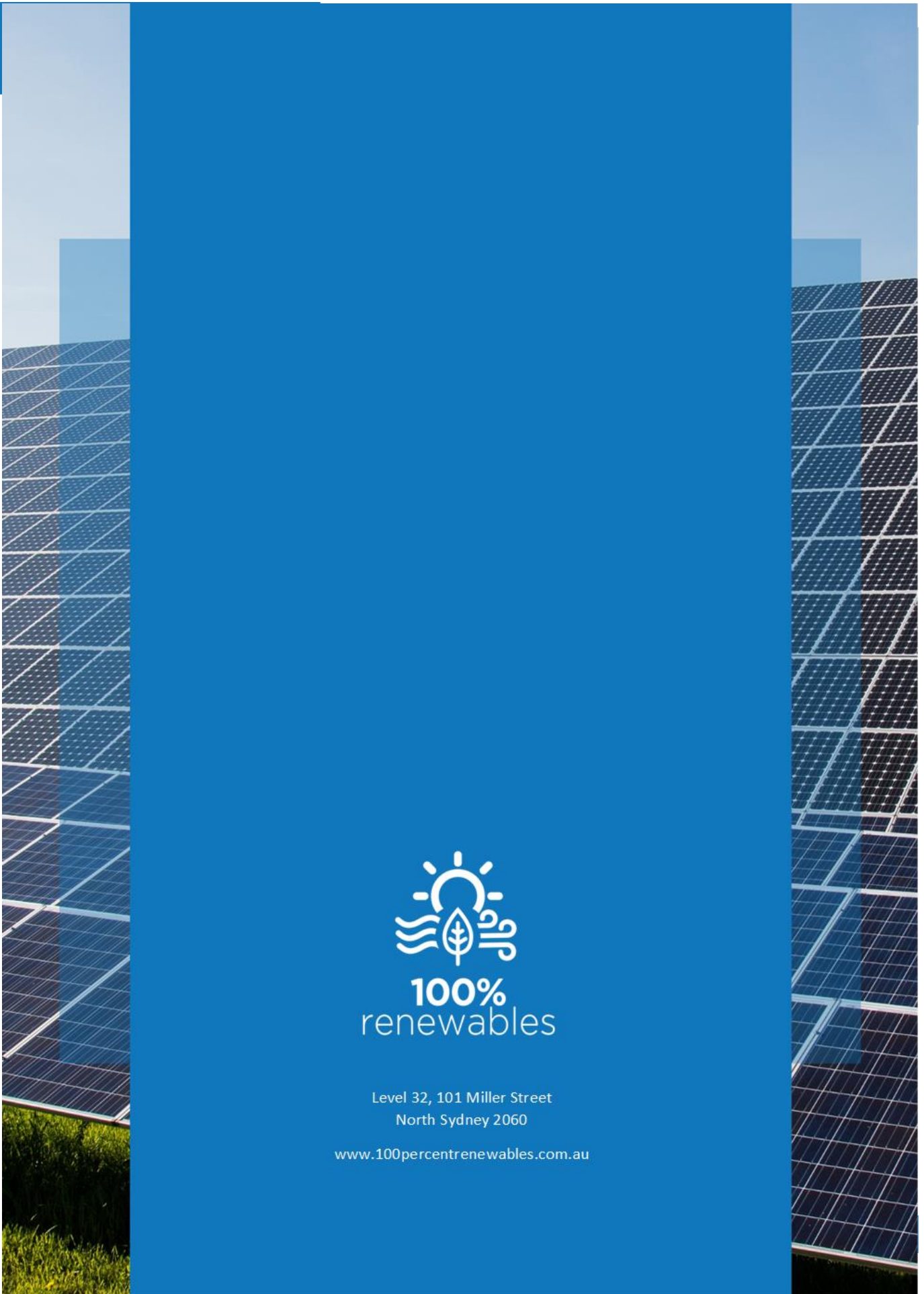


Scope 3 Emissions Inventory: Cabonne Council

#	Category name	Category description	Minimum boundary
			<i>Optional:</i> The indirect use-phase emissions of sold products over their expected lifetime (i.e., emissions from the use of products that indirectly consume energy (fuels or electricity) during use)
12	End-of-life treatment of sold products	Waste disposal and treatment of products sold by the reporting company (in the reporting year) at the end of their life	The scope 1 and scope 2 emissions of waste management companies that occur during disposal or treatment of sold products
13	Downstream leased assets	Operation of assets owned by the reporting company (lessor) and leased to other entities in the reporting year, not included in scope 1 and scope 2 – reported by lessor	The scope 1 and scope 2 emissions of lessees that occur during operation of leased assets (e.g., from energy use). <i>Optional:</i> The life cycle emissions associated with manufacturing or constructing leased assets
14	Franchises	Operation of franchises in the reporting year, not included in scope 1 and scope 2 – reported by franchisor	The scope 1 and scope 2 emissions of franchisees that occur during operation of franchises (e.g., from energy use) <i>Optional:</i> The life cycle emissions associated with manufacturing or constructing franchises
15	Investments	Operation of investments (including equity and debt investments and project finance) in the reporting year, not included in scope 1 or scope 2	Required: <ul style="list-style-type: none"> • Equity investments • Debt investments with known use of proceeds • Project finance Optional: <ul style="list-style-type: none"> • Managed investments and client services • Debt investments without known use of proceeds • Other investments or financial services

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RANGER SERVICES PROCEDURES MANUAL

PROCEDURE

Responsible Department: Cabonne Services
Responsible Section: Environmental Services
Responsible Officer: Department Leader - Environmental Services

Objective

To ensure the Ranger conducts their duties correctly and consistently, so as to ensure public compliance with Companion Animal and Council Policies and other legislation within the Cabonne Council.

Procedure

Outline in the list of contents on page 3 of this document.



RANGER SERVICES PROCEDURES MANUAL

ACCEPTANCE OF CONDITIONS

Declaration by Ranger

1. I have read and understand the Ranger Services Procedure Manual
2. I agree to abide by the conditions set out in the Ranger Services Procedure Manual
3. I agree to follow the procedures set out in the Ranger Services Procedure Manual

Senior Ranger

Signed:

Name:

Position:

Date:

Relief Ranger

Signed:

Name:

Position:

Date:

Witnessed by Supervisor

Signed:

Position:

Witnessed by Supervisor

Signed:

Position:



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1. Introduction to Ranger Services

1.1 Overview of Responsibilities

Ranger Services are responsible for implementing programs and responding to enquiries relating to:

- dog registration
- dog exercise areas
- impounded dogs
- animal cruelty
- stray livestock
- litter control in public areas
- vehicle parking

1.2 Contact Phone Numbers

Please note: All home telephone numbers listed here are confidential and should not be given to any other person, other than Council officers, under any circumstances.

Police/Fire/Ambulance.....	000
Orange Police.....	6363 6399
Molong Police.....	5335 6780
Cumnock Police.....	6367 7244
Yeoval Police.....	5335 6860
Cudal Police.....	5335 6710
Canowindra Police.....	6342 7500
Manildra Police.....	5335 6750
SES Emergency Hotline.....	13 25 00
SES Molong.....	6366 9572
SES Eugowra.....	6859 2359
SES Canowindra.....	13 25 00
EPA Pollution Hotline.....	131 555
WIRES (NSW Call Centre).....	1300 094 737
RSPCA Orange Shelter.....	6362 6171
Molong Veterinary Clinic.....	6366 9021
Cowra Veterinary Centre.....	6341 3113
Molong LLS (Livestock Identification).....	6392 3000



2. Procedures – Administration

2.1 Daily Ranger Duties

Objective: *To ensure the Ranger conducts their duties correctly and consistently, so as to ensure public compliance with Council Policies and other legislation within the Cabonne Council.
To ensure that Rangers provide a consistent high level of service to Council and the community.*

When not following up complaints, your duties are to

1. Carry out random patrols in the Council Villages and other known trouble spots
2. Check for breaches of the Local Government Act, POEO Act, Companion Animal Act, or any Legislation governing:
 - litter / illegally dumped rubbish

2.2 After-Hours Procedures

Objective: *To ensure that all after-hours calls received are responded to promptly, efficiently and appropriately.*

1. 'After hours' is classed as any time outside normal rostered working hours.
2. For complaints received requiring urgent action after-hours, the Ranger is empowered to take appropriate action to ensure an amicable resolution. All complaints and enquiries are to be logged on an Customer Service Request Form as soon as practicable.

2.3 Care and Maintenance of Ranger Vehicle

Objective: *To ensure that Councils' Ranger vehicle is adequately serviced and maintained.*

SERVICING OF VEHICLES

1. The vehicle that is allocated to Ranger Services is to be serviced as per the service sticker attached to the inside of the windscreen or as outlined in vehicle lease agreement documents.
2. Any obvious faults to the vehicle are to be brought to the attention of the workshop supervisor, as soon as practicable.
3. General maintenance of the vehicle is to be carried out daily. General maintenance should include, but is not limited to –
 - Checking of oil level
 - Checking of brake/clutch fluid levels
 - Checking of radiator water levels
 - Checking a battery fluid level
 - Checking of tyre pressure



CLEANING OF VEHICLES

1. Vehicles are to be cleaned, both inside and outside, at least once per week.
2. During winter / wet periods, vehicles may need to be cleaned on a more regular basis.
3. Any damage to the vehicle is to be reported to the Environmental Services Department Leader or the Biosecurity and Environmental Services Coordinator at the Ranger's earliest convenience.



3. Procedures – Dogs

3.1 The Companion Animal Act 1998

Objective: *To control the dog population within the Cabonne Council area and to ensure consistent interpretation and application of, and compliance with, the Companion Animal Act 1998.*

3.1.1 Interpretations

1. **“Attack”**, in relation to the behaviour of a dog, does not include behaviour which was an immediate response to, and was induced by, provocation, but includes:
 - a) aggressively rushing at or harassing any person or animal; or
 - b) biting, or otherwise causing physical injury to, a person or an animal; or
 - c) tearing clothing on, or otherwise causing damage to the property of, the person attacked; or
 - d) attempting to attack or behaving in such a manner toward a person as would cause a reasonable person to fear physical injury.

unless the owner establishes that the behaviour was justified by a reasonable cause.
2. **“Dangerous Dog”** means a dog for the time being the subject of a declaration by a council or a court under the Act that the dog is dangerous.
3. **“Owner”**
 - (1) Each of the following persons is the "owner" of a companion animal for the purposes of this Act:
 - a) the owner of the animal (in the sense of being the owner of the animal as personal property),
 - b) the person by whom the animal is ordinarily kept (whether or not the animal is registered),
 - c) the registered owner of the animal.
 - (2) A reference in this Act to "the owner" of a companion animal is a reference to each and all owners of the animal.
4. **“Person liable for the control of the dog”** means each of the following:
 - a) the registered owner of the dog; or
 - b) the owner of the dog; or
 - c) the occupier of any premises where the dog is ordinarily kept or ordinarily permitted to live; or
 - d) a person over the age of 16 who has the dog in their possession or under their control.
5. **“Public place”** means
 - a) any pathway, road, bridge, jetty, wharf, road ferry, reserve, park, beach or garden, and
 - b) any other place that the public are entitled to use.



6. **“Registered owner”** of a companion animal means the person shown in the registration information entered on the Register as the registered owner of the animal (and in the case of joint registered owners means each of those joint registered owners).
7. Section 8 (1) states that a companion animal must be identified as required by the regulations from the time the animal is 12 weeks old.
8. Section 9 (1) states that a companion animal must be registered under this Act from the time the animal is 6 months old. The owner of the animal is guilty of an offence if it is not registered. Registration is for the life of the companion animal.

3.1.2 Control of Dogs Generally

POWER TO SEIZE STRAYS

1. Under the Companion Animals Act any dog which is in a place (other than where it is ordinarily kept) unaccompanied by a responsible person is a “stray”. Any person (including a council officer) may seize a stray dog in the following circumstances as provided under the Act:
 - If a dog is found in a public place and is not under the effective control of some competent person (Sec 13)
 - If a dog is in a public place prohibited under the Act (eg children’s play area or food preparation/ consumption area) (Sec 14)
 - If seizing the dog is reasonable and necessary for the protection of any person or animal or to prevent damage to property (Sec 22)
 - If the dog has attacked a person or animal and the dog is on property owned or occupied by the person seizing the dog. (Sec 18)

In addition, council officers and police have powers to seize a dog which has escaped from the owner’s property if the owner is not present and the dog cannot be adequately secured on the property (Sec 18).

2. This section also gives authority for the Council to charge reasonable costs to the owner for returning and/or maintaining the dog and also any other fees or charges relating to the seizure and impounding and any penalties imposed on, or costs or expenses payable by, the owner in respect of an offence, whether or not the dog is returned to the owner.

LENGTH OF TIME THAT A DOG IS DETAINED

If a seized animal has not been claimed, the council may sell or destroy the animal:

- if the required seizure notice has been given—after the period of 14 days following the giving of the notice.
- if such a notice is not required to be given—after the period of 7 days following the delivery of the animal to the pound.
- A dog may be held at Molong pound a maximum of 3 months when suitable for rehoming, this can be extended on a case to case basis.

DESTRUCTION OF DOGS IN POUND

Sec 64 (1) gives the authority for an authorised person to destroy dogs:

- that are not claimed.
- whose registered owner declines to resume possession of the dog.
- for which any moneys due in relation to detention are not paid.



REHOUSING OF DOGS

Under Sec 64 it is the duty of the council to consider whether there is an alternative action to that of destroying a seized animal and (if practicable) to adopt any such alternative.

DOG THAT HAS ATTACKED OR BITTEN MAY BE SECURED OR SEIZED

1. A person who seizes a dog on property owned by them is not required to comply with section 62 (Seized animals to be returned to owner or taken to council pound) if the person delivers the dog to its owner or to an authorised officer.
2. An authorised officer who secures or seizes a dog on land that the authorised officer has reason to believe is land occupied by the dog's owner must, before leaving that land, prepare a notice setting out:
 - a) the reasons why the dog has been secured or seized, and
 - b) the method by which the dog has been secured, or the place to which it has been taken.
3. The notice must be left:
 - a) in a conspicuous place on the land, or
 - b) with a person (being a person apparently above the age of 16 years) who appears to be an occupier of the land.

COLLARS AND NAME TAGS

Dogs wearing collars and name tags in public places (Sec 12):

"A dog must have a collar around its neck and there must be attached to the collar a name tag that shows the name of the dog and the address or telephone number of the owner of the dog"

DOGS IN CERTAIN PLACES

Sec 14 deals with dogs prohibited in certain public places. Dogs are prohibited in the following places:

- a) Children's play areas
- b) Food preparation/consumption areas (except in areas of public thoroughfare i.e.: footpaths)
- c) Recreation areas where dogs are prohibited
- d) Public bathing areas where dogs are prohibited
- e) School grounds (unless permission has been granted)
- f) Child care centres (unless permission has been granted)
- g) Shopping areas where dogs are prohibited
- h) Wildlife protected areas

Note: This section does not apply to the following dogs:

- a) a police dog
- b) a dog that is an assistance animal being used bona fide by a person with a disability to assist the person

EXEMPTIONS FOR WORKING DOGS

Animals which meet the definition of 'working dog' as above are exempt from section 12 and Parts 2, 6 and 8 of the Companion Animals Act 1998. This means that working dogs:

- a) do not need to be micro chipped.
- b) do not need to be lifetime registered.
- c) do not need to wear a collar and tag.

Working dogs must still comply with all other requirements of the legislation.



DOG ATTACKS etc.

1. Offences where dog attacks person or animal
 - i. If a dog rushes at, attacks, bites, harasses or chases any person or animal (other than vermin), whether or not any injury is caused to the person or animal:
 - a) the owner of the dog, or
 - b) if the owner is not present at the time of the offence and another person who is of or above the age of 16 years is in charge of the dog at that time that other person, is guilty of an offence.

The owner of a dangerous dog is guilty of an offence if:

 - a) the dog attacks or bites any person (whether or not any injury is caused to the person)
 - b) the incident occurs as a result of the owner's failure to comply with any one or more of the requirements of section 51 in relation to the dog.
 - ii. It is not an offence under this section if the incident occurred:
 - a) as a result of the dog being teased, mistreated, attacked or otherwise provoked
 - b) as a result of the person or animal trespassing on the property on which the dog was being kept
 - c) as a result of the dog acting in reasonable defence of a person or property
 - d) in the course of lawful hunting
 - e) in the course of the working of stock by the dog or the training of the dog in the working of stock.
 - iii. This section does not apply to a police dog.
2. Sec 17 deals with setting or urging dogs to attack. It states:
 - i. A person who sets on or urges a dog to attack, bite, harass or chase any person or animal (other than vermin) is guilty of an offence, whether or not actual injury is caused.

Note. If the dog is a dangerous dog or a restricted dog, conviction for an offence under this section results in permanent disqualification from owning a dog. See section 23.

 - ii. This section does not apply to something done by a person:
 - a) in the reasonable defence of a person or property,
 - b) in the proper performance of the person's duties as a police officer,
 - c) in the course of the use of a dog for the working of stock or the training of a dog in the working of stock,
 - d) in the course of lawful hunting.

PROTECTION OF LIVESTOCK

1. Sec 22 deals with the protection of livestock it states:
 - i. Any person may lawfully seize, injure or destroy a dog if that action is reasonable and necessary for the protection of any person or animal (other than vermin) from injury or death.
 - ii. However, subsection (1) does not authorise the seizure of, injury to or destruction of a dog that is engaged in the droving, tending, working or protection of stock unless the action is reasonable and necessary for the protection of a person from injury or death.
 - iii. A person who seizes a dog under the authority of this section is not required to comply with section 62 (Seized animals to be returned to owner or taken to council pound) if the person delivers the dog to its owner or an authorised officer.
 - iv. If a dog that is not under the effective control of some competent person enters any inclosed lands within the meaning of the Inclosed Lands Protection Act 1901 and approaches any animal being farmed on the land, the occupier of the land or any person authorised by the occupier can lawfully injure or destroy the dog if he or she reasonably believes that the dog will molest, attack or cause injury to any of those animals.



- v. A person who takes action under the authority of this section that results in the injury to or death of a dog must:
 - a) take reasonable steps to ensure that an injured dog receives any necessary treatment, and
 - b) report the matter to an authorised officer (unless the person is an authorised officer) and comply with such reasonable directions as the authorised officer may give for the purpose of causing the dog to be returned to its owner or taken to a council pound, and
 - c) take reasonable steps to inform the owner of the dog
- vi. An authorised officer is not to give a direction under this section for the purpose of causing a dog to be taken to a council pound unless the authorised officer is satisfied that the owner of the dog cannot be identified.
- vii. Nothing in this section authorises a contravention of the Prevention of Cruelty to Animals Act 1979.
- viii. The authority conferred by this section to destroy a dog extends only to authorising the destruction of the dog in a manner that causes it to die quickly and without unnecessary suffering.

LAYING OF BAITS

1. The laying of baits is controlled by Local Land Services, Council does not conduct any type of wild dog baiting programs.

DOG CAUSING A NUISANCE

1. Section 21 deals with nuisance dogs and states:
 - i. For the purposes of this section, a dog is a nuisance if the dog:
 - a) is habitually at large
 - b) makes a noise, by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises
 - c) repeatedly defecates on property (other than a public place) outside the property on which it is ordinarily kept
 - d) repeatedly runs at or chases any person, animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock) or vehicle
 - e) endangers the health of any person or animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock)
 - f) repeatedly causes substantial damage to anything outside the property on which it is ordinarily kept
 - ii. If an authorised officer of a council is satisfied that a dog is a nuisance, the officer can issue an order to the owner of the dog requiring the owner to prevent the behaviour that is alleged to constitute the nuisance. The order is to be in a form approved by the Director General.
 - iii. The order must specify the behaviour of the dog that is required to be prevented. The order can specify more than one kind of behaviour.
 - iv. An order remains in force for 6 months after it is issued.
 - v. The owner of a dog must comply with an order issued to the owner under this section and must continue to comply with it while it is in force.
 - vi. A council whose authorised officer issues an order under this section must notify the Director General within 7 days after the order is issued.



OFFENCES RELATING TO ENFORCEMENT

1. Sec 92 states:
 - i. An authorised officer may serve a penalty notice on a person if it appears to the officer that the person has committed an offence against this Act or the regulations, being an offence prescribed by the regulations as a penalty notice offence.
 - ii. A penalty notice is a notice to the effect that, if the person served does not wish to have the matter determined by a court, the person can pay, within the time and to the person specified in the notice, the amount of penalty prescribed by the regulations for the offence if dealt with under this section.
 - iii. A penalty notice may be served personally or by post.
 - iv. If the amount of penalty prescribed for an alleged offence is paid under this section, no person is liable to any further proceedings for the alleged offence.
 - v. Payment under this section is not to be regarded as an admission of liability for the purpose of, and does not in any way affect or prejudice, any civil claim, action or proceeding arising out of the same occurrence.
 - vi. The regulations may:
 - a) prescribe an offence for the purposes of this section by specifying the offence or by referring to the provision creating the offence, and
 - b) prescribe the amount of penalty payable for the offence if dealt with under this section, and
 - c) prescribe different amounts of penalties for different offences or classes of offences.
 - vii. The amount of a penalty prescribed under this section for an offence is not to exceed the maximum amount of penalty that could be imposed for the offence by a court.
 - viii. This section does not limit the operation of any other provision of, or made under, this or any other Act relating to proceedings that may be taken in respect of offences.

CAUSING HARM TO DOGS

1. Sec 5 of the Prevention of Cruelty to Animals Act 1979 states:
 - i. A person shall not commit an act of cruelty upon an animal.
 - ii. A person in charge of an animal shall not authorise the commission of an act of cruelty upon the animal.
 - iii. A person in charge of an animal shall not fail at any time:
 - a) to exercise reasonable care, control, or supervision of an animal to prevent the commission of an act of cruelty upon the animal
 - b) where pain is being inflicted upon the animal, to take such reasonable steps as are necessary to alleviate the pain
 - c) where it is necessary for the animal to be provided with veterinary treatment, whether or not over a period of time, to provide it with that treatment
2. Sec 6 of the Prevention of Cruelty to Animals Act 1979 states:
 - i. A person shall not commit an act of aggravated cruelty upon an animal.
 - ii. In any proceedings for an offence against subsection (i), the court before which the proceedings are being taken may:
 - a) where it is not satisfied that the person accused of the offence is guilty of the offence
 - b) where it is satisfied that that person is guilty of an offence against section 5 (1), convict that person of an offence against section 5 (1)



3.2 Duties – Dog Control

1. An officer is required to make patrols and impound any stray dogs where the owner cannot be readily contracted or identified.
2. All dogs are to be handled with caution. All Rangers have a duty of care unto themselves and also to their fellow workers to ensure their health and safety at work.
3. Where the owner is known the animal must be impounded and may be released with all fees being paid and fines imposed prior to the animal's release. If a dog is micro chipped, it should be identified using the Council's microchip scanner, if the dog is not registered it needs to be registered and all fees paid before it can be released back to the owners. If the dog has not been registered or micro chipped, both must be done and all fees paid before being released back to its owner.
4. When an owner or person in charge of a dog contravening any section of the Companion animal Act is located, they must be given a warning notice and/or an infringement notice (where applicable) for the breach.
5. Any warning notices and infringement notices are to be processed as soon as possible.

3.3 Dog Attack Investigations and Seizure of Dogs

Objective: To ensure that dog attacks are responded to in a prompt, efficient, correct and consistent manner.

3.3.1 Dog Attack Investigations

Dog attacks must be treated as a priority and must take precedence over any other duty being conducted at the time.

Advise the Depart Leader of Environmental Services or Biosecurity & Environmental Services Coordinator that you are investigating a dog attack, so that other duties can be rescheduled if necessary.

DOG VERSUS ANIMAL ATTACK

1. Before attending the scene of an alleged attack, collect any available information from Council's records, e.g. dog registration details, property owner details, etc.
2. Go to the premises of the complainant and obtain as many relevant details as possible, including:
 - date, time, location and nature of the attack;
 - the breed of dog involved and any distinguishing features; and
 - details of any conversation between the complainant and the dog owner, or between the complainant and any witnesses.
3. Verify whether the complainant is willing to attend court as a witness in any court case that may arise. If the complainant is not willing to go to court, then Council recommends that you do not attempt to prosecute the dog owner.
4. Obtain statements from all witnesses to the attack.
5. Also obtain the complainant's and witnesses' full names, addresses, dates of birth and contact phone numbers.

Note: All persons preparing statements should be advised to write them in a form which would be admissible in court, e.g. "I saw", "I heard", "I said", "He said", etc.
6. Any relevant photographs should then be taken and all evidence collected and collated. Photographs should include those of injuries to the animal attacked, the scene of the attack, any fences the animal may have jumped over and other relevant evidence such as a collar left behind or registration tag torn off. All photographs should have a brief description of the photograph, the time and date the photograph was taken and should be signed by the officer who took the photograph.



7. If an animal was attacked and injured not killed, then a statement/report will also be required from the veterinary surgeon that attended to the animal.
8. AFTER obtaining all of the above information, the officer should go to the premises of the owner of the offending dog and take details of their recollection of events.
9. Take notes of your interview with the dog's owner. It is best to write these notes at the time of the interview. If that is not possible, write your notes as soon as possible after the interview, for example in the car after leaving the premises.
10. If possible, take a statement from the dog's owner. If the owner states that they did not witness or know about the attack, their statement should contain this information. Other points the statement should cover include:
 - the last place the owner saw their dog;
 - whether the dog has been out of the yard before;
 - whether the dog has attacked anyone/anything before;
 - whether the owner witnessed the attack; and
 - events leading up to the attack

If, in the course of the discussion, you believe you have enough evidence to charge the owner OR if the owner admits to the attack, you must give the following warning immediately:

“You do not have to say anything, but anything you do say will be taken down and may be used in evidence against you. Do you understand?”

You may then continue with the interview.

Failure to give this warning may result in your not being able to introduce any of the owner's conversation as evidence when the matter goes to court.

11. Take photographs of the offending dog and obtain full details of the dog's name, breed, colour, any distinguishing features, collar and registration tag. Also make a note of the dog's temperament and behaviour.
12. Complete a full Incident Report that includes your recommendations about what action should be taken against the dog's owner, e.g. warning notice, infringement notice, court.
13. Give the report plus all statement and photographs to the Senior Environmental Services Officer.
14. The Senior Environmental Services Officer and the Director of Environmental Services will make the final decision on what action should be taken against the dog's owner.

DOG VERSUS PERSON ATTACK

15. Follow the same procedure as above, with the additional steps:
 - obtain medical reports if the complainant has attended a medical practitioner; and
 - take photographs of any injuries sustained by the person;
 - ensure police have been notified

3.3.2 Seizure of Dogs

16. In certain circumstances it may be necessary to seize a dog (Companion Animal Act Sec 51, 57).
17. If you seize a dog under these circumstances, it is to be kept in the pound for a minimum of 14 days pending any court applications under Part 7 Companion Animal Act 1998

The dog may be destroyed after the 14 days if:

- a) the dog is not claimed;
- b) the person to whose name the dog is registered declines to resume the possession of the dog;
- c) any moneys due in relation to the dog are not paid; or



- d) any court action is made in favour of Council
- Otherwise, under all other circumstances, the dog is to be returned to its rightful owner after it has been micro chipped and registered and the appropriate fees paid.
18. If the owner of the dog wishes to hand over the dog for destruction, then it must first be explained that this will in no way affect any enquiry or action being taken against the owner.
19. If the owner still wishes to hand over the dog, they must fill out Cabonne Council's "Surrender of a Companion Animal Form".

3.4 Barking Dog Complaints

Objective: *To ensure that complaints of barking dogs are responded to in a prompt, efficient, correct and consistent manner.*

The Companion Animal Act 1998 states as follows:

Nuisance dogs

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

Power to take action

- (2) If an authorised officer of a council is satisfied that a dog is a nuisance, the officer can issue an order to the owner of the dog requiring the owner to prevent the behaviour that is alleged to constitute the nuisance. The order is to be in a form approved from time to time by the Director-General.
- (3) The order must specify the behaviour of the dog that is required to be prevented. The order can specify more than one kind of behaviour.
- (4) An order remains in force for 6 months after it is issued.
- (5) The owner of a dog must comply with an order issued to the owner under this section and must continue to comply with it while it is in force.
- Maximum penalty: 5 penalty units for a first offence or 10 penalty units for a second or subsequent offence.
- (6) A council whose authorised officer issues an order under this section must notify the Director-General within 7 days after the order is issued.



Complaint Procedure

1. Visit the dog's owner and explain that a complaint has been received. The dog's owner may be unaware of the problem (for instance, if the dog only barks when the owner is away from the house).
2. Provide the owner with advice and written information about dog barking control measures.
3. Go to the property where the dog is barking. Sit outside in close proximity of the property for a little while and monitor the dog's behaviour. (If you have time, you can do this during your patrols.)
4. Visit the dog's owner and explain the barking is still continuing and it is important to use the information and advice previously given to prevent the barking.
Send standard warning letter to owner.
5. Continue to monitor the premises and the dogs behaviour. If the barking continues, visit the dog owner again and explain that the problem is continuing and that Council will now issue a notice to declare the dog as a nuisance.
The owner will have 7 days after the date the notice is given to object to the notice in writing to Council. If the owner does not object in that time Council will proceed to issue the order.
6. Continue to monitor the premises after the order has been issued. If the barking continues, notify the owner and explain that court action may be taken if the dog's barking does not stop.
Issue a fine for failure to comply with nuisance dog order.

3.5 Impounding Dogs

Objective: *To ensure correct and consistent impounding of dogs by the Council Ranger.*

1. Place the dog in an unoccupied cell in the pound.
2. Ensure the dog has adequate water and food facilities in the cell and that the dog is not sick or suffering.
3. If the dog is sick or suffering, obtain authorisation from the Environmental Services Department Leader to take the dog to the local vet for attention.

3.6 Releasing impounded dogs

Objective: *To ensure correct and consistent release of impounded dogs by the Council Ranger.*

Procedure

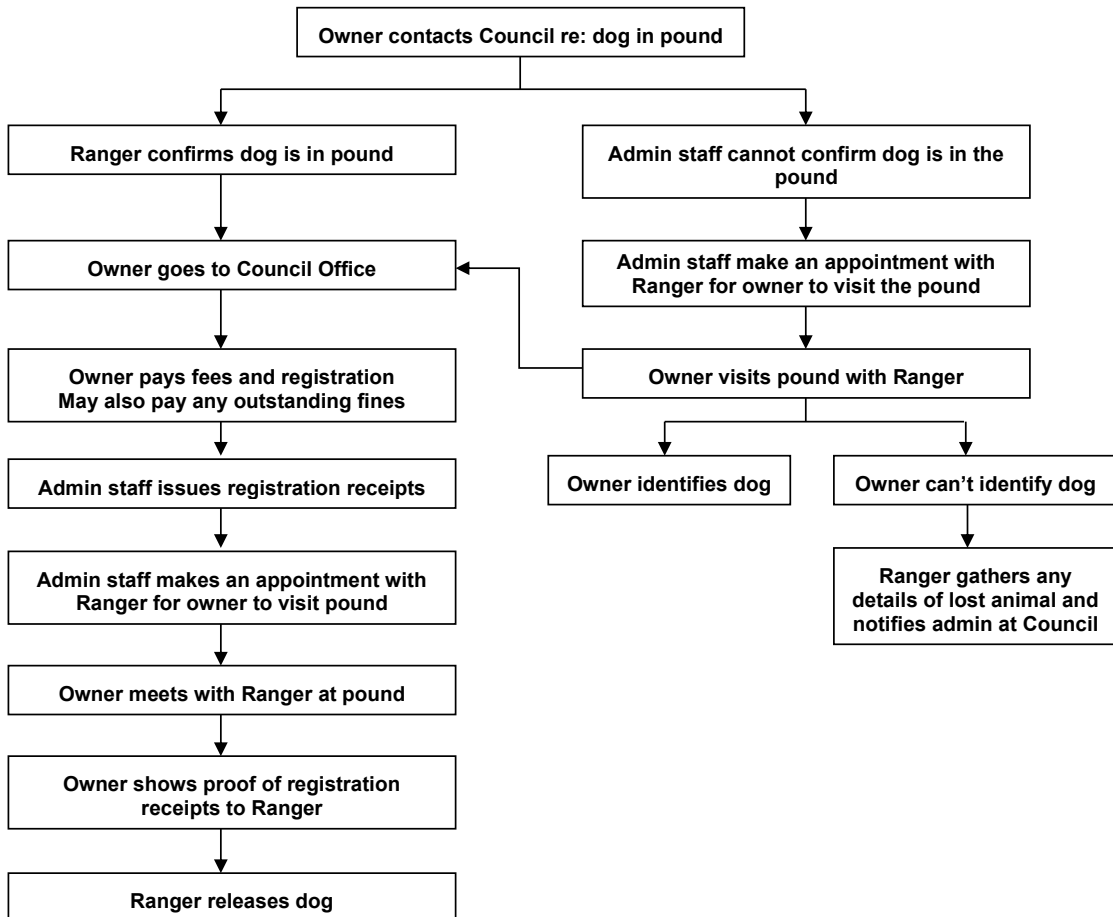
1. When contact is made by a person enquiring if their dog has been impounded, they are to be asked is the dog micro chipped and registered, ask for a description of the dog
If the dog is in the Pound
2. If a positive identification is made the person's details must then be taken. The person is instructed to go to the Council's administration offices to pay the appropriate fees. *(See steps 6 to 9 below.)*
If you are not sure whether the dog is in the Pound
3. If a positive identification cannot be established but a dog that may be the dog in question is in the pound, then the person is instructed to go to the pound, at a time agreed with the Ranger, to identify the dog.



4. If a positive identification is made at the pound, then the person is instructed to return to the Council Office to pay the appropriate fees. If the dog is not micro chipped and registered it must be done before the dog can be released. The cost will be at the owners' expense. (See steps 6 to 9 below.)
Note: Working dogs are excluded see sec 12 and Parts 2, 6, and 8 of the Companion Animal Act 1998.
5. **Fees**
All outstanding fees must be paid prior to the release of impounded dogs.
Check Cabonne Council Current Fees and Charges to determine release/impounding fees and the Department of Local Government for current lifetime registration fees (*Proof of aged pensioner status must be shown*).
6. The Cashier gives the owner receipts for the fees paid, and a registration receipt. At the very least, an appointment must be made with a local agency for the dog to be microchipped and/or desexed before the dog will be released.
The dog owner is then instructed to go to the pound with all receipts at a time agreed with the Ranger. Pound hours are by appointment, 7 days, including public holidays.
7. The Cashier forwards all relevant details to the Ranger.
8. When the owner goes to the pound, at the agreed time, they must produce the official receipts showing they have paid the relevant fees. The Ranger then releases the dog to the owner.
9. **Outstanding Infringement Notices**
It is preferred that the owner also pay any outstanding fines before the dog is released.
The Ranger must obtain all details relevant to the dog owner or the person who is responsible for the Penalty notice. This should include full name, full address, date of birth, details of the dog, details of the Penalty, etc.
The Ranger shall also advise the owner that failure to pay a current Penalty notice within 28 days may result in Council taking action to recover the fine.
10. **Payment of moneys to Ranger**
The Ranger can accept money for the payment of fees, registration, penalties and a receipt will be issued.
All moneys collected by the Ranger shall be handed into the cashier on the morning of the next weekday.
NOTE: All money should be paid directly at Council Offices unless prior arrangements have been made.



PROCEDURE FOR RELEASING IMPOUNDED DOGS





3.7 Destruction and Disposal of Dogs

Objective: *To ensure the safe and humane destruction of dogs by Rangers.*

Steps to take before destroying a dog

1. Before destroying any impounded dog, you must exhaust all avenues for finding the dog's owner. Scan all dogs for a microchip.
2. Dogs must be kept for a minimum of 7 days for seized dogs which are not micro chipped and registered, and 14 days for dogs which are micro chipped and registered before being destroyed. The only exception to this is if the Ranger has a signed Surrender form.
3. Where a registered dog is impounded, notify the registered owner as soon as possible. The dog must be kept for a minimum of 14 days AFTER the owner has been notified before the dog can be destroyed. If a notice has been left on the owner's premises, you must follow up to make sure the owner is aware of the notice.
4. If an owner is unable to be found or an animal has been surrendered to Council, the RSPCA in Orange should be contacted to find out if the animal/s are able to be re-homed. If so, the animal/s are to be surrendered to the RSPCA Orange Shelter.
5. If the RSPCA is unable to accept the dog/s for re-homing, obtain authorisation from the Senior Environmental Services Officer before destroying any dog.

Where dogs may be destroyed and disposed of

6. Cabonne Council has arrangements with the Cowra Veterinary Centre and the Molong Vet Clinic for the euthanasia of dog/s that are unable to be re-homed by the Orange RSPCA or Cabonne Council.
7. An appointment for the destruction of animals should be made in advance with either of these veterinary surgeries. The cost for euthanasia should be billed to Council.
 - Veterinarians from Cowra Veterinary Centre travel to Canowindra every Monday and Wednesday. The Clinic is open between 3.30 - 5pm (winter) or 3.30 - 5.30pm (summer).
 - The Molong Veterinary Clinic is open Monday to Friday, 10am - 2pm.
8. Destruction of animals must take place at either the Veterinary Clinics or at the Cabonne Pound Facility, UNLESS the savagery or constant evasion of a dog makes it impracticable to do so.
9. You must dispose of bodies at the closest waste facility.

3.8 Pound Duties

Objective: *To ensure that all duties relating to the proper keeping of the Pound are carried out correctly and consistently.*

CLEANING OF THE POUND

1. Each used cell is to be cleaned daily.
2. Dog water containers are to be cleaned daily and kept clear of urine and faeces.
3. Feed bowls are to be cleaned daily.
4. Each dog is to be housed in a clean cell.
5. Cells are to be cleaned without causing harm or discomfort to any dogs in them. If necessary, dogs may be kept in the back of the Ranger's vehicle temporarily while the cells are being cleaned.
6. Any animal suffering from illness should be segregated as much as possible from other animals in the pound.
7. Pay special attention to cleaning any cell used to house a sick animal.



WATERING AND FEEDING IMPOUNDED DOGS

- 8. Feed each impounded dog once a day. The supply of food shall be gauged on a weight ratio for each animal.
- 9. Any uneaten food shall be recycled to the same animal when feeding.

MAINTAINING THE ESSENTIAL REQUIREMENTS OF THE POUND

- 10. Do not allow feed stocks to run out. When stocks are running low, the Ranger shall request petty cash or a purchase order and shall purchase the necessary supplies.
- 11. Do not allow cleaning chemicals to lose strength or run out. When stocks are running low, pick up more stocks from the Council Stores.
- 12. Use any cleaning chemicals as indicated in the label attached to the container.
- 13. Replace any damaged feed bowls, hoses and fittings. **Prepare a purchase order before purchasing any items.**

3.9 Dogs – Standard Letters and Other Documents

It is difficult to provide standard letters as each case varies so much from the next, however there are templates which contain basic information and can be amended to suit the situation. These templates can be found in Infoxpert under:

My Workspace/EnviroServices/Templates/Animals



4. Procedures – Litter

4.1 Litter Control

Procedure Objective: *To control the unlawful disposal of litter and to enforce the requirements of the Protection of the Environment Operations Act 1997.*

4.2 Protection of the Environment Operations Act 1997

4.2.1 Dictionary

1. **“Authorised officer”** means a person appointed under Part 7.2 by an appropriate regulatory authority;
2. The section applicable to rangers in Part 7.2 is section 189, which states;
 - (1) Every authorised officer is to be provided with an identification card as an authorised officer by the regulatory or other authority that appointed the officer.
 - (2) In the course of exercising the functions of an authorised officer under this Act, the officer must, if requested to do so by any person affected by the exercise of any such function, produce the officer’s identification card to the person.
3. **“Litter”** includes –
 - a) any solid or liquid domestic or commercial refuse, debris or rubbish and, without limiting the generality of the above, includes any glass, metal, cigarette butts, paper, fabric, wood, food, abandoned vehicles, abandoned vehicle parts, construction or demolition material, garden remnants and clippings, soil, sand or rocks, and
 - b) any other material, substance or thing deposited in or on a place if its size, shape, nature or volume makes the place where it is deposited disorderly or detrimentally affects the proper use of that place, deposited in or on a place, whether or not it has any value when or after being deposited in or on the place.
4. **“Private Place”** means any premises that are not a public place.
5. **“Public Place”** includes:
 - a) a public place within the meaning of the Local Government Act 1993 , and
 - b) a State forest or flora reserve within the meaning of the Forestry Act 1916 , and
 - c) a national park, state recreation area, historic site, nature reserve, state game reserve or Aboriginal area within the meaning of the National Parks and Wildlife Act 1974 , and
 - d) a place that is open to the public, or is used by the public, whether or not on payment of money or other consideration, whether or not the place is ordinarily so open or used, and whether or not the public to whom the place is so open, or by whom the place is so used, consists only of a limited class of persons.
6. **“Waters”** includes –
 - a) any river, stream, lake, lagoon, swamp, wetlands, unconfined surface water, natural or artificial watercourse, dam or tidal waters (including the sea), or
 - b) any water stored in artificial works, any water in water mains, water pipes or water channels, or any underground or artesian water.



4.2.2 Statutes Relating to Littering

7. Littering

For the purposes of this Act litter is deposited on land or on or in waters by

- a) dropping or throwing litter in, on, into or onto the place, or
- b) leaving litter in or on the place, or
- c) putting litter in such a location that it falls, descends, blows, is washed, percolates or otherwise escapes or is likely to fall, descend, blow, be washed, percolate or otherwise escape into or onto the place, or
- d) causing, permitting or allowing litter to fall, descend, blow, be washed, percolate or otherwise escape into or onto the place.

8. Advertising material not to be placed in or on vehicles

- (1) A person must not deposit any advertising material in or on any vehicle.
- (2) Application of this section applies whether the vehicle is situated in or on a public place or a private place.
- (3) Exceptions to this section. Does not apply to the deposit of:
 - a) any material by a person who is the custodian of the vehicle or is acting with the express consent of the custodian of the vehicle, or
 - b) any material by a person who deposits it in accordance with any regulations made for the purposes of this section or in such circumstances as may be prescribed by any regulations made for the purposes of this section.

9. If is an offence under Section 146 if litter is deposited from a motor vehicle, or from a trailer attached to a motor vehicle, contrary to section 145 or 145A, the following are taken to be guilty of an offence under that section:

- a) in the case of litter deposited from a motor vehicle—the driver of the motor vehicle,
- b) in the case of litter deposited from a motor vehicle—the owner of the motor vehicle,
- c) in the case of litter deposited from a trailer attached to a motor vehicle—the owner of the trailer.

4.2.3 Penalties

10. Littering fines are tiered – see Fixed Penalty Handbook updated by State Debt Recovery Office (SDRO)

4.2.4 Powers of Authorised Officers

11. Under Section 196 of the POEO Act 1997 an authorised officer may enter:

- a) any premises at which the authorised officer reasonably suspects that any industrial, agricultural or commercial activities are being carried out at any time during which those activities are being carried out there, and
- b) any premises at or from which the authorised officer reasonably suspects pollution has been, is being or is likely to be caused at any time, and
- c) any other premises at any reasonable time.

A power to enter premises conferred by this Act authorises entry by foot or by means of a motor vehicle or other vehicle, or by an aircraft, or in any other manner. Entry may be effected under this Act by an authorised officer with the aid of such authorised officers or police officers as the authorised officer considers necessary and with the use of reasonable force. Entry may be effected to any premises with the authority of a search warrant under section 199.



12. Section 203 of the POEO ACT 1997 States:
- (1) An authorised officer may require a person whom the authorised officer suspects on reasonable grounds to have knowledge of matters in respect of which information is reasonably required for the purposes of this Act to answer questions in relation to those matters.
 - (2) The EPA or any other regulatory authority may, by notice in writing, require a corporation to nominate, in writing within the time specified in the notice, a director or officer of the corporation to be the corporations representative for the purpose of answering questions under this section.
 - (3) Answers given by a person nominated under subsection (2) bind the corporation.
13. Under section 204 an authorised officer may require a person whom the authorised officer suspects on reasonable grounds to have offended or to be offending against this Act or the regulations to state his or her full name and residential address.

4.3 Duties – Litter Control

1. Officer shall patrol areas consistently used by persons for the illegal dumping of household, commercial and building materials.
2. When litter is found in on of these areas the following procedures are to be followed:
 - a) Several photographs are to be taken of the litter in the state that it was found.
 - b) The rubbish is to be sorted through and any evidence that would lead to the owner of the rubbish being identified should be gathered (eg. Addressed envelopes, telephone or electricity accounts and similar items).
 - c) If possible the litter should be left for the person responsible for it to clean up the site.
 - d) Try and ascertain the exact location of the litter. (i.e. zero out trip metre on vehicle and drive straight to the nearest road, say 300 metres off Mitchell HWY). All details will be recorded in Rangers Notebook
 - e) The owner of the rubbish should be interviewed and if possible a statement taken. If the owner of the rubbish is not local a letter to the owner of the rubbish should be completed (refer to Section 3.9 - Standard Letters).
 - f) A photocopy of all the evidence should be attached to the letter, including a photocopy of the photograph.
 - g) A Litter Infringement Notice should then be completed and attached to the letter.
 - h) On completion, and after checking for correctness, the letter and all of its attachments are then to be signed and sent.
3. Regular inspections / patrols should be effected by the ranger of all:
 - a) Cabonne Council rubbish tip site's and all approach roads
 - b) Building sites
 - c) Known camping areas
 - d) Bushland on the outskirts of all town sites within the Cabonne Council area, reserves, parks and ovals.
4. Following are the patrolling procedures for the above:

Cabonne Tip's

 - a) Park patrol vehicle front gates so that it is visible to persons entering the site.
 - b) Every vehicle, where possible, is to have its load checked for a tarp or its load security.
 - c) Any vehicle that has an unsecured load (as per the Act) to be issued with a PIN
5. Regular patrols are to be undertaken of known building sites for rubbish that may be generated from these sites.
6. Issue infringements to persons not complying with the Protection of the Environment Operations Act or issue caution in extenuating circumstances, where applicable.
7. Give notices to clear away dumped rubbish where applicable.



8. Details regarding number of fines imposed for littering offences and the number of warnings issued for contravention of the Protection of the Environment Operations Act shall be maintained by the Ranger.
9. All infringements and warning notices issued shall be processed at the end of your shift or at the next earliest convenience.

4.4 Dumping Hazardous Materials

Objective: *To ensure that evidence is gathered and correct information is sought to enable a successful investigation / prosecution by the Department of Environmental Protection.*

1. While carrying out patrols in the bush areas of the Cabonne Council area, keep a watch for people illegally dumping hazardous materials.
2. Examples of hazardous materials are asbestos or liquids that contain hydrocarbons.
3. Ranger's are not expected to analyse the dumped materials, but should gather the correct information.
4. The following steps should be carried out, but are not exclusive and do not have to be carried out in the following order.

4.4.1 Liquids

- 5 If you see someone dumping liquid, ask them to stop immediately.
- 6 Where possible, take photographs while there is still liquid coming from the vehicle, showing the liquid leaving the truck.
- 7 Ask the driver of the vehicle for their full name and address and the full name and address of their employer, and make a note of the vehicle's licence plate.
- 8 Ask the driver:
 - a) what the liquid contains (look for signs and marking present on the truck that may help identify what the truck may be carrying);
 - b) why they are dumping it in this particular area;
 - c) if they realise that it is against the law to dump hazardous materials in anywhere but an
 - d) approved site;
 - e) who instructed them to dump the liquid in this area; and
 - f) how much liquid was in the vehicle originally and how much liquid is left, to estimate the amount of liquid dumped.
- 9 If possible, obtain a statement from the driver and record it in the Ranger notebook. Make a note of the driver's answers to all questions asked.
- 10 Take photographs of the truck. Include the registration number and, where possible, the driver in the photographs.
- 11 Before the liquid seeps away into the ground, take photographs of the amount of liquid.
- 12 At least one sample should be taken of the liquid, and this should preferably come from the trucks' dumping outlet. Care should be taken when collecting sample and plastic gloves should be worn when taking samples. Council's Environmental Health and Building Surveyors can be called to the site to collect a sample of liquid.
- 13 Rangers should always make sure that they have a sample bottle in their equipment bag for these situations. These sample bottles are available from the Environmental Services Department of Council.



- 14 When the Ranger is satisfied that he has all the necessary information and evidence he may allow the driver to leave, but where possible, the driver should be encouraged to remain at the site until cleared to leave by an Environmental Health and Building Surveyor.
- 15 Advise the Senior Environmental Services Officer of the situation and if required ask for an Environmental Health and Building Surveyor to attend the site as soon as possible, if they have not already done so.
- 16 The Environmental Health and Building Surveyor will contact the Department of Environmental Protection.
- 17 Carry out further enquiries at the instruction of the attending Environmental Health Officer.

4.4.2 Asbestos or Similar Products

- 18 Most times these types of substances are only found lying in the bush.
- 19 If a person is seen dumping such products, follow the same procedure as for liquids.
- 20 If there is no person in sight, then take photographs of the site and if possible place a sample in a sealable plastic bag. These are available from the Environmental Services Department.
- 21 Forward all samples to an Environmental Health Officer.
- 22 After carrying out all appropriate enquiries, prepare a report and forward it to the Senior Environmental Services Officer along with all statements, evidence and photographs.
- 23 If the person responsible for dumping the asbestos cannot be located, then the Senior Environmental Services Officer may require a cleanup of the area to be undertaken.

4.5 Litter – Standard Letters and Other Documents

It is difficult to provide standard letters as each case varies so much from the next, however there are templates which contain basic information and can be amended to suit the situation. These templates can be found in Infoxpert under:

My Workspace/EnviroServices/Templates/Waste.



5 Procedures – Stray Stock

Objective: *To provide safe and prompt control, identification of stray stock.*

1. While carrying out patrols in the Cabonne Council area, keep a watch for stray stock.
2. If a complaint/report is made about stray stock, gather any information as to where the stock may have originated from or who the owners may be.
3. Immediate steps must be taken to contain the stock to avoid any accidents/incidents. Ensure when moving stock along roadsides, appropriate signage is used to warn approaching traffic of stock along the road.
4. Contact/locate owners of stock to arrange collection of the animals as soon as possible.
5. If owners of the stock are unknown, look for any identifying features on the animals that may help identify the owners i.e. PIC's (Property Identification Code), ear tags or brand marks.
6. Contact the local LLS (Local Land Services) with these details – they may be able to locate and provide information on the owners of the animals.
7. If owners are unable to be found, transfer the stock to Council's pound facility. Approval must be gained from the Department Leader Environmental Services prior to the movement of any stock to Council's pound.

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