



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

**Date:** Tuesday, 26 April 2022  
**Time:** 1.00pm  
**Location:** Narrabri Shire Council Chambers  
46-48 Maitland Street  
Narrabri

## **AGENDA**

**Ordinary Council Meeting  
26 April 2022**

**Robert Ball  
ACTING GENERAL MANAGER**

**PUBLIC FORUM (held outside formal Council Meeting)**

The Council may hold a public forum prior to each Ordinary Meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting (listed on the Agenda).

Public forums may also be held prior to Extraordinary Council Meetings and meetings of committees of the Council.

Public forums are to be chaired by the mayor or their nominee.

**Request to Speak in the Public Forum**

To speak at a public forum, a person must first make an application to the Council in the approved form. Applications to speak at the public forum must be received by 5pm on the working day before the date on which the public forum is to be held and must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.

Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council, and to identify any equipment needs at 5pm on the working day before the Public Forum.

The General Manager or their delegate may refuse to allow such material to be presented.

A person may apply to speak on no more than 2 items of business on the agenda of the Council Meeting.

Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.

The General Manager or their delegate may refuse an application to speak at a public forum.

No more than three (3) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council Meeting.

If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.

Each speaker will be allowed three (3) minutes to address the Council. This time is to be strictly enforced by the Chairperson.

The Chairperson of the meeting can grant one extension of up to a maximum of two (2) minutes, should further information, be considered to be important to the Council. This is solely at the discretion of the Chair.

Speakers at public forums must not digress from their nominated item on the agenda. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a Public Forum. Questions put to a speaker must be direct, succinct and without argument. Debate will not be permitted by the speaker, Councillors or staff.

Speakers are under no obligation to answer a question. Answers by the speaker, to each question are to be limited to three (3) minutes.

Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.

The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to 5 minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.

Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.

The “*Request to Speak in Public Forum*”, at an Ordinary Council Meeting, can be obtained, from Council’s Administration Office, or by downloading it from Council’s website at:

<http://www.narrabri.nsw.gov.au/speaking-at-public-forum-1232.html>



### **USE OF MOBILE PHONES AND UNAUTHORISED RECORDING OF MEETINGS**

Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.

(As per Council’s Code of Meeting Practice)

A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the Council.

(As per Council’s Code of Meeting Practice)

### **AUDIO RECORDING NOTICE**

Council advises that this Meeting will be recorded for the purpose of webcasting, and made available on the Internet. As such, all those present should refrain from making any defamatory statements. It is requested that Councillors within the duration of the Meeting, limit discussions to only the business on the agenda and what is permissible under our Code of Meeting Practice.

(As per Council’s Code of Meeting Practice)



Mayor  
Cr Ron Campbell



Deputy Mayor  
Cr Cathy Redding



Cr Rohan Boehm



Cr Robert Browning



Cr John Clements



Cr Brett Dickinson



Cr Greg Lamont



Cr Lisa Richardson



Cr Darrell Tiemens



Acting General Manager  
Mr Robert Ball



Director  
Infrastructure Delivery  
Mrs Eloise Chaplain



Director Corporate &  
Community Services  
Mr Andrew Brown



Director Planning and  
Strategy  
Ms Donna Ausling



# Corporate values



## **Integrity**

Ensuring transparency and honesty in all our activities.



## **Leadership**

Providing guidance and direction to our community and our people.



## **Customer Focus**

Delivering prompt, courteous and helpful services and being responsive to the community's changing needs.



## **Accountability**

Accepting our responsibility for the provision of quality services and information.



## **Respect**

Treating everyone with courtesy, dignity and fairness.



## **Excellence**

Being recognised for providing services, programs and information which consistently meet and exceeds standards.

# Strategic *direction*

## OUR VISION

A strong and vibrant regional growth centre providing a quality living environment for the entire Shire community.



### Theme 1: OUR SOCIETY

#### Strategic Direction 1: Safe, Inclusive and Connected Community

A safe, supportive community where everyone feels welcomed, valued and connected.



### Theme 2: OUR ENVIRONMENT

#### Strategic Direction 2: Environmentally Sustainable and Productive Shire

Maintaining a healthy balance between our natural and built environments.



### Theme 3: OUR ECONOMY

#### Strategic Direction 3: Progressive and Diverse Economy

A strong, diverse economy that attracts, retains and inspires business, industry and tourism growth.



### Theme 4: OUR CIVIC LEADERSHIP

#### Strategic Direction 4: Collaborative and Proactive Leadership

Working pro-actively together to achieve our shared vision with strong strategic direction.

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**1 OPENING PRAYER**

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Members and officers are asked to be upstanding for the opening prayer.

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**2 ACKNOWLEDGEMENT OF COUNTRY**

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I would like to acknowledge the Traditional Owners of Country throughout Australia, in particular the Gomeroi People of the Kamilaroi Nation, and recognise their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

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**3 RECOGNITION OF SERVICE MEN & WOMEN**

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Council acknowledges the sacrifice made by Australian service men and women, in particular those who gave their lives in defence of the freedom we enjoy today.

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**4 APOLOGIES/GRANTING OF LEAVE OF ABSENCES**

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**5 DECLARATION OF PECUNIARY AND NON- PECUNIARY INTERESTS**

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Councillors are reminded of their obligation to declare their interest in any matters listed before them.

In considering your interest, you are reminded to include pecuniary, non-pecuniary and conflicts of interest as well as any other interest you perceive or may be perceived of you.

Councillors may declare an interest at the commencement of the meeting, or alternatively at any time during the meeting should any issue progress or arise that would warrant a declaration.

Councillors must state their reasons in declaring any type of interest.

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**6 QUESTIONS WITH NOTICE**

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**7 MATTERS OF GREAT URGENCY**

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**8 ITEMS TO BE CONSIDERED IN THE CONFIDENTIAL (PUBLIC EXCLUDED) MEETING**

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Extract from Council's Code of Meeting Practice:

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than councillors),
  - (b) the personal hardship of any resident or ratepayer,
  - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
  - (d) commercial information of a confidential nature that would, if disclosed:
    - (i) prejudice the commercial position of the person who supplied it, or
    - (ii) confer a commercial advantage on a competitor of the council, or
    - (iii) reveal a trade secret,
  - (e) information that would, if disclosed, prejudice the maintenance of law,
  - (f) matters affecting the security of the council, councillors, council staff or council property,
  - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
  - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
  - (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

The following matters will be considered in the Closed (Public Excluded) Meeting:

- 17.1 Log of Auto-Archive access
- 17.2 Expressions of Interest - General Manager Recruitment
- 17.3 Unauthorised Dwelling at 164 Killara Road, Jacks Creek

## **9 PRESENTATIONS**

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Presentation requests received to date:

- 1. Jim Purcell – Item 15.13 Notice of Motion – Inland Rail Letter to DPIE

## **10 CONFIRMATION OF MINUTES**

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### **RECOMMENDATION**

That the minutes of the Ordinary Meeting of the Narrabri Shire Council held on 22 March 2022 comprising Minute Nos 05/2022 to 083/2022 as circularised be confirmed and signed as a correct record by the Mayor.

**RECOMMENDATION**

That the minutes of the Extraordinary Council Meeting of the Narrabri Shire Council held on 22 March 2022 comprising Minute Nos 084/2022 to 088/2022 as circularised be confirmed and signed as a correct record by the Mayor.

**MINUTES OF NARRABRI SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE NARRABRI SHIRE COUNCIL CHAMBERS, 46-48 MAITLAND STREET, NARRABRI  
ON TUESDAY, 22 MARCH 2022 AT 1.00PM**

**PRESENT:** Cr Ron Campbell, Cr Catherine Redding, Cr Rohan Boehm, Cr Robert Browning, Cr John Clements, Cr Brett Dickinson, Cr Greg Lamont, Cr Lisa Richardson, Cr Darrell Tiemens

**IN ATTENDANCE:** Andrew Brown (Acting General Manager), Donna Ausling (Manager Strategic Planning), Stevi-Leigh Hogarth (Minute Clerk).

Proceedings of the meeting commenced at 1.02pm.

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**1 OPENING PRAYER**

Members and officers were upstanding for the opening prayer by Pastor Renee Ritchie of Way Church Narrabri, in association with the Narrabri Ministers Fraternal.

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**2 ACKNOWLEDGEMENT OF COUNTRY**

The Mayor acknowledged the Traditional Owners of the land on which the Council met, the Gamilaroi people, and the Council paid its respects to Elders past, present and emerging.

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**3 RECOGNITION OF SERVICE MEN AND WOMEN**

Council acknowledged the sacrifice made by Australian service men and women, in particular those who gave their lives in defence of the freedom we enjoy today.

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**4 APOLOGIES/GRANTING OF LEAVE OF ABSENCES**

Nil

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**5 DECLARATION OF PECUNIARY AND NON- PECUNIARY INTERESTS**

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COUNCILLOR	ITEM NUMBER	PECUNIARY/ NON- PECUNIARY	REASON
Cr Campbell	14.3 and 14.5	Pecuniary	Due to operation of waste business.
Cr Lisa Richardson	14.3	Pecuniary	Is an employee of Whitehaven Coal.
Cr John Clements	11.2	Pecuniary	Owns a residential property within the zone.

	13.9	Non-Pecuniary/non significant	Named in the attachment to the Report.
Cr Darrell Tiemens	11.1 and 11.2	Pecuniary	Interest in agricultural land.
Cr Catherine Redding	14.2	Pecuniary	Impacted by Inland Rail property purchase

## 6 ITEMS TO BE CONSIDERED IN THE CONFIDENTIAL (PUBLIC EXCLUDED) MEETING

The following matters will be considered in the Closed (Public Excluded) Meeting:

- 14.1 BP 65 Cooma Road - Finalisation of historical land administration matter
- 14.2 Draft Master Inland Rail Development Agreement (MIRDA)
- 14.3 Narrabri Underground Voluntary Planning Agreement (VPA) Update
- 14.4 Log of Auto-Archive access
- 14.5 Municipal Waste Collection Contract post September 2023

## 7 PRESENTATIONS

Presentation requests received to date:

- 2. NIL

## 8 CONFIRMATION OF MINUTES

### MINUTE 050/2022

Moved: Cr Brett Dickinson      Seconded: Cr John Clements

1. That the minutes of Ordinary Meeting of the Narrabri Shire Council held on 22 February 2022 comprising Minute Nos 021/2022 to 049/2022 as circularised be confirmed and signed as a correct record by the Mayor.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

**CARRIED 9/0**

## 9 MAYORAL MINUTE

### 9.1 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR FEBRUARY/MARCH 2022

#### MINUTE 051/2022

Moved: Cr Ron Campbell

1. That Council note the Mayoral Appointments for the period up to 11 March 2022.



In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

**CARRIED 9/0**

## **10 OUR SOCIETY**

### **10.1 NOTICE OF MOTION - OUTDOOR CONTRACTOR VACCINATION STATUS**

#### **MINUTE 052/2022**

##### **MOTION**

Moved: Cr John Clements      Seconded: Cr Greg Lamont

Outdoor contractors to the Narrabri Shire Council not be required to show vaccination status, provided that;

1. They wear masks when discussing work with relevant Council staff in outdoor settings
2. That they provide proof of a negative Rapid Antigen Test result (RAT) taken prior to entering the council building if they are required to attend any Council indoor setting.

#### **MINUTE 053/2022**

##### **AMENDMENT**

1. A report be brought to Councillors after consultation with staff from the consultative committee within three months.

Moved: Cr Catherine Redding      Seconded: Cr Ron Campbell

In Favour: Crs Ron Campbell and Catherine Redding

Against: Crs Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

**LOST 2/7**

#### **MINUTE 054/2022**

##### **AMENDMENT**

1. That a report be brought to Councillors after consultation with staff from the Consultative Committee and any other relevant council processes for the next Council meeting.

Moved: Cr John Clements      Seconded: Cr Darrell Tiemens

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

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**CARRIED 9/0**

At 1:35pm, Cr Darrell Tiemens left the meeting after declaring a non-pecuniary interest in relation to Item 11.1, due to an interest in agricultural land and was not present at or in sight of the meeting during the consideration of the item.

## **11 OUR ENVIRONMENT**

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### **11.1 AGRITOURISM PLANNING REFORMS**

#### **MINUTE 055/2022**

Moved: Cr Rohan Boehm                      Seconded:      Cr John Clements

- 1. That Council authorise the General Manager to correspond with the NSW Department of Planning and Environment advising of Council's intention to participate in the Agritourism initiative and to confirm the Council Officer preliminary advice dated 25 February 2022 in relation to nominated development standards.**

In Favour:      Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont and Lisa Richardson

Against:          Nil

**CARRIED 8/0**

At 1:43 pm, Cr Darrell Tiemens returned to the meeting.

At 1:43 pm, Cr John Clements left the meeting after declaring a pecuniary interest in relation to Item 11.2, due to ownership of a property within the zone and was not present at or in sight of the meeting during the consideration of the item.

At 1:44 pm, Cr Darrell Tiemens left the meeting after declaring a pecuniary interest in relation to Item 11.2, due to an interest in agricultural land and was not present at or in sight of the meeting during the consideration of the item.

**11.2 EMPLOYMENT ZONE PLANNING REFORMS****MINUTE 056/2022**

Moved: Cr Rohan Boehm                      Seconded: Cr Brett Dickinson

- 1. That Council endorse the Return Translation Detail in respect of the Employment Zone Reform Program.**
- 2. That Council formally advise the NSW Department of Planning and Environment of its decision.**

In Favour:      Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, Brett Dickinson, Greg Lamont and Lisa Richardson

Against:        Nil

**CARRIED 7/0**

At 1:45 pm, Cr John Clements returned to the meeting.

At 1:45 pm, Cr Darrell Tiemens returned to the meeting.

**11.3 INFRASTRUCTURE CONTRIBUTIONS REFORMS****MINUTE 057/2022**

Moved: Cr John Clements                      Seconded: Cr Brett Dickinson

- 1. That Council receive periodic updates on the progress of the NSW Government Infrastructure Contributions Reform Program.**

In Favour:      Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against:        Nil

**CARRIED 9/0**

**11.4 PROPOSED NSW GOVERNMENT REZONING REFORMS - SUBMISSION****MINUTE 058/2022**

Moved: Cr John Clements      Seconded: Cr Catherine Redding

- 1. That Council make a submission to the NSW Department of Planning and Environment on the Discussion Paper – A new Approach to Rezoning in accordance with the draft submission attached to the Report.**

In Favour:      Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against:      Nil

**CARRIED 9/0**

**11.5 NOTICE OF MOTION - NARRABRI LAWN CEMETERY & OLD NARRABRI CEMETERY****MINUTE 059/2022**

Moved: Cr Greg Lamont      Seconded: Cr Darrell Tiemens

- 1. That the General Manager provide a report to Council on:**

- (a) the cost of repairing or resurfacing the internal roads and the signposting of where plots are located at the Narrabri Lawn Cemetery to match the Cemetery Register and the source of funds to undertake the works in the 2022-2023 Capital Works Program;**
- (b) the cost of and what level of service is provided in mowing the rows and between the rows, maintaining signage, picking up rubbish etc., at the Old Narrabri Cemetery to improve its appearance and protect the asset;**
- (c) the options of the engagement of Corrective Services and/or Community Service Order people or grant funded employment programs or other options to assist in the maintenance of the Old Narrabri Cemetery.**

In Favour:      Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against:      Nil

**CARRIED 9/0**

**11.6 NOTICE OF MOTION - RENEWABLE ENERGY ACTION PLAN (REAP)****MINUTE 060/2022**

Moved: Cr Rohan Boehm                      Seconded: Cr John Clements

**1. That Council calls for expressions of interest from suitably qualified consultants for 90 days to undertake a Renewable Energy Action Plan (REAP), where:**

- (a) The Shire's detailed electricity usage is modelled based on time of use, prices and charges paid in \$/kWh and demand charges, location and type of metering – over a 12 month period,**
- (b) The Shire's use of petrol and diesel fuels is collated in terms of plant type, prices paid per litre, time of use and volume – over a 12 month period,**
- (c). In order to meet the goal, new business opportunities and skills are prioritized as being delivered by Shire-based business, and people, to achieve these goals,**
- (d) The REAP identifies skills and systems that are required to meet these goals,**
- (e) The report would identify a business case for Council to invest, or jointly invest in sources of alternative energy that meet Council energy needs, preferably to reach net-zero emissions by 2035,**
- (f) A detailed report is delivered to a public forum(s) commissioned and led by Council, later becoming an online resource on the Council website to assist the Shire and communities in the transition.**

**In Favour:**        Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

**Against:**        Nil

**CARRIED 9/0**

At 2:14 pm, Cr Brett Dickinson left the meeting.

At 2:16 pm, Cr Brett Dickinson returned to the meeting.



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**12 OUR ECONOMY**

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**12.1 RECORD ARCHIVING OF COUNCIL EMAIL****MINUTE 061/2022**

Moved: Cr Rohan Boehm                      Seconded: Cr Greg Lamont

- 1. That Council note the information regarding Council record keeping surrounding emails and the legal requirements associated with the *State Records Act 1998*.**
- 2. That Council note the requirements under its Code of Conduct for record keeping.**

In Favour:      Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against:        Nil

**CARRIED 9/0**

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**12.2 NOTICE OF MOTION - URGENT WORKS ON MELBURRA ROAD (OFF KILLARNEY GAP ROAD)****MINUTE 062/2022**

Moved: Cr Greg Lamont                      Seconded: Cr Rohan Boehm

- 1. That the General Manager provide a report to the appropriate budget briefing of council on:**
  - (a) what work has been undertaken on Melburra Rd the last three (3) years and the cost;**
  - (b) the result of General Manager, or delegate, meeting on site with interested Councillors and the Melburra Road Users Group to discuss options such as concreting the culverts, fencing, regular grading etc., to ensure they have a reliable and safe road to use;**
  - (c) as a result of (b) what works are proposed to rectify the problems, the cost and source of funds.**

In Favour:      Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against:        Nil

**CARRIED 9/0**

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**12.3 NOTICE OF MOTION - NARRABRI TOWN CLOCK REPAIRS****MINUTE 063/2022**

Moved: Cr Greg Lamont                      Seconded: Cr Lisa Richardson

1. That the General Manager submit a report to Council on the history of the maintenance, including a report on the costing to raise the fuse box of the Narrabri Town Clock and its current status in order that it may be repaired to keep the correct time as soon as possible.
2. That the General Manager submit a report to Council on the status of all Narrabri Shire town clocks including a history of the clocks, current maintenance schedule and any other relevant details.

In Favour:      Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against:        Nil

**CARRIED 9/0**

**12.4 NOTICE OF MOTION - NARRABRI WEST RAILWAY MUSEUM****MINUTE 064/2022**

Moved: Cr Greg Lamont                      Seconded: Cr John Clements

1. That the General Manager submit a report to a future meeting of Council on the history of attempts to have the Narrabri West Railway Museum being established in the old Narrabri West Water Tower, information on any possible grant sources to complete the Museum, if any existing funding sources are in reserves or trust or any details on entities that may have been involved in the past.

In Favour:      Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against:        Nil

**CARRIED 9/0**

**12.5 INLAND RAIL****MINUTE 065/2022**

Moved: Cr Rohan Boehm      Seconded: Cr John Clements

- 1. That Council note the Inland Rail report is preliminary and seek further information on matters raised in the report, specifically the funding and broad status for points one, two and three. Report to include a copy of the adopted business case for the inland port.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

**CARRIED 9/0**

**13 OUR CIVIC LEADERSHIP****13.1 INVESTMENT REPORT - FEBRUARY 2022****MINUTE 066/2022**

Moved: Cr John Clements      Seconded: Cr Greg Lamont

- 1. That Council note the Investment Report for February 2022.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

**CARRIED 9/0**

**13.2 PAYMENT OF SUPERANNUATION TO COUNCILLORS****MINUTE 067/2022**

Moved: Cr John Clements      Seconded: Cr Brett Dickinson

- 1. That Council make superannuation contributions on Councillor and Mayoral fees in accordance with section 254B of the *Local Government Act 1993 (NSW)* commencing 1 July 2022.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont and Lisa Richardson

Against: Cr Darrell Tiemens

**CARRIED 8/1**

**13.3 NOMINATION OF NATIVE TITLE MANAGER****MINUTE 068/2022**

Moved: Cr Brett Dickinson      Seconded: Cr Greg Lamont

- 1. That Council nominate the Property Officer, Nicole Gordon, as its Native Title Manager;**
- 2. That Council give notice to the Minister for Lands and Forestry of contact details of Council's Property Officer, Nicole Gordon, as its Native Title Manager as required under Section 8.8 of the *Crown Land Management Act 2016*.**

In Favour:      Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against:      Nil

**CARRIED 9/0**

At 3:09 pm, Cr Robert Browning left the meeting.

**13.4 SPECIAL ACTIVATION PRECINCT (SAP) COMMITTEE****MINUTE 069/2022**

Moved: Cr Lisa Richardson      Seconded: Cr Catherine Redding

- 1. That Council not establish a Special Activation Precinct Standing Committee for a period of 6 months.**
- 2. That Council formally correspond with the NSW Government and request the provision of bi-monthly briefing sessions in relation to Narrabri Special Activation Precinct (SAP) matters.**
- 3. That the time be allocated at the first briefing with the SAP team, following this meeting to discuss any concerns, possibilities of a council committee or matters that Councillors may have.**

In Favour:      Crs Ron Campbell, Catherine Redding and Lisa Richardson

Against:      Crs Rohan Boehm, John Clements, Brett Dickinson, Greg Lamont and Darrell Tiemens

**LOST 3/5**

At 3:32 pm, Cr Robert Browning returned to the meeting.

At 3:32 pm, Cr Greg Lamont left the meeting.

At 3:35 pm, Cr Greg Lamont returned to the meeting.

**13.5 COUNCIL COMMITTEES****MINUTE 070/2022**

Moved: Cr John Clements      Seconded: Cr Darrell Tiemens

**1. That Council hold a workshop to consider the formation of Council standing committees.**

In Favour:      Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against:      Nil

**CARRIED 9/0**

Cr Greg Lamont withdrew the following Notices of Motion prior to consideration at the meeting:

Item 13.6 Notice of Motion – Review of the Code of Meeting Practice

Item 13.7 Notice of Motion – General Manager's Performance Management Review Panel

Item 13.8 Notice of Motion – Delegations

At 3.35pm, The Mayor suspended Standing Orders for a break.

At 3.45pm, The Mayor resumed Standing Orders.

Item - 13.9 Notice of Motion - NSC at LODER – was considered in CONFIDENTIAL (CLOSED COUNCIL) MEETING.

Cr Rohan Boehm withdrew the following Notice of Motion prior to consideration at the meeting:

Item 13.10 Notice of Motion – Review of Operational Delegations



14 CONFIDENTIAL (CLOSED COUNCIL) MEETING

**MINUTE 071/2022**

Moved: Cr Catherine Redding Seconded: Cr Darrell Tiemens

That Council move into Closed (Public Excluded) Meeting of Council and that the press and members of the public be asked to leave the room whilst Council considers the following items:

**13.9 NOTICE OF MOTION - NSC ATS LODER**

This matter is considered to be confidential under Section 10A(2) - (g) concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege, to receive an update on the status of legal action Council has undertaken against former Councillor Ann Loder.

**14.1 BP 65 Cooma Road - Finalisation of historical land administration matter**

The Acting General Manager withdrew the Report prior to consideration at the meeting.

**14.2 Draft Master Inland Rail Development Agreement (MIRDA)**

This matter is considered to be confidential under Section 10A(2) - (d)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**14.3 Narrabri Underground Voluntary Planning Agreement (VPA) Update**

This matter is considered to be confidential under Section 10A(2) - (c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**14.4 Log of Auto-Archive access**

This matter is considered to be confidential under Section 10A(2) - (f) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

**14.5 Municipal Waste Collection Contract post September 2023**

This matter is considered to be confidential under Section 10A(2) - (d)(i) and (d)(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

**CARRIED 9/0**

The Council moved into closed Council, the time being 3.55 pm. The public and media left the Chamber.

The considerations by Council in closed session are recorded in the Confidential Minutes of the Meeting.

The Council moved into open session at 5.03 pm and the Mayor read out to those present the resolutions of the Closed (Public Excluded) Meeting

**13.11 NSC ATS LODER (LEGAL PROCEEDINGS)**

**MINUTE 076/2022**

1. That Council advise the plaintiff's solicitor of Council's intention to halt enforcement action to allow for a further report including legal advice, to be returned to Council.

**13.12 NSC ATS LODER (CONFIDENTIALITY)**

**MINUTE 078/2022**

1. That all reports in relation to the matter of NSC ats LODER be moved into the confidential business paper.

**14.2 DRAFT MASTER INLAND RAIL DEVELOPMENT AGREEMENT (MIRDA)**

**MINUTE 079/2022**

1. That Council endorse the draft Master Inland Rail Development Agreement (MIRDA) for the Narrabri to North Star (N2NS) section of Inland Rail, save and except clause 5.3 Contamination for execution by the General Manager.
2. That Council formally advise Australian Rail Track Corporation (ARTC) of its decision on the matter.

**14.3 NARRABRI UNDERGROUND VOLUNTARY PLANNING AGREEMENT (VPA) UPDATE**

**MINUTE 080/2022**

1. That COUNCIL HAS TEMPORARILY WITHHELD THE RESOLUTION FOR THIS MATTER; under Section 10A(2) of the Local Government Act 1993, for the following reasons:
  - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business
  - (d)(ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council
2. That Council maintain the confidentiality of this matter for the duration of the VPA negotiation.

**14.5 MUNICIPAL WASTE COLLECTION CONTRACT POST SEPTEMBER 2023**

**MINUTE 081/2022**

1. That Council approve the commencement of testing the market and inviting tenders for the delivery of the next municipal waste collection service.
2. That Council seek advice from neighbouring councils as to their level of interest in another joint tender/contract.

**14.4 LOG OF AUTO-ARCHIVE ACCESS**

**MINUTE 082/2022**

1. That Council note the Log of Auto-Archive report and thank the staff.

**15 MEETING CLOSED**

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The Meeting closed at 5.04pm.

The minutes of this meeting are scheduled to be confirmed at the Ordinary Council Meeting to be held on 26 April 2022.

.....  
**CHAIRPERSON**

**MINUTES OF EXTRAORDINARY COUNCIL MEETING  
HELD AT THE NARRABRI SHIRE COUNCIL CHAMBERS, 46-48 MAITLAND STREET, NARRABRI  
ON TUESDAY, 22 MARCH 2022 AT 5:15PM**

**PRESENT:** Cr Ron Campbell, Cr Catherine Redding, Cr Rohan Boehm, Cr Robert Browning, Cr John Clements, Cr Brett Dickinson, Cr Greg Lamont, Cr Lisa Richardson, Cr Darrell Tiemens

**IN ATTENDANCE:** Andrew Brown (Acting General Manager), Donna Ausling (Manager Strategic Planning), Minute Clerk: Nicole Cooper (Governance Support Officer), Debbie Foster (Customer Relations Coordinator).

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**1 OPENING PRAYER**

Members and officers were upstanding for the opening prayer by Mayor Campbell.

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**2 ACKNOWLEDGEMENT OF COUNTRY**

The Mayor acknowledged the Traditional Owners of the land on which the Council met, the Gamilaroi people, and the Council paid its respects to Elders past and present.

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**3 RECOGNITION OF SERVICE MEN & WOMEN**

Council acknowledges the sacrifice made by Australian service men and women, in particular those who gave their lives in defence of the freedom we enjoy today.

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**4 APOLOGIES/GRANTING OF LEAVE OF ABSENCES**

Nil

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**5 DECLARATION OF PECUNIARY AND NON-PECUNIARY INTERESTS**

Nil

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**6 ITEMS TO BE CONSIDERED IN THE CONFIDENTIAL (PUBLIC EXCLUDED) MEETING**

The following matters will be considered in the Closed (Public Excluded) Meeting:

- 7.1 Notice of Motion - Engage an Information Technology (IT) Consultant
- 7.2 Notice of Motion - Review the Terms of Employment of General Managers contract

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**7 PUBLIC FORUM AND PRESENTATIONS**

Public Forum requests received to date:

Nil

Presentation requests received to date:

Nil

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**8 CONFIDENTIAL (CLOSED COUNCIL) MEETING**

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**MINUTE 084/2022**

Moved: Cr Darrell Tiemens      Seconded: Cr Greg Lamont

**That Council move into Closed (Public Excluded) Meeting of Council and that the press and members of the public be asked to leave the room whilst Council considers the following items:**

**7.1 Notice of Motion - Engage an Information Technology (IT) Consultant**

**This matter is considered to be confidential under Section 10A(2) - (f) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.**

**7.2 Notice of Motion - Review the Terms of Employment of General Managers contract**

**This matter is considered to be confidential under Section 10A(2) - (a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).**

In Favour:      Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against:      Nil

**CARRIED 9/0**

The Council moved into closed Council, the time being 5.20 pm. The public and media left the Chamber.

**SUSPENSION OF STANDING ORDERS****MINUTE 085/2022**

Moved: Cr John Clements      Seconded: Cr Greg Lamont

**1. That Council suspend standing orders and move into Committee of the Whole.**

In Favour:      Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against:      Nil

**CARRIED 9/0**

The Council moved into Committee of the Whole, the time being 5.23 pm.

**RESUMPTION OF STANDING ORDERS****MINUTE 086/2022**

Moved: Cr John Clements      Seconded: Cr Darrell Tiemens

- 1. That Council resume standing orders and move out of Committee of the Whole.**

In Favour:      Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against:      Nil

**CARRIED 9/0**

The Council moved out of Committee of the Whole, the time being 6.08 pm

**MINUTE 087/2022**

Moved: Cr Brett Dickinson      Seconded: Cr Darrell Tiemens

- 1. That Council move out of Closed (Public Excluded) Meeting and that the resolutions from the Closed (Public Excluded) Meeting be read out to those present by the Chair of the Meeting or their nominee.**

In Favour:      Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against:      Nil

**CARRIED 9/0**

The Meeting resumed open Council, the time being 6.08 pm

**MAYORAL MINUTE****MINUTE 088/2022**

Moved: Cr Ron Campbell

- 1. That Council accept the resignation of the General Manager, Mr Stewart Todd, effective immediately.**
- 2. That Council endorse the Confidential Deed of Release associated with the resignation of the General Manager and delegates to the Mayor the authority to sign that Deed of Release on behalf of Council.**
- 3. That Council appoint Mr Robert Ball as Acting General Manager of Narrabri Shire Council.**

4. That Council authorise the Mayor to negotiate and sign a contract of engagement with Mr Robert Ball.
5. That Council delegate to the Acting General Manager the functions as described in the Instrument of Delegation attached to this Minute, pursuant to Section 377 of the *Local Government Act 1993*.
6. That Council authorise the Mayor to seek expressions of interest from recruitment agencies to undertake the recruitment of a new General Manager for Narrabri Shire Council.
7. That all expressions of interest received from recruitment agencies wishing to undertake the recruitment of a new General Manager be referred to Council for final selection.
8. That Council delegate authority to the Mayor to negotiate the sale of asset 0755 to Mr Todd at Red Book market value being \$55,000.
9. That Council note the resignation of Director Corporate and Community Services Mr Lindsay Mason and thank him for his service.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

**CARRIED 9/0**

#### **7.1 NOTICE OF MOTION - ENGAGE AN INFORMATION TECHNOLOGY (IT) CONSULTANT**

##### **MOTION**

Moved: Cr Brett Dickinson

- (1) That Council immediately call upon the services of an outside IT consultant to find any logs of files or evidence of delete emails and files relating to tracking of Councillors (both in the current and previous terms). Also, to report if there have been any breaches of the *Workplace Surveillance Act 2005* (NSW) amongst Narrabri Shire Council staff within the past two years.
- (2) To immediately allow all Councillors to have access to their emails and appointments on one additional non-NSC device on the *proviso* that all correspondence abides by the Code of Conduct.

MOTION WAS DECLARED OUT OF ORDER BY THE CHAIR

#### **9 MEETING CLOSED**

The Meeting closed at 6.17pm.

The minutes of this meeting are scheduled to be confirmed at the Ordinary Meeting of the Narrabri Shire Council held on 26 April 2022.



.....  
CHAIRPERSON

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**11 MAYORAL MINUTE**

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**MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR MARCH/APRIL 2022****Responsible Officer:** Ron Campbell, Mayor**Author:** Deb Woolfenden, Executive Assistant to Mayor and General Manager**Attachments:** Nil**RECOMMENDATION**

1. That Council note the Mayoral Appointments for the period 12 March 2022 to 13 April 2022.

**MAYORAL MINUTE**

For the information of Councillors, I provide details of my Mayoral appointments and attendances between the following dates 12 March 2022 – 9 April 2022:

**Tuesday 15 March 2022**

- Attended Councillor Briefing on Inland Rail and Community Strategic Plan
- Attended announcement and media conference on N2IP site
- Attended meeting with Narrabri and District Chamber of Commerce, Narrabri Industrial Network, Deputy Prime Minister and Federal Member for Parkes, Mark Coulton.

**Thursday 18 March 2022**

- Attended Councillor Briefing with Councillors and senior Council staff
- Participated in a media Interview with ABC New England North West on Council's Community Strategic Plan

**Tuesday 22 March 2022**

- Attended March 2022 Ordinary Council Meeting with Councillors and senior Council staff
- Attended Extraordinary Council Meeting with Councillors and senior Council staff

**Wednesday 30 March 2022**

- Attended Wee Waa's Seniors Luncheon

**Thursday 31 March 2022**

- Attended Council's Annual Small Business Summit
- Attended NSW Rural Fire Service – National Emergency Medals Presentation

**Friday 1 April 2022**

- Attended Narrabri Shire Seniors Festival Morning Tea celebrating Senior of the Year

**Saturday 2 April 2022**

- Attended Wee Waa's Debutant Ball

**Monday 4 April 2022**

- Participated in a media interview with 2 MaxFM

**Tuesday 5 April 2022**

- Attended Councillor Briefing with Councillors and senior Council staff

**Saturday 9 April 2022**

- Attended Hassab's Fashions 80-year Celebrations in Boggabri

**Monday 11 April 2022**

- Inspection of Pilliga Road and bore baths

**Tuesday 12 April 2022**

- Inspection of Boggabri town with Jo Bell – Boggabri Chamber of Commerce and Councillor Richardson

**Wednesday 13 April 2022**

- Attended media event – Narrabri to Moree Heavy Duty Pavement Upgrade Tender Announcement

## 12 OUR SOCIETY



### THEME 1: OUR SOCIETY

#### STRATEGIC DIRECTION 1: SAFE, INCLUSIVE AND CONNECTED COMMUNITY

*By 2027, we will provide a safe, supportive community where everyone feels welcomed, valued and connected.*

#### COMMUNITY ENGAGEMENT

Through extensive community engagement, the Narrabri Shire community identified several social priority areas to be actioned over the 2017 - 2018 financial year.

#### COMMUNITY SERVICES

Current services provided within the Narrabri Shire community include:

- Community development
- Community health and safety
- Community arts, events and entertainment
- Community care services and transport
- Parks, open spaces and sporting facilities
- Children, youth and aged care services
- Disability access services
- Library services

#### COMMUNITY OUTCOMES

In partnership with the community, government and non-government agencies, the Operational Plan will work towards achieving the following social strategic outcomes:

- Increased community arts, events and entertainment
- Reduction in anti-social behaviour and public offences
- Improved community accessibility and inclusiveness
- Improved sport and recreational services and facilities
- Improved educational services and learning pathways
- Improved community health and support services

Nil reports.

## 13 OUR ENVIRONMENT



### THEME 2: OUR ENVIRONMENT

#### STRATEGIC DIRECTION 2: ENVIRONMENTALLY SUSTAINABLE AND PRODUCTIVE SHIRE

*By 2027, we will maintain a healthy balance between our natural and built environments.*

#### COMMUNITY ENGAGEMENT

Through extensive community engagement, the Narrabri Shire community identified several environmental priority areas to be actioned over the 2017 - 2018 financial year.

#### COMMUNITY SERVICES

Current services provided within the Narrabri Shire community include:

- Waste management and recycling
- Environmental planning
- Planning and development
- Parks and open spaces
- Noxious weeds control
- Floodplain management
- Water and sewer management
- Stormwater management

#### COMMUNITY OUTCOMES

In partnership with the community, government and non-government agencies, the Operational Plan will work towards achieving the following environmental strategic outcomes:



- Improved air, water and soil quality
- Reduction in domestic and industry waste
- Management of potential impacts from extractive industries
- Improved emergency service provision and resources
- Maintenance of heritage sites for future generation

**13.1 REVIEW OF FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE TERMS OF REFERENCE**

**Responsible Officer:** Donna Ausling, Director Planning and Strategy

**Author:** Michelle Henry, Strategic Planner

**Attachments:**

1. Floodplain Risk Management Advisory Committee Terms of Reference - March 2017 (under separate cover) 
2. 2022 Floodplain Risk Management Advisory Committee Terms of Reference (Amended) (under separate cover) 

**DELIVERY PROGRAM ALIGNMENT****4 Leadership**

**Objective** 4.1 We will proactively engage and partner with the community and government to achieve our strategic goals

**Strategy** 4.1.2 Ensure the community is informed and involved in Council activities through implementing quality consultation

**EXECUTIVE SUMMARY**

Floodplain Risk Management Committees are established in accordance with the New South Wales (NSW) Government's *Flood Prone Land Policy* and the NSW Government's *Floodplain Development Manual* (2005).

The Terms of Reference (ToRs) guide the Committee's objectives and responsibilities as well as outlining the requirements for membership, operating procedures, and code of conduct. The ToRs were last reviewed and updated in March 2017 under Council resolution 45/2017. The ToRs have been updated to reflect the recent Councillor delegate appointments to the Committee as well as making some minor housekeeping amendments to the document.

Reappointment of current community delegates to the Committee is also sought. The ToRs have also been amended to reflect current membership to three members.

**RECOMMENDATION**

1. That Council review and adopt the updated Terms of Reference (TOR) for the Floodplain Risk Management Advisory Committee attached to this report.
2. That Council re-appoint the current community member delegates to the Floodplain Risk Management Advisory Committee being:
  - (a) Jim Purcell
  - (b) Conrad Bolton
  - (c) Jonathan Phelps

**BACKGROUND**

Floodplain Risk Management Committees are established in accordance with the New South Wales (NSW) Government's *Flood Prone Land Policy* and the NSW Government's *Floodplain Development Manual* (2005) (referred to herein as "the manual"). This framework has been prepared to guide councils in achieving sound Floodplain Risk Management outcomes by formulating and implementing management plans through the Floodplain Risk Management process.

The general responsibility of the Floodplain Risk Management Advisory Committee is to oversee the preparation of floodplain management studies and plans. Under the current state-wide policy framework, the Floodplain Risk Management Advisory Committee is tasked with seeking solutions to the existing, future and continuing flood risk issues.

The Floodplain Risk Management Advisory Committee is advisory in nature. An advisory committee makes recommendations to Council but does not have the authority to commit Council, or Council staff, to the implementation of those recommendations.

The ToRs seek to guide the Committee's objectives and responsibilities as well as outlining the requirements for membership, operating procedures, and code of conduct. The ToRs were last reviewed and updated in March 2017 under Council resolution 45/2017.

**CURRENT SITUATION**

As detailed above, the ToRs of the Floodplain Risk Management Advisory Committee were reviewed and adopted by Council resolution at its ordinary meeting held on 21 March 2017. The adopted ToRs provide that Council's elected representatives to the Committee and representatives of the community shall be reviewed following each Ordinary Election of Council or upon a vacancy occurring on the Committee.

Current identified community member delegates to the Committee are as follows:

- Jim Purcell
- Conrad Bolton
- Jonathan Phelps

Mr Frank Hadley, a previous appointed representative, resigned from the Committee during the last term. The ToRs have been subsequently amended to three representatives.

The above community representatives have considerable knowledge of the current flood planning framework and have positively contributed to Committee functions throughout their period of appointment. Accordingly, and due to the members' current knowledge base in respect of the various ongoing Flood Study Risk Management Plans, it is recommended that no changes be made to the community member delegates at this time.

At the Ordinary Council Meeting held 22 February 2022, Council resolved (minute: 034/2022) to appoint three (3) Councillor delegates only, instead of the four (4) outlined under the ToRs, to the Floodplain Risk Management Advisory Committee, being Cr Dickinson, Cr Clements and Cr Browning. Consequently, the Terms of Reference have been amended to reflect this change in addition to some minor housekeeping amendments and are subsequently being presented to Council for formal endorsement.

**FINANCIAL IMPLICATIONS**

Nil.



**STATUTORY AND POLICY IMPLICATIONS**

Detailed in the body of the Report.

**CONSULTATION**

**External Consultation**

NSW Department of Planning and Environment (Office of Environment and Heritage)

**Internal Consultation**

Governance Coordinator

Manager Governance and Risk

**13.2 RESIGNATION OF CONRAD BOLTON FROM FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE**

**Responsible Officer:** Donna Ausling, Director Planning and Strategy

**Author:** Michelle Henry, Strategic Planner

**Attachments:** Nil

**DELIVERY PROGRAM ALIGNMENT****2 Environment**

**Objective** 2.2 We will protect our environment through sustainable planning and well-resourced emergency services

**Strategy** 2.2.4 Decision making will be informed by the principles of Ecologically Sustainable Development and the precautionary principle

**EXECUTIVE SUMMARY**

A member of the Floodplain Risk Management Committee has provided a resignation from their membership of the committee. Once accepted, a replacement must be found and selected.

**RECOMMENDATION**

1. That Council accept the resignation of Conrad Bolton from the Floodplain Risk Management Advisory Committee and thank him for his contribution to the community as a member of that committee.
2. That Expressions of Interest (Eols) be sought for the vacant community delegate position in accordance with the adopted Terms of Reference of the Floodplain Risk Management Advisory Committee.

**BACKGROUND**

Conrad Bolton is a member of the Floodplain Risk Management Advisory Committee (The Committee). He has diligently and actively served on the Committee since its inception as both a Councillor delegate and as a community representative. On 21 April 2022, Mr Bolton advised Council that he wished to withdraw his membership of the Committee.

**CURRENT SITUATION**

There is no reason for Council to not accept Mr Bolton's resignation from the Committee. Once accepted, there will be a vacancy on the Committee. Expressions of interest should be sought for a replacement Committee member as soon as possible to fill the vacancy.

Given Mr Bolton's service on the Committee, it would be prudent and appropriate to thank him for his contribution.

**FINANCIAL IMPLICATIONS**

Nil.

**STATUTORY AND POLICY IMPLICATIONS**

Nil.

**CONSULTATION**

N/A

**External Consultation**

Nil.

**Internal Consultation**

Manager Governance and Risk.

## 14 OUR ECONOMY



### THEME 3: OUR ECONOMY

#### STRATEGIC DIRECTION 3: PROGRESSIVE AND DIVERSE ECONOMY

*By 2027, we will have developed a strong, diverse economy that attracts, retains and inspires business, industry and tourism growth.*

#### COMMUNITY ENGAGEMENT

Through extensive community engagement, the Narrabri Shire community identified several economic priority areas to be actioned over the 2017 - 2018 financial year.

#### COMMUNITY SERVICES

Current services provided within the Narrabri Shire community include:

- Economic development
- Planning and development
- Entertainment and conferences
- Local and regional tourism and events
- Saleyards
- Airport

#### COMMUNITY OUTCOMES

In partnership with the community, government and non-government agencies, the Operational Plan will work towards achieving the following economic strategic outcomes:

- Increased community events, conferences and entertainment
- Increased employment through industry innovation, investment and value adding
- Established freight hub for the Norther Inland Region
- Increased housing availability and affordability
- Broadened economic base

Nil reports.

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**15 OUR CIVIC LEADERSHIP**

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## THEME 4: OUR CIVIC LEADERSHIP

### STRATEGIC DIRECTION 4: COLLABORATIVE AND PROACTIVE LEADERSHIP

*By 2027, we will proactively together to achieve our shared vision with strong strategic direction.*

#### COMMUNITY ENGAGEMENT

Through extensive community engagement, the Narrabri Shire community identified several civic leadership priority areas to be actioned over the 2017 - 2018 financial year.

#### COMMUNITY SERVICES

Current services provided within the Narrabri Shire community include:

- Integrated strategic planning and reporting
- Community engagement and consultation
- Representation and governance
- Human resource management
- Customer services
- Information services
- Financial services
- Risk management
- Compliance and regulation

#### COMMUNITY OUTCOMES

In partnership with the community, government and non-government agencies, the Operational Plan will work towards achieving the following civic leadership strategic outcomes:

- Improved community engagement and decision-making processes
- Well established community, industry, government and non-government partnerships
- Well maintained core infrastructure and service provision that delivers public value
- Transparent and accountable planning and reporting
- Financial efficiency and sustainability

**15.1 DELEGATION OF AUTHORITY - MAYOR**

**Responsible Officer:** Andrew Brown, Director Corporate and Community Services

**Author:** Jason Townsend, Manager Governance and Risk

**Attachments:** 1. Proposed Mayoral Delegation  

**DELIVERY PROGRAM ALIGNMENT****4 Leadership**

Objective 4.2 Decision making will ensure Council remains financially sustainable

Strategy 4.2.3 Modernise Council's service delivery, governance and management

**EXECUTIVE SUMMARY**

Section 380 of the *Local Government Act 1993* (the Act) requires Council to review all of its delegations during the first 12 months of each term of office.

**RECOMMENDATION**

1. That Council delegate to the Mayor of Narrabri Shire Council, the functions in accordance with the Instrument of Delegation to the Mayor attached to this report.

**BACKGROUND**

Council may, by resolution, delegate any of the functions under the Act or any other Act, other than the following:

- (a) the appointment of a general manager,
- (b) the making of a rate,
- (c) a determination under section 549 as to the levying of a rate,
- (d) the making of a charge,
- (e) the fixing of a fee,
- (f) the borrowing of money,
- (g) the voting of money for expenditure on its works, services or operations,
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
- (i) the acceptance of tenders to provide services currently provided by members of staff of the council,
- (j) the adoption of an operational plan under section 405,
- (k) the adoption of a financial statement included in an annual financial report,
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*,

- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,
- (t) this power of delegation,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.

### **CURRENT SITUATION**

In accordance with Section 380 of the Act, the Council is required to review all of its delegations during the first 12 months of each term of office.

### **Delegations for the Mayor**

Section 226 of the Act enshrines the role of Mayor as follows;

- (a) to be the leader of the council and a leader in the local community,
- (b) to advance community cohesion and promote civic awareness,
- (c) to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,
- (e) to preside at meetings of the council,
- (f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,
- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
- (i) to promote partnerships between the council and key stakeholders,
- (j) to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,
- (k) in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
- (l) to carry out the civic and ceremonial functions of the mayoral office,
- (m) to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- (n) in consultation with the councillors, to lead performance appraisals of the general manager,
- (o) to exercise any other functions of the council that the council determines.

### **Delegations for the Deputy Mayor**

Under the Act, section 231(3); *The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*



In accordance with this section there is no requirement for a separate Deputy Mayor Delegation of Authority, as the Act provides explicitly for the Deputy Mayor to exercise the functions of the Mayor at the Mayor's request or in their absence.

**FINANCIAL IMPLICATIONS**

Nil.

**STATUTORY AND POLICY IMPLICATIONS**

Relevant sections of the Act:

- Section 226 *Role of the Mayor*.
- Section 231 *Deputy Mayor*.
- Section 377 *General power of the council to delegate*.

**CONSULTATION****External Consultation**

Nil.

**Internal Consultation**

Nil.



## DELEGATION OF AUTHORITY

### Delegation Details

<b>Delegation From:</b>	Council
<b>Delegation To</b> (position title)	Mayor

In accordance with Sections 377 and 381 of the *Local Government Act 1993* (NSW) (The Act), Council hereby delegates to the person holding the position of Mayor from time-to-time Council's Functions under the Act as set out below. This delegation shall remain in force until specifically altered or revoked by Council resolution and/or Legislation.

#### Delegated Authority

1. To represent the Council with the General Manager in deputations, meetings, and other forums where it is appropriate to represent Council's position.
2. To provide civic receptions as appropriate.

#### Mayor's Functions unaffected

The Mayor's functions under s226 of the Act are unaffected by this delegation.

Authorised at	Date	Resolution Number
April 2022 Ordinary Council Meeting	26 April 2022	___/2022

**15.2 DELEGATION OF AUTHORITY - GENERAL MANAGER**

**Responsible Officer:** Andrew Brown, Director Corporate and Community Services

**Author:** Jason Townsend, Manager Governance and Risk

**Attachments:** 1. Proposed General Manager Delegation  

**DELIVERY PROGRAM ALIGNMENT****4 Leadership**

Objective 4.2 Decision making will ensure Council remains financially sustainable

Strategy 4.2.3 Modernise Council's service delivery, governance and management

**EXECUTIVE SUMMARY**

Section 380 of the *Local Government Act 1993* (the Act) requires Council to review all of its delegations during the first 12 months of each term of office.

**RECOMMENDATION**

1. That Council Delegate to the General Manager of Narrabri Shire Council, the functions in accordance with the Instrument of Delegation to the General Manager attached to this report.

**BACKGROUND**

Section 377 of the Act grants Council the power to delegate any of the functions under the Act or any other Act to the General Manager, other than the following:

- (a) the appointment of a general manager,
- (b) the making of a rate,
- (c) a determination under section 549 as to the levying of a rate,
- (d) the making of a charge,
- (e) the fixing of a fee,
- (f) the borrowing of money,
- (g) the voting of money for expenditure on its works, services or operations,
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
- (i) the acceptance of tenders to provide services currently provided by members of staff of the council,
- (j) the adoption of an operational plan under section 405,
- (k) the adoption of a financial statement included in an annual financial report,
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,

- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,
- (t) this power of delegation,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.

The provisions in Section 378 of the Act then enable the General Manager to sub-delegate any of the functions of the General Manager, other than the power of delegation.

Section 381 of the Act enables Council to delegate its functions under any other Act or Regulation to the General Manager.

#### **CURRENT SITUATION**

In accordance with Section 380 of the Act, the Council is required to review all of its delegations during the first 12 months of each term of office.

While the terms of the delegation and any limitations upon it are a matter for Council, the Governance and Risk Section notes the importance of the principle that the General Manager's authority should match their responsibility/accountability. Too little authority, or too highly regulated authority, risks fettering the General Manager. This in turn risks a reduction in the flexibility, agility, and efficiency of Council's operations.

#### **FINANCIAL IMPLICATIONS**

Nil.

#### **STATUTORY AND POLICY IMPLICATIONS**

- *Local Government Act 1993 Section 377 - General power of the council to delegate.*

#### **CONSULTATION**

##### **External Consultation**

Nil.

##### **Internal Consultation**

Nil.



## DELEGATION OF AUTHORITY

### Delegation Details

<b>Delegation From:</b>	Council
<b>Delegation To</b> (position title)	General Manager

In accordance with Sections 377 and 381 of the *Local Government Act 1993* (NSW) (The Act), Council hereby delegates to the person holding the position of General Manager from time to time Council's Functions under the Act and all other Acts and Regulations in force and as amended from time to time conferring functions on Council subject to any conditions or limitations below. This delegation shall remain in force until specifically altered or revoked by Council resolution and/or Legislation.

### Limitations

1. Limitations arising from the provisions of the Act and all other legislation relevant to this delegation of authority.
2. All resolutions from time to time of Council directing the General Manager in the exercise of any powers, authorities, duties, and functions.
3. The acceptance of tenders in excess of \$1,500,000 (Excl GST).

Authorised at	Date	Resolution Number
April 2022 Ordinary Council Meeting	26 April 2022	___/2022

**15.3 APPOINTMENT OF ACTING GENERAL MANAGER**

**Responsible Officer:** Robert Ball, Acting General Manager

**Author:** Robert Ball, Acting General Manager

**Attachments:** Nil

**DELIVERY PROGRAM ALIGNMENT****4 Leadership**

**Objective** 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

**Strategy** 4.4.2 Ensure effective and sound local governance practice

**EXECUTIVE SUMMARY**

Due to prior commitments, Mr Robert Ball will be unable to fulfil the requirements of Acting General Manager for the period Thursday, 28 April 2022 until Tuesday, 10 May 2022; inclusive. Council is asked to appoint Mr Andrew Brown as Acting General Manager during this period.

**RECOMMENDATION**

- 1. That Council appoint Mr Andrew Brown as Acting General Manager of Narrabri Shire Council from Thursday, 28 April 2022 until Tuesday, 10 May 2022; inclusive.**
- 2. That Council reaffirm its appointment of Mr Robert Ball as Acting General Manager of Narrabri Shire Council from Wednesday, 11 May 2022.**

**BACKGROUND**

Section 351 of the *Local Government Act 1993* holds that if the position of General Manager of the Council is vacant or the holder of such a position is suspended from duty, sick or absent, Council may appoint a person to the position temporarily.

At the Extraordinary Council Meeting held 22 March 2022, Council appointed Mr Robert Ball as Acting General Manager whilst recruitment was undertaken to fill the role on a permanent basis.

**CURRENT SITUATION**

Due to prior commitments, Mr Ball will be unable to fulfil the requirements of Acting General Manager for the period Thursday, 28 April 2022 until Tuesday, 10 May 2022; inclusive. Accordingly, Council is asked to appoint the Director Corporate and Community Services, Mr Andrew Brown as Acting General Manager during this period.

**FINANCIAL IMPLICATIONS**

The recommendation will not result in any additional cost for Council.

**STATUTORY AND POLICY IMPLICATIONS**

Section 351 *Local Government Act 1993*.

**CONSULTATION**

**External Consultation**

Nil.

**Internal Consultation**

- Executive Management.

**15.4 FINANCIAL ASSISTANCE GRANT TIMING**

**Responsible Officer:** Andrew Brown, Director Corporate and Community Services

**Author:** Tim McClellan, Manager Financial Services

**Attachments:** 1. GC151 2022-23 Financial Assistance Grants (FAGs) - advance payment [↓](#) 

**DELIVERY PROGRAM ALIGNMENT****4 Leadership**

**Objective** 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

**Strategy** 4.4.2 Ensure effective and sound local governance practice

**EXECUTIVE SUMMARY**

The Federal Budget for 2022/2023 released 29 March 2022 again provided for an advance payment of the estimated 2022/23 Financial Assistance Grants (FAGs). The advance payment will represent approximately 75% of the amount Council is entitled to. Further adjustments will need to be made to the remaining 25% to take into account:

- the determination by the Commonwealth Treasurer of the final adjustments for 2021/2022; and
- the Grants Commission's recommendations for 2022/2023.

The Commission will advise councils of the recommendations when they have been finalised after the Commonwealth advises the amount of the final adjustments.

**RECOMMENDATION**

1. That Council note the information on the timing of Financial Assistance Grant payment for the 2022/2023 financial year.

**BACKGROUND**

Since 2016/2017, the Federal Government has been making an advance payment to local government of FAGs from the following year's grant allocation. Until this year, that payment has been approximately 50%. For 2022/2023, the advance payment will be approximately 75% which will be paid in April 2022.

The on-going issue for councils is that, due to its untied nature, the grant payment must be accounted for in the financial year in which it is received. This means that an artificial surplus or a reduction in a deficit can be achieved equal to the 25% additional payment. When the advance payment practice is halted, the reverse impact on a surplus or deficit will be created.

**CURRENT SITUATION**

Council has been adjusting budgets as the Federal Government's allocation decisions are announced. The announcement for 2022/2023 has come early with the budget deliberations being



brought forward two months, possibly to fit in with the federal election schedule. As a result, the early decision and payment will affect this year's budget (to be adjusted with the March Quarter Budget Review) and next year's budget. Consequently, the additional 25% payment will positively impact the final operating result for the 2021/2022 and negatively impact 2022/2023.

**FINANCIAL IMPLICATIONS**

A sum of \$6,148,019 will be added to the March QBR and removed from next year's FAG estimate. The advance payment will be internally restricted for use in 2022/2023, but the impact will still be felt in the year end reporting (for both years).

**STATUTORY AND POLICY IMPLICATIONS**

Nil.

**CONSULTATION****External Consultation**

Nil.

**Internal Consultation**

- Acting General Manager
- Director Corporate and Community Services

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Council Circular

12 April 2022

## GC151 2022-23 Financial Assistance Grants (FAGs) – advance payment

<b>Circular Details</b>	GC151 / 12 April 2022 / A814632
<b>Previous Circular</b>	<a href="#">GC150 2021-22 Financial Assistance Grants (FAGs) – advance payment</a>
<b>Who should read this</b>	Councillors / General Managers / Finance Managers
<b>Contact</b>	Helen Pearce / 02 4428 4131 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action Required</b>	Information
<b>PDF Version of Circular</b>	<a href="#">GC151 2022-23 Financial Assistance Grants (FAGs) – advance payment</a>

### What's new or changing

- The Federal Budget for 2022-23 released 29 March again provided for an advance payment of the estimated 2022-23 FAGs.
- The advance payment will represent approximately 75% of the amount council is entitled to. Further adjustments will need to be made to the remaining payments to take into account:

1. the determination by the Commonwealth Treasurer of the final adjustments for 2021-22,
2. the Grants Commission's recommendations for 2022-23.

- The Commission will advise councils of the recommendations when they have been finalised after the Commonwealth advises the amount of the final adjustments.

### What this will mean for your council

- The advance payment amount, as set out in the attached schedule, was paid to councils on 12 April 2022.
- The balance of the grants will be paid with a corresponding reduction to the quarterly instalments

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during 2022-23.

- The first quarterly instalment is expected to be paid to councils in mid-August 2022, with subsequent instalments in November 2022, February 2023 and May 2023.
- All councils will be advised by letter of individual councils' estimated entitlements for 2022-23 FAGs.

#### Key points

- The grants are paid under the provisions of the Local Government (Financial Assistance) Act 1995 (Cwlth).
- The total amount of the annual FAGs, and whether an advance payment is made, is determined by the Commonwealth.
- The NSW FAGs have been in transition to an improved, revised model for four years.
- The transition conditions provide an upper limit of +5% and lower limit 0% on an individual council's' general purpose component when compared year on year. No council has been receiving a lower grant than the previous year.
- The NSW Grants Commission is working in consultation with local councils on a strategy to restore former upper and lower limits, including a range of +5% to -2%, to +6 to -4%.
- The FAGs will remain in transition with a 0% lower limit in 2022-23.

#### Where to go for further information

- Updates about the transition and general information are available on the Office of Local Government Website:

<https://www.olg.nsw.gov.au/commissions-and-tribunals/grants-commission>

- Please contact Helen Pearce, Executive Officer, if you require any further information.

Helen Pearce

Executive Officer

Grants Commission

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**15.5 INVESTMENT REPORT - MARCH 2022**

**Responsible Officer:** Andrew Brown, Director Corporate and Community Services

**Author:** Luke Meppem, Budget Coordinator

**Attachments:** Nil

**DELIVERY PROGRAM ALIGNMENT****4 Leadership**

**Objective** 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

**Strategy** 4.4.3 Report in a clear, concise manner that is easily understood

**EXECUTIVE SUMMARY**

Council is required to consider a report on its investments in accordance with clause 212 of the *Local Government (General) Regulation 2005*.

During the month:

- Two (2) investments matured, totalling \$2 million.
- Two (2) new investments were placed, totalling \$2 million.

Council's Responsible Accounting Officer has certified that Council's investments are in accordance with requirements.

**RECOMMENDATION**

1. That Council note the Investment Report for March 2022.

**BACKGROUND**

Council is required to consider a report on its investments in accordance with clause 212 of the *Local Government (General) Regulation 2005*.

**CURRENT SITUATION**

The following is a summary of investment movements for March 2022.

Investments maturing during the month:

- |            |                |             |                  |
|------------|----------------|-------------|------------------|
| • 09/03/22 | Judo Bank      | \$1,000,000 | 272 days @ 0.70% |
| • 09/03/22 | Macquarie Bank | \$1,000,000 | 272 days @ 0.40% |

New Investments secured during the month:

- |            |           |             |                  |
|------------|-----------|-------------|------------------|
| • 09/03/22 | Judo Bank | \$1,000,000 | 91 days @ 0.80%  |
| • 09/03/22 | NAB       | \$1,000,000 | 273 days @ 0.88% |

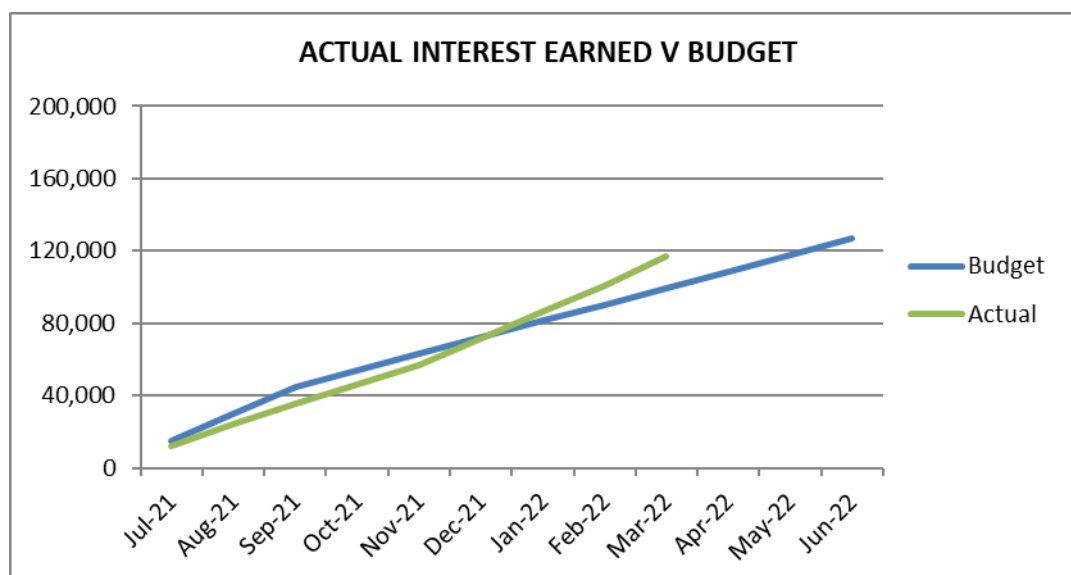
	Market Value (\$)	Term (days)	Rate	Maturity Date
<b>Short Term Deposits (&lt;1 yr)</b>	<b>28,000,000.00</b>			
Macquarie Bank	1,000,000.00	216	0.40%	06/04/22
ME Bank	3,000,000.00	245	0.48%	13/04/22
Macquarie Bank	1,000,000.00	244	0.40%	04/05/22
Judo Bank	1,000,000.00	180	0.86%	18/05/22
Judo Bank	2,000,000.00	182	0.92%	01/06/22
Judo Bank	1,000,000.00	91	0.80%	08/06/22
AMP	1,000,000.00	329	0.75%	22/06/22
AMP	2,000,000.00	240	0.90%	17/07/22
AMP	1,000,000.00	336	0.45%	27/07/22
BOQ	2,000,000.00	244	0.60%	03/08/22
NAB	1,000,000.00	245	0.56%	17/08/22
Macquarie Bank	1,000,000.00	365	0.40%	31/08/22
BOQ	1,000,000.00	273	0.56%	07/09/22
AMP	1,000,000.00	329	0.80%	14/09/22
NAB	1,000,000.00	273	0.62%	12/10/22
NAB	2,000,000.00	300	0.63%	19/10/22
AMP	2,000,000.00	364	1.00%	02/11/22
BOQ	1,000,000.00	273	0.70%	16/11/22
NAB	2,000,000.00	273	0.72%	23/11/22
NAB	1,000,000.00	273	0.88%	07/12/22

<b>Cash Deposits</b>	<b>2,735,736.13</b>			
NAB At Call A/c	1,500,000.00	At Call	0.25%	n/a
NAB Working A/c	1,235,736.13	At Call	0.00%	n/a

<b>Total Cash &amp; Investments</b>	<b>30,735,736.13</b>
-------------------------------------	----------------------

**Movements within Bank account for the reporting period (\$)**

Cash Book balance at 28 February 2022	2,473,638.55
Plus Receipts	2,630,059.81
Plus Investments Matured	2,000,000.00
Less Payments	-4,020,124.82
Less Investments Placed	-2,000,000.00
Cash Book balance at 31 March 2022	1,083,573.54
Unmatched statement items	285,235.46
Unmatched ledger book items	-133,072.87
Reconciliation Balance as at 31 March 2022	1,235,736.13



### Investment Rate Summary for March 2022

Average Interest Rate on Investments: 0.64%

Weighted Average Interest Rate on Investments 0.66%

### Council's Benchmarks

Bank Bill Swap Rate (BBSW) 90-day index (31/03/2022)<sup>1</sup> 0.11%

Average 11am Cash Rate 0.10%

### FINANCIAL IMPLICATIONS

Interest income for the month was \$16,448.35, bringing the financial year to date to \$117,147.92. This is \$17,747.92 ahead of budget (refer above graph) and is reflective of increasing interest rates.

The net movement in the total value of deposits held each month is determined by the immediate cashflow requirement to service creditors. Council's larger creditor payments for the month were in road projects, fleet purchases and the Landfill Cell construction.

### STATUTORY AND POLICY IMPLICATIONS

Clause 212 of the *Local Government (General) Regulation 2005* requires Council's Responsible Accounting Officer to provide a monthly report setting out the details of all money that the Council has invested under section 625 of the *Local Government Act 1993*.

It is certified that Council's investments have been made in accordance with:

- *Local Government Act 1993*.
- *Local Government (General) Regulation 2005*.
- Ministerial Investment Order dated 12 January 2011.
- Council's Investment Policy dated 15 August 2017.

<sup>1</sup> Source: [www.asx.com.au](http://www.asx.com.au)

**CONSULTATION**

**External Consultation**

Nil.

**Internal Consultation**

- Responsible Accounting Officer.



**15.6 CHAIRING AND EFFECTIVE MEETING PROCEDURES FOR COUNCILLORS**

**Responsible Officer:** Andrew Brown, Director Corporate and Community Services

**Author:** Andrew Brown, Director Corporate and Community Services

**Attachments:** Nil

**DELIVERY PROGRAM ALIGNMENT****4 Leadership**

Objective 4.2 Decision making will ensure Council remains financially sustainable

Strategy 4.2.3 Modernise Council's service delivery, governance and management

**EXECUTIVE SUMMARY**

Meetings are an essential part of good corporate governance. Following the election of seven new Councillors, the General Manager was asked to determine if training is available to assist Councillors in chairing meetings.

The Chairing and Effective Meeting Procedures for Councillors workshop offered by Local Government NSW (LGNSW) is designed to assist Councillors in gaining the skills and confidence required to effectively chair, participate in, and contribute to council meetings.

**RECOMMENDATION**

- 1. That the General Manager engage the services of Local Government NSW to provide the Chairing & Effective Meetings Workshop and Council determine a preference for a face to face or online workshop.**

**BACKGROUND**

Meetings are an essential part of good corporate governance. Following the election of seven new Councillors, the General Manager was asked to determine if training is available to assist Councillors in chairing meetings.

**CURRENT SITUATION**

The Chairing and Effective Meeting Procedures for Councillors workshop offered by LGNSW is designed to assist Councillors in gaining the skills and confidence required to effectively chair, participate in, and contribute to council meetings.

The Governance and Risk Section highly recommends that Council consider this. It will streamline and strengthen Council's decision making process within the bounds of the Code of Meeting Practice, providing certainty to Councillors as to procedure along the way.

**FINANCIAL IMPLICATIONS**

LGNSW can provide a half day face to face onsite workshop, for a total cost of \$5,295 (inclusive of GST).

Alternatively, LGNSW can provide a half day online facilitator led workshop for a total cost of \$3,300 (inclusive of GST).

Funds for the provision of the training are available in Council's Training Programs natural account under the Organisational Development project of the Human Resources cost centre.

**STATUTORY AND POLICY IMPLICATIONS**

Code of Meeting Practice.

**CONSULTATION****External Consultation**

- Local Government NSW.

**Internal Consultation**

- Manager Governance and Risk.
- Manager Human Resources.

**15.7 DRAFT RISK MANAGEMENT POLICY AND PROCEDURE**

**Responsible Officer:** Andrew Brown, Director Corporate and Community Services

**Author:** Maree Bales, Risk Coordinator

**Attachments:** 1. Draft Risk Management Policy (under separate cover)   
2. Draft Risk Management Procedure (under separate cover) 

**DELIVERY PROGRAM ALIGNMENT****4 Leadership**

**Objective** 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

**Strategy** 4.4.2 Ensure effective and sound local governance practice

**EXECUTIVE SUMMARY**

Council has developed a risk management framework consistent with AS ISO 31000:2018 Risk Management – Guidelines (“**AS ISO 31000:2018**”) to assist it to identify, treat, monitor and review all risks to its operations and strategic objectives and apply appropriate internal controls. The attached Risk Management Policy (**attachment 1**) and Procedure (**attachment 2**) are key elements in Council proactively managing its risks across risk types and profiles.

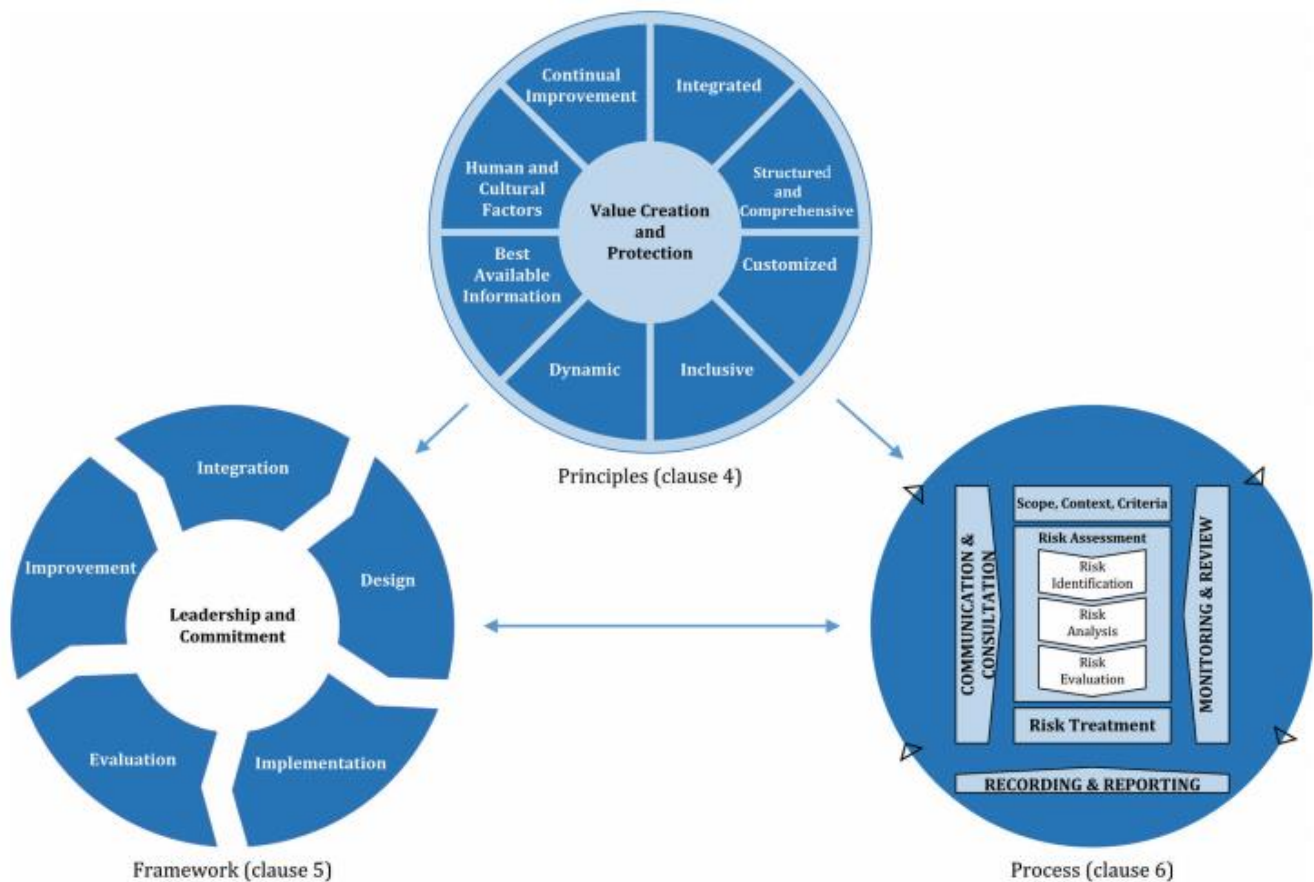
**RECOMMENDATION**

- 1. That Council endorse the Draft Risk Management Policy and the Draft Risk Management Procedure for the purposes of public exhibition.**
- 2. That Council place on public exhibition the Draft Risk Management Policy and the Draft Risk Management Procedure for a period of at least 28 days, and during the exhibition period call for and accept submissions from the public on the draft policy and procedure.**

**REPORT**

A Risk Management Policy and Procedure supports the formal, systematic, structured and proactive management of risks across the organisation. Council recognises that whilst risk is inherent in all its activities, the management of risks is good business practice, creates value, is integral to sound corporate governance and in some instances, a mandatory legal requirement. In particular, effective risk management can lead to better decision-making and planning as well as better identification of opportunities and threats.

Council has developed the risk management framework consistent with AS ISO 31000:2018 to manage risk based on the principles, framework and process outlined and illustrated in Figure 1.

**Figure 1: Principles, framework and process**

Council is committed to maintaining an effective, efficient and tailored risk management framework that consists of:

- a risk management policy;
- a risk management procedure;
- an annual risk management program;
- supporting policies that complement risk management such as fraud prevention, business continuity management, WHS management systems and code of conduct;
- allocation of risk management responsibilities through relevant position descriptions;
- Identifying and monitoring risks within the selected risk management computer system; and
- reporting risk status and effectiveness of controls to the Audit, Risk and Improvement Committee.

The framework will enable:

- a formal, structured approach to risk management that is appropriate to Council's activities and operating environment; and
- a risk management approach consistent with the principles of AS ISO 31000:2018.

By endorsing and then ultimately adopting the Risk Management Policy and Risk Management Procedure, Council will ensure that it is managing its risks within an industry standard best practice framework.

**FINANCIAL IMPLICATIONS**

Nil.

**STATUTORY AND POLICY IMPLICATIONS**

The Draft Risk Management Policy and Procedure has been developed pursuant to:

- AS ISO 31000:2018 Risk Management - Guidelines

**CONSULTATION****External Consultation**

Nil.

**Internal Consultation**

- Executive Management.
- Senior Management.
- Corporate Risk Internal Working Group.

**15.8 DRAFT 2022/2032 COMMUNITY STRATEGIC PLAN**

**Responsible Officer:** Andrew Brown, Director Corporate and Community Services

**Author:** Alice Gemmell-Smith, Corporate Planning and Audit Officer

**Attachments:**

1. **2022/2032 Community Strategic Plan - Draft for Public Exhibition (under separate cover)** 
2. **Engagement Report for the 2022/2032 Community Strategic Plan (under separate cover)** 

**DELIVERY PROGRAM ALIGNMENT****4 Leadership**

**Objective** 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

**Strategy** 4.4.1 Engage with the community to determine affordable and acceptable levels of service

**EXECUTIVE SUMMARY**

The Office of Local Government has mandated an integrated planning and reporting framework which approaches business planning based on community aspirations and preferences. It requires that the community be presented with the key issues and challenges facing the Shire in order for them to have deliberative input into how Council, other government agencies and the community will respond to those issues and challenges.

Council must review the Community Strategic Plan (CSP) before 30 June in the year following an ordinary election of council. Whilst the council may endorse the existing CSP (being 2017/2027 Community Strategic Plan), the option to develop and endorse a new CSP (being the 2022/2032 Community Strategic Plan) was deemed more appropriate due to the significant social, economic, and environmental changes that have occurred over the last four (4) years.

Council undertook significant community engagement for the development of the draft 2022/2032 CSP. Engagement was conducted under the guidance of the 2022/2026 Community Engagement Strategy and Community Engagement Policy.

**RECOMMENDATION**

1. **That Council endorse the draft 2022/2032 Community Strategic Plan for the purposes of public exhibition.**
2. **That Council place on public exhibition the draft 2022/2032 Community Strategic Plan for a period of at least 28 days, and during the exhibition period call for and accept submissions from the public on the draft Plan.**

**BACKGROUND**

The Office of Local Government has mandated an integrated planning and reporting framework which approaches business planning based on community aspirations and preferences. It requires that the community be presented with the key issues and challenges facing the Shire so that they

can have deliberative input into how Council, other government agencies and the community will respond to those issues and challenges.

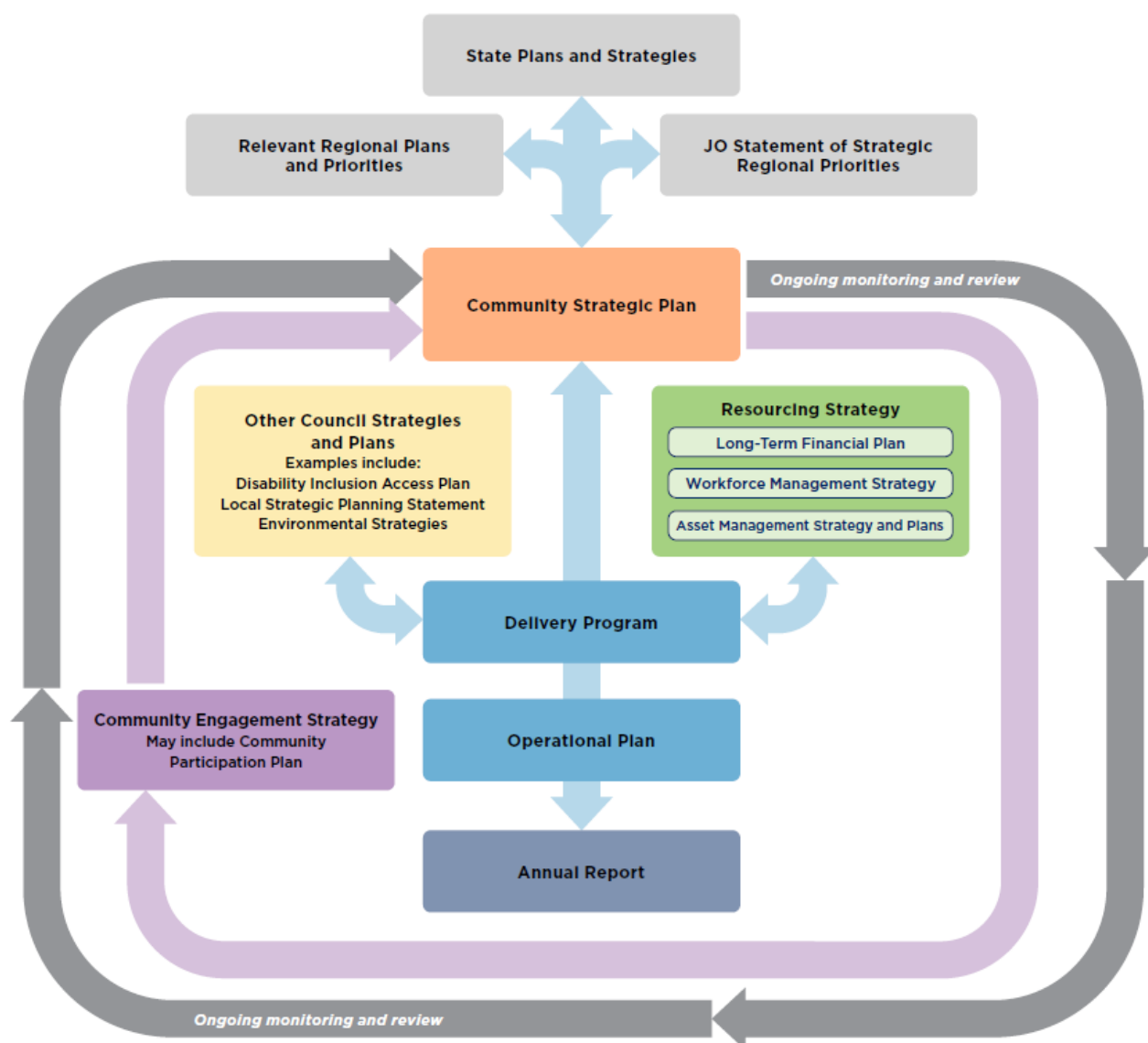
The CSP is the highest-level plan that a council will prepare. The purpose of the CSP is to identify the community's main priorities and aspirations for the future and to plan strategies for achieving these goals. It guides all remaining strategies and plans and must be developed by councils with and on behalf of the community.

The minimum timeframe for a CSP is 10 years and it addresses 4 key questions:

1. Where are we now?
2. Where do we want to be in 10 years' time?
3. How will we get there?
4. How will we know we have arrived?

These questions help identify the community's vision, aspirations and priorities and establish baseline targets, strategies and measures to aid performance monitoring and reporting.

**Figure 1: The IPR Framework.**



Council must review the CSP before 30 June in the year following an ordinary election of council. Whilst the council may endorse the existing CSP (being 2017/2027 Community Strategic Plan), the

option to develop and endorse a new CSP (being the 2022/2032 Community Strategic Plan) was deemed more appropriate due to the significant social, economic, and environmental changes that have occurred over the last four (4) years.

Councillors have been provided with updates on this work via Councillor Briefings and were invited to attend all public engagement sessions.

### CURRENT SITUATION

Council undertook significant community engagement for the development of the new 2022/2032 CSP. Engagement was conducted under the guidance of the 2022/2026 Community Engagement Strategy and Community Engagement Policy.

The CSP is not Council's plan, but the Narrabri Shire Community's and therefore it is not adopted but endorsed. Prior to final endorsement, the CSP must be publicly exhibited for a period of 28 days.

During exhibition community members will be able to access copies of the draft 2022/2032 CSP on Council's website, Council's Administration Building and the Shire's Libraries. The public exhibition period will be promoted through social media, Council's website, posters at customer service centres, and through Council's standard updates via newspaper and radio. Key stakeholders such as government agencies, chambers of commerce and anyone who participated in the engagement process will be written to inviting comment on the draft document. Following exhibition, the final 2022/2032 CSP, incorporating any changes resulting from feedback during the exhibition period will return to Council for final endorsement at the June 2022 Council meeting

### FINANCIAL IMPLICATIONS

The development of the draft 2022/2032 has been funded internally through the standard operational budget.

### STATUTORY AND POLICY IMPLICATIONS

1. *Local Government Act 1993 (NSW) s 402.*
2. *NSW Office of Local Government's Integrated Planning and Reporting Guidelines 2021.*
3. *NSW Office of Local Government's Integrated Planning and Reporting Handbook 2021.*

### CONSULTATION

The engagement report (**attachment 2**) detailing engagement activities and results for this project is attached. The report outlines all engagement activities and feedback up to close of business 31 March 2022. Further community engagement outcomes after this date will be included in the report to Council along with the final 2022/2032 CSP when it is presented for final endorsement.



**15.9 SCHEDULE AN EXTRA-ORDINARY MEETING FOR 17 MAY 2022**

**Responsible Officer:** Jason Townsend, Manager Governance and Risk

**Author:** Alice Gemmell-Smith, Corporate Planning and Audit Officer

**Attachments:** Nil

**DELIVERY PROGRAM ALIGNMENT****4 Leadership**

**Objective** 4.2 Decision making will ensure Council remains financially sustainable

**Strategy** 4.2.1 Maintain and improve Council's financial sustainability with a focus on core business

**EXECUTIVE SUMMARY**

To avoid overloading the ordinary meeting it is proposed to call an Extra Ordinary Council Meeting to consider all documents of the Integrated Planning and Reporting Framework relating to an incoming financial year.

**RECOMMENDATION**

- 1. That Council resolve to hold an Extraordinary Council Meeting on 17 May 2022, commencing at 1:00pm to endorse the following for Public Exhibition:**
  - a. Resourcing Strategy (including Asset Management Plan and Strategy, Long Term Financial Strategy and Workforce Management Plan);**
  - b. 2022/2026 Delivery Program;**
  - c. 2022/2023 Operational Plan and Budget;**
  - d. Quarter 3 2022 Operational and Service Plan Report; and**
  - e. Quarterly Budget Review for Quarter 3 2022.**

**BACKGROUND**

Due to the volume of content that needs to be considered by Council, it has been the practice to consider all reports relating to an incoming financial year at an Extra Ordinary Council Meeting. This is to enable sufficient time between the conclusion of the 28-day public exhibition period and the deadline for the production of the June Ordinary Council Meeting Paper.

**CURRENT SITUATION**

Due to the Ordinary Council Election occurring in December 2021, Council staff must present the following documents of the Integrated Planning and Reporting Framework to Council for endorsement to be placed on at least 28 days public exhibition prior to their adoption:

- 2022/2026 Resourcing Strategy
  - o Asset Management Plan and Strategy;

- Long Term Financial Strategy; and
- Workforce Management Strategy.
- 2022/2026 Delivery Program
- 2022/2023 Operational Plan and Budget

Additionally, to provide Council with sufficient information to adequately consider the incoming financial year's Operational Budget; the Quarter 3 Progress Report and the Quarterly Budget Review will also be presented to Council at the same meeting.

It is also to be noted that if an extra ordinary meeting is not called, the ordinary meeting scheduled for May is likely to be burdened to the extent that time may not be available for the proper consideration by council of all matters listed.

### **FINANCIAL IMPLICATIONS**

Implication on the proper consideration of the incoming budget and long-term financial planning of the Council.

### **STATUTORY AND POLICY IMPLICATIONS**

Section 403 of the *Local Government Act 1993* addresses the requirements and the process for the establishment, by a council, of Delivery Program.

Section 404 of the *Local Government Act 1993* identifies the guidelines councils are to follow to establish a Resourcing Strategy.

Section 405 of the *Local Government Act 1993* addresses the requirements and the process for the establishment, by a council, of an annual Operational Plan.

Section 406 of the *Local Government Act 1993* identifies the guidelines councils are to follow to establish the Integrated Planning and Reporting Framework.

### **CONSULTATION**

#### **Internal Consultation**

Financial Services

Assets and Projects

Human Resources

Governance and Risk

**15.10 2022 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT**

**Responsible Officer:** Andrew Brown, Director Corporate and Community Services

**Author:** Jason Townsend, Manager Governance and Risk

**Attachments:** Nil

**DELIVERY PROGRAM ALIGNMENT****4 Leadership**

**Objective** 4.1 We will proactively engage and partner with the community and government to achieve our strategic goals

**Strategy** 4.1.3 Develop and build strong, productive partnerships with State and Federal Governments

**EXECUTIVE SUMMARY**

The 2022 National General Assembly (“NGA”) of Local Government will be held at the National Convention Centre in Canberra on 19-22 June 2022. The NGA provides an opportunity for Local Government to identify and discuss issues, which it believes, should be addressed by the Federal Government. The Mayor has attended the NGA on a yearly basis since 2009; with the exception of those year/s when it was cancelled due to COVID-19.

Attendance at the NGA will cost per attendee approximately \$2,600 – including NGA registration fee, accommodation for 4 nights and travel costs.

**RECOMMENDATION**

- 1. That Council approve the attendance of the Mayor, Deputy Mayor and one other councillor or staff member at the National General Assembly in Canberra on 19 – 22 June 2022.**

**BACKGROUND**

The 2022 National General Assembly (“NGA”) of Local Government will be held at the National Convention Centre in Canberra on 19 - 22 June 2022.

The NGA of Local Government is convened by the Australian Local Government Association (“ALGA”) for local councils across Australia to develop and express a united voice on the core issues affecting Local Government and their communities. The NGA also provides an opportunity for Local Government to identify and discuss issues which it believes should be addressed by the new Federal Government.

The Mayor has attended the NGA on a yearly basis since 2009; with the exception of those year/s it was cancelled due to COVID-19.

**CURRENT SITUATION**

The theme of this year’s NGA – *Partners in Progress* – reflects the important role local government plays in building a stronger, more inclusive, and more sustainable Australia – and the willingness to work with other governments to get the job done. This theme is particularly timely given that we

are fast approaching a federal election, and this year's NGA will be an ideal opportunity to engage with either a new or re-elected Federal Government about building stronger relationships and partnerships. The Prime Minister, the Leader of the Opposition, and key ministers have been invited to share their vision for Australia's future and how we can work together for the benefit of our communities. Throughout this event, there will be a look at how councils are responding to new challenges and opportunities to create jobs and drive economic growth, and how they are shaping a better future for all Australians. This will include a series of panels where mayors and councillors will share their learnings and lived experience leading their communities through the turbulence of the past few years.

The NGA is a premier gathering of Local Government representatives in Australia, being a unique event that brings together councillors, staff and industry to advocate, network, celebrate, learn and build strategic relationships that will position participants at the forefront of local governance.

### **FINANCIAL IMPLICATIONS**

Per attendee Conference early bird registration is \$989; accommodation costs for the four (4) nights will be approximately \$1,000, total \$1,989 plus travel costs. It is estimated that flights costs will be approximately \$600 return.

There is a budget available to fund attendance at the NGA.

### **STATUTORY AND POLICY IMPLICATIONS**

#### **Reporting Requirements of the Payment of Expenses and Provision of Facilities to Councillors Policy**

*Councillors will report, in writing, in an open session of a Council Meeting on the outcome of the conference, seminar or similar function attended. The report will be submitted to the General Manager (or their delegate) within one (1) month of the Councillor's attendance at the conference, seminar or similar function.*

*If a number of Councillors attend the same function, a single report may be submitted on behalf of all Councillors that attended, however the report must be signed by all Councillors that were in attendance.*

*The report to Council will be in writing and include the following:*

- *The purpose/subject matter of the conference, including the reason for the attendance of the delegate(s).*
- *The agenda of the conference.*
- *Any items of interest to Council discussed at the conference.*
- *Recommendations for further areas of action or investigation (if applicable).*

*A Councillor(s) who attend the annual conference of Local Government NSW (LGNSW) do not need to provide a written report to Council.*

### **CONSULTATION**

#### **External Consultation**

Nil.

#### **Internal Consultation**

- Mayor.



**15.11 VACCINATION OF OUTDOOR CONTRACTORS**

**Responsible Officer:** Andrew Brown, Director Corporate and Community Services

**Author:** Jason Townsend, Manager Governance and Risk

**Attachments:** Nil

**DELIVERY PROGRAM ALIGNMENT****1 Society**

**Objective** 1.1 Community health, safety and support services will adequately meet changing community needs

**Strategy** 1.1.2 Maximise community safety through the implementation of crime prevention and risk management actions

**EXECUTIVE SUMMARY**

Council's Governance and Risk Section sought feedback from Council's Health and Safety Committee and Employee Consultative Committee on Council's current COVIDsafe Workplace Operational Protocol.

**RECOMMENDATION**

1. That Council note the support of the employee Health and Safety Committee and Consultative Committee to maintain the current vaccination mandate applied to all workers of Council as defined by section 4(7) of the *Work Health and Safety Act 2011*.

**BACKGROUND**

At its 22 March 2022 Ordinary Council Meeting, Council resolved the following;

**10.1 NOTICE OF MOTION - OUTDOOR CONTRACTOR VACCINATION STATUS****MINUTE 001/2022****AMENDMENT**

1. That a report be brought to Councillors after consultation with staff from the Consultative Committee and any other relevant council processes for the next Council meeting.

**Moved:** Cr John Clements      **Seconded:** Cr Darrell Tiemens

**In Favour:** Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

**Against:** Nil

**CARRIED 9/0**

**CURRENT SITUATION**Health and Safety Committee

A meeting of Council's Health and Safety Committee (HSC) was held on Wednesday, 23 March 2022. In attendance at this meeting were the Health and Safety Representatives from across Council's services. Council's Manager Corporate Planning and Risk sought feedback on Council's current practices regarding mandated vaccinations of outdoor contractors as required by the COVIDsafe Workplace Operational Protocol. Overwhelmingly the HSC supported Council's current position of mandating vaccinations for all contractors, including outdoor contractors. The Committee resolved the following:

**1.1 OUTDOOR CONTRACTOR VACCINATION STATUS****MINUTE HASCC-002/2022**

Moved: Deputy Representative Ricky Haynes    Seconded: Deputy Chairperson Natasha Rutter

- 1. That the Committee provide feedback to the Risk team in 14 days regarding the Notice of Motion put forward to Council regarding Outdoor Contractor Vaccinations Status to include in the report to Council.**
- 2. HSC recommend that Contractors are required to remain compliant with the COVIDsafe Operational Protocol.**

**CARRIED**

The HSC feedback received raised various concerns regarding any proposed change to the current mandate, including;

1. That it is unrealistic to assume all contractors will wear masks. Therefore, Council outdoor employees would be required to enforce such a requirement.
2. That the checking that a contractor has completed a Rapid Antigen Test would be open to fraudulent conduct and places a further onus on Council outdoor employees to enforce this requirement. When a contractor or subcontractor comes to a Council worksite, how would a Council employee know who is and is not vaccinated?
3. Given that most outdoor contractors would be working with operational employees of Council and not management, any change to the current COVIDsafe Workplace Operational Protocol would place an additional burden on non-supervisory employees.
4. That discriminating between outdoor contractors and outdoor employees would create a double standard in terms of vaccination status. Doing so risks setting a precedent for future attempts by contractors to absolve themselves of having to comply with other Council policies and protocols.

Ultimately, the HSC opposed any changes to the current requirements surrounding mandatory vaccinations for employees or contractors.

Employee Consultative Committee

A meeting of Council's Employee Consultative Committee was held on 30 March 2022. In attendance at this meeting were the employee representatives, union representatives, management representatives and the United Services Union organiser. Council's Manager Governance and Risk sought feedback on Council's current practices surrounding mandatory vaccinations for employees and contractors. The Committee resolved the following:

**5.5 COVIDSAFE WORKPLACE OPERATIONAL PROTOCOL****MINUTE CC-003/2022**

Moved: Planning Representative Michelle Henry Seconded: USU Outdoor Representative John Rumsby

- **That the casual plant hire form should be updated to include a check box for proof of COVID19 vaccination status**
- **That the consultative committee vehemently oppose any change that reduces the safety of employees particularly any change to the current COVIDsafe Workplace Operational Protocol or any change that creates a differentiation between employee and contractors contrary to the definition under the Work Health and Safety Act.**

**CARRIED**

Following the Consultative Committee meeting, Council's Manager Governance and Risk spoke with the representative of the United Services Union (USU) who reaffirmed their position that the Union fully supports the current practices in place pertaining to mandated vaccinations for all workers. They are similarly concerned about the risk of imposing a double standard, particularly in terms of the precedent this may set.

Conclusion

The Health and Safety Committee, the Employee Consultative Committee, as well as the USU, have all unequivocally and vehemently opposed any change to Council's vaccination position for outdoor contractors.

The ultimate effect of the proposed change would be to differentiate policy between different classes of worker. Under the proposed change, Council's position would be that a vaccination mandate is an appropriate, reasonably practicable, and necessary measure to mitigate the risk of COVID-19 to employees (both indoor and outdoor) and indoor contractors, but not outdoor contractors, despite them working alongside outdoor employees in similar roles. WHS legislation does not accommodate deviation based on ideological grounds: the prime consideration must always be safety. If there was a serious case of COVID-19 causing serious illness or death arising from an unvaccinated outdoor worker under the proposed regime, it would be very difficult for Council to defend its position at any Court or Tribunal. Council's risk of liability, and therefore cost, is significant if the proposed changes occur.

Additionally, the consultation conducted was not consultation as envisaged by Section 47 of the *Work Health and Safety Act*. Therefore, should Councillors be minded to make any change to Council's current position, further consultation would be required to ensure legislative obligations are met.



**FINANCIAL IMPLICATIONS**

Nil.

**STATUTORY AND POLICY IMPLICATIONS**

*Work Health and Safety Act 2011*, section 4;

**7 Meaning of “worker”**

(1) A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as—

- (a) an employee, or
- (b) a contractor or subcontractor, or
- (c) an employee of a contractor or subcontractor, or
- (d) an employee of a labour hire company who has been assigned to work in the person’s business or undertaking, or
- (e) an outworker, or
- (f) an apprentice or trainee, or
- (g) a student gaining work experience, or
- (h) a volunteer, or
- (i) a person of a prescribed class.

The proposed change would also require amendment to Council’s COVIDSafe Operational Protocol.

**CONSULTATION****External Consultation**

- United Services Union.

**Internal Consultation**

- Employee Consultative Committee.
- Health and Safety Committee.

**15.12 DEFERRAL OF WORKSHOP ON COUNCIL STANDING COMMITTEES****Responsible Officer:** Robert Ball, Acting General Manager**Author:** Robert Ball, Acting General Manager**Attachments:** Nil**DELIVERY PROGRAM ALIGNMENT****4 Leadership**

**Objective** 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

**Strategy** 4.4.2 Ensure effective and sound local governance practice

**EXECUTIVE SUMMARY**

At the Ordinary Meeting held 22 March 2022, Council resolved to hold a workshop to consider the formation of council standing committees. There is significant value in deferring council's consideration of committees particularly in view of the impending appointment of a new general manager.

In the interim, council may be assured that full and proper information will be publicly accessible for review. Additionally, if sufficient transparency is not displayed council will have the opportunity to reassess the situation.

**RECOMMENDATION**

- 1. That Council defer the workshop to discuss Council Standing Committees for six months**

**BACKGROUND**

Council at its meeting held on 15 February 2022 resolved that a report be provided to the 22 March 2022 Ordinary Meeting with respect to the re-establishment of committees of council. Subsequently at the March meeting the Council resolved to hold a workshop to consider the formation of council standing committees.

**CURRENT SITUATION**

With the recent resignation of the general manager and the impending appointment of a new general manager there is significant value in deferring council's consideration of committees. There is also a benefit in not submitting the organisation to a substantial change in procedures prior to the arrival of the new general manager.

In the submission of the notice of motion to re-establish committees it was indicated that "Council briefings do not provide adequate levels of transparency for the community to understand why/how decisions are made and these arrangements lack sufficient input from elected members in their role of representing the community".

Although briefings will continue, in the interim, council may be assured that full and proper information will be publicly accessible for review. Additionally, if sufficient transparency is not displayed council will have the opportunity to reassess the situation.

**FINANCIAL IMPLICATIONS**

Deferral will not incur any additional costs.

**STATUTORY AND POLICY IMPLICATIONS**

Nil







**CONSULTATION****External Consultation**

Nil

**Internal Consultation**

Councillors at the briefing held on 5 April 2022.

**15.13 NOTICE OF MOTION - INLAND RAIL LETTER TO DPIE****Attachments:**

1. Map  
2. 5 Feb 21 Submission (under separate cover) 
3. 7 Feb 21 EIS Submission (under separate cover) 
4. Apr 21 N2N Update (under separate cover) 
5. 5 July 21 Submission (under separate cover) 

I, Councillor Robert Browning, give notice that at the next Ordinary Meeting of Council be held on 26 April 2022, I intend to move the following motion:-

**MOTION**

That Council's Acting General Manager write to Mr. Mick Fallon, Department of Planning, Industry and Environment, confirming that Council supports what is known as the Alternative Route of Inland Rail near Narrabri (shown in red on the attached map) and request that an independent assessment be done of the Alternative Route compared to the Proposed Route, and further that the letter indicate the following:

- The current Council endorses the issues raised in the staff report presented to the 27<sup>th</sup> January 2021 Council meeting on the Inland Rail EIS and adopts the contents of that report.
- The current Council acknowledges that the previous Council, by resolving on 27<sup>th</sup> January 2021 to make a submission to the EIS process generally in line with that staff report, agreed with the issues raised in the report.
- The report clearly stated that the Proposed Route for the Inland Rail near Narrabri did not provide the optimum outcome for Narrabri.
- The report clearly outlined some of the advantages of adopting the Alternative Route for Inland Rail near Narrabri rather than the Proposed Route.
- Council has not had any meeting where the resolution of 27<sup>th</sup> January 2021 to make a submission on the EIS generally in accordance with the staff report has been rescinded.
- Any statement by any staff member of Council or any Councillor, in any capacity, that Council favoured the Proposed Route, was not authorized by Council and was contrary to the resolution of Council on 27<sup>th</sup> January 2021 in relation to the Inland Rail EIS submission.
- The Narrabri Chamber of Commerce and the Narrabri branch of the National Party have both moved motions of support for the Alternative Route rather than the Proposed Route.
- Council continues to be very concerned about the negative impacts on Narrabri for the life of Inland Rail of the Proposed Route near Narrabri for several reasons, including, but not limited to:
  - Flooding issues
  - Noise and vibration

- Visual amenity
- Devaluation of properties
- Compromise of the access to Narrabri Sewage treatment Works

Council is very concerned about the use of local streets for construction traffic, particularly Gibbons Street. The EIS states that during construction 336 heavy vehicles per day will use Gibbons Street as access. If work is carried out for 16 hours per day that means a heavy vehicle movement on average each 2 minutes and 51 seconds. If work is restricted to 12 hours per day it would mean a heavy vehicle movement on average each 2 minutes and 8 seconds. It is believed that the construction of the section between Namoi River and Narrabri Creek will take at least 2 years.

Along Gibbons Street (northwest of Newell Highway) and along Elizabeth Street and in Brailoc Estate are located Narrabri Hospital including the Ambulance Station, two aged care facilities, the Nurraby Childcare Centre, Narrabri Golf Club and at least 94 residences. These will all be severely affected by the heavy traffic movements.

## RATIONALE

The details given above which should be included in the letter form the support of the motion.

I commend this Notice of Motion to Council.

## MANAGEMENT REPORT

### (Provided in accordance with clause 3.11 of the Code of Meeting Practice)

The Narrabri to Narromine (N2N) Inland Rail segment continues to attract considerable community interest, particularly in respect of potential environmental impacts of the proposal. The project is currently under assessment by the NSW Department of Planning and Environment (DPE) and follows on from the Narrabri to North Star (N2NS) inland rail segment which is currently at construction stage. Information on the current status of the N2N project (SSI-9487) is detailed on the NSW DPE Major Projects website and is nominated as being at the 'response to submissions' and 'prepare amendment report' stage. The NSW DPE (Minister for Planning) is the determining authority for this state significant infrastructure project.

The N2N proposal was placed on public exhibition from Tuesday 8 December 2020 until Sunday 7 February 2021. In response to the exhibition period, two (2) submissions were made on behalf of Council. The first being under the signature of Council's General Manager at the time (Mr Stewart Todd) on 05 February 2021 (public authority submission). The second was made by Council's Flood Plain Risk Management Committee (organisational submission) dated 07 February 2021. Both submissions are listed on the Major Projects website within the 'submissions' tab and a copy of same is **enclosed** under separate cover as background. The corresponding Council Report presented to the January Extraordinary Meeting of Council held on 27 January 2021 is also **enclosed** separately as context for the information of Council. Inland Rail has also recently furnished a timeline of project investigations and decision making which is **enclosed** under separate cover for the information of Council.

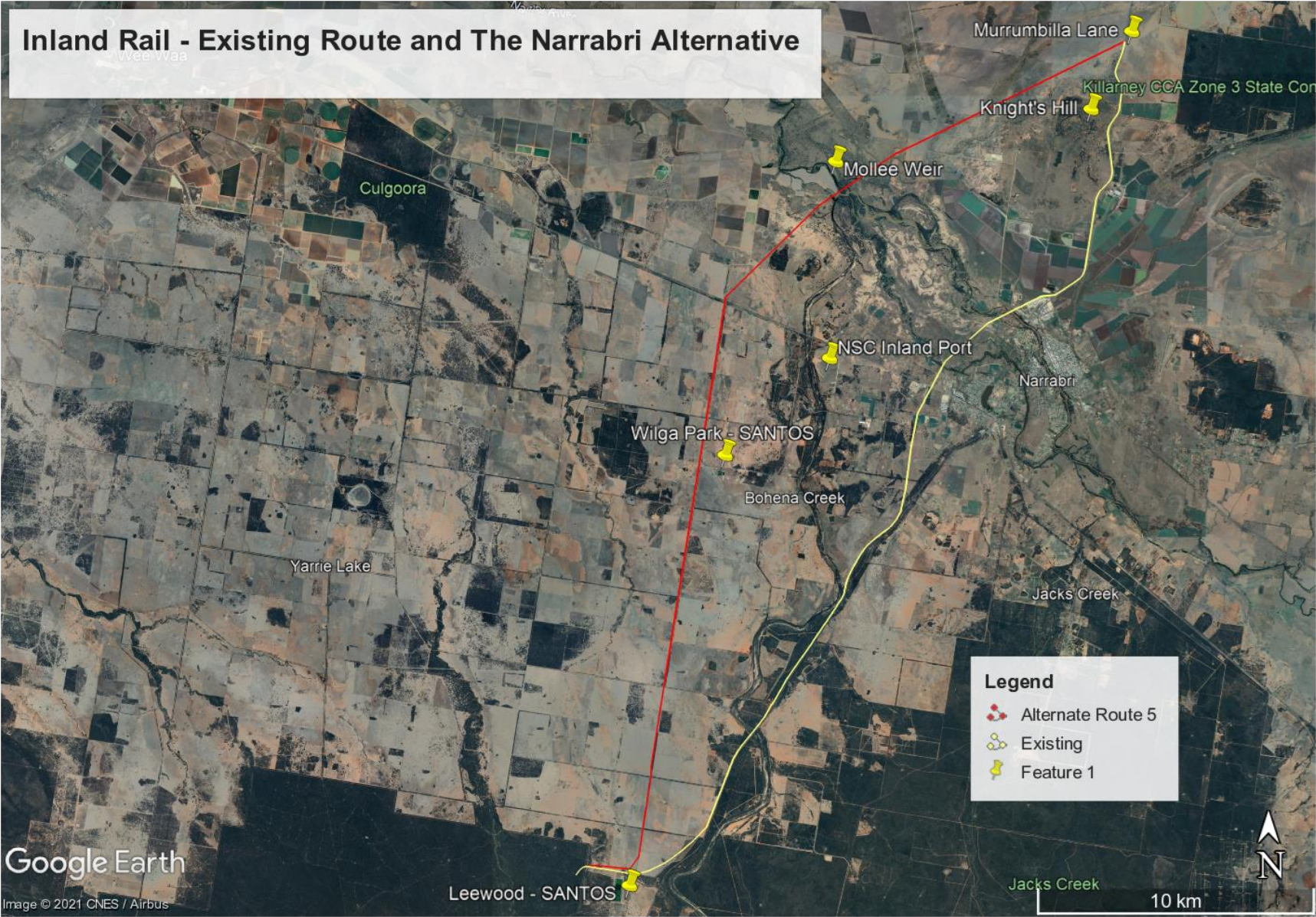
On 5 July 2021 further correspondence was issued by Council, under the signature of Council's General Manager at the time (Mr Stewart Todd), in relation to this matter, which is also **enclosed** as background. Council is advised that a copy of this item of correspondence is not included on the

DPE website as a public authority, nor an organisational submission. Furthermore, the letter has not been accepted nor acknowledged by the DPE as a late submission.

Council should note that the stated view of the Australian Rail Track Corporation (ARTC) as expressed in its advertisement is that “The final proposed route for the Narromine to Narrabri section builds on 15 years of engineering and environmental investigations by some of Australia’s most trusted consultants, robust community engagement and design refinements”.

The ARTC may therefore not alter its position on the proposed route however the notice of motion provides council with the opportunity to reconsider its position; to remove any confusion; and to provide the necessary certainty in respect of Council’s adopted position.





**16      GENERAL BUSINESS**

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Nil reports.



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**17 CONFIDENTIAL (CLOSED COUNCIL) MEETING**

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**RECOMMENDATION**

That Council move into Closed (Public Excluded) Meeting of Council and that the press and members of the public be asked to leave the room whilst Council considers the following items:

**17.1 Log of Auto-Archive access**

This matter is considered to be confidential under Section 10A(2) - (f) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

**17.2 Expressions of Interest - General Manager Recruitment**

This matter is considered to be confidential under Section 10A(2) - (d)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**17.3 Unauthorised Dwelling at 164 Killara Road, Jacks Creek**

This matter is considered to be confidential under Section 10A(2) - (e) and (g) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, prejudice the maintenance of law and advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

**RECOMMENDATION**

That Council move out of Closed (Public Excluded) Meeting and that the resolutions from the Closed (Public Excluded) Meeting be read out to those present by the General Manager or their nominee.

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**18 MEETING CLOSED**

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