



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

**Date: Tuesday, 26 July 2022**

**Time: 1.00pm**

**Location: Narrabri Shire Council Chambers  
46-48 Maitland Street  
Narrabri**

# **AGENDA**

## **Ordinary Council Meeting 26 July 2022**

**Glenn Inglis  
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 Glenn Inglis



Director  
Infrastructure Delivery  
Mrs Eloise Chaplain



Director Corporate &  
Community Services  
Mr Andrew Brown

Director Planning and  
Strategy  
Ms Donna Ausling



# Corporate values



## Wellbeing

Recognising safety, health, and wellbeing as a priority for all, especially our staff.



## Integrity

Ensuring transparency and honesty in all our activities.



## Leadership

Providing guidance and direction to our community and our people.



## Community Focus

Delivering prompt, courteous, collaborative, and helpful service, while empowering and responding to the community's changing needs.



## Accountability

Accepting our responsibility for the provision of quality services and information to ensure transparency and honesty in all our activities.



## Respect

Treating everyone with courtesy, dignity and fairness.



## Excellence

Providing services, programs and information which consistently meet and exceed standards.

# Vision for 2032

## OUR VISION

"The Narrabri Shire will continue to be a strong and vibrant regional economic growth centre providing a quality living environment for the entire community."



### Theme 1: SOCIETY

An empowered, inclusive, and connected community



### Theme 2: ENVIRONMENT

A sustainable and compatible natural and built environment



### Theme 3: ECONOMY

A strong, diverse, and sustainable economy



### Theme 4: CIVIC LEADERSHIP

Council as strong leaders for the community

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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 Gamilaroi 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 MATTERS OF GREAT URGENCY**

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**7 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 EOI - Boggabri Bowling Club
- 17.2 The Exchange Business Activator (TEBA) - Professional Advisory Support Program
- 17.3 Narrabri and District Chamber of Commerce - 2022 Business Awards Sponsorship Proposal - Additional Supporting Information
- 17.4 Quarry Development Applications

## **8 PRESENTATIONS**

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Presentation requests received to date:

- 1. NIL

## **9 CONFIRMATION OF MINUTES**

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### **RECOMMENDATION**

That the minutes of the Ordinary Meeting of the Narrabri Shire Council held on 28 June 2022 comprising Minute Nos enter text to enter text 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 20 July 2022 comprising Minute Nos enter text to enter text 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, 28 JUNE 2022 AT 1.00PM**

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

**IN ATTENDANCE:** Glenn Inglis (Acting General Manager), Donna Ausling (Director Planning and Strategy), Eloise Chaplain (Director Infrastructure Delivery), Andrew Brown (Director Corporate and Community Services), Jason Townsend (Manager Governance and Risk), Nicole Cooper (Governance Support Officer and Minute Clerk)

Proceedings of the meeting commenced at 1.04 pm.

#### **1 OPENING PRAYER**

Members and officers were upstanding for the opening prayer by Ps. Travis Lions of Thrive Church Narrabri, in association with the Narrabri Ministers Fraternal.

#### **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.

#### **3 RECOGNITION OF SERVICE MEN & 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.

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

COUNCILLOR	DATE/DURATION	APOLOGY/LEAVE OF ABSENCE	REASON
Cr Robert Browning	28/06/2022	Leave of Absence	Leave to attend a funeral
Cr Rohan Boehm	17/05/2022 to 18/07/2022	Leave of Absence	Travel – previously approved [Minute Number 133/2022]

##### **4.1 LEAVE OF ABSENCE**

###### **MINUTE 161/2022**

Moved: Cr Greg Lamont                      Seconded: Cr Darrell Tiemens

- 1. That council grant a leave of absence to Cr Robert Browning for 28 June 2022 due to his attendance at a funeral**



<u>In Favour:</u>	Crs Ron Campbell, Catherine Redding, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens
<u>Against:</u>	Nil
<b>CARRIED 7/0</b>	

## 5 DECLARATION OF PECUNIARY AND NON- PECUNIARY INTERESTS

COUNCILLOR	ITEM NUMBER	PECUNIARY/ NON-PECUNIARY	REASON
Cr Lisa Richardson	14.4	Non-Pecuniary Non-Significant	Community member and Treasurer of the Boggabri Chamber of Commerce.
Cr Darrell Tiemens	Supp 1.1	Non-Pecuniary Non-Significant	Board Member of Summit.
	14.3	Non-Pecuniary Non-Significant	Private burials plot.
	15.3 and 16.13	Non-Pecuniary Non-Significant	Member of the Narrabri Chamber of Commerce (not on the executive).
Mr. Andrew Brown	17.5	Non-Pecuniary Non-Significant	Previous professional relationship with one of the tendering companies.
Cr Catherine Redding	16.13	Non-Pecuniary Non-Significant	On the Board of the Narrabri Racecourse Trust (of which the Narrabri Polocrosse Club is a lessor of).
	15.3 and 16.13	Non-Pecuniary Non-Significant	Member of the Narrabri Chamber of Commerce (not on the executive).
Cr John Clements	15.3 and 16.13	Non-Pecuniary Non-Significant	Attends the Narrabri Chamber of Commerce meetings on behalf of employer.
Cr Greg Lamont	14.2	Pecuniary	Owner of land in Development Mod DA 2022/0017 Development.
	15.3 and Supp 1.1	Non-Pecuniary Non-Significant	Member of the Narrabri Chamber of Commerce (not on the executive).
Cr Ron Campbell	15.3 and 16.13	Non-Pecuniary Non-Significant	Member of the Narrabri Chamber of Commerce (not on the executive).

## 6 QUESTIONS WITH NOTICE

Nil

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**7 MATTERS OF GREAT URGENCY**

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Nil

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

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

- 17.1 Purchase of Special Lease no 73034 Boggabri Bowling Club
- 17.2 Shannon Estate - Sale of residential land
- 17.3 Recovery of costs in litigation
- 17.4 Contract 2022-2023/06 Bitumen Sealing
- 17.5 Contract 2022-23/09 – Supply and Delivery of 7mm Precoated Aggregate, DGB20, Crusher Dust and Bedding Sand for Road Maintenance Works

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**9 PRESENTATIONS**

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Presentations made to Council:

- 2. Mr. Shane Hatton spoke to Item 16.14 and stressed the need for Council to upgrade the intersection and complete 1.35km sealing works on Old Narrabri Road.

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**10 CONFIRMATION OF MINUTES**

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**MINUTE 162/2022**

Moved: Cr John Clements                      Seconded: Cr Brett Dickinson

- 1. That the minutes of Ordinary Meeting of the Narrabri Shire Council held on 24 May 2022 as circularised be confirmed as true and accurate and signed as a correct record by the Mayor.**

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

Against:        Nil

**CARRIED 7/0**

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**11 QUESTIONS WITH NOTICE**

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Nil reports.

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**12 MAYORAL MINUTE**

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**12.1 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR MAY/JUNE 2022****MINUTE 163/2022**

Moved: Cr Ron Campbell

- 1. That Council note the Mayoral appointments for the period 21 May 2022 to 22 June 2022.**

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

Against: Nil

**CARRIED 7/0**

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**13 OUR SOCIETY**

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**13.1 STANDARD ACKNOWLEDGEMENT OF COUNTRY FOR NARRABRI SHIRE STRATEGIC DOCUMENTS****MINUTE 164/2022**

Moved: Cr Catherine Redding      Seconded: Cr John Clements

- 1. That Council adopt, as its standard, the Acknowledgement of Country contained within this report.**

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

Against: Nil

**CARRIED 7/0**

**13.2 SECTION 7.12 CONTRIBUTIONS PLAN UPDATE - AMENDMENT TO SCHEDULE OF WORKS****MINUTE 165/2022**

Moved: Cr John Clements      Seconded: Cr Greg Lamont

- 1. That Council endorses the amended "Section 7.12 Fixed Development Consent Levies Contributions Plan 2011" for the purposes of public exhibition.**
- 2. That Council place on public exhibition the "Section 7.12 Fixed Development Consent Levies Contributions Plan 2011" for a period of at least 28 days, and during the exhibition period call for and accept submissions from the public.**

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

Against: Nil

**CARRIED 7/0**

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**14 OUR ENVIRONMENT**

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**14.1 FUNDING APPLICATION TO THE LEARDS FOREST ENVIRONMENTAL TRUST INC.****MINUTE 166/2022**

Moved: Cr Brett Dickinson      Seconded: Cr Greg Lamont

- 1. That Council receive and note the grant funding application received from Boggabri Golf Club for installation of solar panels.**
- 2. That Council note the application has been endorsed by the Leards Forest Environmental Trust Committee at its last meeting (26 May 2022).**
- 3. That Council approve the release of the funds, as detailed in the application and letter as attached to the report, from the Environmental portion of the VPA funding for Maules Creek, Tarrawonga and Boggabri Coal Mines.**

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

Against:      Nil

**CARRIED 7/0**

At 1:49 pm, Cr Greg Lamont left the meeting after declaring a pecuniary interest in relation to Item 14.2 (as the owner of the land subject to Development Modification DA2022/0017) and was not present at or in sight of the meeting during the consideration of the Item.



**14.2 DEVELOPMENT SERVICES REPORT - MAY 2022****MINUTE 167/2022**

Moved: Cr John Clements                      Seconded: Cr Lisa Richardson

**1. That Council receive and note the Development Services Report - May 2022.**

In Favour:        Crs Ron Campbell, Catherine Redding, John Clements, Brett Dickinson, Lisa Richardson and Darrell Tiemens

Against:        Nil

**CARRIED 6/0**

At 1:50 pm, Cr Greg Lamont returned to the meeting.

**14.3 DRAFT BURIALS ON PRIVATE LAND POLICY****MINUTE 168/2022**

Moved: Cr Lisa Richardson                      Seconded: Cr John Clements

**1. That Council workshop the draft “Private Burials Policy” at a future Councillor Briefing.**

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

Against:        Nil

**CARRIED 7/0**

At 1:55 pm, Cr Lisa Richardson left the meeting after declaring a non-pecuniary, non-significant interest in relation to Item 14.4 (as community member of and Treasurer for the Boggabri Chamber of Commerce) and was not present at or in sight of the meeting during the consideration of the Item

**14.4 ADVICE OF VPA FUND EXPENDITURE FOR BOGGABRI CBD AND BUSINESS ACTIVATION PROJECT****MINUTE 169/2022**

Moved: Cr John Clements                      Seconded: Cr Greg Lamont

**1. That Council receive and note the Report.**

In Favour:        Crs Ron Campbell, Catherine Redding, John Clements, Brett Dickinson, Greg Lamont and Darrell Tiemens

Against:        Nil

**CARRIED 6/0**

At 1:57 pm, Cr Lisa Richardson returned to the meeting.

**14.5 2022/2023 ROADS CAPITAL PROGRAMS****MINUTE 170/2022**

Moved: Cr John Clements                      Seconded: Cr Brett Dickinson

- 1. That Council receive and note the proposed Roads Capital Programs for the 2022-23 Financial year.**

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

Against:        Nil

**CARRIED 7/0**

**14.6 TOWN CLOCKS MAINTENANCE****MINUTE 171/2022**

Moved: Cr John Clements                      Seconded: Cr Catherine Redding

- 1. That Council approve the relocation of power supply at a cost of \$2,800.00 to be funded from the 2022-2023 Parks and Open Spaces budget.**
- 2. That Council approaches the Narrabri Old Gaol and Museum in relation to displaying the Narrabri Town Clock mechanism.**

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

Against:        Nil

**CARRIED 7/0**

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**15 OUR ECONOMY**

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**15.1 CROWN LANDS - BOSTON STREET BRIDGE LICENCE****MINUTE 172/2022**

Moved: Cr Greg Lamont                      Seconded: Cr Lisa Richardson

**1. That Council make representations to the Minister and to LGNSW as follows:**

- a. Request the Minister to use the powers under section 12.15 of the *Crown Land Management Act* to waive the rent for the Boston Street bridge and to establish, as a principle, that where local government provides a non-commercial facility on Crown land for the sole purpose of a public benefit that rent be waived or alternatively a nominal rent be payable in perpetuity on demand; and
- b. Request LGNSW, on behalf of local government, to support Council's representations to the Minister.

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

Against:        Nil

**CARRIED 7/0**

**15.2 ECONOMIC DEVELOPMENT ACTIVITIES UPDATE - JUNE 2022****MINUTE 173/2022**

Moved: Cr John Clements                      Seconded: Cr Catherine Redding

**1. That Council receive and note the Economic Development Section activities highlighted in this report.**

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

Against:        Nil

**CARRIED 7/0**

**15.3 NARRABRI AND DISTRICT CHAMBER OF COMMERCE - 2022 BUSINESS AWARDS SPONSORSHIP PROPOSAL****MOTION**

Moved: Cr Lisa Richardson                      Seconded: Cr John Clements

1. That Council agree to become a major sponsor, to the value of \$15,000 for the 2022 Narrabri Business Awards.
2. That Council allocate the funding from 2021-2022 Economic Development budget for major sponsorship of 2022 Business Awards.

**MOVE INTO COMMITTEE OF THE WHOLE****MINUTE 174/2022**

Moved: Cr Lisa Richardson                      Seconded: Cr John Clements

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

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

Against:        Nil

**CARRIED 7/0**

The Council moved into Committee of the Whole, the time being 2.46pm

**MOVE OUT OF COMMITTEE OF THE WHOLE****MINUTE 175/2022**

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, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against:        Nil

**CARRIED 7/0**

The Council moved out of Committee of the Whole, the time being 2.55pm.



**MINUTE 176/2022****AMENDMENT**

Moved: Cr Catherine Redding      Seconded: Cr Darrell Tiemens

- 1. That the sponsorship of the Narrabri and District Chamber of Commerce 2022 Business Awards be workshoped at the Councillor Briefing on 5 July 2022.**
- 2. That the Narrabri and District Chamber of Commerce be invited to attend the Councillor Briefing on 5 July 2022 to present on the intended use of the sponsorship funds.**
- 3. That Item 15.3 be brought back before the July 2022 Ordinary Council Meeting for a final decision.**

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

Against:      Nil

**CARRIED 7/0**

The Amendment upon being put was carried.

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**16      OUR CIVIC LEADERSHIP**

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**16.1      INTERNAL LOAN ARRANGEMENT****MINUTE 177/2022**

Moved: Cr John Clements      Seconded: Cr Darrell Tiemens

- 1. That Council finance the completed land acquisitions and water licence purchases for the Northern NSW Inland Port by way of an internal loan from Water Fund for \$2 million.**
- 2. That the fixed term loan to be repaid in quarterly instalments over 10 years at 4.45% per annum, subject to Ministerial Approval.**
- 3. That Council endorse the action to seek Ministerial Approval for the above arrangement.**

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

Against:      Nil

**CARRIED 7/0**

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**SUSPENSION OF STANDING ORDERS**

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**MINUTE 178/2022**

Moved: Cr Ron Campbell                      Seconded: Cr Greg Lamont

**1. That Council suspend standing orders for a break.**

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

Against:        Nil

**CARRIED 7/0**

The Council suspended Standing Orders, the time being 3.12 pm.

**RESUMPTION OF STANDING ORDERS****MINUTE 179/2022**

Moved: Cr Ron Campbell                      Seconded: Cr Greg Lamont

**1. That Council resume standing orders.**

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

Against:        Nil

**CARRIED 7/0**

The Council resumed Standing Orders, the time being 3.27pm.

**16.2 INVESTMENT REPORT - MAY 2022****MINUTE 180/2022**

Moved: Cr Catherine Redding                      Seconded: Cr Brett Dickinson

**1. That Council note the Investment Report for May 2022.**

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

Against:        Nil

**CARRIED 7/0**

**16.3 RISK MANAGEMENT POLICY AND PROCEDURE****MINUTE 181/2022**

Moved: Cr Brett Dickinson      Seconded: Cr John Clements

- 1. That Council adopt the Risk Management Policy (Attachment 1) and the Risk Management Procedure (Attachment 2).**

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

Against:      Nil

**CARRIED 7/0**

**16.4 REVIEW OF AUDIT, RISK AND IMPROVEMENT COMMITTEE TERMS OF REFERENCE AND MEMBERSHIP****MINUTE 182/2022**

Moved: Cr Greg Lamont      Seconded: Cr John Clements

- 1. That Council adopt the reviewed Audit, Risk and Improvement Committee (ARIC) Terms of Reference attached to this report.**
- 2. That Council reappoint the following current members of Council's Audit, Risk and Improvement Committee for a term of two (2) years:**
  - a. Chair – Grahame Marchant.**
  - b. Independent Member – Louise Gett.**
- 3. That the sitting fees for the Audit, Risk and Improvement Committee members be set as follows:**
  - a. Independent Chair \$2,000 per meeting (including travel).**
  - b. Independent member \$800 per meeting (including travel).**
- 4. That Council endorse the recruitment of an additional Independent Audit, Risk and Improvement Committee member through an Expression of Interest process.**
- 5. That Council note the proposed requirements of the draft Office of Local Government 'Risk management and internal audit for local councils in NSW' Guidelines.**
- 6. That Council receive copies of all ARIC Business Papers, Minutes, and other reports in closed Council under Confidential Cover (as per Attachment 1, page 33) and that this requirement be included in the Terms of Reference (Attachment 2).**

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

Against:      Nil

**CARRIED 7/0**

**16.5 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE****MINUTE 183/2022**

Moved: Cr John Clements                      Seconded: Cr Greg Lamont

- 1. That Council note the Minutes of the Audit, Risk and Improvement Committee meeting held on Monday, 9 May 2022.**

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

Against:        Nil

**CARRIED 7/0**

**16.6 FUNDING RECEIVED FROM DEPARTMENT OF EDUCATION AND TRAINING****MINUTE 184/2022**

Moved: Cr Brett Dickinson                      Seconded: Cr Lisa Richardson

- 1. That Council note the funding received from the Department of Education and Training of \$117,640 for upskilling Council's outdoor workforce.**
- 2. That Council thanks the Work Health and Safety Business Partner for their efforts in this matter.**

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

Against:        Nil

**CARRIED 7/0**

**16.7 2022/2032 COMMUNITY STRATEGIC PLAN****MINUTE 185/2022**

Moved: Cr Lisa Richardson                      Seconded: Cr Darrell Tiemens

- 1. That Council endorse the 2022/2032 Community Strategic Plan, as attached.**

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

Against:        Nil

**CARRIED 7/0**

**16.8 2022/2023 OPERATIONAL PLAN AND 2022/2026 DELIVERY PROGRAM****MINUTE 186/2022**

Moved: Cr John Clements                      Seconded: Cr Darrell Tiemens

1. That Council adopt the 2022/2026 Delivery Program and 2022/2023 Operational Plan, as attached.
2. That in relation to the report “2022/2023 Operational Plan and 2022/2026 Delivery Program”, Council make the following determinations:
  - a. That in relation to ordinary rates, Council adopt the 0.7% annual maximum rate peg, as approved by the Independent Pricing and Regulatory Tribunal and in accordance with Section 494 of the Local Government Act.
  - b. In addition to a above, Council adopt the full catch up in accordance with section 511 of the Local Government Act. Council make and levy the ordinary rates for the year 1 July 2022 to 30 June 2023, as per the attached Appendix A – 2022/2023 Revenue Policy.
  - c. That in relation to the special rate, Council adopt the 0.7% annual maximum rate peg, as approved by the Independent Pricing and Regulatory Tribunal, and in accordance with Section 495 of the Local Government Act.
  - d. In addition to c above, Council adopt the full catch up in accordance with Section 511 of the Local Government Act. Council make and levy the special rate for the year 1 July 2022 to 30 June 2023, as per the attached Appendix A – 2022/2023 Revenue Policy.
  - e. That is relation to water supply charges; in accordance with section 501 and section 502 of the Local Government Act, Council make and levy the charges as per the attached Appendix A – 2022/2023 Revenue Policy.
  - f. That is relation to sewerage service charges; in accordance with section 501 and section 502 of the Local Government Act, Council make and levy the charges as per the attached Appendix A - 2022/2023 Revenue Policy.
  - g. That is relation to waste management charges; in accordance with section 496, section 501 and section 502 of the Local Government Act, Council make and levy the charges as per the attached Appendix A - 2022/2023 Revenue Policy.
  - h. That in relation to interest on overdue rates and charges, Council make and impose the maximum charge for interest of 6.0% from 1 July 2022 to 30 June 2023 inclusive on overdue rates and charges as determined by the Minister for Local Government, in accordance with section 566(3) of the Local Government Act.
  - i. That in relation to the exhibited fees and charges as per the attached Appendix B – 2022/2023 Fees and Charges, Council adopt the fees and charges for services provided by Council in accordance with section 502 of the Local Government Act.
3. That Council note the submission(s) received and formally advise the party(ies), who made the written submission(s) on Council’s draft 2022/2026 Delivery Program and draft 2022/2023 Operational Plan, of Council’s decision on the matter.

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

Against:        Nil

**CARRIED 7/0**

**16.9 2022/2026 RESOURCING STRATEGY****MINUTE 187/2022**

Moved: Cr Catherine Redding      Seconded: Cr Greg Lamont

- 1. That Council adopt the 2022/2026 Resourcing Strategy (and related attachments) as attached.**

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

Against:      Nil

**CARRIED 7/0**

**16.10 2022/2026 DISABILITY INCLUSION ACTION PLAN****MINUTE 188/2022**

Moved: Cr John Clements      Seconded: Cr Lisa Richardson

- 1. That Council adopt the 2022/2026 Disability Inclusion Action Plan, as attached.**

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

Against:      Nil

**CARRIED 7/0**

**16.11 2022/2023 COUNCILLOR AND MAYORAL FEES****MINUTE 189/2022**

Moved: Cr Catherine Redding      Seconded: Cr Brett Dickinson

- 1. That Council sets its Councillor fees for the 2022/2023 financial year at \$12,650, being the maximum fee available under the Local Government Remuneration Tribunal's 2022/2023 determination.**
- 2. That Council sets its Mayoral fee for the 2022/2023 financial year at \$27,600, being the maximum fee available under the Local Government Remuneration Tribunal's 2022/2023 determination.**

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

Against:      Nil

**CARRIED 7/0**

**16.12 FACILITY MANAGEMENT PLANS****MINUTE 190/2022**

Moved: Cr Greg Lamont                      Seconded: Cr Brett Dickinson

**1. That Council note the progress on the preparation of Facilities Management Plans.**

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

Against: Nil

**CARRIED 7/0**

**16.13 2022/2023 COMMUNITY GRANTS FUND****MINUTE 191/2022**

Moved: Cr Lisa Richardson                      Seconded: Cr Brett Dickinson

**1. That Council under Section 356 of the Local Government Act 1993 allocate the following funding from the 2022/23 Community Grants Fund:**

- a. CGF2223-002 - Killarney Classic Committee - Killarney Bike Classic 2022 - event assistance - \$1,000
- b. CGF2223-005 - Narrabri Polocrosse Club Inc - Slashing of grounds - Australian Test Series Narrabri Junior Challenge and Carnival - \$1,000
- c. CGF2223-009 - Eulah Creek Recreation Reserve Land Manager - Eulah Creek Machinery Day - BBQ and Canteen - \$1,060
- d. CGF2223-003 - Narrabri and District Chamber of Commerce - Narrabri Christmas Tree - replacement of decorations - \$1,250
- e. CGF2223-004 - Narrabri Meals on Wheels - Christmas in July - social event for clients, carers, and volunteers - \$1,425
- f. CGF2223-008 - Wee Waa Public School P&C - Trivia Night and Auction 2022 - \$3,500
- g. CGF2223-007 - Wee Waa & District Pony Club Inc - 2023 Zone 5 Pony Club Jamboree Competition - purchase of equipment - \$3,765

**2. That the unsuccessful applicants be advised in writing of Council's decision.**

**3. That it be noted that in the Attachments to Item 16.13, that the words "Narrabri Jockey Club" be replaced with "Narrabri Racecourse".**

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

Against: Nil

**CARRIED 7/0**

At 4:27pm, Cr Darrell Tiemens left the meeting.

At 4:27pm, Cr John Clements left the meeting.

At 4:29pm, Cr Darrell Tiemens returned to the meeting.

At 4:29pm, Cr John Clements returned to the meeting.

#### 16.14 TURRAWAN ROAD SR061 AND OLD NARRABRI ROAD SR017 FUNDING

##### MINUTE 192/2022

Moved: Cr Lisa Richardson      Seconded: Cr Brett Dickinson

1. That Council note that the intersection of Turrawan Road and Old Narrabri Road will be upgraded following the availability of grant funding, as a priority.
2. That Council note that works to upgrade 1.35km from the intersection of Turrawan Road on Old Narrabri Road will be undertaken following the availability of grant funding.

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

Against: Nil

**CARRIED 7/0**

#### 16.15 ROADS AND PARKS STATUS REPORT

##### MINUTE 193/2022

Moved: Cr Lisa Richardson      Seconded: Cr Brett Dickinson

1. That Council note the Roads and Parks status report – June 2022.

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

Against: Nil

**CARRIED 7/0**

#### 16.16 LOG OF AUTO-ARCHIVE ACCESS

##### MINUTE 194/2022

Moved: Cr John Clements      Seconded: Cr Catherine Redding

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

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

Against: Nil

**CARRIED 7/0**

At 4.35pm, Cr Catherine Redding left the meeting.

At 4.36pm, Cr Catherine Redding returned to the meeting.



**16.17 RESOLUTIONS REGISTER- MAY TO JUNE 2022****MINUTE 195/2022**

Moved: Cr Greg Lamont                      Seconded: Cr Darrell Tiemens

**1. That Council note the Resolutions Register as at 21 June 2022.**

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

Against: Nil

**CARRIED 7/0**

**SUPPLEMENTARY 1.1 DONATIONS IN LIEU OF ORDINARY RATES 2022/2023****MINUTE 196/2022**

Moved: Cr Catherine Redding                      Seconded: Cr Greg Lamont

**1. That Council authorise the individual amounts totalling \$106,485.05 to be donated to community organisations in this report in accordance with the Donations in Lieu of Ordinary Rates Policy and section 356 of the *Local Government Act 1993*.**

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

Against: Nil

**CARRIED 7/0**

**17 CONFIDENTIAL (CLOSED COUNCIL) MEETING**

At 4.43pm the Chairperson offered the opportunity to members of the public to make representations as to whether any part of the Council meeting should not be considered in Closed Council.

The Acting General Manager advised the Chairperson that no written public submissions or representation had been received as to whether or not part of the meeting should be closed to the public. The Chairperson asked any members of the Council whether any part of the meeting should not be considered in Closed Council.

**MINUTE 197/2022**

Moved: Cr John Clements      Seconded: Cr Catherine Redding

**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 Purchase of Special Lease no 73034 Boggabri Bowling Club**

This matter is considered to be confidential under Section 10A(2) - (d)(iii) 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, reveal a trade secret.

**17.2 Shannon Estate - Sale of residential land**

This matter is considered to be confidential under Section 10A(2) - (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 information that would, if disclosed, confer a commercial advantage on a competitor of the council.

**17.3 Recovery of costs in litigation**

This matter is considered to be confidential under Section 10A(2) - (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 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.

**17.4 Contract 2022-2023/06 Bitumen Sealing**

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.

**17.5 Contract 2022-23/09 – Supply and Delivery of 7mm Precoated Aggregate, DGB20, Crusher Dust and Bedding Sand for Road Maintenance Works**

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, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against:      Nil

**CARRIED 7/0**

**17.1 PURCHASE OF SPECIAL LEASE NO 73034 BOGGABRI BOWLING CLUB****MINUTE CO-198/2022**

Moved: Cr Lisa Richardson                      Seconded: Cr Greg Lamont

1. That Council apply to NSW Crown Lands to purchase the site of the former Boggabri Bowling Club for up to the assessed land value and obtain title in fee simple.
2. That Council delegate authority to the General Manager to execute necessary documentation to make the application and complete the transaction.
3. That Council classify the land as Operational Land in accordance with section 25 of the *Local Government Act 1993*.

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

Against:         Nil

**CARRIED 7/0**

**17.2 SHANNON ESTATE - SALE OF RESIDENTIAL LAND****MINUTE CO-199/2022**

Moved: Cr Catherine Redding                      Seconded: Cr Lisa Richardson

1. That Council adopt the Assessed Market Value as outlined in the attached confidential valuations as the minimum sale price for each remaining lot within Shannon Estate.
2. That Council delegate authority to the General Manager and Mayor to accept offers for the purchase of the land at a price at or above the minimum sale price for each remaining lot and execute relevant documentation to complete the sale with Council's seal to be attached if required.

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

Against:         Nil

**CARRIED 7/0**

**MOVE INTO COMMITTEE OF THE WHOLE****MINUTE CO-200/2022**

Moved: Cr John Clements                      Seconded: Cr Catherine Redding

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

In Favour:        Crs Ron Campbell, Catherine Redding, John Clements, Brett Dickinson and Greg Lamont

Against:         Crs Lisa Richardson and Darrell Tiemens

**CARRIED 5/2**

The Council moved into Committee of the Whole, the time being 5.01pm.

#### MOVE OUT OF COMMITTEE OF THE WHOLE

##### MINUTE CO-201/2022

Moved: Cr John Clements                      Seconded: Cr Brett Dickinson

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

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

Against:        Nil

**CARRIED 7/0**

The Council moved out of Committee of the Whole, the time being 5.10pm.

#### 17.3 RECOVERY OF COSTS IN LITIGATION

##### MINUTE 202/2022

Moved: Cr John Clements                      Seconded: Cr Catherine Redding

**1. That the General Manager prepare a draft policy for Council's consideration on the management of the recovery of costs in litigation matters as outlined in Option 2 of this report.**

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

Against:        Nil

**CARRIED 7/0**

**17.4 CONTRACT 2022-2023/06 BITUMEN SEALING****MINUTE CO-203/2022**

Moved: Cr Catherine Redding Seconded: Cr Brett Dickinson

**1. That report "Contract 2022-2023/06 Bitumen Sealing" be received and noted and further that Council:**

- a. Accept the tenders submitted, having regard to all the circumstances, the Tender Panel recommends that the most advantageous tenders for Council to accept for Contract 2022-23/06 for Bitumen Sealing for the period from 1 July 2022 to 30 June 2023 are from All Pavement Solutions Pty Ltd, Bitupave Limited T/A Boral Asphalt, BMR Quarries Pty Ltd, Ferworx Pty Ltd, Colas Australia Group, NSW Spray Seal Pty Ltd and Stabilised Pavements of Australia (SPA) and authorise the General Manager to sign the contract documents;
- b. Grant authority to the General Manager to assess and extend the term of the contract for a further one- or two-year period from 1 July 2023 until 30 June 2024 and from 1 July 2024 to 30 June 2025 subject to satisfactory performance.

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

Against: Nil

**CARRIED 7/0**

**17.5 CONTRACT 2022-23/09 – SUPPLY AND DELIVERY OF 7MM PRECOATED AGGREGATE, DGB20, CRUSHER DUST AND BEDDING SAND FOR ROAD MAINTENANCE WORKS****MINUTE CO-204/2022**

Moved: Cr John Clements Seconded: Cr Lisa Richardson

**1. That report "Contract 2022-23/09 – Supply and Delivery of 7mm Precoated Aggregate, DGB20, Crusher Dust and Bedding Sand for Road Maintenance Works" be received and noted and further to that:**

- a. Having regard to all the circumstances, the Tender Panel recommends that Council, in accordance with Local Government Regulation 2021 (NSW), section 178, part 1 (b) decline to accept any of the tenders. On the basis that seeking fresh tenders would allow Council a wider selection of companies to ensure Council attains competitive pricing and a wider range of supply options.

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

Against: Nil

**CARRIED 7/0**

**RESOLUTIONS PASSED IN CLOSED COUNCIL****MINUTE CO-205/2022**

Moved: Cr Lisa Richardson      Seconded: Cr Greg Lamont

- 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, John Clements, Brett Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

**CARRIED 7/0**

The Council moved into open session at 5.14pm and the General Manager read out to those present the resolutions of the Closed (Public Excluded) Meeting.

## **18 MEETING CLOSED**

The Meeting closed at 5.16 pm.

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

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**CHAIRPERSON**

## **10 MATTERS OF GREAT URGENCY**

Nil reports.

**11      QUESTIONS WITH NOTICE**

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Nil reports.



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**12 MAYORAL MINUTE**

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**12.1 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR JUNE/JULY 2022****Responsible Officer:** Glenn Inglis, Acting General Manager**Author:** Deb Woolfenden, Executive Assistant to Mayor and General Manager**Attachments:** Nil**RECOMMENDATION**

1. That Council note the Mayoral appointments for the period 23 June 2022 to 21 July 2022.

For the information of Councillors, I provide details of my Mayoral appointments and attendances between the following dates 23 June 2022 to 21 July 2022.

**Thursday 23 June 2022****Meeting with Inland Rail****Attendees**

- Inland Rail – Rebecca Pickering, Interim Chief Executive
- Councillors
- Council Management

**Purpose**

- Provide an update on the Narrabri to North Star section of Inland Rail construction

**Friday 24 June 2022****Meeting with Transgrid****Attendees**

- Kevin Hinkley, Manager Systems Planning and Analysis
- Kath Elliott, Community Relations Manager
- Mayor, Acting GM Glenn Inglis and Director of Infrastructure Delivery, Eloise Chaplain

**Purpose**

- Transgrid presented the proposed upgrade to the North-West slopes high voltage transmission network

**Monday 27 June 2022**

- 2 MaxFM – Radio Interview
- Floodplain Management Advisory Committee

**Tuesday 28 June 2022**

- June Ordinary Council Meeting
- Wee Waa Lions Club Annual Changeover Dinner

**Saturday 2 July 2022**

- Narrabri Lions Club Annual Changeover Dinner

**Tuesday 5 July 2022**

- LGNSW Training – Chairing and Effective Meeting Procedures for Councillors
- Councillor July Briefing Session

**Monday 18 July 2022**

- Interview with ABC North-West – Wee Waa Community Survey

**Wednesday 20 July 2022**

- Extraordinary Meeting – General Manager Interviews

**Thursday 21 July 2022****Formal announcement of the Recipients of the 2022/23 Community Development Fund**

- Killarney Classic Committee - Killarney Bike Classic 2022
- Narrabri Polocrosse Club Inc - Slashing of grounds - Australian Test Series Narrabri Junior Challenge and Carnival
- Eulah Creek Recreation Reserve Land Manager - Eulah Creek Machinery Day - BBQ and Canteen
- Narrabri and District Chamber of Commerce - Narrabri Christmas Tree
- Narrabri Meals on Wheels - Christmas in July - social event for clients, carers, and volunteers
- Wee Waa Public School P&C - Trivia Night and Auction 2022
- Wee Waa & District Pony Club Inc - 2023 Zone 5 Pony Club Jamboree Competition

**Meeting with Essential Energy****Attendees**

- Essential Energy Chief Commercial Officer (Justin Hillier),
- Chief Operating Officer (Luke Jenner)
- Head of Strategic Council Partnerships (Geoff Burgess)
- Council Management

**Purpose**

- These meetings are an opportunity for an informal discussion with Council's Executive Management team and the Mayor. There is no formal agenda, as it is an opportunity to hear directly from Council on areas for improvement and ways we can better work together for our communities.
- Essential Energy recognises the need to offer local councils safe, reliable and affordable services that meet the changing needs of councils, whilst facilitating new energy solutions to deliver the network of the future.

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**13 OUR SOCIETY**

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## THEME 1

# Our Society

## THEME 1: OUR SOCIETY

### STRATEGIC DIRECTION 1: AN EMPOWERED, INCLUSIVE, AND CONNECTED COMMUNITY

#### COMMUNITY ENGAGEMENT

Through extensive community engagement, the Narrabri Shire community identified several social priority areas to be actioned over the 2022/2026 period.

#### 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 OBJECTIVES

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

- A safe and healthy community
- A vibrant and connected community
- A resilient and strong community

#### KEY STAKEHOLDERS

- Narrabri Shire Council
- Narrabri Shire Community
- Not for Profit Organisations
- Narrabri Shire Sporting Clubs
- NSW Police Force
- NSW Communities and Justice
- Create NSW
- Local Health Care Providers
- Child Care Providers
- Aged Care Providers
- Regional Arts NSW
- NSW Office of Sport
- NSW Health

Nil reports.

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**14 OUR ENVIRONMENT**

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## THEME 2

# *Our Environment*

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## THEME 2: OUR ENVIRONMENT

### STRATEGIC DIRECTION 2: A SUSTAINABLE AND COMPATIBLE NATURAL AND BUILT ENVIRONMENT

Through extensive community engagement, the Narrabri Shire community identified several environmental priority areas to be actioned over the 2022/2026 period.

#### 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 OBJECTIVES

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

- A protected and enhanced natural environment
- An integrated and strategic built environment
- A resilient and sustainable environment

#### KEY STAKEHOLDERS

- Narrabri Shire Council
- Narrabri Shire Community
- Not for Profit Organisations
- NSW Department of Planning and Environment
- NSW Department of Primary Industries
- Local Emergency Services
- Local Primary Producers
- Local Extractive Industries
- Water NSW
- Resilience NSW
- NSW Office of Environment and Heritage
- NSW Environment Protection Authority
- Community Consultative Committees
- Transport for NSW
- Passenger Transport Providers
- Freight and Logistics Companies
- Energy Providers
- Australian Rail Track Corporation
- Telecommunications Providers

**14.1 DELEGATE REPORT - NARRABRI COAL MINE COMMUNITY CONSULTATIVE COMMITTEE**

**Responsible Officer:** Glenn Inglis, Acting General Manager

**Author:** Donna Ausling, Director Planning and Strategy

**Attachments:** 1. Draft Narrabri Coal Mine Community Consultative Committee Minutes - 22 June 2022 [↓](#) 

**DELIVERY PROGRAM ALIGNMENT****2 Environment - A sustainable and compatible natural and built environment**

**Objective** 2.3 A resilient and sustainable environment

**Strategy** 2.3.2 Ensure appropriate planning controls are implemented for the benefit of the community

**RECOMMENDATION**

1. That Council note the Delegate Report on the Narrabri Coal Mine Community Consultative Committee held on 22 June 2022.

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**DELEGATES REPORT**

The Narrabri Coal Mine Community Consultative Committee held a Meeting on Wednesday 22 June 2022.

The draft minutes from the meeting are shown at **Attachment 1**.

**Narrabri Mine Community Consultative Committee Meeting #57****Date:** Wednesday 22 June 2022**Time:** 5:00pm**Location:** Narrabri Mine

**Present:** Russell Stewart (RS)  
James Stieger (JS)  
Peter Webb (PW)  
Allan Grumley (AG)  
Geoff Hunter (GH)  
Bruce Danson (BD) in lieu Charlie Melbourne  
Mark Foster (MF)  
Paul Sio (PS) - Narrabri Shire Council  
Gerald Linde (GL) – Whitehaven Coal  
Brent Baker (BB) – Whitehaven Coal  
David Ellwood (DE) – Whitehaven Coal  
Shane Rily (SR) – Whitehaven Coal  
Darren Swain – Whitehaven Coal

**Apologies:** Ian Duffy  
Donna Ausling – Narrabri Shire Council  
Cr Clements – Narrabri Shire Council  
Cr Redding – Narrabri Shire Council

**1. DECLARATION OF PECUNIARY INTEREST**

No changes to previous.

**2. PREVIOUS MINUTES**

RS asked if everyone has read previous minutes.

GH wanted to confirm with DE what the term 'two years of commencement' meant in relation to the make good agreements that form part of Stage 3.

DE explained that commencement would not occur until EPBC approval and DPE approval of management plans is handed down by state government to enable commencement of the Stage 3 project and its requirements.

BB acknowledged the changes requested in the previous minutes by GH and DA.

RS asked for previous minutes to be accepted as a true and accurate record.

Moved: GH Seconded: JS

**2.1 BUSINESS ARISING FROM PREVIOUS MINUTES**

GH queried the distribution of meeting minutes for review. BB acknowledged the changes requested in the previous minutes by GH and DA and ensured that future draft minutes will be distributed in 2 weeks following the meeting with final version being sent out in next 2 weeks.

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### 3. OPERATIONS PROGRESS REPORT AND SAFETY UPDATE

Presented by Gerald Linde

- FY22 to 31 May, coal produced 4.7Mt, coal railed 4.2Mt
- Production down on previous years due to two longwall moves
- Longwall move from LW110A to LW110B commenced at the start of June 2022.
- Production scheduled to resume approx. 17 July 2022
- Cut and Flit – contractor not fully manned which is impacting negatively on production
- Workforce numbers: no significant change; experiencing shortage in labour
- Safety performance average. 2 reportable injuries since previous CCC meeting.

GH queried reading that Narrabri Mine expected to produce 11Mt. GL explained that this is the volume that Narrabri Mine is approved to mine and expect to mine up to 10Mt in a few years by purchasing an additional longwall unit, operating them at different times to reduce down time during longwall moves.

### 4. ENVIRONMENTAL MONITORING REPORT

Presented by Shane Rily

BB introduced SR as the new Environmental Superintendent as BB has taken on a new role as Manager HSE.

- INCIDENTS: No reportable incidents to regulatory agencies since previous CCC meeting. Nil for previous 12 months.
- COMPLAINTS: Nil complaints since previous CCC meeting. No complaints received this (calendar) year and previous 12 months.
- APPROVALS/SPECIAL PROJECTS (added as per request from March 2022 meeting).
  - 2021 Annual Review accepted by the NSW Department of Planning and Environment and published on WHC website
  - Stage 3 Environmental Management Plans
    - Noise Management Plan submitted to NSW EPA for consultation
    - Air Quality Management Plan submitted to NSW EPA for consultation
    - Aboriginal Consultation Management Plan submitted to RAPs for consultation.
    - Traffic Management Plan submitted to Transport for NSW, NSC and CCC
- DEPOSITIONAL DUST:
  - 2022 annual average (year to date) for all monitoring locations is below the licence limit of 4 g/m<sup>2</sup>/month (Insoluble Matter).
- PM10 AIR QUALITY:
  - No exceedances of the 24 hour limit within last 12 month period at Claremont monitoring location. There has been one exceedance of the 24 hour compliance limit of 50 µg/m<sup>3</sup> within the last 12 month period at Turrabaa monitoring location. This exceedance was communicated to DPI&E on Friday the 2nd of July 2021. DPI&E acknowledged that this exceedance was not related to mining operations and likely to be caused by adjacent roadwork activities on Kamilaroi Highway upgrade project.
  - Rolling 12 month average currently below annual average limit (of 30 µg/m<sup>3</sup>) for the two monitoring locations (Claremont and Turrabaa).
- QUARTERLY NOISE MONITORING
 

Quarter 1 2022 attended noise monitoring was completed from the 8-11<sup>th</sup> March, with compliance achieved at all locations during all time periods.

Quarter 2 2022 attended noise monitoring was not yet completed for the quarter. Results will be presented in the next meeting.
- SURFACE WATER MONITORING:
 

No wet weather discharges have occurred from licensed discharge point during March – May 2022.

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- **WATER LICENSING:** Presented graphs showing NCO water licence allocation usage. Chart showing mine water inputs and outputs was not presented as this was being finalised to capture the 2021/22 Financial Year's data.
- **GROUNDWATER MONITORING:** Groundwater monitoring results are reviewed at the end of each year by a suitably qualified hydrogeologist and reported on in the Annual Review (submitted 31 March 2022). A summary of the 2021 Groundwater Review was presented in the meeting:
  - Discussion around P11 & P16 VPW's
  - Discussion around groundwater chemistry of the rail loop dams
- **SUBSIDENCE MONITORING:** No subsidence monitoring was scheduled prior to the meeting (previous monitoring 07/02/2022). Monitoring is scheduled for July 2022.

AG asked about the use of fans on the rail loop dams. GL explained these were being used for both evaporation and aeration of brine ponds. Explained that a hired Brine Squeeze had been installed to improve efficiencies of brine water treatment. Explained that the fans will be used until the new Brine Dam north of the current rail loop dams is constructed.

GH asked about the P16 water levels. BB explained that another recalibration of the water model has commenced to investigate these results to see why these results sit outside the model predictions. BB will present outcomes of the recalibration to the CCC when works are completed.

BB explained that the change in chemistry of the monitoring bore around the Rail Loop Dams were determined to be a change in monitoring methodology.

## 5. STAGE 3 UPDATE

David Ellwood provided update.

- NSW DPE has conditionally approved Stage 3 project with approximately 150 conditions attached to this approval. The approval requires Environmental Management Plans to be developed in consultation with applicable government and non-government bodies. These Management Plans are required to be submitted and approved by DPE prior to project being allowed to commence.
- Federal determination under the EPBC Act expected in approximately 2 months. NCO providing additional information in response to the regulators' request.
- DE listed the Stage 3 management plans that have been sent out for consultation as per the Environmental Report.
- JS queried why the TMP does not address the upgrade to the section of the Kamilaroi Highway that intersects the mine entrance. DE & GL explained that this will need to be a separate process to be addressed with Traffic for NSW following NSW DPE approval of the TMP. DE committed to presenting the plan for the upgrade to JS during its development.
- Mining Lease Application with the inclusion of the new boundaries has been submitted and is being assessed by MEG. The review process is expected to be a few months.

GH asked if the make good agreements are progressing. DE explained that local consultant has been hired to progress the make good agreements. DE also explained that three (3) options have been put forward to NSW DPE to accept as part of the make good agreements. These include alternate water supply (new or redrilled bore ensuring that the supply is that same or similar to the original bore), water works (new dams / contour banks) or monetary compensation at the same cost of a new bore.

BD expressed concern that all the make good agreement options had not been made aware to all affected landholders. DE agreed, explaining that these options were not available until NSW DPE accept the options that had been put forward. DE stated that he is still open to exploring further options if they are presented by the landholder.

JS questions the possibility of using shuttle buses as part of the Stage 3 TMP instead of upgrading the section of the Kamilaroi Highway that intersects the mine's entrance. GL explained the difficulties of using shuttle buses for Narrabri Mine.

GH asked whether the commencement of Stage 3 would be scheduled for around December 2022. DE explained that a commencement date would be dependent on the approvals required for commencement but agreed that it could possibly be around December 2022.

**No further questions/comments from members.**

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**6. GENERAL BUSINESS**

- DE mentioned the application for an Exploration Licence in the area northwest of the existing Mine Lease that was discussed with CCC members in previous meetings. NSW Govt has put out a market interest test which covers a larger area called Gorman North. No interest was received apart from Narrabri Mine, therefore the NSW Govt has continued processing Narrabri's Mines two applications.
  - BB introduced DS as General Manager Community Engagement.
  - DS noted Jacki Scott – Manager Community Investment and Partnerships who has recently joined the Community Engagement Team.
  - MF queried if clean-skin program is still in operation and its success, GL said yes it is in operation and that 3 intakes had occurred this calendar year, also stating that the program is good source of personnel for workforce.
- No further General Business.

**NEXT MEETING**

- 5pm Wednesday the 21 September at Narrabri Mine.

Meeting closed at 18:11 hours.

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**14.2 DELEGATE REPORT - VICKERY COAL MINE COMMUNITY CONSULTATIVE COMMITTEE**

**Responsible Officer:** Glenn Inglis, Acting General Manager

**Author:** Catherine Redding, Deputy Mayor

**Attachments:** 1. Vickery Coal Mine Community Consultative Committee Minutes - 11 May 2022 [↓](#) 

**DELIVERY PROGRAM ALIGNMENT****2 Environment - A sustainable and compatible natural and built environment**

**Objective** 2.3 A resilient and sustainable environment

**Strategy** 2.3.2 Ensure appropriate planning controls are implemented for the benefit of the community

**RECOMMENDATION**

1. That Council note Councillor Redding's Delegate Report on the Vickery Coal Mine Community Consultative Committee meeting held on 11 May 2022.

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**DELEGATES REPORT**

The Vickery Coal Mine Community Consultative Committee held a Meeting on Wednesday 11 May 2022.

The minutes from the meeting are shown **Attachment 1**.

## Vickery Extension Project CCC

**Date:** Wednesday 11 May 2022, 12 – 1:20pm

**Venue:** Gunnedah Town Boardroom

Attendees	
<b>Community members</b> Barry Thomson  <b>Narrabri Council</b> Michelle Henry – Strategic Planner Cr Catherine Redding  <b>Gunnedah Shire Council</b> Cr Rob Hooke Wade Hudson – Senior Development Officer	<b>Whitehaven Coal</b> Darren Swain – Community Relations Manager Tony Dwyer – Group Manager, Approvals and Environment Mark Stevens – Executive General Manager Olivia Hulbert – Environmental Officer Rehabilitation & Closed Mines Grant McIlveen  <b>Independent Chair</b> Professor Roberta Ryan  <b>Minute taker</b> Georgia Peters
<b>Apologies</b> Mark Stevens is available for the first hour of the meeting only Keith Blanch Steven O'Donoghue	

Item	Description	Action
<b>1</b>	<b>Welcome and introductions</b>	
	RR introduces everyone present and introduces GP as the minute taker.	
<b>2</b>	<b>Minutes and actions</b>	
	No additional items are added to today's agenda.	
<b>3</b>	<b>Update on the project – DS, TD &amp; OH</b>	
	DS, TD and OH provide an update on the project through a presentation. Some key points are noted below, the full presentation will be attached to the minutes.  MS says that the project is at the stage before development. Rail is under design while the preconstruction works have started with geotechnical works. The team have been mobilised for two weeks.  There has been work on cultural heritage and biodiversity and these have been fenced off in certain	DS to provide the presentations for the minutes.

	<p>areas to prevent people from entering. There is 30km of fencing completed to demarcate those areas.</p> <p>MS continues that exploration started on 3<sup>rd</sup> April and will take approximately 16 weeks.</p> <p>RH notes that the rail corridor is in early design phase and asks if there will be consultation with landowners given that the rail corridor is designed to go through controversial areas.</p> <p>MS says that once the development progresses there will be consultation with landowners. He notes that a landowner reached out a couple of weeks ago who they offered to meet. They are more than happy to consult with them.</p> <p>MS speaks to the design status with maps and illustrations modelling the projected appearance.</p> <p>GM asks about the proximity of this to the river.</p> <p>MS indicates where the trucks will come from on the pit on the 3D Mine Infrastructure Area map – they will come through the roadway on the top of slide 14. The tire bay is also shown on slide 14 where the trucks are depicted.</p> <p>GM asks if this is on the eastern side of the washery.</p> <p>MS confirms that it is.</p> <p>TD speaks to the secondary approval status. The majority of the plans have been approved with three outstanding:</p> <ul style="list-style-type: none"> <li>• Traffic management plan</li> <li>• Biodiversity plan</li> <li>• Water management plan</li> </ul> <p>For the biodiversity plan and traffic management plan, they only need to address minor comments from the Department. At this stage the water management plan requires the most work. They are at the review stage for this document.</p> <p>All three of these plans are required prior to construction, which is some way in the future. They</p>	
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	<p>are sorting out the documentation approval ahead of time.</p> <p>MS notes that the commencement of development triggers the next payment cycle.</p> <p>RR asks about the SIA and about water management issues raised.</p> <p>TD says that the project approval stipulates what needs to go into the water management plan. Some of the key items that are required include:</p> <ul style="list-style-type: none"><li>• A description of the water management infrastructure</li><li>• Triggered Action Response Plan (TARP) levels</li><li>• How much a dam can fill before they have to empty it.</li></ul> <p>TD speaks to reporting and compliance. They underwent and submitted the Exploration Mining Plan to the NSW Resources Regulator in November. They have since commenced the works.</p> <p>They received a non-compliance, and they got a penalty. This was about not completing the rehabilitation of historical boreholes. They have to fill these holes with grout and remove the surface materials around the holes. The exploration team had done everything that was required other than grout these holes</p> <p>CR asks how far back historical holes are?</p> <p>TD says that whether Whitehaven drill the holes or not, they are responsible. It goes back to how long there has been exploration activities in the area from previous Proponents. He notes that it is difficult to find these holes.</p> <p>MS says that the holes are not open, they are capped.</p> <p>TD says that it is important to fill them to ensure there isn't ongoing interaction between different levels in the ground.</p> <p>TD speaks to air quality and explains the use of dust deposition bottles. It is a monitoring method which is</p>	
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	<p>being phased out and replaced with more accurate monitoring. The annual average for various sites is included on slide 17. A limitation of using dust deposition bottles is that it's very coarse and you cannot ascertain the source of the dust. This does not apply in this case though.</p> <p>TD continues about the groundwater monitoring network. Intense rain events have caused problems. Some of the river sites shown on slide 19 were not sampled because of safety concerns.</p> <p>CR asks how often they do these sampling events?</p> <p>OH and TD reply that they do these when there has been a big amount of rainfall i.e. 38.4 mm of rain in 5 days.</p> <p>DS discusses donations to the community including to childcare centers. There weren't any health-related donations.</p> <p>DS says that SMEC is developing the Vickery Construction Social Impact Management Plan (SIMP) and they would be seeking feedback from the CCC on this</p> <p>DS says that Kurrumbede is now listed on the State Heritage Register. Whitehaven has always committed to maintaining this site. There will be a process where they will need to consider the State Heritage Register Listing requirements which make clear the direction on how to maintain it. The builder is lined up and has completed the heritage induction. Maintenance works are ready, they just need people to do it. It can be difficult to get tradies.</p> <p>The next Kurrumbede Open Day is possibly Saturday the 3rd September. This is tentative at the moment.</p> <p>GM asks if this new Heritage status will make development conditions stricter?</p> <p>DS says it won't change anything since they had to meet certain requirements anyway in accordance with the Vickery Project Approval. By the next CCC</p>	
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	<p>there will be a curtilage area noted by Heritage Council.</p> <p>DS also notes that Heritage NSW has proposed a curtilage area however at this stage haven't seen the final version. This curtilage plan doesn't exist yet however the area is expected to sit outside of project approval area.</p> <p>TD says that the importance of the curtilage is that it determines the area that the requirements of the listing apply.</p> <p>TD provides an update regarding Namoi River Bridge. Whitehaven took an action to assist in determining the ownership/responsibility of a historic bridge over the river. Since the last meeting they made an application to the Council to obtain historical approval documentation and Council has provided this. From this documentation, Whitehaven has found that the condition requiring removal and rehabilitation of the bridge would have been triggered in October 2020.</p> <p>GM asks if the Planning Department could find the original permission for the bridge to be built?</p> <p>TD says that it would have originally been approved through local government with a DA. This DA would have had an equivalent requirement in it, which was amended in 2001 to have a requirement to move into the Authority. It was issued to a private individual who is responsible for this.</p> <p>MH clarifies that this responsibility doesn't transfer with the land?</p> <p>MS confirms that this responsibility does not transfer with the land.</p> <p>GM asks MS and RH what happens if this individual has just walked away from the bridge.</p> <p>TD says the next step is the State Government following up with that individual.</p> <p>RR suggests that the regulatory authority is the Department of Planning.</p>	
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	<p>TD says that the current entity will be the modern version of the body that issued it.</p> <p>TD says that they can share their information to DPE to follow up with the relevant authority to then reach out to the private individual.</p> <p>RR asks for questions.</p> <p>Mark leaves the meeting.</p>	
<b>4</b>	<b>Update from Whitehaven: company plans</b>	
	<p>DS says they have approval from State and Federal governments and are waiting on Board approval. This work will be informed by the Geotech work currently underway, which will inform the design work. There is a process that is about 12 months away.</p> <p>TD says that they will complete a Definitive Feasibility Study (DFS).</p>	
<b>5</b>	<b>CCC matters</b>	
	<p>Additional community members are to be sourced for this CCC.</p>	RR to arrange a process for sourcing additional community members for the CCC once the company has decided whether to progress
<b>6</b>	<b>AOB</b>	
	<p>RR asks for more questions or matters arising.</p> <p>GM flags that residents are asking about the VPA offer to the Shire. He notes that \$850,000 was offered for the construction of the retirement village and \$750,000 was offered for the showground. He asks CR if those funds are still there.</p> <p>CR confirms that it is still there.</p> <p>GM asks if they are still committed to providing that money? In town they were concerned that they were not going to receive that money.</p> <p>CR notes that those funds will not come in all at once.</p> <p>GM asks if Council has a timeframe for when this money comes in.</p>	

	<p>CR says that once the funds come into Council for a given project, this triggers the beginning of discussions with various groups. However, the timing of when those funds come in is something they do not know.</p> <p>GM asks whether, at the commencement of mining, the \$3.2 million will be there?</p> <p>CR says that it comes over a matter of years.</p> <p>DS adds that this hasn't been signed into stone.</p> <p>TD says they have determined the conditions as described.</p> <p>GM asks if they have a guarantee from the Shire that they will stay in Boggabri? CR says yes.</p> <p>RH says that he has received inquiries from a local committee about the likelihood of fly-in fly-out programs.</p> <p>DS says that all options will need to be considered however continue to look for local employees.</p> <p>RH says that Gunnedah has housing that is being upgraded by December that will need to be accounted for if there is fly-in fly-out programs.</p> <p>CR asks if there has been any talk of using autonomous vehicles at Vickery?</p> <p>TS says that it has been considered. They are not sure of the exact timeframe for this program or when this decision will be made. If it is successful, it is something that business will consider.</p> <p>The next meeting will be organized in line with major milestones.</p>	
<b>7</b>	<b>Next meeting</b>	
	TBD – approximately 3 months.	

### 14.3 FLOODPLAIN MANAGEMENT PLANNING UPDATES

Responsible Officer: Glenn Inglis, Acting General Manager

Author: Donna Ausling, Director Planning and Strategy

Attachments: 1. Draft Floodplain Management Advisory Committee Minutes - 27 June 2022  

#### DELIVERY PROGRAM ALIGNMENT

##### 2 Environment - A sustainable and compatible natural and built environment

Objective 2.3 A resilient and sustainable environment

Strategy 2.3.1 Mitigate impacts of adverse events through strategic planning and preparedness

#### EXECUTIVE SUMMARY

An update is provided for the information of Council on the progress of various floodplain management planning activities.

#### RECOMMENDATION

1. That Council receive and note the report on Floodplain Management Planning updates as at June 2022.

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#### BACKGROUND

Narrabri Shire is extensively flood prone and at risk of adverse flooding events. An update is provided for the information of Council on the progress of various floodplain management planning activities.

#### CURRENT SITUATION

Council's Floodplain Management Advisory Committee (FMAC) meets regularly to discuss various flood-allied projects. A copy of the draft (unconfirmed) minutes of the FMAC June 2022 meeting held on 27 June 2022 is enclosed at **Attachment 1** for the information of Council.

As detailed in the draft Minutes, there are a number of projects that are currently underway at various stages of development and delivery. Current items of note include:

- **Wee Waa Levee Upgrade project:** community engagement session in relation to this project is programmed for 20 July 2022 at the Wee Waa Library.
- **Draft Narrabri Floodplain Risk Management Study and Plan:** a Councillor Briefing Session is proposed for 2 August 2022 to discuss the draft documentation and associated recommendations. It is anticipated that a formal request for exhibition of the draft Study will be presented to the August 2022 Council meeting in line with a Stakeholder Engagement Strategy which has been developed in consultation with the FMAC.
- **Boggabri Floodplain Risk Management Study and Plan:** funding has been received for this project from the NSW government. Staff are awaiting the submission of expressions of

interest (EOIs) from suitably qualified and experienced consultancy firms to complete the work.

**FINANCIAL IMPLICATIONS**

There are no financial implications to report at this time.

**STATUTORY AND POLICY IMPLICATIONS**

There are no statutory or policy implications to report at this time.

**CONSULTATION****External Consultation**

- Floodplain Management Advisory Committee

**Internal Consultation**

- Strategic Planning Team
- Statutory Planning Team

## FLOODPLAIN MANAGEMENT ADVISORY COMMITTEE MEETING MINUTES

27 JUNE 2022

**MINUTES OF NARRABRI SHIRE COUNCIL  
FLOODPLAIN MANAGEMENT ADVISORY COMMITTEE MEETING  
HELD AT THE NARRABRI SHIRE COUNCIL CHAMBERS, 46-48 MAITLAND STREET, NARRABRI  
ON MONDAY, 27 JUNE 2022 AT 11AM**

**PRESENT:** Cr John Clements (Chairperson), Community Member Delegate Jim Purcell, Cr Ron Campbell, Cr Brett Dickinson, SES Representative Anthony Battam, Community Member Delegate Jonathon Phelps

**IN ATTENDANCE:** Donna Ausling (Director Planning and Strategy), Vincent O'Connor (Graduate Strategic Planner), Cate McMahon (Wisepoint Representative)

**1 OPENING AND WELCOME**

The meeting opened at 11.04am.

**2 ACKNOWLEDGEMENT OF COUNTRY**

The Chair 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.

**3 APOLOGIES/GRANTING OF LEAVE OF ABSENCES**

Apologies were received from Councillor Robert Browning

**4 CONFIRMATION OF MINUTES****MINUTE FMAC-013/2022**

That the minutes of Floodplain Management Advisory Committee Meeting of the Narrabri Shire Council held on 28 April 2022 as circularised be confirmed.

**5 REPORTS FOR INFORMATION****5.1 NSW FLOOD INQUIRY****MINUTE FMAC-013/2022**

That the Committee note the Submission to the NSW Flood Inquiry.

**5.2 FUNDING APPLICATION - PROPOSED GWABEGAR FLOOD STUDY****MINUTE FMAC-008/2022**

That the Committee note that an application for grant funding has been lodged with NSW Department of Planning and Environment (DPE) for the proposed Gwabegar Flood Study.

## FLOODPLAIN MANAGEMENT ADVISORY COMMITTEE MEETING MINUTES

27 JUNE 2022

**5.3 BOGGABRI FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN****MINUTE FMAC-009/2022**

That the Committee note the update on the progress of the Boggabri Floodplain Risk Management Study and Plan.

**5.4 EXPRESSIONS OF INTEREST FOR VACANT COMMUNITY MEMBER POSITIONS****MINUTE FMAC-010/2022**

That the Committee note:

1. Council called for Expressions of Interest (EOI) to fill the two (2) vacant Community Member positions.
  - (a) As a result, there were zero (0) applications received.
2. The Committee conduct a further EOI in the final quarter of 2022 to establish if community interest exists in filling of the vacant positions.

**5.5 WEE WAA LEVEE UPGRADE FEASIBILITY STUDY****MINUTE FMAC-011/2022**

That the Committee note the update on the Wee Waa Levee Upgrade Feasibility Study.

**5.6 NARRABRI FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN - STAKEHOLDER ENGAGEMENT STRATEGY****MINUTE FMAC-012/2022**

That the Committee

1. Note the Draft Stakeholder Engagement Strategy attached to this report and provide any feedback.

**6 ACTIONS**

Additional community awareness for the Wee Waa levee community consultation to be undertaken including the issue of a media release.

Feedback on engagement strategy for the Narrabri Floodplain Risk Management Study and Plan to be submitted by FMAC Committee.

**FLOODPLAIN MANAGEMENT ADVISORY COMMITTEE MEETING MINUTES****27 JUNE 2022**

FMAC members to canvass potential candidates to submit an expression of interest to participate on the Committee.

**7 NEXT MEETING**

To be advised.

**8 MEETING CLOSED**

The Meeting closed at 12.23PM.

The minutes of this meeting were confirmed at the Floodplain Management Advisory Committee Meeting held on .

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CHAIRPERSON

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**15 OUR ECONOMY**

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**THEME 3***Our Economy***THEME 3: OUR ECONOMY****STRATEGIC DIRECTION 3: A STRONG, DIVERSE, AND SUSTAINABLE ECONOMY**

Through extensive community engagement, the Narrabri Shire community identified several economic priority areas to be actioned over the 2022/2026 period.

**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 OBJECTIVES**

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

- A diverse economy
- A regionally renowned economy
- A resilient and sustainable economy

**KEY STAKEHOLDERS**

- Narrabri Shire Council
- Narrabri Shire Community
- Destination NSW
- Visit NSW
- NSW Department of Education and Training
- Local Chambers of Commerce
- NSW Department of Planning and Environment
- Business NSW
- NSW Regional Growth and Development Corporation
- TAFE NSW
- Community College Northern Inland
- Local Businesses
- Regional Development Australia
- Regional Universities Network NSW members
- Country Universities Centre





**15.1 DRAFT ROYALTIES FOR REJUVENATION SUBMISSION**

**Responsible Officer:** Glenn Inglis, Acting General Manager

**Author:** Donna Ausling, Director Planning and Strategy

**Attachments:**

1. Draft Mining Amendment (Royalties for Rejuvenation) Fund Regulation 2022 [↓](#) 
2. Draft Royalties for Rejuvenation Organisational Submission [↓](#) 

**DELIVERY PROGRAM ALIGNMENT****3 Economy - A strong, diverse and sustainable economy**

**Objective** 3.3 A resilient and sustainable economy

**Strategy** 3.3.1 Support the resilience, growth, and diversity of the local economy

**EXECUTIVE SUMMARY**

The NSW Government is proposing to set aside at least \$25 million each year from mining royalties to support coal mining communities in NSW through the *Royalties for Rejuvenation Fund*. Corresponding draft Regulation has been recently placed on public exhibition for community comment. In response, a draft organisational submission has been prepared for Council's further consideration.

**RECOMMENDATION**

1. That Council make a submission to the NSW Department of Regional NSW on the draft Mining Amendment (Royalties for Rejuvenation) Fund Regulation 2022 in accordance with the draft submission attached to this Report.

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**BACKGROUND**

The NSW Government is proposing to set aside at least \$25 million each year from mining royalties to support coal mining communities in NSW through the *Royalties for Rejuvenation Fund*. The NSW Government has advised that the funding will ensure that coal mining communities can make targeted investments towards strategic planning, workforce development programs, constructing enabling infrastructure, and establishing new industries and employment opportunities.

A draft Regulation known as the *Mining Amendment (Royalties for Rejuvenation Fund) Regulation 2022 (Mining Act 1992)* has been prepared in this regard. Consultation on the draft Regulation for the Royalties for Rejuvenation Fund commenced on Wednesday 29 June and will take place until 27 July 2022. A copy of the draft Regulation is enclosed at **Attachment 1**.

The Department of Regional NSW has convened an interim Regional Expert Panel in the Hunter region to test the model and gather feedback on program design for the Fund. The Department has advised that the interim Panel will be dissolved prior to the Panel recruitment process commencing.

**CURRENT SITUATION**

The identified objectives of the *Mining Amendment (Royalties for Rejuvenation Fund) Regulation 2022*, are to:

- (a) Provide that a Royalties for Rejuvenation Expert Panel established for an affected coal mining region has the function of advising the Minister about certain matters in relation to the region, and
- (b) Provide for the constitution and procedure of Expert Panels, including requirements for Expert Panels to disclose certain pecuniary interests; and
- (c) Prescribe areas of the State as affected coal mining regions.

As part of the Royalties for Rejuvenation Fund, the NSW Government will establish Regional Expert Panels to provide regionally specific advice on funding applications and to ensure decision-making is aligned with the needs and demands of the local area. Under the draft legislation, Regional Expert Panel members will be appointed by the Deputy Premier following a public recruitment process. It is expected that further details on this component will be released in the near future.

Council staff have reviewed the draft Regulation and raise no objection to the contents of the draft Regulation on the basis of the following:

- That the Expert Panel remains apolitical in nature;
- Funds are directed to areas of greatest need based on a clear and transparent methodology and expenditure is confined to the local government areas listed in proposed clause 89A;
- Clear and transparent mechanisms existing for the distribution of future funds, with a component of the funding being untied in nature; and
- A level of transparency and timeliness of communication exists around the Expert Panel's activities with key information (including minutes and key recommendations) being published on a publicly available forum (such as a website).

A copy of the draft organisational submission in this regard is enclosed at **Attachment 2**.

#### **FINANCIAL IMPLICATIONS**

Detailed in the body of the Report and the draft organisational submission.

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

Detailed in the body of the Report.

#### **CONSULTATION**

Detailed in the body of the Report.

##### **External Consultation**

- Nil

##### **Internal Consultation**

- MANEX
- Economic Development Team
- Strategic Planning Team

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public consultation draft

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New South Wales

## Mining Amendment (Royalties for Rejuvenation Fund) Regulation 2022

under the  
Mining Act 1992

*[The following enacting formula will be included if this Regulation is made—]*

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Mining Act 1992*.

Minister for Regional New South Wales

### Explanatory note

The objects of this Regulation are to—

- (a) provide that a Royalties for Rejuvenation Expert Panel (an *Expert Panel*) established for an affected coal mining region has the function of advising the Minister about certain matters in relation to the region, and
- (b) provide for the constitution and procedure of Expert Panels, including requirements for Panel members to disclose certain pecuniary interests, and
- (c) prescribe areas of the State as affected coal mining regions.

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s2022-150.d11 3 June 2022

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public consultation draft

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Mining Amendment (Royalties for Rejuvenation Fund) Regulation 2022 [NSW]

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**Mining Amendment (Royalties for Rejuvenation Fund)  
Regulation 2022**

under the

Mining Act 1992

**1 Name of Regulation**

This Regulation is the *Mining Amendment (Royalties for Rejuvenation Fund) Regulation 2022*.

**2 Commencement**

This Regulation commences on the day on which the *Mining and Petroleum Legislation Amendment Act 2022*, Schedule 1[123] commences.

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## public consultation draft

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Mining Amendment (Royalties for Rejuvenation Fund) Regulation 2022 [NSW]  
Schedule 1 Amendment of Mining Regulation 2016

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### Schedule 1 Amendment of Mining Regulation 2016

[1] **Clause 3 Definitions**

Insert in alphabetical order in clause 3(1)—

*affected coal mining region* means an area of the State prescribed by clause 89A.

*Expert Panel* means a Royalties for Rejuvenation Expert Panel established by the Minister under the Act, section 292X.

*Panel Member*, for Schedule 7A—see Schedule 7A, clause 1.

[2] **Part 9A**

Insert after Part 9—

### Part 9A Royalties for Rejuvenation Fund

**89A Affected coal mining region—the Act, s 292W**

For the Act, section 292W(10), definition of *affected coal mining region*, the areas of the State within the following local government areas are prescribed—

- (a) City of Cessnock,
- (b) Gunnedah,
- (c) City of Lake Macquarie,
- (d) City of Lithgow,
- (e) Liverpool Plains,
- (f) City of Maitland,
- (g) Mid-Western Regional,
- (h) Muswellbrook,
- (i) Narrabri,
- (j) City of Newcastle,
- (k) Singleton,
- (l) Upper Hunter Shire,
- (m) Wollondilly,
- (n) City of Wollongong.

**89B Functions of Expert Panels—the Act, s 292X**

For the Act, section 292X(4)(b), an Expert Panel has the function of advising the Minister about the following matters—

- (a) the consequences and opportunities associated with moving away from coal mining, particularly in relation to the impact on employment and economic activity in the affected coal mining region,
- (b) alternative land uses of coal mining sites,
- (c) the outcome of public consultation about—
  - (i) options to support the economic diversification of the affected coal mining region in alternative industries, and
  - (ii) the affected coal mining region's reliance on coal mining for employment and economic activity.

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public consultation draft

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Mining Amendment (Royalties for Rejuvenation Fund) Regulation 2022 [NSW]  
Schedule 1 Amendment of Mining Regulation 2016

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**89C Provisions in relation to constitution and procedure of Expert Panels—the Act, s 292X**

For the Act, section 292X(6), Schedule 7A contains provisions in relation to the constitution and procedure of an Expert Panel.

**[3] Schedule 7A**

Insert after Schedule 7—

**Schedule 7A Constitution and procedure of Expert Panels**

clause 89C

**Part 1 Preliminary**

**1 Definition**

In this Schedule—

*Panel member*—see clause 2.

**Part 2 Constitution of Expert Panels**

**2 Panel members**

- (1) An Expert Panel must be constituted by at least 5, but not more than 10, persons appointed by the Minister (each a *Panel member*).
- (2) The Minister must not appoint a person unless, in the Minister's opinion, the person has at least one of the following attributes—
  - (a) knowledge of the economic or commercial activity of the affected coal mining region to which the Expert Panel relates,
  - (b) represents the interests of a group likely to be affected by a move away from coal mining.
- (3) The following persons must be selected from among the persons appointed by the Minister—
  - (a) 1 Chairperson, selected by the Minister,
  - (b) 1 Deputy Chairperson, selected by the Expert Panel.
- (4) The following persons are not eligible to be appointed to an Expert Panel—
  - (a) Public Service employees,
  - (b) a person appointed to a statutory office,
  - (c) a person elected to a civic office, within the meaning of the *Local Government Act 1993*.
- (5) The provisions of the *Government Sector Employment Act 2013* in relation to the employment of Public Service employees do not apply to a Panel member.
- (6) In this clause—  
*Public Service employee* has the same meaning as in the *Government Sector Employment Act 2013*.

**3 Term of office of Panel members**

- (1) A Panel member holds office for a term, not exceeding 3 years, specified by the Minister in the Panel member's instrument of appointment.

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## public consultation draft

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Mining Amendment (Royalties for Rejuvenation Fund) Regulation 2022 [NSW]  
Schedule 1 Amendment of Mining Regulation 2016

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- (2) A Panel member is eligible for reappointment—
  - (a) if the member is otherwise eligible for appointment, and
  - (b) for only one further term, whether consecutive or non-consecutive.

#### **4 Vacancy in office of Panel members**

- (1) The office of a Panel member becomes vacant if the member—
  - (a) dies, or
  - (b) completes a term of office and is not reappointed, or
  - (c) resigns the office by written notice given to the Minister, or
  - (d) is removed from office, or
  - (e) is absent from 3 consecutive meetings, unless the Chairperson has granted the Panel member leave or the Panel has excused the Panel member's absence, or
  - (f) becomes bankrupt, applies to take the benefit of a law for the relief of bankrupt or insolvent debtors, compounds with the member's creditors or makes an assignment of the member's remuneration for the benefit of the member's creditors, or
  - (g) becomes an incapacitated person, or
  - (h) is convicted in New South Wales of an offence punishable by imprisonment for 12 months or more, or
  - (i) is convicted outside of New South Wales of an offence that, if committed in New South Wales, would be an offence punishable by imprisonment for 12 months or more.
- (2) If the office of a Panel member becomes vacant, a person may, subject to this Part, be appointed to fill the vacancy.

#### **5 Removal of Panel members**

The Minister may remove a Panel member.

### **Part 3 Procedure of Expert Panels**

#### **6 General procedure**

An Expert Panel may, subject to the Act and this Regulation, determine procedures for—

- (a) the calling of Expert Panel meetings, and
- (b) the conduct of business at Expert Panel meetings.

#### **7 Quorum**

The quorum for an Expert Panel meeting is a majority of the Panel members.

#### **8 Presiding member**

- (1) The Chairperson, or, in the Chairperson's absence, the Deputy Chairperson, must preside at Expert Panel meetings.
- (2) If the Chairperson and the Deputy Chairperson are absent, a Panel member elected by the Panel members present at the Panel meeting must preside.
- (3) The presiding member at a meeting has a second or casting vote if there is an equality of votes.

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## public consultation draft

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Mining Amendment (Royalties for Rejuvenation Fund) Regulation 2022 [NSW]  
Schedule 1 Amendment of Mining Regulation 2016

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### 9 Voting

A decision supported by a majority of votes cast at an Expert Panel meeting at which a quorum is present is the decision of the Expert Panel.

### 10 Conduct of business

- (1) An Expert Panel may conduct the business of the Panel by—
  - (a) circulating papers to the Panel members, or
  - (b) telephone, teleconference or other electronic means, but only if a Panel member who speaks on a matter may be heard by other Panel members.
- (2) If an Expert Panel conducts the business of the Panel in accordance with subclause (1), a written resolution approved by a majority of the Panel members—
  - (a) is taken to be a decision of the Panel, and
  - (b) must be recorded in the minutes of the Panel meeting.

### 11 Disclosure of pecuniary interests

- (1) This clause applies if—
  - (a) a Panel member has a pecuniary interest in a matter being considered, or about to be considered, at an Expert Panel meeting, and
  - (b) the pecuniary interest appears to be in conflict with the proper performance of the Panel member's duties in relation to the matter.
- (2) A Panel member must, as soon as possible after becoming aware of the pecuniary interest, disclose the nature of the Panel member's pecuniary interest at an Expert Panel meeting.
- (3) For subclause (1), a pecuniary interest held by the following persons is taken to be a pecuniary interest of a Panel member—
  - (a) the Panel member's spouse or de facto partner,
  - (b) a relative of the Panel member,
  - (c) a partner or employer of the Panel member,
  - (d) a company or other body of which the Panel member, or Panel member's partner or employer, is a member.
- (4) Subclause (3) does not apply—
  - (a) if the Panel member is not aware of the pecuniary interest, or
  - (b) on the basis the Panel member is employed by a local council, a statutory body or the Crown, or
  - (c) on the basis the Panel member is a member of a company or other body that has a pecuniary interest in the matter, if the Panel member has no beneficial interest in the shares of the company or body.
- (5) A Panel member's disclosure of the following matters is sufficient disclosure of a pecuniary interest in relation to any matter that may relate to the company, body or person—
  - (a) that the Panel member, spouse, de facto partner, relative, partner or employer is a member, or employed by, a company or other body,
  - (b) that the Panel member, spouse, de facto partner, relative, partner or employer is a partner, or employed by, a person,



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## public consultation draft

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Mining Amendment (Royalties for Rejuvenation Fund) Regulation 2022 [NSW]  
Schedule 1 Amendment of Mining Regulation 2016

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- (c) that the Panel member, spouse, de facto partner, relative, partner or employer has another interest in relation to a company, body or other person.
- (6) Information about a Panel member's disclosure must be recorded by the Panel.
- (7) A record made under subclause (6) must be available for inspection on the request of a person.
- (8) If a Panel member has disclosed a pecuniary interest in a matter, the member must not, unless the Minister or the Panel otherwise determines—
  - (a) be present at a Panel meeting while the matter is considered, or
  - (b) participate in the making of a Panel decision in relation to the matter.
- (9) When determining if a Panel member should be present at a Panel meeting or participate in the making of a Panel decision in relation to a matter in which the Panel member has a pecuniary interest, the Panel member must not—
  - (a) be present at a Panel meeting at which the matter is determined, or
  - (b) participate in the making of a Panel decision in relation to the determination.
- (10) Contravention of this clause does not invalidate a Panel decision.



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## **ROYALTIES FOR REJUVENATION**

### **NARRABRI SHIRE COUNCIL**

### **SUBMISSION REPORT**

DRAFT



## Contents

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## Introduction & Background

It is understood that the NSW Government's *Royalties for Rejuvenation Fund* aims to provide coal mining communities with the support and funds required to diversify economies. It is acknowledged that the NSW Government is seeking to ensure that coal mining communities can make targeted investments towards strategic planning, workforce development programs, constructing enabling infrastructure, and establishing new industries and employment opportunities.

Under the current draft Regulation, the *Mining Amendment (Royalties for Rejuvenation Fund) Regulation 2022 (Mining Act 1992)*, the identified objects are to:

- (a) Provide that a Royalties for Rejuvenation Expert Panel established for an affected coal mining region has the function of advising the Minister about certain matters in relation to the region, and
- (b) Provide for the constitution and procedure of Expert Panels, including requirements for Expert Panels to disclose certain pecuniary interests; and
- (c) Prescribe areas of the State as affected coal mining regions.

The draft Regulation has been placed on public exhibition from 29 June to 27 July 2022 to seek community feedback. This document represents Council's organisational submission as detailed within Minute No. < insert > of the Narrabri Shire Council July 2022 Ordinary Council Meeting.

## Local Context

Narrabri Shire is a local government area in the North West Slopes region of NSW. The primary settlement of Narrabri is located adjacent to the Namoi River and at the confluence of the Newell and Kamlaro Highway. The local government area (LGA) is strategically positioned halfway between Sydney and Brisbane, and is considered to be resource-rich.

Key local industries include mining and agriculture. At the last census (2016) the resident population was 13,084 persons. Mining is Narrabri's largest employment sector, supporting an estimated 1,237 jobs. Agriculture, Forestry and Fishing is the second most significant at 1,137 jobs.

Narrabri Shire Council's vision is articulated in the Community Strategic Plan (2022/2032) as follows:

*"Narrabri Shire will be a strong and vibrant regional economic growth centre providing a quality living environment for the entire community."*

Narrabri has been recently announced as a special activation precinct (SAP) location. The master planning process for Narrabri is currently underway by NSW DPE. Through the SAP process it is anticipated that energy-intensive industries and manufacturers, such as plastics, fertilisers and construction material producers will be able to confidently set up in Narrabri with access to commercial quantities of domestic market gas, enabled by the Narrabri Gas Project.



The precinct will also leverage key infrastructure such as the Inland Rail, the Narrabri West Walgett Railway line and the proposed Narrabri Industrial and Logistics Hub to give investors access to global supply chains and markets. Further information in relation to the Narrabri SAP is available via:

<https://www.nsw.gov.au/snowy-hydro-legacy-fund/special-activation-precincts/narrabri>

The SAP, and increased investment, coupled with a booming coal mining sector, is likely to create its own specific challenges that are currently unexplored.

## Public Consultation Draft Feedback

### Proposed Part 9A Royalties for Rejuvenation Fund

#### **Clause 89A** *Affected coal mining region – the Act, s 292W*

1. Under the draft Regulation it is noted that a total of fourteen (14) local government areas have been nominated, including Narrabri at item (i).
2. Many of the listed LGAs are at various stages of evolution, either into or out of coal mining. It is noted that some of the listed LGAs no longer have active coal mines and have completely transitioned. Conversely, the economies of the Narrabri and adjoining Gunnedah LGAs remain significantly underpinned by the resource sector.
3. Given the various states of transition, careful consideration should be given to the development of associated weighting scales to both equitably and transparently distribute the available funding pool of \$25m per annum to the most affected communities. One such mechanism may be the apportionment of funding based on the current and approved mining footprint and product output (Mtpa) to ensure that the limited pool of royalties is directed to areas of greatest need and wholly within the nominated LGA. Furthermore, such methodology should be appropriately documented and be embedded in the commensurate Operational Guidelines (or equivalent) for the future reference of the Expert Panel.
4. Where funding is released to affected Region(s) based on the recommendations of the Expert Panel, the relevant Authority should ensure that alignment is achieved to the relevant Council's Integrated Planning and Reporting (IP&R) framework, in particular the Council's adopted Community Strategic Plan, Growth Management and Economic Development Strategies. To enable projects and funding to be sufficiently agile and responsive to movements within the resourcing sector, a preference should be given to a proportion of the funding being untied in nature (50%) and provided directly to local Councils for expenditure against projects aligned to Council's adopted Delivery Program and/or a LGA or sub-Regionally based Coal Mining Impact Management Plan.

**Clause 89B Functions of Expert Panels – the Act, s 292X**

5. Council supports the proposed structure of Panels being apolitical in nature.
6. It is considered that an opportunity exists to include social impacts within item (a) to supplement the economic and employment activities. Social impacts are considered to directly correlate to both elements.

**Proposed Schedule 7A Constitution and procedure of Expert Panels**

7. Council raises no objections or concerns in relation to the proposed composition of the Expert Panel (Panel Members) subject to the management of pecuniary interests as outlined in draft clause 11 – disclosure of pecuniary interests.
8. No concerns are raised to the proposed term of Expert Panel Members for three (3) years.
9. The proposed Procedure of the Expert Panel as detailed in Part 3 of the draft Regulation is generally concurred with.
10. Clarification is sought on whether or not the positions will be remunerated and the basis of such remuneration.

**General**

11. Minutes of Expert Panel Meetings and associated Ministerial recommendations should be made publicly available similar to the mechanism adopted by Regional Planning Panels. Additionally, consideration should be given to embedding such transparency within the draft Regulation to ensure that information is released to the community in a timely manner with administrative support provided by an appointed Secretariat.

**Conclusion**

In summary, Council has no objection to the draft Regulation as exhibited on the basis of the following:

- That the Expert Panel remains apolitical in nature;
- Funds are directed to areas of greatest need based on a clear and transparent methodology and expenditure is confined to the local government areas listed in proposed clause 89A;
- Clear and transparent mechanisms existing for the distribution of future funds, with a component of the funding being untied in nature; and
- A level of transparency and timeliness of communication exists around the Expert Panel's activities with key information (including minutes and key recommendations) being published on a publicly available forum (such as a website).

**15.2 GRANT ACTIVITY REPORT - JANUARY TO JUNE 2022**

**Responsible Officer:** Bill Birch, Manager Economic Development

**Author:** Catherine Davis, Grants Officer

**Attachments:** 1. Grant Activity Report - January to June 2022  

**DELIVERY PROGRAM ALIGNMENT****3 Economy - A strong, diverse and sustainable economy**

**Objective** 3.3 A resilient and sustainable economy

**Strategy** 3.3.2 Revenue from grants and funding programs is maximised and responsibly managed

**EXECUTIVE SUMMARY**

This report is to inform Council of grant activities for the six-month period between 1 January 2022 to 30 June 2022.

**RECOMMENDATION**

1. That Council receives and notes the Grant Activity Report for the period between 1 January 2022 to 30 June 2022.

**BACKGROUND**

Council employs a dedicated Grants Officer whose primary role is to source new funding for Council projects, to administer existing funded projects and to acquit completed funded projects.

The Grants Officer oversees operations of Council's Community Grants Fund, from application, to review and collation of data, and acquittal. Council advises the local Commonwealth and State members of grants lodged to keep them appraised of Council's grant application activity.

The Grants Officer helps local organisations source grant opportunities and supports their funding efforts with letters of support and application review and feedback.

**CURRENT SITUATION**

During the period between 1 January 2022 to 30 June 2022, Council was notified that it was successful in 11 grants that resulted in being awarded \$5,616,426.30. Council's co-contribution in this period was \$447,170.00.

For the total financial year 2021/2022, Council has been notified that 23 grants were successfully applied for, resulting in \$14,026,356.30 being awarded in grant funding. Council's co-contribution for the financial year was \$662,255.00.

**FINANCIAL IMPLICATIONS**

The Grant Activity Report attached gives a synopsis of the grant activities over a 6-month period.

**STATUTORY AND POLICY IMPLICATIONS**

There are no statutory or policy implications to report at this time.

**CONSULTATION****External Consultation**

Council's Grants Officer consults with community members, funding bodies, and government agencies as required.

**Internal Consultation**

Internal consultation is undertaken with relevant Council Officers as required.



## Grant Activity Report – January to June 2022

The Grant Activity Report table below gives a synopsis of the grant activities over a 6-month period.

<b>Overall success for Narrabri Shire Council – Grant Activity Report Six-month report January to June 2022</b>						
<b>FY22 2021-22</b>	<b>Lodged Applications within the Quarter</b>	<b>Notified Successful</b>	<b>Pending assessment</b>	<b>Notified Unsuccessful</b>	<b>Grant Funds awarded for successful applications</b>	<b>Co-contributions to successful grant</b>
January - June	10	11	6	2	\$5,616,426.30	\$447,170.00
Financial Year (2021/2022)	23	23	6	2	\$14,026,356.30	\$662,255.00

The table below is a more detailed list of individual grants received and their associated projects.

<b>Grants notified as successful - January to June 2022</b>	<b>Grant Funds awarded for successful applications</b>	<b>Co- contributions to successful grant</b>
Narrabri Youth Mental Health Podcasts and Training - Youth Opportunities Program 2021/22 – podcast development program to help youth have conversations about mental health	\$49,250.00	\$3,000.00
Narrabri Tourism Precinct New Accessible Amenities Building - remove the existing outdated amenities building known as Panton Cottage, construct new amenities block with accessible facilities	\$300,000.00	\$0.00
Local Roads and Community Infrastructure – Wee Waa community infrastructure works, Yarrie to Pilliga Road sealing, Narrabri kerb and guttering works	\$2,950,352.00	\$8,000.00
Summer Break – Character Design Workshop for cartooning at the Library	\$8,680.00	\$0.00
Youth Week 2022 activities program	\$3,644.30	\$0.00
2022 Easter Holiday Activities - Skateboard and Iphone Photography event	\$10,000.00	\$420.00
Aboriginal Astronomy - Southern Skies viewing program through the Library	\$10,000.00	\$1,400.00
NSW Planning Portal Application Programming Interfaces program	\$80,000.00	\$0.00
Strengthening of the East West Freight Route - Pilliga to Wee Waa upgrade	\$2,065,500.00	\$400,000.00
Boggabri Floodplain Risk Management Study and Plan	\$129,000.00	\$21,000.00
Increase Accessibility to the Crossing Theatre – installation of automatic doors	\$10,000.00	\$13,350.00
<b>Total</b>	<b>\$5,616,426.30</b>	<b>\$447,170.00</b>

**15.3 INFRASTRUCTURE DELIVERY STATUS REPORT - JULY 2022**

**Responsible Officer:** Eloise Chaplain, Director Infrastructure Delivery

**Author:** Eloise Chaplain, Director Infrastructure Delivery

**Attachments:** 1. Infrastructure Delivery Status Report - July  

**DELIVERY PROGRAM ALIGNMENT****3 Economy - A strong, diverse and sustainable economy**

**Objective** 3.3 A resilient and sustainable economy

**Strategy** 3.3.1 Support the resilience, growth, and diversity of the local economy

**EXECUTIVE SUMMARY**

This report details the monthly work completed and next months planned work for teams within Infrastructure Delivery.

**RECOMMENDATION**

1. That Council receive and note the Infrastructure Delivery Status Report – July 2022.

**BACKGROUND**

Council's Infrastructure Delivery teams operations have a major impact on the Narrabri Shire's community and therefore wish to report to Council an update on their work as at July 2022. This report will bring data together and information from alternate teams each month. Please note due to the date when compiling report information, some works may vary.

**CURRENT SITUATION**

Please see **Attachment 1** for detailed report.

**FINANCIAL IMPLICATIONS**

Capital costings noted in **Attachment 1**.



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## Infrastructure Delivery Status Report - July

### Roads Maintenance

Please see below Maintenance activities completed in July and plan for Aug. Please note due to the date (mid-month) of report compilation some works may vary.

Grading	
Completed This Month	Plan Next Month
MR357 Rangari Road	SR197 Sunnyside Lane
SR260 Bayley Park Road	SR107 Waiwera Lane
SR160 Warners Road	SR103 Roma Lane
SR184 Jacks Creek Road	SR042 McDowells Lane
SR077 Oakdale Lane	SR043 Merimborough Lane
SR078 Sandy Creek Lane	SR011 Harparary Road
SR020 Blairmore Road	SR016 Browns Lane
SR168 Wilgaview Lane	SR013 Upper Mau;les Creek ROad
SR164 Coutneys Road	SR186 Greylands Road
SR073 Booroomin Road	SR057 Mayfield Road
SR021 Caloola Road	SR188 Kurrajong Creek Road
SR054 Stoney Creek Road	SR163 Delwood Road
SR122 Stoltenbergs Road	SR164 Coutneys Road
SR249 McHutcheons Lane	SR165 Panaroma Lane
SR303 Pistol Club Road	SR003 Melburra Lane
SR171 Willala Road	SR118 Byalla Lane
SR060 Westport Road	SR131 Haystack Lane
SR007 Courada Road	
SR279 Murumbilla Lane	
SR015 Theribri Road	
SR001 Millie Road	
SR045 Nowley Road	
SR220 Fairview Lane	
SR197 Sunnyside Lane	
SR050 Stumpy Lane	
SR216 Werah Creek Road	
SR176 Lynches Lane	
SR234 Wariana Lane	
SR009 Bald Hill	
SR111 Apple Tress Lane	
SR038 Kiandool Lane	
SR251 HD Creek Road	
SR039 Gwabegar Road	
SR051 Drildool Road	
SR047 Middle Route	





Recruitment: Capital Works Coordinator position currently advertised. Additional Temp Roads Service Worker 1 roles being advertised.

Two grader operators away sick.

### Parks and Open Space Maintenance

Slashing	
Completed This Month	Plan Next Month
Narrabri Northern entry area	Gwabegar open spaces
Boggabri town entries	Bellata town ship
Wee Waa open spaces	Pilliga bore camp ground and surrounds
SR001, SR002, SR004	Western Sealed Roads

- Continue works along Narrabri creek in mulching and replanting trees line
- Street tree works in Narrabri
- Tree works Boggabri pool

49 days overall taken as sick or related leave in Parks and Open Space Team, taken by 9 personnel however, this does not include annual leave.

### Water/ Sewer Maintenance

Completed This Month	Plan Next Month
<b>Water</b> Installation of raw water sampling point on all shire water supply bores. Maintaining flushing programs in all town supplies. Maintaining disinfection levels and monitoring water quality throughout network. Servicing and repairs done on generator at Pilliga bore site. Checking and maintaining large number of zero-reads for smart meter network.	<b>Water</b> Maintaining flushing programs for all schemes. Completing service works to chlorine dosing point at Namoi St reservoir site. Organising and scoping of ice pigging throughout Narrabri water scheme. Installation of replacement receiver in Gwabegar for smart water meter system.
<b>Sewer</b> Hendrich St Narrabri Service rebuild Nobles SPS refurbished pump installed in well Security system refurbished at Boggabri STP Inlet works cleaned at Narrabri STP Cleaning SPSs throughout Narrabri reticulation.	<b>Sewer</b> Repairing valves in valve pit at Nobles SPS. Continuing cleaning of SPSs throughout Narrabri network. Servicing digester winches at Narrabri STP. Replacing effluent pump at Narrabri STP office.

4 operators away sick for a week at a time during the month.



**NARRABRI SHIRE COUNCIL** ABN. 95 717 801 656

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## Projects In Progress

Please note this is not an exhaustive list, for more details refer to the quarterly Operational Service Plan Report. Also committed costs are not shown in the below.

<b>Roads</b>				
<b>Project</b>	<b>Budget</b>	<b>Actual Cost</b>	<b>This Month</b>	<b>Next Month</b>
<b>Flood Event Feb 2020</b>	<b>\$3,700,000</b>	<b>\$1,060,514</b>	Completion photos Finishing SR135 Timor Mountain Road Finishing SR073 Booroomin Road Finishing SR004 Spring Plains Road Commencing SR018 Wavehill Road	Completion photos
<b>Flood Event March 2021</b>	<b>\$1,000,000</b>	<b>\$1,623,628</b>	Completion Photos Re-lodgement of REPA Claim	Completion photos
<b>Flood Event Nov 2021</b>	<b>\$1,000,000</b>	<b>\$653,036</b>	Works Delayed	IRW Works MR127 Pilliga Road
<b>Killarney Gap Rd Rehab</b>	<b>\$800,000</b>	<b>\$334,356</b>	Stage 2 Completion	
<b>21/22 R CW Boggabri New Boston St Bridge</b>	<b>\$3,480,000</b>	<b>\$1,412,075</b>	Abutment and pile cap completion	Column construction commencing
<b>21/22 R CW SR001 Millie Rd Reconstruction</b>	<b>\$3,605,340</b>	<b>\$93,928</b>	Commencement of Stage 1, subbase to commence	Continuation of Stage 1. Subgrade work on Stage 2.
<b>21/22 Shire Roads Resheets</b>	<b>\$732,000</b>	<b>\$692,312</b>	SR049 – Carbeen Lane (Finalisation)	
<b>21/22 West Precinct Old Newell Hwy Rehab</b>	<b>\$3,000,000</b>	<b>\$142,892</b>	Signalling design approved	Finalise construction requirements with UGL.





R CW K&G N Barwan st Replacement	\$280,000	\$369,454	Works continuing on Blister crossing	Completion, further road rehab works required on Barwan st
R CW Tibbereena Ped Crossing	\$70,000	\$41,618	Blister continuing	Completion
<b>Parks &amp; Open Spaces</b>				
20/21 P&OS CW Narrabri Tennis Courts Upgrade	\$45,883	\$45,883	Concrete ramp access works quoted and contractors to set date of installation	Prepare garden beds for new fence
21/22 Collins Park Scoreboard	\$18,000	\$15,460	Score board delivered	Score board frame quotes and manufacture
21/22 NOS CW Mt Kaputar Signage & Shade	\$24,037	\$37,807	Sign design ongoing - Grant funded project is now completed	Complete design and manufacture Grant funding acquittal
21/22 NOS CW Tourism Hub	\$50,000	\$20,326	Compile quotes and secure contractor	Scope of works for site establishment
21/22 OS Town Clock Toilets Refurb	\$50,000		Painter to commence works late July	Quotes for flooring and railing to commence
<b>Fleet</b>				
21/22 Fleet Plant Replacement	\$3,753,000	\$2,668,194	Grader Tenders received and evaluation in process	Light Vehicle Tender preparation.
<b>Water/Sewer</b>				
100862 - S CW Boggabri Sew Treat Reuse Pond	\$50,000	\$675	Obtaining quote for surveying of site footprint and the perimeter of the reuse pond.	Surveying conducted and soil tests taken to inform design of dam.
100072 - S CW N Sewer PS Improvement Works	\$30,000	\$28,785	Works completed.	
100802 - 21/22 CCTV Equipment	\$61,000	\$60,556	Works Completed	





100804 - 21/22 WW Installation of Grinder Pumps	\$100,000	\$21,904	Pumps installed and operational. Awaiting quote for smart component of pumps to be commissioned.	Installation and commissioning of smart component of pumps.
100320 - 20/21 Wat CW Bo Water Main Renewal	\$198,122	\$129,550	Investigation and design works being undertaken for water mains along Wee Waa Street and Oakham Street.	Completing designs and ordering materials for jobs.
100799 - 21/22 WW Bore Pump Upgrades	\$60,000	\$54,185	Emergency repair works to the casing of the Alma St bore and refurbishing of the bore pump. Works completed.	
<b>Waste</b>				
100104 - 21/22 SW CW NLF New Cell 1	\$1,800,000	\$766,232	Import and placement of select fill for cell wall construction.	Continuation of wall construction and commence placement of liner system.

### New Projects Commencing Q1

Please see below projects that are set to commence in the first quarter of the financial year, in addition to what is noted above.

Project	Budget	Comments
<b>Roads</b>		
Pilliga Road Upgrade	\$2,980,000	Commence on Floodways
<b>Parks and Open Spaces</b>		
FY22/23 Pool Projects	\$130,000	Procurement
Wee Waa Cemetery Amenities	\$90,000	Procurement
Netball Courts		Waiting on deed finalisation





<b>Fleet</b>		
FY22/23 Fleet Replacement	\$2,472,991	Graders procurement finalisation. Investigating Backhoe to replace Water Services Team larger Excavator. Specification for Gravel Chassis tipper. Supply issues continue with up to 12 months lead time.
<b>Water/ Sewer</b>		
Water mains replacement – Fitzroy St Narrabri, Wee Waa St Boggabri, Boolcarrol Rd Wee Waa	\$380,000	Regular replacement of water mains around Narrabri, Wee Waa and Boggabri
Environmental improvements at Narrabri STP	\$520,000	Dredging of stormwater overflow pond and stockpiling material.
Effluent reuse pond Boggabri STP	\$550,000	Effluent reuse storage pond at end of treatment works for use by adjacent landholders.
Sewer mains replacement – Narrabri Rising Mains	\$60,000	Regular replacement of sewer mains in Narrabri. To prioritise rising mains.
Safe chlorine storage unit Narrabri depot	\$75,000	Installation of safe chlorine unit for chlorine cylinders at Narrabri depot.
Narrabri STP Access Road	\$125,000	Construction of all-weather access road to Narrabri STP from Logans Lane.





**15.4 ECONOMIC DEVELOPMENT ACTIVITIES UPDATE - JUNE 2022**

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

**Author:** Bill Birch, Manager Economic Development

**Attachments:** Nil

**DELIVERY PROGRAM ALIGNMENT****3 Economy - A strong, diverse and sustainable economy**

Objective 3.3 A resilient and sustainable economy

Strategy 3.3.1 Support the resilience, growth, and diversity of the local economy

**EXECUTIVE SUMMARY**

The body of this report is representative but not inclusive of the work and actions that the Economic Development Section has undertaken throughout the month of June 2022.

**RECOMMENDATION**

1. That Council receive and note the Economic Development Section activities update highlighted in this report.

**BACKGROUND**

The section works to a vision being, “To facilitate the growth and development of a vibrant, sustainable and diversified economy that value adds to the regions resources and provides a quality living environment and prosperous future for all residents and communities.”

**CURRENT SITUATION**

The Economic Development section is now a division consisting of Small Business Liaison, Economic Development and with the recent arrival of a further function being Grants. The below activities are being performed and actions being worked on throughout the month of June 2022.

- Commenced development of a Terms of Reference document to engage a suitably qualified and experienced consultant to undertake an **Economic Development Strategy (EDS)** in line with the actions identified in Council’s adopted Delivery Program (refer Action No. 3.3.1.1). Commenced review of corresponding grant funding opportunities to support development of the Strategy.

It is intended that the EDS will have an appropriate line of sight to the Special Activation Precinct (SAP) activities and deliverables. Data and information from SAP processes will be utilised to inform strategy development.

- With Director Planning and Strategy, researched, attended and participated in multiple Special Activation Precinct (SAP) meetings and provided responses to information requests.

- Undertook consultations with Project Manager/s across Council that reviewed grant opportunities, drafted, and submitted applications, as detailed below:
  - Director Infrastructure Delivery, Manager Roads - Strengthening of the East West Freight Route - Pilliga to Wee Waa
  - Director Planning Strategy and People, Manager Tourism and Development, Community Development Officer, Library Services Coordinator, Small Business Liaison Officer – Reconnecting NSW
  - Maintenance Trades Officer - Disaster Risk Reduction Fund Local & Regional Risk Reduction Stream - Stage 1 Preparing The Crossing Theatre as an Emergency Evacuation Centre
  - Manager Parks and Open Spaces - Bushfire Strategic Hazard Reduction (included multiple training sessions on the new portal Guardian)
  - Property Services Manager – Crown Lands, The Crossing Theatre, Boggabri Courthouse and Old Narrabri Goal
  - Manager Tourism and Development – Create NSW
  - Design Services Manager – Bridge Renewal Program
  - Tourism Coordinator – Community Building Program
- Briefed Director Planning and Strategy and provided information in relation to Kurrajong Street residential estate development.
- Arranged a pre-development application meeting with Planning and Economic Development Officers and a group who are looking to invest in an existing business in Narrabri. Provided initial comment and responded to questions about the site. Subsequently provided follow up information giving them a level of comfort to progress with their due diligence.
- Undertook consultations with Project Manager/s across Council to draft and submit funding deeds, milestone reporting and acquittals, as detailed below:
  - Manager Parks and Open Spaces – Narrabri Netball Courts upgrade.
  - Community Development Officer – 2022 Youth Week.
  - Tourism Coordinator – Automatic doors for accessibility into Visitor Information Centre.
  - Library Services Coordinator – Easter holiday activities - skatepark and iPhone photography event.
  - Manager Parks and Open Spaces - Bellata Recreation Precinct.
  - Community Development Officer – Youth employment capacity building project.
  - Community Development Officer – Narrabri Shire youth art and culture banners project.
  - Manager Roads - Boston Street Bridge replacement project.
  - Manager Water Services – Restart NSW Augmentation, Boggabri, Narrabri and Wee Waa.
  - Library Coordinator – Aboriginal Astronomy Southern Skies viewing project.
  - Budget Coordinator – Deriah Aboriginal heritage and cultural area access.
  - Finance Manager – Drought communities programme regarding multiple acquittals.
  - Funding Body - Wee Waa Cotton Capital Country Music Muster Promotion and Marketing variation.

- With Director Planning and Strategy met with representatives from Transport for NSW in relation to Inland Rail interface.
- Advised the following local community groups about potential grant opportunities suitable for their organisations:
  - Aboriginal Knockout – conversations and emails about potential grant opportunities for local club
  - Boggabri & District Rugby League Club – conversations and emails regarding business case proposal for lights at oval, in liaison with Manager Parks and Open Spaces
  - Boggabri Golf Club – support letter for Crown Lands Grant
  - Namoi Dragon Boat – support letter for Club Affiliation
  - Wee Waa Muster Committee – prepare variation of funding deed and assist with media connections to progress grant
- Separate to the above, an initial meeting was held with a resident community member who is considering initiating a breakfast club / drop-in centre for underprivileged community members. Provided guidance and a range of relevant information and requirements to allow the project to proceed.
- Council acquitted the 2021/2022 Community Development Fund. Originally Council received 12 applications, of which 3 did not meet Community Grants Policy requirements, 1 was rescinded by applicant and 2 did not proceed due to COVID related public health orders. Therefore \$13,934 were distributed between 6 community groups. Acquittal process included undertaking follow up phone calls and emails to see how applicants are progressing with projects.
- Met with representatives of NRMA in relation to electric vehicle network and visited a couple of potential sites around Narrabri.
- Assisted local business with information in respect of temporary food truck enquiry.
- Undertook audit to review Grants Administration. The review was applied to the 2021/22 financial year, and looked at record keeping, reporting, and whether there are adequate checks and balances in place. Improvement actions to include:
  - Format the Organisational Grants Spreadsheet to accurately reflect funding programs for reporting consistency and real time appraisal.
  - Provide direct link to Council's record system for the Applications, Guidelines, Funding Deeds, Milestones and Acquittal documentation using the ECM number.
  - Introduce naming conventions consistent with Grant and the document type.
  - Encourage use of the "Projects" module that links finance, work orders and documents as the one true source of information.
  - Implement a process upon signing Funding Deeds that informs key personnel who are involved in the procedure.
  - Set up Milestone Reporting spreadsheets for each Project Team which summarises all the deliverables, due dates and progression of milestones.

- Met with representatives from ARTC in relation to the Narromine to Turrawan line upgrade.
- As part of The Exchange Business Activator (TEBA) program, met with program manager and coordinated the following activities and events to be delivered over July and August.
  - Arranged for the promotion of activities through Council media channels.
  - Monthly networking Event – to be held 5 July at The Exchange with guest speaker Jillian Kilby.
  - Monthly Networking event – to be held 15 July with Guest Speaker, Andrew Kerr from local Toastmasters’ group.
  - Hatch Program – Delivered by UNE Smart Region Incubator, to be held 15 August 2022.
- Provided local venues with information relating to the NSW State Government conditions to streamline outdoor dining processes and Council’s development control requirements. Co-ordinated internal staff meetings to develop a draft Policy.
- Undertook Initial research and development into an outdoor dining policy.
- Multiple discussions and provision of information with ComfortDelGro throughout June to give them the comfort to purchase a more suitable property in Narrabri. Information included requirements from planning, engineering and building. Queries related to existing building services, development application and structural loadings.
- Spoke with Tesla representative about their position and way forward.
- As part of Business Improvement Project through the Murray Darling Basin Economic Development Programme Round 3, an event management workshop titled, *Planning Events to Inspire Change* has been coordinated to be held on 11 July 2022. Arranged for the promotion of activities through Council media channels.
- Developed grant submissions for community event programmes including Christmas Activation Program 2022, Narra-bright 2023, Boggabri Spring Fair and Show and Shine.
- With Planning Officer, spoke to and provided information to a developer about a potential development in Bellata.
- The 2022/2023 Community Development funding round was open for applications between 2 May 2022 and 27 May 2022. Council received 9 applications, with 2 being ineligible due to not meeting Community Grants Policy co-contribution requirements. The total funding amount for 2022/2023 round was \$13,000. Community Development assessment process consisted of the following:

- Arranged for the promotion of the Community Development fund
  - Reviewed 9 applications against criteria set out in the Community Development Fund Policy document. Contacted applicants for additional information that wasn't initially provided to assist their application meet the criteria.
  - Wrote and submitted report to June Council meeting for consideration.
  - Contacted unsuccessful applicants and will advise them of future funding opportunities as they arise. Provided feedback to unsuccessful applicants.
- Arranged for ARTC representatives to give new Acting General Manager an update on Inland Rail N2NS progress.
  - Developed and distributed monthly Small Business in Focus e-newsletter in June.
  - With MANEX, met with interim Chief Executive of Inland Rail for a General update.
  - Met with Acciona/CPB (ACA/CPB) in relation to other suitable locations in Narrabri for an administration outlet. Ultimately put ACA/CPB in contact with a local real estate agent who is looking after a potential suitable site for lessee consideration.
  - Made initial contact with EY representative to discuss their availability to give a presentation to Council in August as per CO-159/2022.
  - Instigated Council's subscription to the *GrantGuru* Portal. GrantGuru is the most comprehensive grants database in Australia that provides grants and assistance across all levels of government and the private sector (philanthropic grants), each summarised into a one-page template for easy comparison. The GrantGuru portal will assist in two ways. For Council it will identify grants via a Council only access specific for Local Government agencies. The other is to allow business and the community to have a customised public facing portal with Narrabri Shire Council's styling. Once registered, they will receive email alerts branded from Narrabri Shire Council informing them of upcoming grants they might be interested in. Actions undertaken to get the GrantGuru portal operational in mid June for Council included the following:
    - Provided content and worked with the Provider to build the Narrabri specific website platform.
    - Liaised with internal staff to obtain feedback about design and obtain suitable imagery
    - Hosted inhouse training for staff.
    - Researched and arranged grant writing workshop and grant writing courses, to be conducted by Grant Guru through Murray Darling Economic Development Program Funding.
    - Further to the above, work is being undertaken prior to it going live to the public in late July.
  - Attended The Exchange opening.
  - Initiated Infrastructure NSW requests in relation to finalising funding deed for the Northern NSW Inland Port.

- Visited Bunnings site to discuss progress with developer. Visited the site later in the day with Director Infrastructure Delivery and Director Planning and Strategy to discuss intersection upgrade and timings.
- Met with Inland Rail to discuss N2N Master Inland Rail Development Agreement document.

**FINANCIAL IMPLICATIONS**

There are no financial implications related to this report.

**STATUTORY AND POLICY IMPLICATIONS**

Detailed in the body of the Report.

**15.5 DEVELOPMENT SERVICES REPORT - JUNE 2022**

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

**Author:** Kristin De Koninck, Development Systems Officer

**Attachments:** 1. June 2022-Council Report Final [!\[\]\(83f22ed94ec5517769dd76d702c6bfd8\_img.jpg\)](#) [!\[\]\(58518edde73d42d67a35a8ed26134c7b\_img.jpg\)](#)  
2. June 2022 Development Statistics Report [!\[\]\(256548e00e7fa4879dddf376cbbab973\_img.jpg\)](#) [!\[\]\(4df0d38cb8d3da3858f8bf3819cfafd3\_img.jpg\)](#)

**DELIVERY PROGRAM ALIGNMENT****3 Economy - A strong, diverse and sustainable economy**

**Objective** 3.3 A resilient and sustainable economy

**Strategy** 3.3.1 Support the resilience, growth, and diversity of the local economy

**EXECUTIVE SUMMARY**

This report contains statistics of work carried out by Development Services for the month of June 2022.

**RECOMMENDATION**

1. That Council receive and note the Development Services Report – June 2022.

**BACKGROUND**

This report is divided in three sections, Building, Statutory Planning and Regulatory Services. An update is provided for the information of Council on Development Services-allied activities for the preceding month.

**CURRENT SITUATION**

The major highlights of each section are outlined below;

***Building;***

- Five (5) Construction Certificates were determined during the month. The average processing time for the month was 13 days.
- A total of 6 new Construction Certificate applications were lodged during the month worth \$428,831.

***Statutory Planning;***

- Ten (10) Development Applications worth \$2,158,211 were determined during the month. Of these, seven (7) were determined in 11 to 20 days, two (2) applications were approved in 21 to 25 days and one (1) application was determined in 120 days (nb: application was subject to requests for information and engineering challenges). The average processing time for the month was 28 days.
- A total of ten (10) new applications worth \$652,945 were lodged during the month. Of these, a notable application was the Change of Use to 'Transport Depot' at 5 Caroline Way Narrabri.

- Update on previously reported Illegal dwelling located at 164 Killara Road, Jacks Creek. Following meetings with Council Planning and Regulatory staff, owners of the property have now made both DA and Building Information Certificate applications to Council which are currently under assessment as well as under referral to other state agencies.

***Regulatory Services;***

- Eight PINs were issued during the month, for issues relating to Parking and Public Health.

**FINANCIAL IMPLICATIONS**

Nil.

**STATUTORY AND POLICY IMPLICATIONS**

Nil.

**CONSULTATION****External Consultation**

Nil.

**Internal Consultation**

- Regulatory Services Team.
- Development Services Team.



## DEVELOPMENT SERVICES STATISTICS AS AT 30 JUNE 2022

*Development Applications (DA)*

Development Applications lodged and determined Year to Date

	Number applications	Value \$	June Value \$	June (No of applications)	Average days determination
Applications lodged (YTD)	110	26,236,370	652,945	10	-
Applications determined (YTD)	130	69,545,573	2,158,211	10	28 days
Applications awaiting determination	12	\$716,645			-

Development Applications lodged by type	June Total	June Value \$	Year to date Total	Year to date Value \$
Dwellings/ Dual Occupancy	2	496,610	34	9,967,993
Sheds	2	19,300	24	756,193
Commercial	0	0	8	1,375,567
Industrial	0	0	4	4,364,073
Subdivision	4	71,135	11	90,225
Tourism development	0	0	0	0
Modifications	0	0	13	5,000
others	2	65,900	13	259,720
Infrastructure /solar /Pond	0	0	3	9,417,599
<b>Total</b>	<b>10</b>	<b>652,945</b>	<b>110</b>	<b>26,236,370</b>

*Construction Certificates (CC)*

Construction Certificates lodged and Determined- Year to date

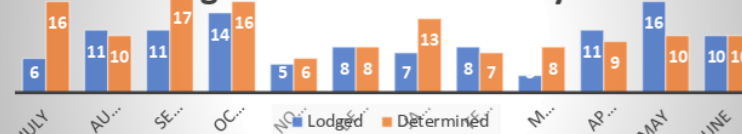
	Number Certification	YTD Value \$	Value (June) \$	No of CC (June)	Average days determination (May)
Council lodged (YTD)	45	6,875,901	428,831	6	-
Council Determined (YTD)	59	8,721,600	1,740,790	5	13 days
Construction Certificates awaiting determination	11	1,421,136			

Construction Certificates lodged by type	June Total	June Value \$	Year to date Total	Year to date Value \$
Dwelling	1	180,000	6	2,014,524
Shed/Garage	4	158,831	20	706,379
Commercial	0	0	4	1,252,623
Industrial	0	0	3	2,749,955
Alteration	1	90,000	9	997,280
Others	0	0	5	109,763
<b>Total</b>	<b>6</b>	<b>428,831</b>	<b>47</b>	<b>7,830,524</b>

## DA Lodged by Type



## DA Lodged and Determined by Month



## Construction Certificate Lodged and Determined by Month



## CC Lodged by Type



# Development Service- June 2022 Report



MANAGER DEVELOPMENT

## Building Unit

Application ID	Status/Decision	Primary Property	Description	Value \$	Date Lodged	Decision Date	Number of Days
CC067-2019	Current	233 Riverside Drive, NARRABRI NSW 2390	Ancillary Residential Shed (6 x 15) - Car garage & storage shed	31,000.00	09/09/2020		
CC2022/0027	Current	265 Boundary Street, NARRABRI NSW 2390	Alterations and addition to dwelling	147,000.00	19/04/2022		
CC2022/0033	Current	1586 Kaputar Road, NARRABRI NSW 2390	Construction of a Shed	72,350.00	18/03/2022		
CC2022/0036	Current	7-11 Maitland Street, NARRABRI NSW 2390	Renovate 3 existing bathrooms and addition of disabled toilet	120,000.00	06/04/2022		
CC2022/0037	Current	15 Maitland Street, NARRABRI NSW 2390	Construction of Carport	12,000.00	06/04/2022		
CC2022/0042	Current	66-74 Francis Street, NARRABRI NSW 2390	Fuel Centre	699,955.00	16/05/2022		
CC2022/0048	Current	16 Taylor Street, NARRABRI NSW 2390	Construction of a Shed	17,000.00	17/06/2022		
CC2022/0049	Current	8 Taylor Street, NARRABRI NSW 2390	Construction of Shed	19,000.00	24/06/2022		
CC2022/0050	Current	86 Genanagie Street, NARRABRI NSW 2390	Shed	110,000.00	23/06/2022		
CC2022/0051	Current	54 Coppleson Drive, NARRABRI NSW 2390	New Dwelling and Temporary Placement of Storage Container	180,000.00	27/06/2022		
CC2022/0052	Current	81 Lynn Street, BOGGABRI NSW 2382	Garage	12,831.00	27/06/2022		
CC2022/0040	APPROVED	139 Highfield Lane, NARRABRI NSW 2390	Erection of Shed	18,300.00	18/05/2022	02/06/2022	12
CC2022/0043	APPROVED	1439 Kaputar Road, BULLAWA CREEK NSW 2390	New Single Storey Dwelling	300,000.00	12/05/2022	10/06/2022	22
CC2022/0044	APPROVED	128 Turrawan Road, TURRAWAN NSW 2390	2 bedroom extension and a bathroom renovation of existing residence	90,000.00	22/06/2022	27/06/2022	4
CC2022/0045	APPROVED	178 Old Turrawan Road, NARRABRI NSW 2390	Shed/Carport	30,000.00	17/05/2022	17/06/2022	6
CC2022/0047	APPROVED	26 Barwan Street, NARRABRI NSW 2390	Swimming Pool and Fence	14,100.00	26/05/2022	21/06/2022	19

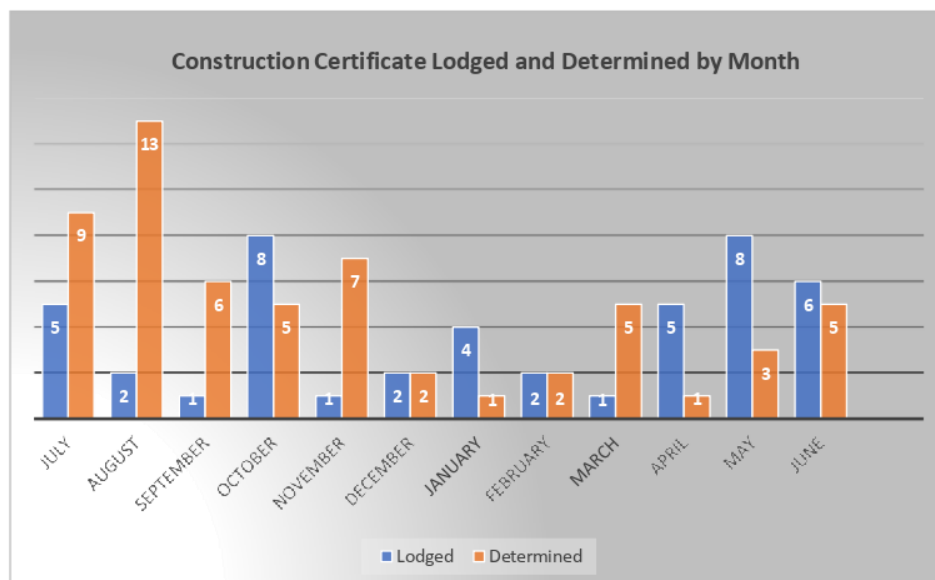
Below is a summary of **Construction Certificate** applications and approvals up to 30 June 2022.

NB The number of days are working days after receiving requested information

#### APPLICATION LODGED AND DECIDED

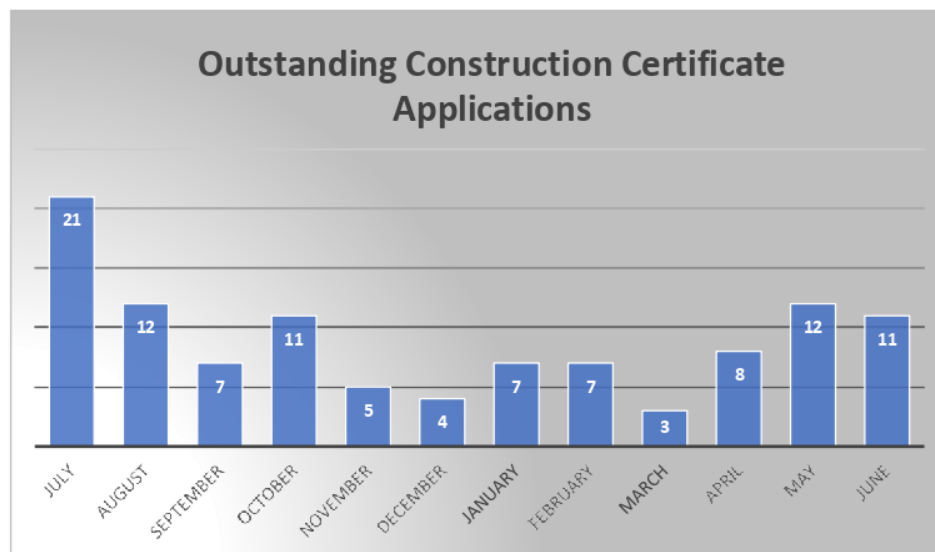
	Number of Applications	Value (Estimated Cost)
Applications Lodged	6	\$428,831.00
Applications Decided	5	\$452,400.00
Pending	11	\$1,421,136.00

NB above data excludes CCs AND CDCs processed by Private Building Surveyors



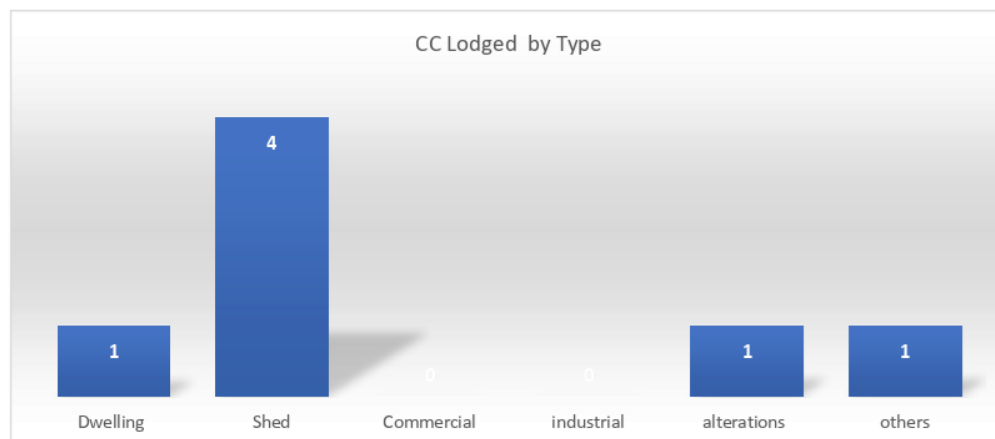
#### OUTSTANDING CONSTRUCTION CERTIFICATE APPLICATIONS AT 30/06/2022

A total eleven (11) construction certificates were outstanding as at 30/06/2022



#### CONSTRUCTION CERTIFICATE BY TYPE ( LODGED IN JUNE INCL PRIVATE CERTIFIED)

	Private Certifier	Council	Total	Value \$
Dwelling	0	1	1	\$180,000.00
Alterations/additions to dwelling	0	1	1	\$90,000.00
Shed / Garage	0	4	4	\$158,831.00
Commercial	0	0	0	\$0
Industrial	0	0	0	\$0
Others	0	0	0	\$0
<b>Total</b>	<b>0</b>	<b>6</b>	<b>6</b>	<b>\$428,831.00</b>



### INSPECTIONS

Type of inspections	Number
Footing	6
Framing	1
Final	2
Wet area	0
Stormwater	0
External Drainage	0
Internal Drainage	2
Site inspections	22
Swimming Pool	4
Total	37

### AVERAGE EMPLOYEE COST PER APPLICATION DETERMINED- CONSTRUCTION CERTIFICATES

	2021/2022 Financial Year
Building employee cost	\$322,061
Number of employees	1
Total number of applications decided to date (Total application determined to date)	42
Average employee cost per application determined	\$7,668

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**OCCUPATION CERTIFICATES**

	<b>Lodged</b>	<b>Issued</b>
Council	3	0
Private certifiers	1	1
<b>Total</b>	<b>4</b>	<b>1</b>

**SWIMMING POOL COMPLIANCE INSPECTIONS**

<b>Application Number</b>	<b>Date Lodged</b>	<b>Inspected (including re-inspections) On</b>	<b>NOI/Direction Issued</b>	<b>Non-Compliance Issued</b>	<b>Certificate of Compliance Issued</b>
SPCC2022/0030	08/06/2022	08/06/2022	08/06/2022	08/06/2022	
7 Boundary Street WW	22/06/2022	22/06/2022			
SPCC2022/0028	23/05/2022	22/06/2022			24/06/2022
SPCC2022/0032	27/06/2022	29/06/2022			

**BUILDING COMPLIANCE MATTERS**

<b>Property Address</b>	<b>Issue</b>
Logans Furniture – 193-195 Maitland Street NARRABRI	Building Safety (structural) and Compliance

Kentucky Fried Chicken – 86 Maitland Street NARRABRI	Building Works Compliance
Baan Baa Pub BAAN BAA	Unauthorised Building Works
Commercial Hotel BOGGABRI	Fire Safety Compliance
Wee Waa Hotel	Fire Safety Compliance
Caledonian Hotel NARRABRI	Fire Safety Compliance
James and Lina Croaker Air BnB at Bowen Street NARRABRI	
164 Killara Road Jacks Creek	illegal Construction of a dwelling with consent



## YEAR TO DATE FIGURES CC PROCESSED BY COUNCIL

	Processed		Lodged		Processing Time
	Number of CC	Value of CC \$	Number of CC	Value of CC	
July	9	631,022	5	\$501,563	27 days
August	13	1,959,100	2	\$197,780	28 days
September	6	1,125,830.20	1	\$502,996	12 days
<b>Average Q1</b>					<b>22 days</b>
October	5	\$676,372.00	8	\$1,063,028.00	19 days
November	7	\$1,130,028.00	1	\$88,000.00	11 days
December	2	\$143,000.00	2	\$445,000.00	19 days
January	1	\$17,458.18	4	\$229,458.18	10 days
February	2	\$185,000.00	2	\$30,500.00	93 days
March	5	\$575,600.00	1	\$19,600.00	23 days
April	1	\$85,000.00	5	\$2,064,000.00	1 day
May	3	\$1,740,790.00	8	\$1,305,145.00	13 days
June	5	\$452,400.00	6	\$428,831.00	13 days
<b>Total</b>	<b>59</b>	<b>\$8,721,600.30</b>	<b>45</b>	<b>\$6,875,901.00</b>	<b>22 days</b>

## Planning Unit

Below is a summary of Development applications and approvals up to 30 June 2022

Application ID	Status/Decision	Primary Property	Description	Value \$	Date Lodged	Decision Date	Number of Days
DA2022/0061	Current	43 Cooma Road, NARRABRI NSW 2390	Change of use to Hydraulic and Mechanical Repair Business	0.00	16/02/2022		
DA2022/0071	Current	160 Barwan Street, NARRABRI NSW 2390	5 Bay Skillion Garage with Roller Doors	50,000.00	20/04/2022		
DA2022/0079	Current	861 Kaputar Road, NARRABRI NSW 2390	Construction of a Shed	50,000.00	17/05/2022		
DA2022/0089	Current	1046 Couradda Road, EDGEROI NSW 2390	Two Lot Subdivision	18,635.10	07/06/2022		
DA2022/0091	Current	33 Railway Street, NARRABRI NSW 2390	Subdivision of 1 lot into 2 lots	16,500.00	09/06/2022		
DA2022/0092	Current	20841 Kamilaroi Highway, NARRABRI NSW 2390	Subdivision of 1 lot into 2	19,000.00	08/06/2022		
DA2022/0093	Current	31 Barwan Street, NARRABRI NSW 2390	Change of Use	10,000.00	10/06/2022		
DA2022/0094	Current	164 Killara Road, JACKS CREEK NSW 2390	Single Storey Dwelling	85,000.00	14/06/2022		
DA2022/0095	Current	151 Mckenzie Street, NARRABRI NSW 2390	Inground Fibreglass Swimming Pool	55,900.00	23/06/2022		
DA2022/0096	Current	57 Coppleson Drive, NARRABRI NSW 2390	Shipping Container	0.00	21/06/2022		
DA2022/0097	Current	171 Caloola Road, BOGGABRI NSW 2382	Single Storey Dwelling	411,610.00	24/06/2022		
DA2022/0100	Current	5 Caroline Way, NARRABRI NSW 2390	Change of Use to "Transport Depot"	0.00	30/06/2022		
DA2022/0031	APPROVED	7 Namoi Street, NARRABRI NSW 2390	Retail and Warehousing Complex	251,560.00	29/09/2021	06/06/2022	120

DA2022/0073	APPROVED	69 Piper Lane, NARRABRI NSW 2390	Subdivision of 1 lot into 3 lots	0.00	03/05/2022	02/06/2022	23
DA2022/0080	APPROVED	1502 Kaputar Road, BULLAWA CREEK NSW 2390	New Single Storey Dwelling	679,531.00	11/05/2022	03/06/2022	18
DA2022/0083	APPROVED	24 Laidlaw Street, BOGGABRI NSW 2382	Manufactured Home	465,700.00	24/05/2022	20/06/2022	20
DA2022/0084	APPROVED	34-38 Riverside Drive, NARRABRI NSW 2390	Construction of Shed	35,000.00	24/05/2022	07/06/2022	11
DA2022/0085	APPROVED	20 Fitzroy Street, NARRABRI NSW 2390	Alterations and additions to existing dwelling	135,000.00	20/05/2022	14/06/2022	18
DA2022/0086	APPROVED	54 Coppleson Drive, NARRABRI NSW 2390	New Dwelling and Temporary Placement of Storage Container	150,000.00	23/05/2022	15/06/2022	18
DA2022/0087	APPROVED	155 Caloola Road, BOGGABRI NSW 2382	New Single Storey Dwelling	405,120.00	23/05/2022	20/06/2022	21
DA2022/0088	APPROVED	295 The Island Road, NARRABRI NSW 2390	2 Lot Subdivision	17,000.00	07/06/2022	21/06/2022	11
DA2022/0090	APPROVED	41 Piper Lane, NARRABRI NSW 2390	Two Bay Garage	19,300.00	07/06/2022	28/06/2022	16

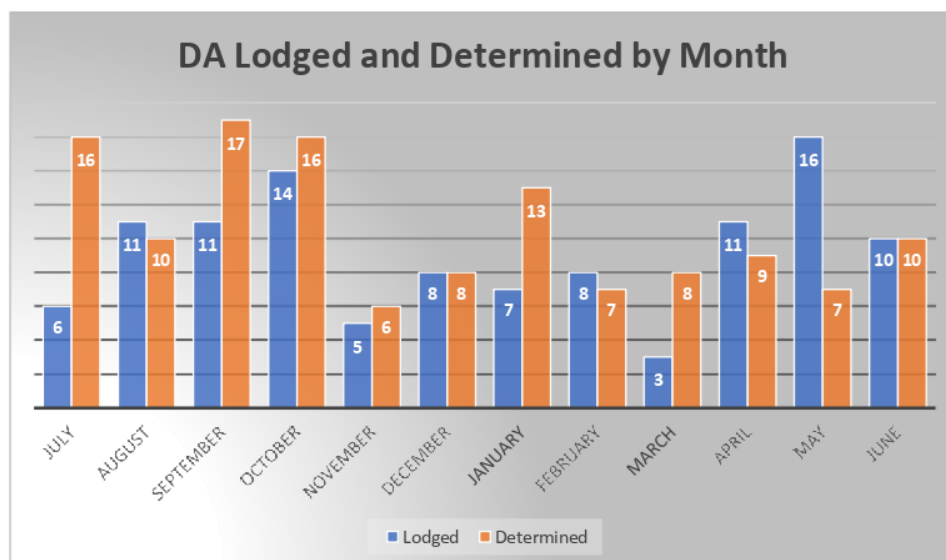
NB The number of days are working days after receiving requested information

**OUTSTANDING DEVELOPMENT APPLICATION AS AT 30/06/2022**

A total of twelve (12) Development Application were outstanding as at 30 June 2022

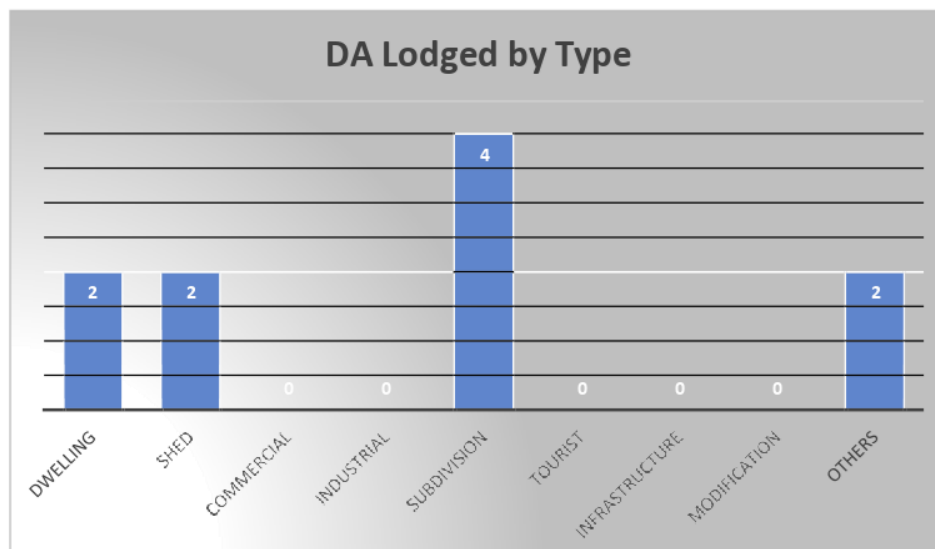
**PLANNING APPLICATION LODGED AND DECIDED**

	<b>Number of Applications</b>	<b>Value (Estimated Cost)</b>
Applications Lodged	10	\$652,945.10
Applications Decided	10	\$2,158,211.00
Pending	12	\$716,645.10

**DEVELOPMENT APPLICATION LODGED AND DECIDED BY MONTH**

## DEVELOPMENT APPLICATIONS LODGED BY TYPE

	Total	Value
Dwellings/ Dual Occupancy	2	\$496,610.00
Sheds	2	\$19,300.00
Commercial	0	0
Industrial	0	0
Subdivisions	4	\$71,135.00
Tourist development	0	0
Infrastructure ie solar farms	0	0
Modifications	0	0
Other	2	\$65,900.00
<b>Total</b>	<b>10</b>	<b>\$652,945.10</b>



## AVERAGE EMPLOYEE COST PER APPLICATION DETERMINED- DEVELOPMENT APPLICATION

	2021/2022 Financial Year
Planning Budget	\$398,966
Number of employees	4
Number of applications determined to date	93
Average employee cost per application determined	\$4,289

## YEAR TO DATE FIGURES DA PROCESSED BY COUNCIL

	Processed		Lodged		
	Number of DA determined	Value of DA	Number of DA	Value of DA	Processing Times
July	16	\$4,563,571	6	\$2,855,173	41 days
August	10	\$3,764,667	11	\$9,615,900	57 days
September	17	\$3,148,400	11	\$1,074,431	17 days
<b>Average Q 1</b>					<b>38 days</b>
October	16	\$7,925,843.00	14	\$2,274,657.36	25 days
November	6	\$6,581,653.00	5	\$571,609.00	40 days
December	8	\$25,063,538.00	8	\$1,332,900.00	63 days
January	13	\$10,629,606.68	7	\$2,988,073.40	44 days
February	7	\$166,090.00	8	\$1,433,410	22 days
March	8	\$2,972,350.00	3	\$319,350.00	51 days
April	9	\$1,696,047.00	11	\$1,121,071.00	13 days
May	10	\$875,597.00	16	\$1,996,851.00	14 days
June	10	\$2,158,211.00	10	\$652,945.10	28 days
<b>Total</b>	<b>130</b>	<b>\$69,545,574.00</b>	<b>110</b>	<b>\$26,236,370.00</b>	<b>34 days</b>

## PLANNING CERTIFICATES (FORMERLY 149 CERTIFICATES)

Application ID	Status/Decision	Primary Property	Date Lodged	Date Issued	Number of Days
PC2022/0526	Completed	58 Hinds Street, NARRABRI NSW 2390	01/06/2022	01/06/2022	1
PC2022/0527	Completed	125 Mckenzie Street, NARRABRI NSW 2390	01/06/2022	01/06/2022	1
PC2022/0528	Completed	60 Dangar Street, NARRABRI NSW 2390	01/06/2022	01/06/2022	1
PC2022/0529	Completed	15 Grace Street, NARRABRI NSW 2390	01/06/2022	01/06/2022	1
PC2022/0530	Completed	9 May Street, NARRABRI NSW 2390	03/06/2022	03/06/2022	1
PC2022/0531	Completed	47 Barwan Street, NARRABRI NSW 2390	03/06/2022	03/06/2022	1
PC2022/0532	Completed	147 Teatree Gully Road, BULLAWA CREEK NSW 2390	03/06/2022	03/06/2022	1
PC2022/0533	Completed	285 Mountain View Road, MAULES CREEK NSW 2382	06/06/2022	06/06/2022	1
PC2022/0534	Completed	83 Maitland Street, NARRABRI NSW 2390	06/06/2022	06/06/2022	1
PC2022/0535	Completed	84 Brent Street, BOGGABRI NSW 2382	07/06/2022	08/06/2022	2
PC2022/0536	Completed	62 Whiting Drive, NARRABRI NSW 2390	07/06/2022	08/06/2022	2
PC2022/0537	Completed	135 Merton Street, BOGGABRI NSW 2382	08/06/2022	08/06/2022	1
PC2022/0538	Completed	87 Jacks Creek Road, NARRABRI NSW 2390	09/06/2022	09/06/2022	1
PC2022/0539	Completed	67 Boolcarrol Road, WEE WAA NSW 2388	09/06/2022	09/06/2022	1
PC2022/0540	Completed	3 Elliott Street, NARRABRI NSW 2390	09/06/2022	09/06/2022	1
PC2022/0541	Completed	49 Riverside Drive, NARRABRI NSW 2390	09/06/2022	09/06/2022	1
PC2022/0542	Completed	16 Wukawa Street, NARRABRI NSW 2390	09/06/2022	09/06/2022	1
PC2022/0543	Completed	32 James Hibbens Avenue, WEE WAA NSW 2388	09/06/2022	09/06/2022	1
PC2022/0544	Completed	10/12 Clarke Street, NARRABRI NSW 2390	10/06/2022	10/06/2022	1
PC2022/0545	Completed	6/12 Clarke Street, NARRABRI NSW 2390	10/06/2022	10/06/2022	1
PC2022/0546	Completed	9/12 Clarke Street, NARRABRI NSW 2390	10/06/2022	10/06/2022	1
PC2022/0547	Completed	56 Wee Waa Street, BOGGABRI NSW 2382	10/06/2022	10/06/2022	1
PC2022/0548	Completed	538 Murrumbilla Lane, NARRABRI NSW 2390	10/06/2022	10/06/2022	1
PC2022/0549	Completed	7/12 Clarke Street, NARRABRI NSW 2390	10/06/2022	15/06/2022	5
PC2022/0550	Completed	8/12 Clarke Street, NARRABRI NSW 2390	10/06/2022	15/06/2022	5
PC2022/0551	Completed	5 Caroline Way, NARRABRI NSW 2390	15/06/2022	15/06/2022	1
PC2022/0552	Completed	31 Selina Street, NARRABRI NSW 2390	17/06/2022	17/06/2022	1

PC2022/0553	Completed	19 Ningadhun Circuit, NARRABRI NSW 2390	17/06/2022	17/06/2022	1
PC2022/0554	Completed	47 Walowa Street, NARRABRI NSW 2390	20/06/2022	20/06/2022	1
PC2022/0555	Completed	57 Tulladunna Lane, WEE WAA NSW 2388	20/06/2022	20/06/2022	1
PC2022/0556	Completed	218 Merton Street, BOGGABRI NSW 2382	20/06/2022	20/06/2022	1
PC2022/0557	Completed	350 Eulah Creek Road, EULAH CREEK NSW 2390	20/06/2022	20/06/2022	1
PC2022/0558	Completed	14 Kilkenny Court, WEE WAA NSW 2388	22/06/2022	22/06/2022	1
PC2022/0559	Completed	1046 Couradda Road, EDGEROI NSW 2390	23/06/2022	27/06/2022	4
PC2022/0560	Completed	15 Moolooobar Street, NARRABRI NSW 2390	23/06/2022	27/06/2022	4
PC2022/0561	Completed	125 Merton Street, BOGGABRI NSW 2382	23/06/2022	27/06/2022	4
PC2022/0562	Completed	123 Merton Street, BOGGABRI NSW 2382	23/06/2022	27/06/2022	4
PC2022/0563	Completed	66 Cowper Street, WEE WAA NSW 2388	23/06/2022	27/06/2022	4
PC2022/0564	Completed	1126 Couradda Road, EDGEROI NSW 2390	23/06/2022	27/06/2022	4
PC2022/0565	Completed	4 Chelmsford Street, BOGGABRI NSW 2382	23/06/2022	27/06/2022	4
PC2022/0566	Completed	71 Haire Drive, NARRABRI NSW 2390	24/06/2022	27/06/2022	3
PC2022/0567	Completed	45 Riverside Drive, NARRABRI NSW 2390	24/06/2022	27/06/2022	3
PC2022/0568	Completed	52 Stafford Drive, NARRABRI NSW 2390	24/06/2022	27/06/2022	3
PC2022/0569	Completed	2 Clare Street, BOGGABRI NSW 2382	27/06/2022	27/06/2022	1
PC2022/0570	Completed	5 Leora Close, NARRABRI NSW 2390	27/06/2022	27/06/2022	1
PC2022/0571	Completed	4 Leora Close, NARRABRI NSW 2390	27/06/2022	27/06/2022	1
PC2022/0572	Completed	3 Leora Close, NARRABRI NSW 2390	27/06/2022	27/06/2022	1
PC2022/0573	Completed	22 Gibbons Street, NARRABRI NSW 2390	27/06/2022	28/06/2022	2
PC2022/0574	Completed	77 Boundary Street, WEE WAA NSW 2388	28/06/2022	28/06/2022	1
PC2022/0575	Completed	97 Balonne Street, NARRABRI NSW 2390	28/06/2022	28/06/2022	1
PC2022/0576	Completed	8 Cunningham Close, NARRABRI NSW 2390	29/06/2022	29/06/2022	1



## Regulatory Services

Environmental Reporting	Jun-22
Illegal Dumping Complaints Received	0
Illegal Dumping - Average Time to Respond	0
Illegal Dumping - Initial Inspection	0
Illegal Dumping - Clean Up Orders Issue	0
Construction Complaints	0
Construction Complaints - Initial Inspection	0
Construction Complaints - Stop Work Orders Issued	0
Illegal Camping Complaints	1
Illegal Camping Complaints - Move Alongs Issued	0
Abandoned Vehicles	5
Abandoned Vehicles - Initial Inspection/NOI	5
Abandoned Vehicles - Follow Up Inspection	2
Abandoned Vehicles - Vehicles Towed to Holding Yard	0
Abandoned Vehicles - Disposed/Tendered	4
Overgrown/Waste on Property Complaints Received	1
Overgrown/Waste on Property Complaints - Inspections Completed	0
Overgrown/Waste on Property Complaints - Average Time to Respond (Days)	
Overgrown/Waste on Property Complaints - Initial Inspections	0
Overgrown/Waste on Property Complaints - Initial Courtesy Call/Letter	1
Overgrown/Waste on Property Complaints - Follow Up Inspection	0
Overgrown/Waste on Property Complaints - NOI Sent	0
Overgrown/Waste on Property Complaints - Order 21 Issued	0
Order 11 Issued	0
Order 22A Issued	0
Order 27 Issued	0
Burning Permits	4
Burning Permits - Requests Received	4
Burning Permits - Inspections	0
Burning Permits - Approvals Issued	4
Section 68 Applications	8
s 68 - Septic Inspections Completed	5
s 68 - Septic Approvals to Install Issued	4
Approval to Operate Issued	5
s 68 - Septic Quarterly Reports Registered	51
Commissioning Certificate	0
Parking Complaints	1
Noise Complaints	1
Food Inspections - Annual Inspections	0
Food Complaints - Complaints	1
Food Complaints - Inspections	0
Food Complaints - Average time to Respond (days)	0
Underground Petroleum Inspections Completed (6-monthly)	0

PIN Issued	Jun-22
Companion Animals - Dogs	0
Companion Animals - Cats	0
Parking	6
Overgrown Properties	
Illegal Dumping	
Public Health Related	2
Development	

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**16 OUR CIVIC LEADERSHIP**

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## THEME 4 *Our Civic Leadership*

### THEME 4: OUR CIVIC LEADERSHIP

#### STRATEGIC DIRECTION 4: COUNCIL AS STRONG LEADERS FOR THE COMMUNITY

Through extensive community engagement, the Narrabri Shire community identified several civic leadership priority areas to be actioned over the 2022/2026 period.

#### 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 OBJECTIVES

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

- A transparent and accountable Council
- A strong Council that advocates for the Community
- A resilient and sustainable Council

#### KEY STAKEHOLDERS

- Narrabri Shire Council
- Narrabri Shire Community
- NSW Office of Local Government
- New England Joint Organisation
- Department of Premier and Cabinet
- Department of Prime Minister and Cabinet
- State and Federal Government

**16.1 NARRABRI LAWN CEMETERY INTERNAL ROADS AND NARRABRI OLD CEMETERY MAINTENANCE REPORT**

**Responsible Officer:** Eloise Chaplain, Director Infrastructure Delivery

**Author:** Evan Harris, Manager Parks and Open Spaces

**Attachments:**

1. Narrabri Lawn Cemetery, Kerb and Gutter [↓](#) 
2. Narrabri Lawn Cemetery Images [↓](#) 

**DELIVERY PROGRAM ALIGNMENT****4 Civic Leadership - Council as strong leaders for the Community**

**Objective** 4.3 A resilient and sustainable Council

**Strategy** 4.3.2 Sustainably manage Council's finances, assets, and workforce

**EXECUTIVE SUMMARY**

Council was asked to provide costs to renew the Narrabri Lawn Cemetery internal roads, as noted in the report for this work to be effective and lasting must include kerb and gutter replacement. The overall cost of this project should be dispersed over a five year plan, this timing would align with Council's development plans to extend the Lawn Cemetery into sections nine and ten, as under current projection the Narrabri Lawn Cemetery sections seven and eight will be nearing sixty percent of capacity.

The installation of signage for rows has been identified to improve remote communication and assistance for identification and location of interment sites. Council has recommended a less invasive system to be considered to achieve this goal and to introduce signage to cemeteries Shire wide.

Narrabri Old Cemetery annual costing for vegetation control has been included, noting that this cemetery has the highest cost associated in comparison to all other General cemeteries in the shire and further increases in service or budget may not deliver improved results.

**RECOMMENDATION**

- 1. That Council receive and note the Narrabri Lawn Cemetery Internal Roads and Narrabri Old Cemetery Maintenance Report, further to that;**
  - a. Endorse a five-year road and kerb and gutter renewal program for the Narrabri Lawn Cemetery to be considered as part of the 2023/2024 budget deliberations.**
  - b. Endorse the installation of signage displaying interment mapping at all Shire Cemeteries including the installation interment row identification letters on the Kerb of the Narrabri lawn cemetery.**

**BACKGROUND****Narrabri Lawn Cemetery**

Narrabri Lawn Cemetery roads has failures developing majorly from surface water retention due to failed kerb and gutter. Repairs for potholes and surface failures on the corners of the four original interment sections of the cemetery are attended to regularly. The past eighteen months of consistent rainfall has inflicted further wear to the surface, also irrigation runoff and/ or moisture created by the irrigation, programmed twice a week, adds to the pooling water. The inverting segments of the kerb and gutter that surround each interment section exacerbate the retention of water as it cannot drain freely (**Attachment 2**).

Narrabri lawn cemetery is a non-denominational cemetery and has minimum markers of sections or rows. In the past each row was marked out with a number on the kerb face by either a metal or painted number to allow visitors to the cemetery requiring assistance with locating an interment site. New extensions to the lawn cemetery discontinued this practice and with potential renewal of sections kerb and guttering the existing painted markers have not been maintained.

**Narrabri Old Cemetery**

Over the past four years Narrabri Old Cemetery has seen an increase in the service level provided, aligned with an increase in budget to sustain this commitment. Vegetation maintenance is highly manual and time consuming due to the layout of interment sites, other inhibiting factors include low-lying areas which retain storm water and a near zero gradient for storm water to exit the site result in delays in vegetation maintenance. The immediate area surrounding the cemetery zoned RU1 and used for cropping limits the use of chemical control.

The cemetery has seen several improvements over the past three years with renewal of access roads and sealing of the main road which has allowed all weather access, resulting in positive community feedback. This all-weather access is at times misconstrued as this access via the roads does not necessarily allow the same access for maintenance activities to recommence.

Historically comparisons between the two cemeteries in Narrabri have raised issues with appearances, level of service and staffing. The Narrabri Old Cemetery now having closed reservations for new burial plots. Regardless of the comparison Council staff have invested a great deal of effort as part of their roles but also many have a personal passion due to having family in either one or both cemeteries.

Another avenue is volunteer associations where Council has in the past engaged with work programs. Narrabri Lions Club collaborated on installation of new fencing at both the Narrabri Lawn and Narrabri Old Cemeteries as part of Council capital works program in 2018 and 2019.

**CURRENT SITUATION**

Council has investigated designs and costings to replace kerb and gutter to four sections, see **Attachment 1**, this work would be crucial if road surface works were approved. Council has assigned capital funds for the past three years to replace small sections of kerb and road surface but due to considerable mobilisation costs this project is heavily reliant on Council's kerb and gutter capital works program to be activated.

Council existing design of the kerb and gutter network of the lawn cemetery is a nonstandard design which in turn impacts the costs involved in replacement and availability of suppliers. Council should consider a change in design to replace existing edging and a staged work plan to deliver the renewal over a short or extended period. The costs are considerable to replace and risk of closure of large

sections of the cemetery while work is carried out may not be tolerable, as the Lawn Cemetery is operational this long-term work may impact interments.

Attached design does not include works to section five, Council recommends that this additional area be added, as the asset depreciation would correlate with this project if under taken in a four to five year staged plan.

Council are currently finalising designs for each cemetery to have a sign displayed with the content of a map of each section showing a grid style display of rows and plot numbering this will assist in location of interment sites and would coincide the mapping which exists in the cemetery register. Additionally marking of the kerb at each row of the Narrabri lawn cemetery would assist in locating interment sites. This signage method is a preferred proposal over the erection of poles and signs for each row as the signage poles would interfere in vegetation maintenance, would impact the irrigation system and finally aesthetically having vertical structures in a lawn cemetery would not align with the style guidelines of a Lawn cemetery as the intent is an open viewed area.

Narrabri Old Cemetery has a fortnightly works program that allocates one day in this period for two staff to conduct maintenance works. Delays due to weather events and funerals are uncontrolled and inhibit works. Council staff monitor this situation and as soon as the area becomes available to restart maintenance additional staff are allocated to reduce any time lapse. These factors considered as well as minimal complaints in the last four years with no written letters and only two customer service requests for vegetation or appearance of the Narrabri Old cemetery in 2020 and no further request to date. Council interpretation of this data is of a consensus the community are satisfied with the service level currently in provided.

Council will consider any opportunity of extra assistance through either work programs or volunteer organisations at any of the Shire Cemeteries. This has been included in the Narrabri Shire Cemeteries Plan of Management to allow this process to engage with any groups or individuals when the approach Council with this request.

In the last fiscal year Council's spend at the Narrabri Old cemetery was a total of \$37,129 this is the combine totals of \$29,085 in vegetation control and \$8,044 in general maintenance. In comparison to all other Narrabri shire general cemeteries this is the highest spend.

### **FINANCIAL IMPLICATIONS**

Further design and scoping is required to finalise full scope of road works including kerb and gutter. However, Table 1 for approximate yearly schedule. To design manufacture and install signage at all shire cemeteries \$4,500 and number and letter painting of kerb at the Narrabri lawn cemetery \$1,200.

Should Council endorse the above proposal, provision will need in each budget commencing 2023/2024 for a period of 5 years.

Table 1. 5 Year Schedule

Year	Section	Kerb section size in lineal metres	Costing	Road surface	Costing	Total
One	Loop one and two internal sections	283	\$141,500	954m2	\$23,850	\$165,350
Two	Loop three and four internal sections	288	\$144,000	861m2	\$21,525	\$165,525
Three	Loop four and external kerb to Interment wall	186	\$93,000	469m2	\$11,725	\$104,725
	Loop Two and external road to interment wall	197	98,500	397m2	\$9,925	\$108,425
						\$213,150
Four	Loop One and four eastern sides	190	\$95,000	567m2	\$14,175	\$109,175
	Memorial garden kerb	253	\$126,500	596m2	\$14,900	\$141,400
						\$250,575
Five	Central carpark			3904m2	\$97,600	\$97,600
	Total	1,397	\$698,500	7748m2	\$193,700	
					Total Sum	\$892,200

**STATUTORY AND POLICY IMPLICATIONS**

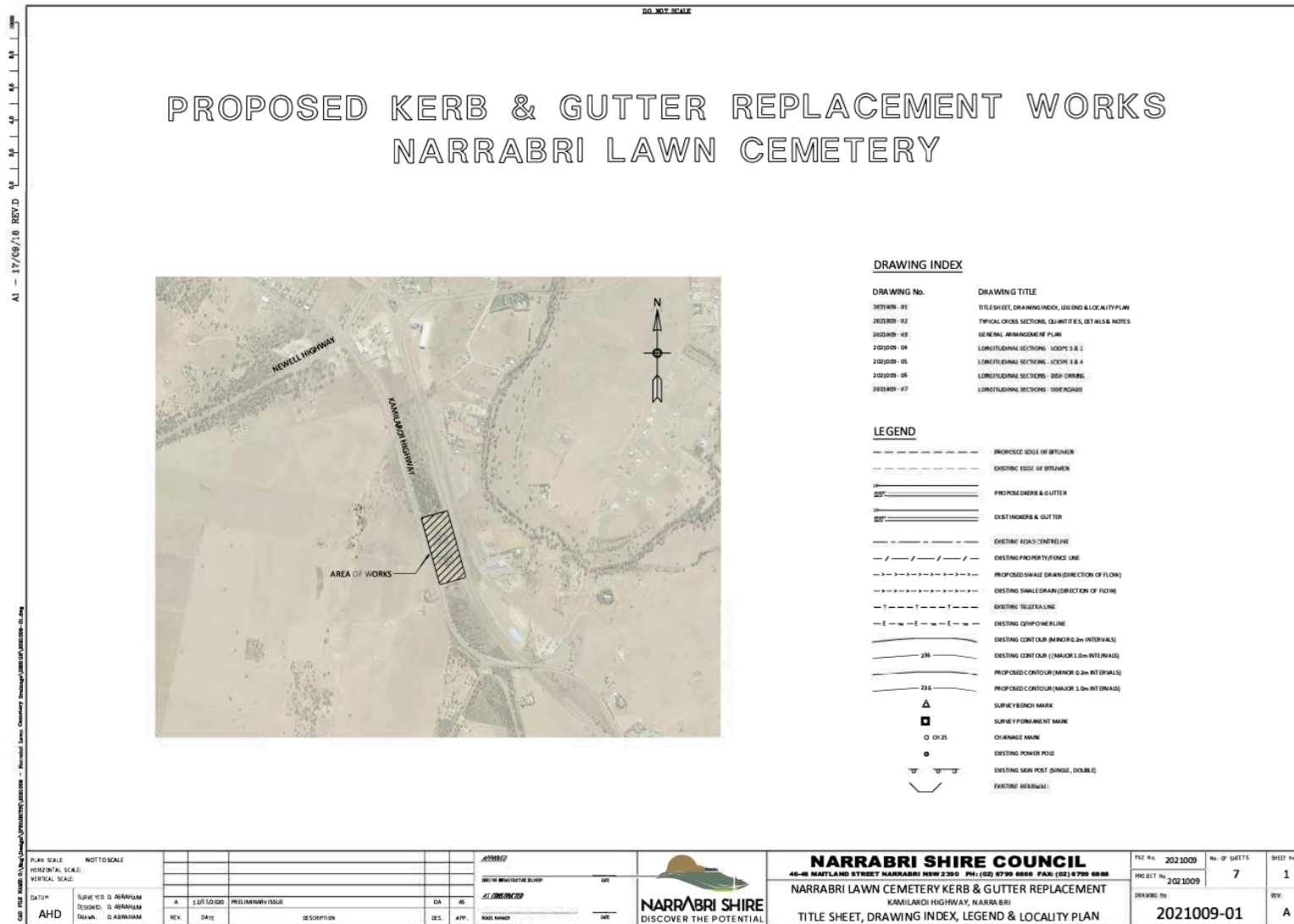
Nil

**CONSULTATION****External Consultation**

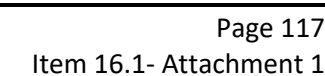
Nil

**Internal Consultation**

- Design Manager
- Roads Manager
- Graphic Design Officer











**16.2 COUNTRY MAYOR'S ASSOCIATION (CMA) - REGIONAL AND RURAL SKILLS FORUM - 4 AUGUST 2022**

**Responsible Officer:** Glenn Inglis, Acting General Manager

**Author:** Deb Woolfenden, Executive Assistant to Mayor and General Manager

**Attachments:** Nil

**DELIVERY PROGRAM ALIGNMENT****4 Civic Leadership - Council as strong leaders for the Community**

Objective 4.1 A transparent and accountable Council

Strategy 4.1.2 Enforce good governance, risk management, and statutory compliance

**RECOMMENDATION**

- 1. That Council Receive and note the report.**
- 2. That Council Authorise the attendance of the Deputy Mayor to the Regional and Rural Skills Forum.**

**BACKGROUND**

In 2020 CMA members were asked to identify the priority issues that they considered affected regional and rural NSW. Due to natural disasters and the COVID-19 pandemic, circumstances had changed. In April 2022, Members were once again requested to review the priorities and advise whether their Council:

- Still agreed with the identified 2020 priorities;
- Thinks the order of importance should be amended; and
- Identifies a new priority/priorities to be included in the list and recommends what current priority/priorities should be deleted or pushed back.

33 Councils responded with Skills and Education and Attracting Skills jumping from the number four priority to the number one priority.

Deputy Mayor Catherine Redding is the Chairperson of Country Universities North West and would benefit from attendance at the Forum and seeks Council approval.

**CURRENT SITUATION**

The Executive Committee has organised a Regional and Rural Skills Forum to be held on the 4 August 2022 at Club York, 95-99 York Street Sydney.

The forum program currently is:

- 1.00pm Hon Fiona Nash, National Commissioner for Rural Education
- 1.40pm Hon Alister Henskens, Minister for Skills and Training
- 2.20pm Mr Tim Crakanthorp, Shadow Minister for Skills and TAFE, Shadow Minister for Tertiary Education
- 2.50pm Mr Edward Cavanagh, Director of Policy, McKell Institute
- 3.20pm Afternoon Tea
- 3.50pm Cr Jacob Cass, CEO, Parkes Country Universities Centre
- 4.20pm Cr Rick Firman Chairman and Julie Briggs, Riverina Joint Organisation to outline Riverina's Development Skills Shortages Project
- 4.50pm Suggestions for positive change
- 5.15pm Close

**FINANCIAL IMPLICATIONS**

Flights from Tamworth to Sydney return will be approximately \$500 and accommodation in Sydney will be approximately \$350.

**STATUTORY AND POLICY IMPLICATIONS**

Payment of Expenses and Provision of Facilities to Councillors.

Council's formal resolution for the attendance of any delegate is required for insurance purposes.

**External Consultation**

Country Mayor's Association (CMA) of NSW.

Country Universities Centre.

**Internal Consultation**

Nil.

**16.3 2022 LOCAL GOVERNMENT NSW (LGNSW) ANNUAL CONFERENCE**

**Responsible Officer:** Glenn Inglis, Acting General Manager

**Author:** Deb Woolfenden, Executive Assistant to Mayor and General Manager

**Attachments:**

1. LGNSW 2022 Annual Conference Motion Submission Guide [↓](#) 
2. LGNSW Policy Platform April 2022 [↓](#) 

**DELIVERY PROGRAM ALIGNMENT****4 Civic Leadership - Council as strong leaders for the Community**

**Objective** 4.1 A transparent and accountable Council

**Strategy** 4.1.2 Enforce good governance, risk management, and statutory compliance

**EXECUTIVE SUMMARY**

Council attends the Local Government NSW (LGNSW) Annual Conference to keep up to date, and develop fresh partnerships with other Councils from NSW, Department requirements and to attend the relevant workshops and seminars that are held within the conference dates. This is a great opportunity to network with like-sized Councils, Regional Councils, and to also compare strategic developments and proposed projects with Councils that have been through these similar processes, and what they have learnt from these experiences, both financial and community developments.

**RECOMMENDATION****1. That Council:**

- a. Receive and note the Report;
- b. Authorise the Mayor and Deputy Mayor to nominate as Voting Delegates;
- c. Authorise the attendance of the General Manager;
- d. Nominate other interested Councillors to attend the Conference; and
- e. Indicate whether Council would like to submit any motions to the Conference.

**BACKGROUND**

The 2022 Local Government NSW (LGNSW) Annual Conference will be held in the Hunter Valley at the Crown Plaza Hotel from 23 October to 25 October 2022.

**CURRENT SITUATION****Conference Registration**

Registration for voting and non-voting delegates will open on Monday 4 July 2022, with discounted early bird rates available until Wednesday 17 August 2022. Standard registrations open on Thursday 18 August 2022 and close at 5pm on Monday 10 October 2022.

Policy motions submitted by Council will be presented and debated at the Conference with the resulting resolutions contributing to LGNSW's advocacy priorities. The deadline for submission of



motions is 25 September 2022. Shown in **Attachment 1** is the LGNSW 2022 Annual Conference Motion Submission Guide.

LGNSW encourages all Councils to review the LGNSW Policy Platform to ensure any proposed motions do not duplicate existing policy positions. Shown at **Attachment 2** is the current LGNSW Policy Platform April 2022.

### **FINANCIAL IMPLICATIONS**

- An early bird rate will be available from 4 July 2022 and is currently set at \$1,088 per delegate.
- A conference dinner ticket is an additional \$250 per delegate.
- Accommodation per person with breakfast per night will be approximately \$250, plus the cost of flights or other travel arrangements.

### **STATUTORY AND POLICY IMPLICATIONS**

#### **Reporting Requirements**

Councillors are authorised to attend in accordance with Council's Policy relating to the Payment of Expenses and Provision of Facilities to Councillors.

Council's formal resolution for the attendance of any Delegate is required for insurance purposes.

### **CONSULTATION**

#### **External Consultation**

- LGNSW.

#### **Internal Consultation**

Nil .



## LGNSW 2022 Annual Conference Motion Submission Guide

**LOCAL GOVERNMENT NSW**  
GPO BOX 7003 SYDNEY NSW 2001  
L8, 28 MARGARET ST, SYDNEY NSW 2000  
T 02 9242 4000 F 02 9242 4111  
**LGNSW.ORG.AU** LGNSW@LGNSW.ORG.AU  
ABN 49 853 913 882



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## Motions Submission Guide

### 1. Introduction

Each year, member councils across NSW submit a range of motions to the Annual Conference conducted by Local Government NSW (LGNSW). These motions relate to strategic local government issues which affect members state-wide and introduce new or emerging policy issues and actions. They are debated and resolved by Conference delegates, with successful resolutions guiding LGNSW's advocacy priorities for the year ahead.

All LGNSW member councils are invited to submit motions to the Annual Conference, with the following Guide outlining the motion development and submission process.

### 2. Deadlines

Members are encouraged to submit motions [online](#) as early as possible to allow assessment of the motions and distribution of the Business Paper before the Conference. Under LGNSW Rules, the latest date motions can be accepted for inclusion in the Business Paper is **12 midnight (AEDT) on Monday 25 September 2022** (28 days prior to Conference).

### 3. Criteria for motion submission

The LGNSW Board has resolved that motions will be included in the Business Paper for the Conference only where they:

1. are consistent with the objects of LGNSW (see Rule 4 of the Association's [rules](#)),
2. relate to or concern local government as a sector in NSW and/or across Australia,
3. seek to establish or change policy positions of LGNSW and/or improve governance of the Association (noting that the LGNSW Board is responsible for decisions around resourcing any campaigns or operational activities, and any necessary resource allocations will be subject to the LGNSW budgetary process),
4. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws),
5. are clearly worded and unambiguous in nature, and
6. do not express preference for one or several members over one or several other members.

Before submitting motions for this year's Annual Conference, council members are encouraged to review [Action Reports](#) (on the member only pages of the LGNSW website) from previous Conferences and the [LGNSW Policy Platform](#) to ensure the proposed motion wording reflects any recent developments and does not duplicate existing policy positions.

### 4. How to write a motion

Motions adopted at Conferences inform LGNSW's advocacy actions on behalf of the local government sector. LGNSW includes the exact wording of motions when writing to ministers, departments and agencies post-conference, so it is important that the wording of motions clearly outlines your council's policy intent or objective.

The format of motions, as much as possible, should call on a specific body (e.g. LGNSW, state government, federal government, a specific department or minister) and have a specific outcome that the motion is aiming to achieve. The wording should be unambiguous.

*Examples of clearly-worded Annual Conference motions:*

**Local government representation on National Cabinet**

That Local Government NSW lobbies the Australian Government for permanent local government representation on the National Cabinet.

**Natural Disaster Funding, Day Labour**

That LGNSW requests the Australian and NSW governments reinstate the claimable expense for the use of council staff during their normal working hours to attend to natural disaster relief and recovery funded works and reverse the present policy that effectively requires the mandatory use of contractors for recovery works.

**Companion Animal Act matters**

That LGNSW advocates that the NSW Government takes the following steps to improve the management of companion animals:

- establish an integrated on-line statewide registration process as an improved service to companion animal owners;
- resolve difficulties with the *Companion Animals Act 1998* definition of an "Authorised Officer", by using the definition contained in the *Impounding Act 1993* as the definition in both Acts, allowing councils choice in the business model for its area; and
- review the dismissal of charges under section 10 of the *Crimes (Sentencing Procedure) Act 1999* in relation to offences under the *Companion Animals Act 1998*.

For more examples see Business Papers from past Conferences on the [LGNSW website](#).

## 5. Demonstrating evidence of council support for motion

The member submitting the motion must provide accompanying evidence of support for the motion. Such evidence takes the form of an attachment note or extract from the minutes of the council meeting, at which the member council resolved to submit the motion for consideration by the Conference. In the absence of a council meeting, the evidence should be a letter signed by both the Mayor and General Manager.

## 6. How to submit a motion

LGNSW members are invited to submit motions through an [online portal](#) from 4 July 2022.

[Attachment B](#) provides detailed instructions on how to submit motions via the online portal.

## 7. How LGNSW manages incoming motions

The LGNSW Board has established a committee and delegated the function of managing incoming motions for the Conference to this committee. The Chief Executive will refer motions to the committee and the committee will assess whether the motion meets or doesn't meet the criteria, or if it is unclear whether it meets the criteria. This assessment forms the final decision on which motions are included in the Conference Business Paper.

Prior to the committee making a final decision, LGNSW may contact the council that submitted the motion to seek clarity on its intent or wording.

Incoming motions which seek to change any long-held [Fundamental Principles](#) (Part A of the Policy Platform), will be highlighted in the Business Paper for members' information at time of voting.

Motions which are consistent with existing LGNSW positions or current LGNSW actions, or that are operational and can be actioned without a Conference resolution, may still be printed in the Business Paper but will not be debated at the Conference.

## 8. What happens to motions at the LGNSW Annual Conference

Standing orders are outlined at the front of the Business Paper and adopted at the commencement of each Conference. They outline the manner in which the Conference deals with motions. The standing orders adopted at the Special Conference can be found on our [website](#).

During debate on motions at Conference, the standing orders generally permit councillor delegates to speak in support of or against each motion. Following a vote on a motion, the motion is either carried and becomes a resolution of the Conference, or it is defeated.

## 9. Post-conference: Updates to the LGNSW Policy Platform

LGNSW's [Policy Platform](#) consolidates the voices of councils across NSW, reflecting the collective positions of local government on issues of importance to the sector. Importantly, the Policy Platform guides LGNSW in its advocacy on behalf of the local government sector.

The Policy Platform consists of two parts: LGNSW's Fundamental Principles, and the more targeted Position Statements.

- **Fundamental Principles** are the enduring and overarching principles that direct LGNSW's response to broad matters of importance to the local government sector. These Fundamental Principles are endorsed (or amended) by LGNSW members at Annual Conferences.
- **Position Statements** contain LGNSW's more detailed positions on specific issues and guide LGNSW's work on, and response to, policy issues of the day. Position Statements are subordinate to LGNSW's Fundamental Principles but are more agile and are targeted at specific policy issues as they arise.

### ***Changing Fundamental Principles***

Where a motion conflicts or may conflict with a Fundamental Principle, this will be clearly highlighted for delegates in the Conference Business Paper. If the motion is adopted as a resolution at Conference, then the relevant Fundamental Principle will be changed.

It is expected that changes to the Fundamental Principles will be uncommon, given their broad focus and general acceptance among the local government sector.

### ***Changing Position Statements***

Following each Conference, LGNSW will review resolutions of that Conference to determine whether the intent of each resolution is adequately covered by existing Position Statements. Where the Position Statements do not adequately include the intent of a resolution, LGNSW will update an existing Position Statement or draft a new Position Statement, to be endorsed by the LGNSW Board as part of the LGNSW Policy Platform.

LGNSW members will be informed of updates to the LGNSW Policy Platform.

## 10. Post-conference: Determining LGNSW Advocacy Priorities

Following the LGNSW Annual Conference, LGNSW will review the resolutions and identify key areas of focus to guide LGNSW's advocacy for the coming year. These areas of focus are also informed by member feedback, the LGNSW strategic plan, position statements, emerging issues, and Board input.

LGNSW's Advocacy Priorities for the following year are then submitted for endorsement by the LGNSW Board, and communication to members via email.

As LGNSW undertakes advocacy actions on each of the Conference resolutions throughout the year, these actions and their outcomes will be published in LGNSW's Action Report. ([Past Action reports](#) are available on the member only pages of the LGNSW website).

#### **11. Further information**

For further information on the motion submission process, please contact Elle Brunsdon, Policy Officer at [elle.brunsdon@lgnsw.org.au](mailto:elle.brunsdon@lgnsw.org.au).

## Frequently Asked Questions

### How do I know if my proposed motion is consistent with existing LGNSW policy positions?

The subject matter expert within council is best placed to identify this (for example, if the motion relates to a planning matter, this question should be answered by the Planning Manager). Subject matter experts are encouraged to review LGNSW's [Policy Platform](#) to gain an understanding of LGNSW's position on a particular matter to help identify whether your proposed motion is consistent.

### What is the deadline for submitting motions?

Members are encouraged to submit motions [online](#) as soon as possible to allow assessment of the motions and distribution of the Business Paper before the Conference. However, in line with the LGNSW Rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is **12 midnight AEST on Sunday 25 September 2022** (28 days prior to Conference).

LGNSW can receive more than 300 motions for an Annual Conference. Submitting motions as early as possible helps LGNSW to manage the large volume of motions received within a short period of time and allows LGNSW to seek clarification on any motions if required.

However, the LGNSW Rules allow councils to submit motions with less than 28 days' notice and the LGNSW Board may allow these to be considered at Conference as a **late item** (but not included in the Business Paper).

### I'm unsure which motion category or sub-category I should select in the online portal

If you are unsure, just select the category you think best fits. LGNSW can re-categorise the motion if necessary.

### Who should be the council contact for motions?

We recommend the council contact is someone who is available during the months that motions are open, and able to respond promptly to communications between your council and LGNSW. Some councils have identified the General Manager and others have identified the Governance Officer – it is a decision for each council.

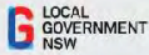
### How can I amend my council's motion that I've already submitted?

Once a motion has been submitted it cannot be edited without contacting LGNSW so please review the content carefully before submission. If you need to edit a submitted motion, please contact Elle Brunsdon, Policy Officer at [elle.brunsdon@lgnsw.org.au](mailto:elle.brunsdon@lgnsw.org.au). You may need to provide evidence of support for the change (see section 5).



# POLICY PLATFORM

APRIL 2022



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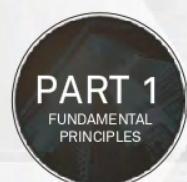
## INTRODUCTION

Local Government NSW (LGNSW) is the peak body for local government in NSW, representing general purpose councils and related entities.

LGNSW aims to strengthen and protect an effective, democratic system of local government across NSW by supporting and advocating on behalf of member councils, including actively and persuasively representing the views of local government to the NSW and Australian governments.

The LGNSW Policy Platform consolidates the voices of councils across NSW, reflecting the collective positions of local government on issues of importance and guiding LGNSW in its advocacy on behalf of the local government sector.

### THE POLICY PLATFORM COMPRISES TWO PARTS:



Part 1: Fundamental Principles are the enduring and overarching principles that direct LGNSW's response to broad matters of importance to the local government sector.

Part 2: Position Statements contain LGNSW's more detailed positions on specific issues and guide LGNSW's work on, and response to, policy issues of the day.

Position Statements are subordinate to LGNSW's Fundamental Principles but are more agile and targeted at specific policy issues as they arise.

## ROLE OF THE ANNUAL CONFERENCE & LGNSW

**THE LGNSW ANNUAL CONFERENCE** is the supreme policy-making body of LGNSW and an opportunity for councillors to come together to share ideas and debate issues that shape the way LGNSW is governed.

**MEMBERS** may put forward motions for consideration of the Annual Conference.<sup>1</sup> Where a majority of voting delegates at the Annual Conference vote in support of the motion, it is adopted as a resolution of LGNSW<sup>2</sup>.

**AFTER EACH CONFERENCE** LGNSW reviews resolutions and amends the Fundamental Principles and Position Statements as required. Conference resolutions rarely change the sector's views on high-level Fundamental Principles. Position Statements require refinements more regularly to reflect the sector's views on new or developing issues.

**THE LGNSW BOARD** comprises councillors from member councils across NSW, who are elected to the LGNSW Board biennially at the Annual Conference.

The Board controls and governs LGNSW in between Annual Conferences and when decisions are required on policy positions for the local government sector (such as if there is no existing policy position on an issue that LGNSW must comment on), the Board and President can make that decision for the sector.

<sup>1</sup> Further information on this process is available in the LGNSW Conference Motions Submission Guide [available online](#) in the lead up to each LGNSW Annual Conference at

<sup>2</sup> Further information on past Conference resolutions is [available online](#).



# PART 1

## FUNDAMENTAL PRINCIPLES



## ECONOMIC

- A Local government must have control of its revenue raising and investment decisions and be fairly funded by the Commonwealth and State/NSW Governments to meet its infrastructure and service responsibilities.
- B Local government promotes local and regional economic development and employment growth.



## INFRASTRUCTURE

- C Local government is best placed to plan for, deliver and manage essential local infrastructure.



## PLANNING

- D Local government is best placed to lead and influence local and regional planning processes according to the needs and expectations of local communities
- E Our communities' quality of life is a priority of local government planning.



## ENVIRONMENT

- F Local government actions reflect Ecologically Sustainable Development. ESD requires the effective integration of economic, environmental and social considerations in decision making processes and is based on the following principles:
  - Intergenerational equity – today's actions maintain or enhance the environment for future generations
  - Precautionary principle – prevent environmental degradation and manage and mitigate risk
  - Conservation of biological diversity and ecological integrity
  - Improved valuation and pricing of environmental resources – recognising the value of the environment to the community.
  - Commit to the principles of the circular economy and minimise the consumption of finite natural resources.



## SOCIAL & COMMUNITY

- G Local government is committed to the principles of:
  - Equity – fair distribution of resources
  - Rights – equality for all people
  - Access – to services essential to quality of life
  - Participation – of all people in their community
  - Recognition – of the unique place of Aboriginal people in NSW and the right of Aboriginal people to be involved in all decisions affecting Aboriginal communities.
  - Health and safety – for all in the community.



## GOVERNANCE

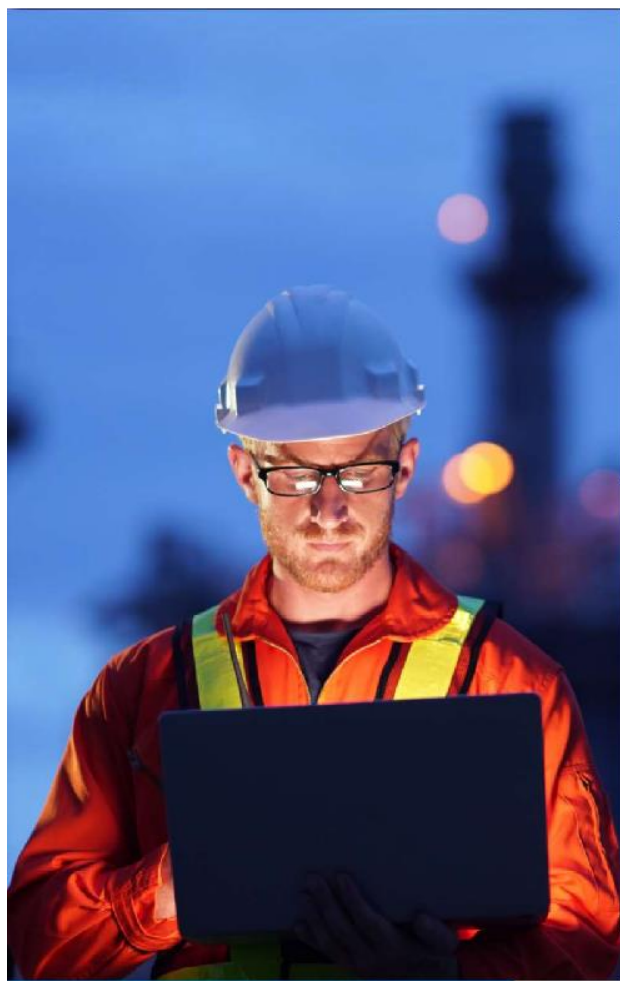
- H Local government must be constitutionally recognised and respected as an equal sphere of government
- I Local government is democratically elected to shape, serve and support communities.
- J Local government is committed to the principles of good governance.



## ACCOUNTABILITY

- K Local government is responsible and accountable to the citizens and the communities it represents, through consultative processes, legislative accountabilities, efficient delivery of services and effective customer service.
- L Local government is recognised as a responsible and place-based employer.
- M Local government reduces and mitigates the risk of climate change for the communities we serve.

Date Endorsed: March 2022 by LGNSW Conference





# PART 2

## POSITION STATEMENTS



## 1. FINANCIAL SUSTAINABILITY

Local government is a partner in the economic stewardship of NSW and responsible for the provision of a wide range of essential infrastructure and services.

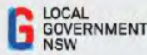
However, the financial sustainability of councils has been undermined by rate pegging for over 40 years, which has resulted in the under-provision of community infrastructure and services and the deferral of infrastructure maintenance and renewal expenditure resulting in significant infrastructure backlog.

### OUR POSITION

LGNSW advocates for:

- 1.1 The removal of rate pegging and reform of the NSW local government rating system, including the removal of inequitable rate exemptions and greater autonomy and flexibility in rating policy, structure and practices.
- 1.2 Greater autonomy in determining fees and charges.
- 1.3 Financial Assistance Grants to be increased to at least 1% of total Commonwealth taxation revenue.
- 1.4 Federal Government to increase Financial Assistance Grants funding to 1% of Commonwealth tax revenue, prior to any changes to the formula.
- 1.5 Increased specific purpose grants from State and Commonwealth Governments to assist councils in meeting the infrastructure and service needs of their communities (e.g., Roads to Recovery, library grants).
- 1.6 An end to cost shifting onto local government by the State and Commonwealth Governments.
- 1.7 New and fairer financing opportunities for local government which:
  - Ensure that councils' capacity to provide infrastructure and services for their communities is not diminished.
  - Enable infrastructure funding through value capture, Voluntary Planning Agreements (VPAs) and other funding mechanisms.
  - Enable proper and full cost recovery of fees and charges to ensure councils can fulfil their statutory responsibilities (for planning and development assessment and compliance).
- 1.8 Permanent recurrent funding for Joint Organisations (JOs) to support their viability and effectiveness.
- 1.9 The introduction of a broad-based property levy to replace both the Emergency Services Levy on insurance policies and the 11.7% Emergency Services Levy on local government.
- 1.10 A more flexible procurement framework to enable councils to benefit from innovative procurement practices.
- 1.11 Inclusion of climate change considerations in approved terms of reference for investigations and reviews by Independent Pricing and Regulatory Tribunal.





## 2. ECONOMIC DEVELOPMENT

Councils have an active role in encouraging investment, place management and activation, and supporting businesses of all sizes. Whether the local economy is based on agriculture, mining, finance, manufacturing, tourism, hospitality, retail, education, forestry, fishing or other offerings, councils play a major role in creating the conditions for appealing and sustainable communities and local economies.

### OUR POSITION

LGNSW advocates for the NSW Government and Australian Government to:

- |  |   |
|--|---|
| <p>21 Identify opportunities to support rural and regional growth and reduce pressures in Sydney.</p> <p>22 Work with councils to establish and implement more Local Activation Precincts (LAPs), including those on a smaller scale, based on an LGA's endowments to attract major employers, drive local economies and create a diverse range of local jobs.</p> <p>23 Reduce unnecessary regulatory complexity affecting local economies to support events, cultural and business uses.</p> <p>24 Commitment to sustainable procurement to drive quadruple bottom line outcomes across local government functions and services including improved efficiency, reduced waste to landfill, financial savings, stimulating markets for innovative and more sustainable products and services, social responsibility, supporting local communities and businesses and helping to achieve long term environmental and social objectives.</p> <p>25 Implement, in consultation with councils, an Agricultural Enterprise Credit Scheme and/or a Farm Management Deposit Scheme for businesses that rely on the agriculture sector for much of their revenue, to enhance economic sustainability of communities.</p> <p>26 Support the development of Night time economies through:</p> <ul style="list-style-type: none"> <li>• Developing a state-wide Night Time Economy Strategy, alongside toolkits, resources and grants for councils and safe public transport options at night.</li> <li>• Consultation with the NSW Night Time Economy Councils' Committee, LGNSW and councils.</li> </ul> <p>27 Invest in accessible, sustainable and low impact tourism experiences through:</p> <ul style="list-style-type: none"> <li>• Collaborating with councils on state - local destination plan development and collective marketing.</li> <li>• Broadening tourism funding eligibility for councils which do not benefit from</li> </ul> | <ul style="list-style-type: none"> <li>the high levels of tourism facilities.</li> <li>• Establishing regional roadshows and touring schedules.</li> </ul> <p>28 Adequately regulate tourist and short-term accommodation and its impacts through:</p> <ul style="list-style-type: none"> <li>• Retaining NSW Government (rather than industry) oversight of the property register for Short Term Rental Accommodation (STRA) and requiring STRA participants to pay a fee to cover the costs of regulation and compliance.</li> <li>• Instituting a booking tax for online accommodation brokers using residential zoned and rated land, with funds raised to be distributed to councils to fund public infrastructure to support tourism.</li> <li>• Allowing councils to apply business rates to serviced apartments that provide tourist accommodation on a commercial basis.</li> </ul> <p>29 Increase the availability of slots for regional air services into Sydney Kingsford Smith Airport and investigate with councils' improvements to transport routes around the airport.</p> <p>210 To support the goals of the '2030 Roadmap: Australian Agriculture's Plan for a \$100 billion industry' but make a principle-based commitment to ensure the plan is realistic.</p> <p>211 Optimise water use and support existing regional and rural communities and industries by maintaining and promoting agricultural diversity.</p> <p>212 Work with councils, industry, and mines to support the diversification of coal-reliant economies by investigating legislative and procedural change that will better facilitate adaptive reuse of former and current mining lands, following decontamination and rehabilitation.</p> <p>213 Seek urgent review of mine subsidence legislation to better protect and assist landowners affected by mining and mine subsidence.</p> |
|--|---|



### 3. ROADS & INFRASTRUCTURE

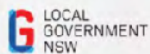
Local government owns and manages \$160 billion in infrastructure assets including local roads, bridges, pedestrian and cycle networks, local water and sewerage utilities, stormwater and water management, buildings and facilities, regional airports and aerodromes, parks, recreation, cultural, family and community services facilities, and a range of other infrastructure vital to local communities and is best placed to plan for and deliver this essential local infrastructure.

Local government also plays a key role in identifying and advocating for the provision of State Government infrastructure to meet the needs of their communities (e.g., schools, hospitals, state roads). State and Commonwealth Government growth plans and projects needs to make up front provision for the delivery of associated local infrastructure.

#### OUR POSITION

LGNSW advocates for:

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| <p>31 Effective coordination of State and Commonwealth funding programs where co-contribution is required.</p> <p>32 State and Commonwealth Government growth plans and projects must make upfront provision for and include the delivery of associated local infrastructure.</p> <p>33 Increased opportunity for community use of state and federal facilities.</p> <p>34 Increased infrastructure funding to local government through Commonwealth and State Government revenue sharing and grant programs (e.g., Roads to Recovery, NSW block grants for regional roads, local water utilities, street lighting, library grants, waste and resource recovery).</p> <p>35 The importance of infrastructure funding mechanisms such as Development Contributions and Voluntary Planning Agreements and the creation of other mechanisms for efficient and equitable value capture.</p> <p>36 The removal of the cap on development contributions.</p> | <p>37 The review of the State Government's decision to allow deferral of local contributions payments.</p> <p>38 Equitable infrastructure funding, so that Commonwealth and State assistance is directed to areas of greatest need.</p> <p>39 Amendments to the Aboriginal Land Rights Act to streamline council acquisition of land held by Local Aboriginal Land Councils (LALCs) for infrastructure, but only where the LALC approves the acquisition.</p> <p>3.10 The elimination of monopolistic practices by utility network operators (electricity, telecommunications, water and gas) that impose unjustified costs on councils and communities.</p> <p>3.11 Fairer funding of infrastructure provided through long established partnerships between the Federal, NSW and local governments for shared infrastructure and service responsibilities.</p> |
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#### 4. RURAL & REGIONAL COMMUNITIES

Delivering the infrastructure and services needs of rural and regional communities is an ongoing challenge for local government. Small, widely dispersed and sometimes remote communities can struggle to reconcile high delivery costs with a small own source revenue base and face a range of economic, demographic and environmental challenges, such as structural change, ageing populations, skills shortages, population decline and water insecurity that undermine long term sustainability.

The abrogation of responsibility for service delivery by State and Commonwealth Governments has added to these challenges and councils often have no choice other than to take on additional responsibilities (examples include support for medical services and aged care).

##### OUR POSITION

LGNSW advocates for:

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| <p>41 An audit of service delivery and funding flows into rural and regional NSW by State and Commonwealth agencies.</p> <p>42 State and Commonwealth Government accept that rural councils will never be able to fund the basic standard of infrastructure and public services to which all Australians are entitled from own source revenue.</p> <p>43 Recognition of the higher costs of infrastructure and service delivery faced by rural communities due to inherent and unavoidable economies of scale.</p> <p>44 New models for rural and regional infrastructure, service delivery, health and mental health care, including consideration of council coordination and/or implementation that avoids cost shifting and is built on close collaboration between local, state and federal governments and NGOs.</p> <p>45 Improved commercial airline services and public transport for regional communities.</p> | <p>46 Incentives and measures to increase domestic and international migration to inland rural and regional communities, including for experienced and qualified staff.</p> <p>47 Action to address difficulties meeting Continuing Professional Development requirements for professionals working in rural and remote NSW</p> <p>48 Increased funding for rural communities, including a strengthening of needs-based funding in the distribution of grants to local government.</p> <p>49 Ensuring that regional and rural areas are adequately represented following electoral district redistributions.</p> |
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## 5. DROUGHT

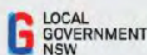
It is widely accepted that climate change and other factors may result in more devastating drought conditions in future, with an increase in the frequency and duration of droughts.

As the sphere of government closest to the community, councils have a critical local leadership role to play in planning, preparing, responding to, and recovering (PPRR) from drought and are uniquely placed to deliver services at the local level.

### OUR POSITION

LGNSW advocates for:

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| <p>51 Recognition by State and Federal Government that drought is a natural disaster and that it be eligible for natural disaster funding</p> <p>52 Development by the State Government of an emergency plan, in consultation with local government and Aboriginal communities, to address the immediate water supply crisis afflicting NSW towns and communities and a disaster recovery plan for when the drought breaks.</p> <p>53 Increased emergency funding to support people suffering hardship as a result of drought (including farmers, small businesses and individuals) and the appointment of recovery coordinators, through the Joint Organisations, to facilitate implementation of recovery plans.</p> <p>54 Development and implementation of integrated National and State Drought Policies which:</p> <ul style="list-style-type: none"> <li>• Clearly define when an area is deemed to be in "drought"</li> <li>• List the range of assistance measures and triggers for when those measures will be activated</li> </ul> <p>55 Development by the State Government, in partnership with local government and Aboriginal communities, of long-term water supply strategies for catchments throughout the State which mitigate risk from the predicted impact of climate change and to help ensure population and economic growth targets can be achieved and supported.</p> | <p>56 Substantial investment by State and Federal Government in regional and rural water supply infrastructure and demand management initiatives for drought proofing and water security measures and infrastructure.</p> <p>57 Mandating the National Water Quality Management Strategy so that the quality and supply of water is managed effectively and fit for purpose.</p> <p>58 Monitoring and management of river systems (particularly the Murray Darling Basin) to ensure the best possible social, economic, and environmental outcomes are achieved, particularly during drought.</p> <p>59 That Local Government NSW calls on the Australian Government to protect national food security and the sustainability of regional irrigation communities.</p> |
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## 6. NATURAL DISASTER & EMERGENCY MANAGEMENT

All councils in NSW play a key role in all aspects of disaster (e.g., bushfire, earthquake, flood, storm, cyclone, storm surge, landslide, tsunami, meteorite strike, tornado and drought) and emergency management at the local and regional level.

In addition to statutory or regulatory responsibilities and despite limited means, councils also play a major role in providing support to their communities, volunteers and charities.

Issues requiring addressing include allocation of responsibilities for emergency management, adequacy and timeliness of funding, the absence of funding for betterment or mitigation works and the funding of council day labour.

### OUR POSITION

LGNSW advocates for:

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| <p>6.1 The transfer of emergency management responsibilities to the NSW Government.</p> <p>6.2 Prioritisation of the development and implementation of policies and programs to build the resilience of communities so that they can better withstand and recover from natural disasters.</p> <p>6.3 Increased Federal funding and review of the Disaster Recovery Funding Arrangements (DRFA) to expand eligibility of assets and:</p> <ul style="list-style-type: none"> <li>• Ensure that repair of damage to road and bridge infrastructure as the result of natural disasters continues to be funded under the DRFA.</li> <li>• Streamline DRFA processes to help ensure funding is obtained on a timely basis.</li> <li>• Recognise rehabilitation of significant environmental damage for funding under the DRFA.</li> <li>• Allow payment of day labour and council equipment costs under the DRFA.</li> </ul> <p>6.4 Increased funding for mitigation and betterment measures, both in advance of disasters where the risks are identified and in the recovery stage.</p> <p>6.5 Legislate to give councils power to entry to construct and maintain flood mitigation works.</p> <p>6.6 Financial support for restoration, remediation and betterment of local community infrastructure that has been severely damaged by natural disasters including climatic conditions and drought.</p> | <p>6.7 The NSW Government to work with councils to support rebuilding and recovery after natural disasters by streamlining the approvals processes and providing funding and other assistance to review and update local plans.</p> <p>6.8 NSW and Federal Government fully fund the clean-up of damaged or destroyed buildings and structures, particularly those that contain asbestos, following natural disasters and establish and operate an Asbestos Emergency Management Flying Squad to provide expert advice to councils.</p> <p>6.9 The NSW Government to support cultural burning for fire management on Crown land, National Parks and State Forests (and training and employment of Indigenous people for this task).</p> <p>6.10 Streamlining approvals for constructing and maintaining asset protection zones (APZs) or undertaking hazard reduction burns, requiring appropriate APZs for urban settlements that interface with natural areas, and ensuring government managed forested areas maintain fire trails.</p> <p>6.11 Appropriate recognition for individual first responders via a local government service award.</p> <p>6.12 Urgent implementation and funding of the recommendations of the NSW Bushfire Inquiry.</p> |
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## 7. PLANNING

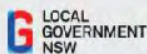
Councils support an efficient, fair, and locally led planning system that prioritises quality of life and meets the needs and expectations of local communities.

Decisions of successive state governments have gradually diminished councils' and communities' authority to determine what and how development occurs in their local areas. Restoring community-led planning powers to local government is a longstanding advocacy priority for LGNSW.

### OUR POSITION

LGNSW advocates for:

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| <p>7.1 The planning system to ensure the voice of local communities is heard through:</p> <ul style="list-style-type: none"> <li>• the well understood and accepted councillor representation system, which provides transparency and accessibility to communities,</li> <li>• genuine local representation, including councillors, on regional planning panels, and</li> <li>• third party merit appeal rights in respect of all categories of development applications, including decisions made by the Independent Planning Commission (IPC).</li> </ul> <p>7.2 Local government to retain control over the determination of locally appropriate development. Local planning powers must not be overridden by State plans and policies or misuse of State Significant Development provisions.</p> <p>7.3 Local government to be treated as a partner (not just another stakeholder) in metropolitan, regional and district planning processes - the role and voice of local government is vital in delivering productivity, liveability and sustainability.</p> <p>7.4 Strategic (local, district and regional) plans that reflect the agreed planning outcomes from community engagement at local, regional/ district and metropolitan levels.</p> <p>7.5 The establishment and role of Local Planning Panels (LPPs) should be voluntary not mandatory. Where panels are mandatory, councils should be allowed to establish the thresholds and processes for public determination of matters referred to the Panel.</p> | <p>7.6 A review of State Environmental Planning Policies (SEPPs), with priority given to housing related SEPPs so that housing solutions developed by councils are not undermined and planning decisions relating to the location, type and design of local development (including education establishments and child care facilities) are returned to councils.</p> <p>7.7 Councils and communities to be able to determine how housing is delivered in their local areas based on their local housing strategies and in particular:</p> <ul style="list-style-type: none"> <li>• Provide more discretion for councils to amend the SEPP (Exempt and Complying Development Codes) when applying it to their area, and</li> <li>• Allow for the Low Rise Housing Diversity Code to be optional, not mandatory.</li> </ul> <p>7.8 State and federal governments to identify opportunities to support growth in rural and regional areas and reduce growth pressures in Sydney.</p> <p>7.9 Reforms to the planning system to include a fundamental review of its primary purpose and work to improve its efficiency and effectiveness, by consolidating state policies and local plans in local planning instruments, streamlining plan-making and development assessment and ensuring councils have adequate powers to implement provisions.</p> |
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- 7.10 A policy framework (with actions, responsibilities and timeframes) and mechanisms to deliver high level objectives in district and regional plans (including protecting employment lands, food security, liveability, sustainability, open space provision).
- 7.11 The State and Federal Governments to develop a strategic approach to state significant developments such as newly emerging solar farms to ensure their impact on farm land and neighbouring communities is properly considered, and local councils receive development contributions to fund the local infrastructure required to support them.
- 7.12 Greater independence and integrity in the development application process by introducing provision for councils, rather than proponents, to appoint independent consultants to undertake the reports needed for development assessment (such as Statements of Environmental Effects and Environmental Impact Statements).
- 7.13 The NSW Government and local government to formalise an agreement on the operation and ongoing development of the NSW Planning Portal, including funding assistance to councils for development and implementation of integration platforms between the portal and local government systems.





## 8. HOUSING & HOMELESSNESS

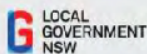
Local councils, as the level of government closest to the community, play an important role in engaging with and planning for the needs of their communities. This includes planning to ensure there is an appropriate supply and mix of housing to meet the community's diverse and changing needs. Councils help shape and deliver housing policy objectives through their land use planning and community service responsibilities. Councils also prepare local housing strategies in consultation with communities, to detail how and where housing will be provided in local areas.

Councils also work closely with a range of specialist housing and homelessness services, domestic violence agencies and police to respond appropriately and with compassion to rough sleeping. While the NSW Government is ultimately responsible for housing and homelessness, councils are closely involved through maintaining public space, managing community concerns and complaints, conducting outreach programs, and safety measures such as clean-ups and syringe disposal.

### OUR POSITION

LGNSW advocates for:

- 81 The NSW and Australian Governments to address homelessness, the housing affordability crisis and access to public housing in metropolitan, regional and rural areas, including through:
  - providing funding for councils to deliver initiatives at the local level
  - implementing the Housing First model across NSW, with proactive outreach, crisis support and homelessness prevention measures including addressing co-morbidities
  - ensuring housing security for residents of caravan parks and manufactured home estates far greater investment in new and upgraded social housing
  - new models for social and affordable housing including equity share and covenant housing
  - providing taxation and other financial incentives that support the delivery of affordable housing.
- 82 The NSW Government, through implementation of the NSW Housing Strategy, to establish a clear framework for review of housing supply targets which includes concurrence with councils in setting these targets.
- 83 Minimum targets of 5-10 per cent social and affordable housing across NSW and 25 per cent for government-owned land, and a NSW Government commitment to clarifying roles and responsibilities and providing resources, policies and plans to meet these housing needs.
- 84 Action by the NSW Government towards achieving affordable housing targets through:
  - Improving processes for the timely approval of affordable housing contributions schemes developed by councils under the Housing State Environmental Planning Policy (Housing SEPP), and
  - Developing strategies and legislative tools to support local councils in NSW in increasing affordable housing in their local government areas and manage the impacts of short-term rental platforms on the availability of long-term rental housing.
- 85 The NSW Government working with councils and Aboriginal communities and organisations to set clear targets to reduce housing disadvantage impacting Aboriginal people in NSW.
- 86 Improved housing accessibility and liveability through:
  - an agreed legislated definition of accessibility incorporating universal design principles,
  - mandated minimum accessibility standards at the Liveable Housing Australia (LHA) Design Guidelines Gold Level (Option 3) or an equivalent standard at this level or higher,
  - linking and alignment of state and federal housing, ageing and disability strategies.
- 87 Policies and plans that enhance holistic sustainability outcomes in housing by requiring consideration of housing design (including site selection), construction and operation over its lifetime, minimising economic harm and considering economic and social sustainability.
- 88 Housing growth that meets community expectations, by contributing to place-making and the safety and quality of the built form.



## 9. BUILDING REGULATION & CERTIFICATION

Successive NSW Governments have continued to extend the types of development that qualify as exempt and complying development. The NSW Government has also introduced a private registered certifier scheme to approve development without the need for development consent from council.

The issue of building defects is also of great concern to local government as the trend towards multistorey apartments continues. LGNSW and councils have called on successive state governments to take actions to address deficiencies with building and certifier regulation and implement a system which ensures that all parties are responsible and accountable for their actions, and the community and public interest is at the forefront.

### OUR POSITION

LGNSW advocates for:

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| <p>91 Development and implementation of a regulatory framework to ensure the building and certification system delivers well-built, safe and compliant buildings that protect the public interest.</p>  | <p>95 The NSW Government to fully implement the Construct NSW reform program and commit to expand reforms to building classes other than Class 2 (multi-unit buildings).</p> |
| <p>92 Tighter and more effective regulation of private certifiers – new regulatory arrangements must be strong, proactively enforced and subject to regular and rigorous audit.</p>   | <p>96 Complying development to be limited to low risk or low impact development, with clearly defined parameters.</p>  |
| <p>93 A gradual return of certification functions to councils if the NSW Government's building reforms do not deliver meaningful solutions to problems with the private certification system and address conflicts of interest.</p>           | <p>97 Support from the NSW Government for more affordable access to the full suite of Australian Standards for the local government sector.</p>                              |
| <p>94 The NSW Government taking a leadership role in the management of cladding issues by providing effective guidance and funding to deal with the cladding crisis and releasing details surrounding the identified high-risk buildings.</p> |  |



## 10. CLIMATE CHANGE

Local government has a significant role in reducing greenhouse gas emissions and adapting to the impacts of climate change. Councils are responsible for \$160 billion worth of assets. Reducing emissions can lower operating costs associated with these assets. The effects of climate change also have the potential to damage council assets, cause serious disruptions to the delivery of council services, generate unbudgeted financial impacts and affect the wellbeing of the community.

### OUR POSITION

LGNSW advocates for:

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| <p>10.1 Urgent action to address the climate emergency in a bipartisan manner to make clear, effective and unambiguous steps to avert a climate crisis in NSW under four priority areas:</p> <ul style="list-style-type: none"> <li>a) transition to net zero greenhouse gas emissions by 2050 with an interim goal of 50% emissions by 2030</li> <li>b) planning for and adapting to a changing climate</li> <li>c) significant structural adjustment in businesses and communities which may arise from transitioning to a low carbon economy and adapting to the impacts of climate change</li> <li>d) the provision of leadership and support for both councils and their communities.</li> </ul> <p>10.2 Ambitious but realistic policies and practices that promote council, community, industry and government commitment to renewable energy, energy conservation and energy efficiency.</p> <p>10.3 An integrated approach to climate change mitigation and adaptation strategies, including shared responsibility and collaboration across all levels of government, industry and the community.</p> <p>10.4 Long term consideration of climate change issues across all government functions and services.</p> <p>10.5 Emission reduction measures through a market mechanism across all sectors of the economy including energy generation, mining, transport, waste, construction, buildings and agriculture.</p> <p>10.6 State Environmental Planning Policies that achieve improvements in liveability and sustainability of housing to:</p> <ul style="list-style-type: none"> <li>a) ensure developments and precincts include measures to alleviate the urban heat island effect.</li> </ul> | <ul style="list-style-type: none"> <li>b) apply (or enable councils to apply) higher Building Sustainability Index (BASIX) targets and include other sustainability outcomes to improve housing stock resilience.</li> <li>c) enable innovative approaches to community and public transport.</li> <li>d) Improve provisions to ensure the resilience of housing stock.</li> </ul> <p>10.7 A renewable energy target of 40% by 2025 to support investment and market confidence in renewable energy projects.</p> <p>10.8 A roadmap to transition away from natural gas.</p> <p>10.9 Greater support to local government for coastal management especially in areas experiencing erosion exacerbated by state and federal infrastructure e.g., airports, ports and breakwaters.</p> <p>10.10 Other spheres of government to work with and support councils to build resilience to current and future climate risks on the community and businesses.</p> <p>10.11 Introducing a range of funding mechanisms that would allow councils to build climate resilience in their communities including a special purpose 1% increase in local government rates.</p> <p>10.12 A mandatory government reporting framework for climate risk exposure.</p> <p>10.13 Enable the uptake of zero and low carbon technologies including electric vehicles through appropriate investment, concessions and legislation.</p> <p>10.14 Retention of the uranium mining ban in NSW, and support for sustainable and clean energy and jobs solution</p> |
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## 11. WASTE & RECYCLING

Councils provide waste, recycling and resource recovery services to the community, provide and operate recycling and disposal infrastructure and work tirelessly to reduce the amount of waste ending up in landfill by educating residents, businesses and schools about waste avoidance and recycling.

Councils continue to face significant challenges from increasing waste generation and lack of markets for Australian recycled content. All levels of government, as well as business and the community need to work together as we move to a more circular economy where materials and products remain within the economy for longer and waste is reduced.

### OUR POSITION

LGNSW advocates for:

- 11.1 The reinvestment by the NSW Government of the NSW waste levy collected from the community and industry to:
  - a) Urgently fund regions of councils to develop and implement regional waste plans for the future of waste and resource recovery in their regions, which include infrastructure and circular economy action plans and precinct development to address the needs of our cities and regions.
  - b) Fund the delivery of priority infrastructure and other projects, procured by local government, that are needed to deliver the regional-scale plans, particularly where there is market failure identified in the regional plans.
  - c) Increase local and state government procurement of recycled goods made with domestic content, for example by:
    - adopting recycled content targets to help drive demand and provide incentives to deliver on these targets
    - funding further research, development and delivery of recycling technologies and products generated from recyclables, particularly by local or regional councils.
  - d) Fund and deliver state-wide education campaigns on the importance of recycling to encourage the right way to recycle, the purchase of products with recycled content, as well as promote waste avoidance.
  - e) Work with the Federal Government to introduce producer responsibility schemes for soft plastics and other emerging problem wastes such as paints, batteries, chemicals, mattresses, electronic waste, asbestos and sharps.
  - f) Rehabilitate orphan dump sites and address illegal dumping, including enhanced enforcement powers for councils.
- 11.2 Transitioning to a circular economy and keeping materials in use for longer which requires a focus on higher-order waste management options, noting that lower-order options can have negative impacts on human and environmental health. As such we:
  - Acknowledge concerns regarding the impact of waste to energy incinerators on communities and the environment;
  - Note that the Draft Regulations and the EPA's Energy from Waste Infrastructure Plan would prohibit waste to energy incinerators in some places and not others;
  - Consider burning waste material to generate energy as an outdated technology, and encourage diversion rather than incineration.
- 11.3 Support for innovative solutions to reduce waste and waste transport requirements, including a sustainable long-term solution for mixed waste organics.
- 11.4 Avoidance and minimisation of waste, including from building and construction sites with appropriately scaled fines for non-compliance.
- 11.5 Protection of existing and identification of new waste management locations.
- 11.6 Clear policy direction with regulatory certainty, achievable targets and implementation and funding pathways for delivery through e.g., NSW Waste Strategy, National Waste Policy, COAG targets.
- 11.7 Access to credible data and improved accountability to achieve best value for the community.





## 12. BIODIVERSITY

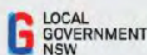
Local Government supports the conservation of biological diversity. Councils are a key influence on local biodiversity management and have an essential role to play. This includes through planning and approval processes, community education and engagement activities, and as public land managers.

Councils can develop biodiversity strategies and plans, protect biodiversity through their land use planning instruments, and manage biodiversity actively through specific programs and projects. Councils also have a legislative mandate to manage the ongoing challenge of development pressure, natural disasters and maintenance of environmental values. Councils have responded through improved knowledge of, and strategic planning for, their local biodiversity including undertaking mapping and assessments, developing biodiversity strategies, policies and processes, and building staff capability.

### OUR POSITION

LGNSW advocates for:

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| <p>121 Protection and management of local biodiversity on an 'avoid, minimise, offset' basis.</p> <p>122 Closer coordination across spheres of government, and with other biodiversity resource managers, to include local biodiversity information and mapping in regional and state-wide approaches to biodiversity management.</p> <p>123 Resources and assistance to councils to build capacity, review systems and implement changes to NSW legislation in relation to managing biodiversity.</p> <p>124 Continuation of funding streams to support local land management activities to achieve biodiversity outcomes.</p> <p>125 Policies and practices that maximise biodiversity and the protection of threatened and endangered species, including the development and maintenance of habitat corridors.</p> <p>126 Wider recognition of the value of urban biodiversity and bushland areas and the implementation of management approaches to specifically meet the needs of these areas including incentives to protect mature urban vegetation.</p> | <p>127 Cross jurisdictional commitment to managing the threats to biodiversity including weeds, pests and other risks such as bushfires which impact on the integrity of local biodiversity and contribute to further losses.</p> <p>128 A review of the 10/50 Vegetation Clearing Code of Practice to assess the safety benefits compared to the impacts on tree canopy.</p> <p>129 Additional Ramsar site listings in recognition of the value of lake systems for aquatic biodiversity, supporting migratory bird species, fish nurseries and essential wetland processes.</p> <p>1210 The NSW Government to review the cumulative impacts of legislation governing land, water and natural resource management, and act to ensure the protection of biodiversity, threatened iconic species, water security, native forests and food security throughout NSW.</p> |
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### 13. BIOSECURITY

Local government has a significant role in biosecurity including:

- as a local control authority (LCA) in regulating weeds under the *Biosecurity Act 2015*,
- as a land manager, to understand and implement its biosecurity responsibilities (e.g., weeds, pests), and
- in discharging regulatory responsibilities under the *Companion Animals Act 1998*, for domesticated cats and dogs.

#### OUR POSITION

LGNSW advocates for:

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| <p>13.1 A global ban on the trade in wild animals and wild animal products given their role in the emergence and spread of zoonotic diseases.</p> <p>13.2 The concepts that underpin the Biosecurity Act, such as risk-based decision making and a tenure neutral approach to weed and pest management.</p> <p>13.3 Local government representation on the Biosecurity Advisory Committee, established under the Biosecurity Act.</p> <p>13.4 Changes to the weed management framework, including:</p> <ul style="list-style-type: none"> <li>• Funding stability and funding via the Weed Action Program to be increased to \$20M per year.</li> <li>• A review of the Weed Action Program administration to minimize any duplication or excessive reporting and auditing requirements applied to councils and county councils.</li> <li>• Penalties for weed-related offences set at levels high enough to act as a deterrent.</li> <li>• Development and implementation of a weed management plan for Fleabane.</li> <li>• Development of appropriate mechanisms to address current and emerging biosecurity (weeds) issues on parks and reserves under joint management arrangements with local Aboriginal communities.</li> </ul> <p>13.5 Local government to have input to the setting of relevant charges (for weed regulatory functions), and local government keeping any revenue from services or compliance and enforcement undertakings.</p> | <p>13.6 Amendments to legislation to enable councils to more effectively manage the nuisance effects of cats on residents and wildlife, including streamlining the process of animal registration, limiting the roaming of cats beyond their owner's property, and enabling a trap-neuter-return program.</p> <p>13.7 Legislation/codes to strengthen companion animal breeding facility assessment and operation, to prevent the establishment of puppy farms in NSW and instigate a common database and better coordination across jurisdictions (e.g., NSWVIC).</p> |
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## 14. HEALTH & SAFETY

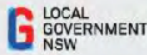
All councils in NSW play an essential part in improving and safeguarding the health and safety of their communities. Local government also has statutory responsibilities for public health protection under the *Public Health Act 2010* and *Food Act 2003*, regulating food businesses as well as premises that may pose environmental health risks through legionella, skin penetration or exposure to hazardous materials including asbestos. Councils also provide communities with access to additional services to contribute to community health, including immunisation clinics, sporting and recreation facilities and open space, mental health and physical activity programs, clean drinking water and no-smoking zones. Councils further have a role in considering how the built environment can be planned to promote health and safety.

Council involvement in community safety and crime prevention initiatives is often in partnership with police and other government and non-government organisations, engaging with communities to understand and develop strategies to address local crime issues.

### OUR POSITION

LGNSW advocates for:

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| <p>141 Practical reforms and initiatives that improve public health and safety but do not represent cost shifting or burden the limited resources of local government without providing adequate funding or cost recovery mechanisms.</p>   | <p>144 The NSW Government to ensure that any new schools constructed in a local government area provide appropriately sized off-street drop off and pick up zones.</p>  |
| <p>142 Legislative amendments to enable council rangers to issue fines and penalty amounts equivalent to NSW Health for breaches of the Smoke-free Environment Act 2000.</p>  | <p>145 Increased funding for road safety from state and federal government.</p>   |
| <p>143 The NSW Government to take action to protect human health and the environment by:</p> <ul style="list-style-type: none"> <li>• making asbestos identification, removal, transport and disposal cheaper, easier, and safer.</li> <li>• working with the Federal government to ensure that all vehicles imported into Australia meet the highest EU standards for emissions.</li> <li>• introduce tax initiatives to encourage the up-take of electric powered vehicles in order to phase out the reliance on fossil fuels.</li> <li>• adopting the World Health Organisation Clean Air Guidelines and assisting communities to address breaches of national air quality standards and improving health through filtration and ventilation in public buildings.</li> <li>• implementing tighter controls on facilities at high risk of causing dust and air pollution, including timely and tighter enforcement for malodorous emissions.</li> <li>• phase out the use of shark nets and replace them with alternative mitigation strategies.</li> </ul> | <p>146 The NSW Government to allocate more resources for increased police numbers and state regulatory inspections, to improve response times, particularly in regional and rural NSW.</p>  |
|   | <p>147 The state and federal governments to fund councils and community organisations to manage antiterror and security related risks at events and in crowded places.</p>  |
|   | <p>148 Amendments to noise control regulations to ensure that general activities within a park cannot be deemed intrusive or offensive during certain hours of the day.</p>   |
|   | <p>149 Increased local government involvement in determination of gaming machine applications with priority consideration given to social impact.</p>   |
|   | <p>1410 Funding, resources and initiatives to address the prevalence of domestic and family violence (DFV) in NSW, including Crimes Act recognition that coercive control and dowry abuse are forms of DFV, and funding a DFV prevention officer to work with NSW councils.</p> |
|   | <p>1411 The NSW and Australian Governments to address the mental health crisis and ensure adequate access to care across NSW.</p>   |



## 15. LIBRARIES, ARTS & CULTURE

Local government provides art galleries, museums, libraries and cultural services which are vital in enabling communities to participate in artistic and cultural expression. Councils provide almost 400 free public library services in NSW, including central, branch and mobile libraries in NSW. The right to equitable access to basic information is a cornerstone of democratic society.

### OUR POSITION

LGNSW calls on State and Commonwealth governments to:

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| <p>15.1 Support the critical role of public libraries in communities by:</p> <ul style="list-style-type: none"> <li>• Reversing the significant decrease in the State Government expenditure as a proportion of total expenditure on public libraries that has occurred since the 1980s.</li> <li>• Creating a sustainable funding model for public libraries that indexes funding to CPI and is protected in legislation.</li> <li>• Investigating systems to provide communities throughout NSW with greater access to larger collections and library resources and materials.</li> </ul> | <p>15.4 Recognise the challenges for small, regional and remote councils and prioritise them for arts and cultural funding relative to the large State Cultural Institutions.</p> |
| <p>15.2 Devise a museum strategy for NSW with sufficient resources to ensure cultural heritage led vibrancy, collection care and local storytelling initiatives are supported, developed and maintained for communities throughout NSW.</p>   | <p>15.5 Provide stimulus and recovery funding to councils to promote and support arts and culture, including for galleries, performance, exhibitions and festivals.</p>           |
| <p>15.3 Ensure councils receive a fair share of funding from and access to government arts and culture programs.</p>  | <p>15.6 Significantly increase funding to councils to protect, maintain and enhance heritage buildings, structures and sites.</p>   |





## 16. ELECTIONS & DEMOCRACY

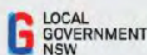
Councils are elected to shape, serve, support and give voice to their communities, to whom they are democratically accountable. The NSW and Australian governments must respect local government as an equal sphere of government and must not seek to impose decisions on local government that fundamentally affect the ability of democratically elected councillors to reflect the views of their communities on local government matters.

Councils for government elections to be conducted in a manner as similar as possible to State elections make democratic participation similar for voters and to support voter turnout.

### OUR POSITION

LGNSW advocates for the NSW Government to:

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| <p>16.1 Legislate to prevent the forced amalgamation of councils or significant boundary alteration without the support of a plebiscite.</p> <p>16.2 Legislate to limit the power of the Minister for Local Government to suspend or dismiss democratically elected councils in all but the most extraordinary circumstances.</p> <p>16.3 Permit newly amalgamated councils that have been divided into wards as part of a larger council area to revert to their status as undivided electorates.</p> <p>16.4 Shorten the pre-poll voting period to the period including the Saturday to Friday of the week before Election Day.</p> <p>16.5 Ensure councils and communities retain choice in their method of voting and does not impose universal postal voting.</p> <p>16.6 Legislate to ensure that councillors and candidates who are members of a registered political party, or have been a member of a registered political party during at any time during the 12 months prior to seeking council election/re-election, be prohibited from using the word 'Independent' beside their name on the ballot paper and on all electoral materials.</p> <p>16.7 Legislate to ban property developers and real estate agents (and their relatives and close associates including investors, owners and beneficiaries) from serving as councillors, and increase penalties for false declarations on this matter.</p> <p>16.8 Legislate to ensure a person may only nominate for election to a particular council if they are a resident or ratepayer.</p> | <p>16.9 Eliminate the need for council by-elections, by extending countback provisions to the first two years of a council term, and extending the minister's discretion to provide councils with the option of avoiding a by-election for a casual vacancy during the latter two years of a council term.</p> <p>16.10 Implement measures such as information sessions and training programs to increase the diversity of candidates standing for local government elections.</p> <p>16.11 Legislate so that LG elections are to be conducted by the NSW Electoral Commission only.</p> <p>16.12 Reduce the cost of conducting LG elections, including through:</p> <ul style="list-style-type: none"> <li>(a) a commitment that the NSW Electoral Commission not be permitted to increase the cost of elections by more than the rate cap limit imposed on LG rates</li> <li>(b) directly offsetting the cost of LG elections with significant fine revenue from non-voting</li> <li>(c) trialling online voting initiatives.</li> </ul> <p>16.13 Legislate to ensure all mayors continue to hold their positions until a new mayor is elected following local government elections.</p> |
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## 17. GOVERNANCE

Local government is committed to the principles of good governance and is responsible and accountable to the citizens and the communities it represents, through consultative processes, legislative accountabilities, efficient delivery of services and effective customer service.

### GOVERNANCE

LGNSW advocates for the NSW Government to:

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| <p>17.1 Establish a panel of independent members with specific local government knowledge, for appointment to local councils' Audit, Risk and Improvement Committees.</p> <p>17.2 Review the guidelines for Audit, Risk and Improvement Committees to reduce the exclusion period for former councillors and staff, to support rural and regional councils.</p> <p>17.3 Legislate to strengthen requirements for general managers to provide councillors with the information required to perform their functions.</p> <p>17.4 Invest more resources into managing Code of Conduct complaints to ensure they are dealt with efficiently and effectively.</p> <p>17.5 Legislate to provide that a councillor's position becomes vacant if she or he is absent from three ordinary meetings of a council in any calendar year without having been granted leave.</p> <p>17.6 Amend the gifts and benefits provisions in the Model Code of Conduct so that the token value amount be removed and replaced with the provisions that apply in the Code of Conduct for Members of the NSW Parliament.</p> <p>17.7 Amend legislation and the Model Code of Meeting Practice to require councils to publish unconfirmed minutes of council and committee meetings and provide suitable legal protection for councils to act on decisions before the minutes are confirmed.</p> <p>17.8 Permit councillors to attend and participate in council meetings by audio-visual means.</p> <p>17.9 In the interests of safety and privacy, review the Information and Privacy Commission requirement for returns of interest disclosures to be published online.</p> | <p>17.10 Legislate to make it an offence for any person to threaten, incite violence, intimidate, menace or harass any person exercising functions under the Local Government Act or any other Act or regulation that confers functions on a council, and disqualify any person who has committed such an offence from holding public office for local government in NSW.</p> <p>17.11 Require Working With Children Checks and police checks for councillors.</p> <p>17.12 Improve accessibility and compliance outcomes by simplifying all forms and processes for candidates and public office holders and permitting documents to be signed and lodged electronically.</p> <p>17.13 Restore funding to ensure the independence of the Independent Commission Against Corruption in NSW. LGNSW also supports establishing a similar body federally.</p> <p>17.14 Ensure regulatory and reporting requirements imposed on councils are proportionate to size and risk.</p> <p>17.15 Support the development and implementation of tripartite governance frameworks between the three tiers of government.</p> |
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## 18. COUNCILLOR CONDITIONS & REMUNERATION

To attract a diverse array of talented candidates for election, the local government sector should be able to offer conditions and compensation, including superannuation, comparable to that available from the work activities mayors and councillors forgo in order to serve on councils.

### OUR POSITION

LGNSW advocates for the NSW Government to:

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| <p>18.1 Investigate options for full time councillors in NSW.</p> <p>18.2 Fund ongoing councillor professional development.</p> <p>18.3 Repeal s242A of the LG Act so that the Local Government Remuneration Tribunal (LGRT) is able to determine fair and reasonable fees for councillors and mayors, unfettered by the Public Sector Wages Policy (and the LGRT to determine the maximum permissible remuneration increase for councillors and mayors while the NSW Public Sector Wages Policy still applies)</p> <p>18.4 Amend s241 of the LG Act to remove reference to maximum and minimum fees payable, so that the LGRT determines the actual annual remuneration for councillors and mayors.</p> <p>18.5 Amend s240(1) of the LG Act to include councils' financial position and/or performance as additional criteria that the LGRT must have regard to when determining categories for councils and mayors.</p> <p>18.6 Consider dedicated remuneration for deputy mayors, in recognition of increasing deputy mayoral duties.</p> <p>18.7 Legislate to require compulsory superannuation payment to councillors and mayors at the rate equivalent to the rate set out in the <i>Superannuation Guarantee (Administration) Act 1992 (Cth)</i>.</p> | <p>18.8 Require all councils, county councils and Joint Organisations to have personal accident insurance cover for all councillors while performing their functions, equivalent to the level of insurance employees receive under NSW workers' compensation legislation.</p> |
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## 19. STRONG & INCLUSIVE COMMUNITIES

Local government is a significant provider and supporter of essential services to all members of the community including older people, people with disability, families, children, young people, Aboriginal people and people from all cultures and backgrounds. Councils also support refugee resettlement, services for newly arrived migrants and hold citizenship ceremonies and Harmony Day events. Councils fill the gaps in the provision of essential human services when there are no other providers, particularly in rural and remote areas, and advocate for equitable access to infrastructure and services.

### OUR POSITION

LGNSW advocates for:

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| <p>19.1 Continued State and Commonwealth funding to supplement the contribution of NSW councils of approximately 60% towards the cost of community development, ageing and disability staff positions.</p> <p>19.2 Increased support for councils and communities that resettle refugees and welcome multicultural communities, including through:</p> <ul style="list-style-type: none"> <li>• A broader humanitarian resettlement strategy to encourage and support distribution of resettlement across NSW and Australia,</li> <li>• Support to areas where concentrated resettlement occurs to address social and economic impact gaps (including housing affordability, employment, infrastructure and services).</li> <li>• Funding for councils' roles, responsibilities and activities that support multicultural communities and promote social cohesion, including refugee resettlement.</li> <li>• Reviewing restrictive eligibility requirements of the Status Resolution Support Scheme and restoring access to this program for all people seeking asylum until their status is resolved.</li> </ul> <p>19.3 Funding to support participation of people with disability in their communities, including:</p> <ul style="list-style-type: none"> <li>• Funding to implement actions and projects identified in council Disability Inclusion Action Plans.</li> <li>• Funding to councils for community support, information, and referral and capacity building initiatives.</li> </ul> <p>19.4 The NSW Government to support and encourage inclusive consultation and engagement approaches, in consultation with councils and including technological options for people with disability.</p> <p>19.5 Funding and policy settings to address accessible and liveable housing design standards, housing affordability, access to public housing, and homelessness, including funding for councils to deliver initiatives at the local level.</p> | <p>19.6 NSW Health to retain ownership of its aged care and disability facilities.</p> <p>19.7 Legislation to require councils to plan, implement strategies and report on gender equity in the workplace, with funding support from the NSW Government.</p> <p>19.8 Legislation to require equal employment opportunity management plans to include provisions for targeted programs to increase employment opportunities for Aboriginal and Torres Strait Islander people.</p> <p>19.9 Funding support for volunteers and volunteer development programs, including for community organisations that engage volunteers.</p> <p>19.10 An urgent increase in the rate of Newstart &amp; Youth Allowance by a minimum of \$100 per week.</p> <p>19.11 An increase in Government support for vulnerable children and young people to meet demand for rehabilitation services, early intervention and justice initiatives.</p> <p>19.12 High quality, universally accessible and affordable early childhood education and care.</p> <p>19.13 Adequate funding for council-run youth and children services and recognition that councils are an essential provider of services to children and young people.</p> <p>19.14 Initiatives to address skill shortages and impediments to employment and training, injecting significant funds into TAFE and the higher education system to redress recent funding cuts and the impacts of TAFE deregulation.</p> |
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## 20. ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE

LGNSW acknowledges the significance of the Statement from the Heart issued at the 2017 First Nations National Constitutional Convention at Uluru and supports the principle of the Constitutional recognition of Aboriginal and Torres Strait Islander Australians. Australia is one of the few first world nations with a colonial history that does not recognise its Aboriginal population in the Constitution.

LGNSW believes that Constitutional change will build stronger relationships of trust and mutual respect between Aboriginal and Torres Strait Islander peoples and other Australians. Local government in NSW can be instrumental in this campaign as it is best connected to communities at the grass roots level.

### OUR POSITION

LGNSW:

- 20.1 Seeks that the Australian Government co-design with Aboriginal and Torres Strait Islander peoples, Constitutional recognition through a First Nations Voice, support the process of truth-telling and consider the establishment of a National Resting Place (or Places) for commemoration, healing and reflection.
- 20.2 Encourages councils to progress the Constitutional recognition campaign at the local level and build support among all political leaders to advocate for a referendum.
- 20.3 Supports reforms to redress any disproportionate disadvantage experienced by Aboriginal and Torres Strait Islander peoples.
- 20.4 Encourages councils to develop a relationship with local First Nations communities to develop ways in which they can provide input into council decisions.



**16.4 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) 2022 NATIONAL GENERAL ASSEMBLY****Responsible Officer:** Glenn Inglis, Acting General Manager**Author:** Donna Ausling, Director Planning and Strategy**Attachments:** Nil**DELIVERY PROGRAM ALIGNMENT****4 Civic Leadership - Council as strong leaders for the Community****Objective** 4.2 A strong Council that advocates for the Community**Strategy** 4.2.2 Work cooperatively and appropriately with external parties to advocate for the community's best interests**EXECUTIVE SUMMARY**

This report has been prepared on behalf of Councillor Redding (Deputy Mayor) and Councillor John Clements and Councillor Darrell Tiemens.

Local government representatives from around Australia recently gathered in Canberra from 20-22 June 2022 for the 28<sup>th</sup> National General Assembly of Local Government (NGA). The event was attended by Narrabri Shire Council (NSC) delegates Cr Cathy Redding, Cr Darrell Tiemens and Cr John Clements. The Director of Planning and Strategy Ms Donna Ausling also attended.

**RECOMMENDATION****1. That Council receive and note the Delegates Report.**

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**DELEGATES REPORT**

Approximately 1000 delegates participated in the 2022 Assembly, one of the largest gatherings for some years. A number of federal members of Parliament also attended the NGA or associated events, including Minister King, Minister McBain, Minister Watt, Minister Burney, Minister Rowland, Leader of the National Party David Littleproud, and Zali Steggal OAM.

Cabinet Minister Catherine King has recently been appointed to the local government portfolio as the Minister for Infrastructure, Regional Development and Local Government, with former Bega Mayor Kristy McBain appointed to the outer ministry. The Assembly welcomed the announcement that Minister King would work towards the re-establishment of the Australian Council of Local Governments.

In keeping with the theme of the Assembly 'Partners in Progress', elected representatives from various councils committed to partnering with the Australian Government to progress a range of critical reforms. These included national productivity, climate change transition, Closing the Gap, housing affordability including increased social housing, road safety reforms, restoring integrity of federal funding to local government, and improved local delivery of community services.

The Assembly committed to the next step of Closing the Gap and passed a motion supporting the Uluru Statement from the Heart. Councillors will note Council's current efforts in this regard and proposed presentation by the University of Sydney at the August 2022 Briefing Session.

The Assembly heard from leading economists that local government is the most productive level of government yet collects just 4% of national taxation revenue. The Assembly concurred that councils need more sustainable and transparent formula-based funding to restore integrity to federal funding of local government. Further, they noted the essential funding support to local communities. The Federal Government was called upon to review Financial Assistance Grants (FAGs) and restore them to at least 1% of Commonwealth taxation revenue. The presentation by Graham Jarvis (AEC) on FAGs and structure for regional communities was particularly well received by NSC delegates.

The Assembly focused heavily on natural disasters and emergency management. The need to undertake further affirmative action on mitigation and prevention of climate induced natural disasters was noted. Delegates and speakers at the Congress recognised that protracted challenges of the COVID pandemic, unprecedented droughts, bushfires and recent floods. The work of local councils, communities and government agencies on their work on emergency response and recovery.

The Assembly discussed the global challenges to democracy and the critical importance of local government. The Assembly reaffirmed its commitment to strong local leadership, transparency and public accountability, free and fair elections and local democracy.

Other critical issues addressed at the Assembly included migration between cities and regions, housing affordability and the role councils can play in social housing, critical workforce challenges and road safety.

Convened by the Australian Local Government Association (ALGA), the NGA is the largest national gathering of democratically elected representatives in the nation. ALGA is the national voice of local government and will review more than 106 policy initiatives adopted by resolution of the Assembly over the coming months.

**16.5 WORK HEALTH AND SAFETY REPORT 2021/2022****Responsible Officer:** Andrew Brown, Director Corporate and Community Services**Author:** Jason Townsend, Manager Governance and Risk**Attachments:** Nil**DELIVERY PROGRAM ALIGNMENT****4 Civic Leadership - Council as strong leaders for the Community**

Objective 4.3 A resilient and sustainable Council

Strategy 4.3.4 Provide a safe and healthy working environment

**EXECUTIVE SUMMARY**

Council has an obligation under the *Work Health and Safety Act 2011* (NSW) to ensure the health and safety of its employees so far as reasonably practicable. This report provides Council and the Community with a snapshot of Council's WHS outcomes over the 2021/2022 financial year.

**RECOMMENDATION**

1. That Council receive and note the 2021/2022 Work Health and Safety Report.

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**BACKGROUND**

As a person undertaking a business undertaking, Council is required by the *Work Health and Safety Act 2011* (NSW) to ensure the health and safety of its employees so far as reasonably practicable.

**CURRENT SITUATION**

This report has been prepared to provide Council and the community a snapshot of Council's WHS outcomes over the 2021/2022 financial year.

Table 1 below lists Council's WHS outcomes over the 2021/2022 financial year as well as the WHS outcomes over the 2020/2021 financial year for comparison.

These outcomes are across key safety metrics, which are indicators of Council's performance of its WHS obligations.

Metric	2020/2021	2021/2022
Incidents/Events Reported	138	155
Observations/Hazards Lodged	66	139
First Aid Injuries	17	14
Medical treatment injuries	8	7
Premium Impacting Injuries	7	5
Number of Days Lost	68	12

Metric	2020/2021	2021/2022
HSC meetings	3	3
Workplace Inspections	23	27
Three year premium impacting costs	\$396,014	\$229,276

Cumulative Total Workers Compensation Claim Amounts	
Year	Amount
2019/2020	\$178,374
2020/2021	\$47,161
2021/2022	\$3,741

#### Interpretation of the data where there is a significant shift

The data shows significant shifts in:

2. Incidents/events reported;
3. Observations/hazards lodged;
4. Premium impacting injuries;
5. Number of days lost;
6. Three year premium impacting costs; and
7. Cumulative total workers compensation claim amounts.

Significant shifts have occurred due to several reasons.

#### *Reporting Culture Improvements*

Risk Section members, in particular the WHS Business Partner and the Risk Support Officer, have been conducting Vault (Council's Safety reporting system) training sessions to re-educate workers on the importance of Safety reporting. This program has led to a healthier reporting culture, where staff are more likely to report hazards and observations before they crystallise into injuries and incidents. This program has resulted in an increase of Incident/Events reported and Observations/Hazards reported.

The Risk team have also been conducting Vault "clean up" sessions where long standing events or hazards are being assigned corrective actions and/or events have been closed off that have been addressed. This provides the organisation with clearer, more current, and more accurate situational awareness of Council's WHS risks, enabling it to mitigate them more effectively and responsively.

#### *Return to Work Program*

A reduction in days lost due to injury is attributable to an improvement in Council's return-to-work program. This, in a large part, is due to the Risk portion of the Governance and Risk Section being stood up with adequate staffing levels. This has allowed Council to devote more time and effort to developing and implementing a robust and effective return to work program.

#### *Risk Personnel and Approach.*

An increase in dedicated staffing in the Risk sphere has allowed for more time and effort to be expended in the area. Personnel in the Section have changed the approach of Council's WHS management to a consultative, coordinated, cooperative and positive risk management style in accordance with modern best-practice and WHS legislation. This has resulted in a positive proactive shift in Council's safety culture. As such, Council is moving towards a more positive culture where hazards are observed, reported, and dealt with before they cause injuries.

The Governance and Risk Section's goal is to continue to modernise and develop Council's safety systems and culture into one that empowers workers and management with the knowledge, skills, and resources to proactively and interdependently manage safety hazards. Whilst this continues to be an ongoing task, Council is likely to see solid dividends, in terms of a higher level of staff wellness, a reduction in injuries and a reduction in insurance premium.

**FINANCIAL IMPLICATIONS**

The lack of lost time injuries in the 2021/2022 financial year will likely lead to a reduction in Council's workers compensation premiums in the future.

**STATUTORY AND POLICY IMPLICATIONS**

Nil

**CONSULTATION****External Consultation**

- Statecover Mutual Ltd.

**Internal Consultation**



- Governance and Risk Section.

**15.6 NARRABRI SHIRE COUNCIL CODE OF CONDUCT 2022**

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

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

**Attachments:**

1. Narrabri Shire Council Code of Conduct 2022 (under separate cover) 
2. Procedures for the Administration of the Narrabri Shire Council Code of Conduct (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**

Following the Ordinary Local Government Election in December 2021, all NSW councils are required to review and re-adopt various strategic documents including their Code of Conduct.

Council's Governance and Risk Team have reviewed the Narrabri Shire Council Code of Conduct to ensure it remains fit for purpose.

**RECOMMENDATION**

1. That Council adopt the Narrabri Shire Council Code of Conduct 2022, as attached to this report.

**BACKGROUND**

All NSW councils are required to have an adopted Code of Conduct that is based on the Model Code of Conduct as prescribed by the NSW Office of Local Government. The Code of Conduct provides:

- Professional standards for the entire organisation;
- Conflict of interest management for the entire organisation;
- Gift/Benefit management for the entire organisation; and
- A mechanism for handling complaints and allegations of a breach of the Code.

**CURRENT SITUATION**

Council's Governance and Risk Team have reviewed the Narrabri Shire Council Code of Conduct to ensure it remains fit for purpose.

**Amendments to the Procedures****Amendments to the Model Code of Conduct**



Councils are permitted to amend clauses or add clauses provided the changes are more onerous than the standard clauses.

- **Black text** – clauses that are mandatory and inflexible.
- **Yellow** – clauses that have been inserted by Council and are specific to Narrabri Shire Council.

In the past, Narrabri has only amended one clause: the amount of acceptable gifts/benefits.

The model code sets the limit as \$100, and Narrabri has historically reduced it to \$50. Given inflation and increasing prices of items, it is prudent to keep the model limit on gifts, being \$100, rather than reduce the amount to \$50. The revised draft Code of Conduct 2022 attached to this report reflects this. It is open to Council as the governing body to resolve to reduce that to any amount less than \$100.

### **FINANCIAL IMPLICATIONS**

Nil.

### **STATUTORY AND POLICY IMPLICATIONS**

The Narrabri Shire Council Code of Conduct 2022 will replace the Narrabri Shire Council Code of Conduct 2021. In accordance with the *Local Government Act 1993* (NSW) the Code of Conduct does not require public consultation.

*Local Government Act 1993* (NSW) ss 440(3)-440(7).

### **CONSULTATION**

#### **External Consultation**

- Office of Local Government.

#### **Internal Consultation**

- Customer Relations Coordinator.

**16.7 INVESTMENT REPORT - JUNE 2022**

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

**Author:** Kathleen Wales, Finance 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 2021*.

During the month:

- Three (3) investments matured, totalling \$4 million.
- Three (3) new investments were placed, totalling \$6 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 June 2022.

**BACKGROUND**

Council is required to consider a report on its investments in accordance with clause 212 of the *Local Government (General) Regulation 2021*.

**CURRENT SITUATION**

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

Investments maturing during the month:

- |            |           |             |                  |
|------------|-----------|-------------|------------------|
| • 01/06/22 | Judo Bank | \$2,000,000 | 182 days @ 0.92% |
| • 08/06/22 | Judo Bank | \$1,000,000 | 91 days @ 0.80%  |
| • 22/06/22 | AMP       | \$1,000,000 | 329 days @ 0.75% |

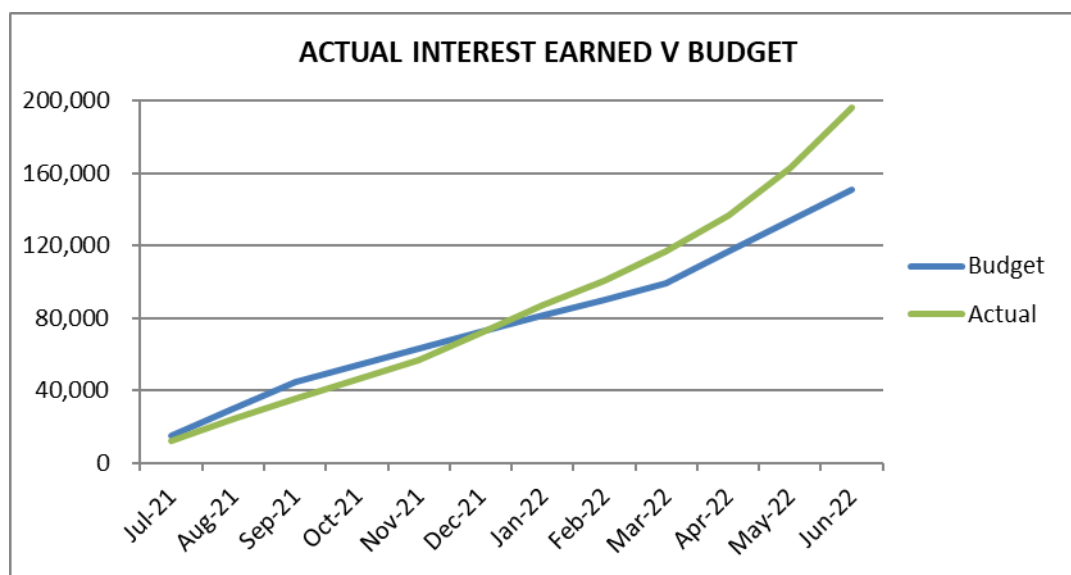
New Investments secured during the month:

- 02/06/22 My State Bank \$2,000,000 181 days @ 2.60%
- 08/06/22 My State Bank \$1,000,000 189 days @ 2.80%
- 22/06/22 AMP \$3,000,000 126 days @ 2.40%

	Market Value (\$)	Term (days)	Rate	Maturity Date	% of Portfolio
<b>Short Term Deposits (&lt;1 yr)</b>	<b>36,000,000.00</b>				<b>93.92%</b>
AMP	2,000,000.00	243	0.90%	20/07/22	5.22%
AMP	1,000,000.00	336	0.45%	27/07/22	2.61%
NAB	2,000,000.00	98	0.80%	27/07/22	5.22%
BOQ	2,000,000.00	244	0.60%	03/08/22	5.22%
NAB	1,000,000.00	245	0.56%	17/08/22	2.61%
Macquarie Bank	1,000,000.00	365	0.40%	31/08/22	2.61%
BOQ	1,000,000.00	119	1.48%	31/08/22	2.61%
BOQ	1,000,000.00	273	0.56%	07/09/22	2.61%
AMP	1,000,000.00	329	0.80%	14/09/22	2.61%
NAB	4,000,000.00	161	1.08%	28/09/22	10.44%
NAB	1,000,000.00	273	0.62%	12/10/22	2.61%
NAB	2,000,000.00	300	0.63%	19/10/22	5.22%
AMP	3,000,000.00	126	2.40%	26/10/22	7.83%
AMP	2,000,000.00	364	1.00%	02/11/22	5.22%
BOQ	1,000,000.00	273	0.70%	16/11/22	2.61%
Judo Bank	1,000,000.00	182	2.25%	16/11/22	2.61%
NAB	2,000,000.00	273	0.72%	23/11/22	5.22%
MyStateBank	2,000,000.00	181	2.60%	30/11/22	5.22%
NAB	1,000,000.00	273	0.88%	07/12/22	2.61%
MyStateBank	1,000,000.00	189	2.80%	14/12/22	2.61%
NAB	1,000,000.00	273	1.43%	04/01/23	2.61%
ME Bank	3,000,000.00	273	1.48%	11/01/23	7.83%
<b>Cash Deposits</b>	<b>2,329,035.12</b>				<b>6.08%</b>
NAB At Call A/c	1,000,000.00	At Call	0.07%	n/a	2.61%
NAB Working A/c	1,329,035.12	At Call	0.01%	n/a	3.47%
<b>Total Cash &amp; Investments</b>	<b>38,329,035.12</b>				<b>100.00%</b>

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

Cash Book balance at 31 May 2022	3,973,277.54
Plus Receipts	6,454,739.81
Plus Investments Matured	4,000,000.00
Less Payments	-7,092,988.52
Less Investments Placed	-6,000,000.00
Cash Book balance at 30 June 2022	1,335,028.83
Unmatched statement items	-3,223.76
Unmatched ledger book items	-2,769.95
Reconciliation Balance as at 30 June 2022	1,329,035.12



### Investment Rate Summary for June 2022

Average Interest Rate on Investments:	1.07%
Weighted Average Interest Rate on Investments	1.17%

### Council's Benchmarks

Bank Bill Swap Rate (BBSW) 90-day index (31/05/2022) <sup>1</sup>	1.81%
Average 11am Cash Rate	0.85%

### FINANCIAL IMPLICATIONS

Interest income for the month was \$33,389.28 bringing the financial year to date to \$196,595.00. This is 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 relation to Boston Street Bridge, Road Project's, and Q4 Emergency Services Levy.

### STATUTORY AND POLICY IMPLICATIONS

Clause 212 of the *Local Government (General) Regulation 2021* 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 2021*.
- Ministerial Investment Order dated 12 January 2011.
- Council's Investment Policy dated 15 August 2017.

### CONSULTATION

#### External Consultation

Nil.

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

**Internal Consultation**

- Responsible Accounting Officer.

**16.8 COMMUNITY EVENT POLICY**

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

**Author:** Scott Pollock, Manager Cultural Facilities

**Attachments:** 1. Community Event Policy  

**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** 4.1.1 Provide customer service excellence that is responsive to community needs

**EXECUTIVE SUMMARY**

The Community Event Policy (the Policy), as attached at **Attachment 1**, will clarify the procedure for individuals or community groups to apply to hold an event. The Policy will also set a framework to ensure events managed and supported by Council will be conducted in a way that will be safe and environmentally sustainable. The development and facilitation of these events contribute to Council achieving its long term social, environmental, economic, and civic leadership strategic objectives.

The draft Policy was placed on public exhibition for 28 days, between 1 June 2022 and 28 June 2022. During this time, Council called for submissions from the public on the draft documents to enable further consideration at this Ordinary Council meeting. Zero (0) submissions were received.

**RECOMMENDATION**

1. That Council adopt the Community Event Policy.

**BACKGROUND**

Well managed events are an important part of the development of a vibrant and sustainable local community and contribute to the community's social fabric and economy.

Events in the Narrabri Shire can range from small functions to large, complex experiences, involving hundreds of people. Events can be private affairs with attendance by invitation or public occasions with attendance open or by ticket.

Regardless of size, events have many requirements including planning and organisation, risk management, planning approval processes, community participation and stakeholder engagement, and transparency and probity in the allocation of support and resources.

Council is aware that planning and hosting a safe sustainable event can sometimes be a complex and detailed process. Generally, events will require some form of approval from Council or other government agencies. To make this process easier Council has developed a Community Event Policy along with a Community Event Manual which outlines all necessary components and processes for a successful event.

**CURRENT SITUATION**

In the current environment, Council have developed a centralised process where one nominated council employee assists community event organisers to navigate their way through Council's various procedures and permits. The process helps to promote a productive and helpful relationship between Council and the Narrabri Shire's community.

**FINANCIAL IMPLICATIONS**

Nil.

**STATUTORY AND POLICY IMPLICATIONS**

- *Local Government Act 1993 (NSW).*
- *Local Government (General) Regulation (NSW).*
- *Environment Planning and Assessment Act 1979 (NSW).*
- *Roads Act 1993 (NSW).*
- *Major Events Act 2009 (NSW).*
- *Liquor Act 2007 (NSW).*

**CONSULTATION****External Consultation**

The draft Policy was placed on public exhibition for 28 days, between 1 June 2022 and 28 June 2022. During this time, Council called for submissions from the public on the draft documents to enable further consideration of community feedback in respect of the proposed Policy. Zero (0) submissions were received.

**Internal Consultation**

- Community and Customer Relations Division.
- Community Development Officer.
- Design Services Division.
- Development Division.
- Governance and Risk Division.
- Tourism and Business Internal Working Group.
- Tourism and Cultural Facilities Division.
- Parks and Open Spaces Division.



## COMMUNITY EVENT POLICY

<b>Responsible Department:</b>	Corporate and Community Services
<b>Responsible Section:</b>	Cultural Facilities
<b>Responsible Officer:</b>	Manager Cultural Facilities

### Objective

The objective of this policy is to:

- Clarify Council's support of Community Events held on Council managed land
- Clarify the procedure for community groups or individuals to apply to host an event
- Set a framework for events managed and supported by Council
- Effectively manage risks inherent in events and to ensure financial and service delivery obligations are fulfilled

It is the intent of Narrabri Shire Council to coordinate and support high quality community events that celebrate diversity, showcase creativity, and recognise sporting achievements.

### Introduction

Well managed events are an important part of the development of vibrant, sustainable local communities contributing to the community's social fabric and local economy.

Initiation, facilitation and support for special events can contribute to Council achieving its long term social, environmental, economic and civic leadership strategic objectives. Council has an important role in identifying opportunities, providing support and resources and ensuring that events are conducted in a way that is safe and environmentally sustainable. Council is committed to supporting local events and this policy details the requirements expected of event organisers to seek Council approval.

This policy relates to events held within the Narrabri Local Government Area which:

- Are delivered by Narrabri Shire Council
- Are community events and require certain approval from Narrabri Shire Council
- Are either delivered or endorsed with partnership from Narrabri Shire Council
- Attract funding or sponsorship from Narrabri Shire Council





## Policy

### Definitions

#### **What is an event?**

For the purpose of this Policy, an event is any planned public or social occasion that takes place wholly or partly on public land including public car parks, roads (excluding State Highways), footpaths, parks, Council venues, community facilities and sports grounds. It should be noted that some events that take place on private land may also require Council approval.

Events range from small functions to large, complex experiences, involving thousands of people. Events can be private affairs with attendance by invitation or public occasions with attendance open or by ticket.

Regardless of size, events have many requirements including planning and organisation, risk management, securing approvals, community participation and transparency and probity in the allocation of support and resources.

Generally, events will require some form of approval from Council and or other government agencies. The scale of some events may require the lodgement of a development application under the Environmental Planning and Assessment Act 1979 and the Local Government Act 1993.

Please note: Events that are exempt from this policy include seasonal sporting events and other bookings for sports using Council designated sporting complexes and sporting ovals.

#### **Community Event Manual**

Council has developed a Community Event Manual to assist event managers to:

- Define the strategies and actions needed to achieve successful events that help to deliver Council and the community's vision for Narrabri Shire.
- Provide an easy-to-use resource that aims to address planning and risk management issues associated with events in Narrabri Shire.
- Provide a clear guide for Council, the community and key stakeholders on how events will be developed and managed, with templates for event planning.

The Community Event Manual can be downloaded from Council's website at [www.narrabri.nsw.gov.au](http://www.narrabri.nsw.gov.au).



### Event Application Form

People and organisations wishing to hold an event may need to complete an Event Application Form and provide all necessary information for Council to assess the request. Applications will require the following information where relevant:

- Completed Council's Event Application Form
- Site Plan
- Public Liability Certificate of Currency
- Approved request for Suspension of Alcohol-Free Zones
- Transport Management Plan
- Section 68 Application
- Food Safety Requirements (Food Act 2003)

Applications for events can only be considered if submitted on the appropriate Council form and accompanied by the required fees when necessary.

Council's Event Representative (CER) will assist community members navigate their way through Council's various procedures and permits.

PLEASE NOTE: Monthly events such as Markets are required to submit their application once for a twelve-month period.

The application form and relevant documents need to be emailed to [council@narrabri.nsw.gov.au](mailto:council@narrabri.nsw.gov.au).

### Referral to Other Approving Bodies

Council will refer requests for events to other authorities if required including (but not limited to):

- Narrabri Shire Council Local Traffic Facilities Committee
- Narrabri Shire Council Planning and Compliance department
- Liquor and Gaming NSW
- NSW Police
- Safework NSW
- NSW Health
- NSW Food Authority

### Application Processing Timeframe

A number of Council departments and at times, external approving bodies are involved in processing requests for events therefore the Event Application Form and related documents need to be submitted to Council with ample time to assess the application. See below for the mandatory timelines:



- Applications and all related documents for events that do not require Traffic Management Plans, road closures or Development Applications, need to be submitted to Council eight (8) weeks prior to the proposed event date.
- Applications and all related documents for events that require Traffic Managements Plans, road closures and or Development Applications, need to be submitted to Council fourteen (14) weeks prior to the proposed event date.

If an application for a complex event is received less than fourteen (14) weeks prior to the proposed date of the event, the application will not be accepted.

### **Event Venues and Facilities**

Council manages land for community use and has identified a number of Council facilities and venues that can accommodate community events. These are listed in Council's Community Event Manual and Community Directory.

As a number of Council managed sites are on Community land, holding an event at these locations may not entitle the Event to have exclusive usage of the site e.g. Narrabri Lake. Please note that fencing off sections may be an option if needed.

### **Traffic Management Plan (TMP)**

It is important to understand what classification your event is aligned with, especially when assessing the impact, it may have on traffic and the surrounding environment. Our Community Event Manual outlines these classifications in the Traffic Management chapter. Events are not categorised by the amount of people attending but more so by the impact and complexity of the event.

Traffic Management Plans may vary in complexity due the size and layout of the event. As TMPs must be approved by the Local Traffic Facilities Committee, it is imperative that these are lodged at least 14 weeks prior to the event.

Please note, the TMP is to be developed, implemented and managed by a qualified person or company. This cost is the responsibility of the event organiser.

### **Risk Management**

Risk management is the process of identifying risks, risk analysis and evaluation. By determining a level of risk of an event, event organisers can prioritise risks to ensure they can either be eliminated or minimised.

To determine a risk, you should consider:

- The consequence of the risk – what could happen and what could the extent of the harm be.
- The likelihood or possibility of the risk occurring.



When conducting a risk assessment, consult the people who will be involved in undertaking the task. As part of any good planning process, risks need to be identified, assessed, and addressed to minimise the potential harm or injury of any person attending the event. Events can vary vastly in regard to their size and nature however, all events require a risk assessment to be undertaken. Undertaking a risk assessment further ensures compliance with relevant legislation and regulation.

Event organisers are required to apply a risk management approach that provides a safe environment for people participating in the event. A risk management approach also ensures compliance with relevant legislation and regulations. Risk assessments should again be undertaken at least two (2) weeks prior to the event commencing to ensure no new risks have arisen.

The [Community Event Manual](#) has a chapter on Risk Management to help organisers identify and address risks that may be relevant.

### **Public Health**

Event organisers need to ensure their events are aligned with the requirements and conditions of the latest NSW Public Health Order.

### **Public Liability Insurance**

Event organisers are required to hold public liability insurance of \$20 million for the entire period of the event. This certificate must be lodged with Council prior to the event.

If the event is run in conjunction with Narrabri Shire Council a copy of the certificate of currency with Council noted as an interested party is required at the time of lodging the Event Application Form. If Council is nominated as an interested party this approval must be approved by the General Manager for approval prior to the event.

### **Accessibility and Inclusion**

When planning an event, it is a legal requirement to consider the access needs of people with a disability. With over 20 per cent of the NSW population living with disability, making your event accessible is also an important commercial decision. Promoting an event's focus on accessibility may also be an attractive prospect for supporting partners or sponsors. You can access the "Toolkit for accessible and inclusive events" developed by the NSW Government [here](#). Narrabri Shire Council has also developed a [Disability Inclusion Action Plan](#).

### **Waste Management**

Events can generate significant volumes of waste and Event organisers are responsible for making arrangements with Council to manage and dispose of waste. Public Park bins are not permitted for use for events. Waste and recycling bins are mandatory at events. Please refer to [Council's Fees and Charges](#) for Costs of waste management for events.

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### **Fees and Charges**

[Council's Fees and Charges](#) details Council's adopted fees and charges in relation to events and related activities.

### **Event Confirmation**

The event is considered 'confirmed' once all Council departments are satisfied with the application and the Terms and Conditions have been signed. A letter of approval, highlighting any conditions will be sent to the applicant upon approval.

Please note: the proposed event is not to be advertised until full approval has been given.

### **Event Cancellation**

If an event is cancelled or postponed, the Event Organiser needs to contact the Council Event Representative to ensure all Council departments are aware of this decision.

**Please Note: some fees are not refundable**

## **Appendix**

- Event Application Form
- Community Event Manual
- Community Event Terms and Conditions
- Fees and Charges 2021/ 2022

## **References**

This policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.



## History

Minute Number	Meeting Date	Description of Change
140/2022	24/05/2022	

**16.9 DRAFT PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS POLICY**

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

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

**Attachments:** 1. Draft Payment of Expenses and Provision of Facilities to Councillors Policy [↓](#) 

**DELIVERY PROGRAM ALIGNMENT****4 Civic Leadership - Council as strong leaders for the Community**

**Objective** 4.3 A resilient and sustainable Council

**Strategy** 4.3.1 Ensure policies and procedures are effective and implemented in accordance with legislative requirements and best practice principles

**EXECUTIVE SUMMARY**

Following the Ordinary Local Government Election in December 2021, all NSW councils are required to review and re-adopt various strategic documents including all policies.

The Narrabri Shire Payment of Expenses and Provision of Facilities to Councillors Policy (the Policy) has been reviewed and amended to reflect the current needs of Councillors and the Mayor more accurately and to closely align with best practice principles.

**RECOMMENDATION**

1. That Council endorse the draft Payment of Expenses and Provision of Facilities to Councillors Policy for the purposes of public exhibition for a period of at least 28 days.
2. That Council request a further report to Council, following the exhibition period to consider any public submissions received.

**BACKGROUND**

Following the Ordinary Local Government Election occurring in December 2021, all NSW councils are required to review and re-adopt various strategic documents including all policies.

**CURRENT SITUATION**

The Narrabri Shire Payment of Expenses and Provision of Facilities to Councillors Policy (the Policy) has been reviewed and amended to reflect the current needs of Councillors and the Mayor more accurately and to closely align with best practice principles.

The Policy will replace the following current policies that were adopted in 2017:

- Payment of Expenses and Provision of Facilities to Councillors Policy;
- Use of Council Facilities by Elected Politicians Policy; and
- Councillor Professional Development Policy.

Primary amendments include:

- Removal of repetitive clauses;
- Removal of clauses enabling the pre-payment of expenses directly to Councillors or the Mayor and not to the supplier;
- Inclusion of guidelines surrounding the provision of professional development to Councillors;
- Addition of clauses pertaining to the coverage of insurances; and
- Provided additional clarification regarding obtaining a benefit through loyalty points.

**FINANCIAL IMPLICATIONS**

The Policy outlines the framework for Council's payment of expenses incurred by Councillors and the Mayor.

**STATUTORY AND POLICY IMPLICATIONS**

*Local Government Act 1993* (NSW) ss 252-254.

**CONSULTATION**

It is proposed to publicly exhibit the Policy for a period of 28 days for community comment in accordance with the requirements of the *Local Government Act 1993*.

**External Consultation**

- NSW Office of Local Government.

**Internal Consultation**

- Executive Management.
- Governance and Risk Section.
- Councillors and the Mayor.





## PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS

<b>Responsible Department:</b>	Planning, Strategy and People
<b>Responsible Section:</b>	Governance and Risk
<b>Responsible Officer:</b>	Manager Governance and Risk

### Objective

The Payment of Expenses and Provision of Facilities to Councillors Policy (the Policy) is to ensure that there is accountability and transparency in the reimbursement of expenses incurred by the Mayor and Councillors. The Policy establishes a framework, based on the requirements of the *Local Government Act 1993* (the Act), for the payment of expenses and provision of facilities to the Mayor and Councillors.

The Policy provides for adequate, fair, and equitable payment or reimbursement of expenses and provision of facilities to the Mayor and Councillors to enable efficient discharge of the functions of Civic Office. The Policy applies to all Narrabri Shire Council Councillors, including the Mayor.

### Introduction

Pursuant to section 252 of the Act, Council is required to adopt a policy that guides the payment of expenses incurred or to be incurred and the provision of facilities to Councillors in relation to discharging the functions of Civic Office.

Expenses and facilities provided by the Policy are in addition to fees paid to Councillors as outlined by the Local Government Remuneration Tribunal pursuant to section 241 of the Act and as set through a resolution of Council.

### Policy

#### 1. Civic Duties

##### 1.1. Civic duties are defined as:

- Councillor workshops, inspections, Council and Committee Meetings.
- Community meetings approved by the Mayor or General Manager.
- Meetings with staff approved by the General Manager.
- Conferences, seminars, professional development opportunities, formal and social functions where representing Council and approved by either the Council or the Mayor and General Manager.



## 2. Private Use of Equipment and Facilities

- 2.1. Clause 8.13 of the Model Code of Conduct provides that Council resources must be used ethically, effectively, efficiently, and carefully. Council property, including intellectual property, services and facilities must not be misused by any person or body for private benefit or gain. Councillors must also avoid any action or situation that could create the appearance that Council resources are being used inappropriately.
- 2.2. Under no circumstances will Council permit the use of Council resources, facilities and equipment for the initiation or issue of election material/letters. Such use could represent a breach of Council's Code of Conduct and may be in direct contravention of the Electoral Act 2017 (NSW).
- 2.3. Councillors should not obtain any private benefit from any loyalty program or equivalent while on Council related business. This includes but not limited to:
- Retail loyalty programs (such as Everyday Rewards and Flybuys);
  - Accommodation loyalty programs (such as Best Western Rewards and IHG Rewards Club); and
  - Travel loyal programs (such as Frequent Flyers)
- 2.4. Where cost to Council would be mitigated by the use of a loyalty program by Councillors, Councillors may use those loyalty programs. When this occurs, Councillors are to advise the General Manager in writing as soon as possible and reimburse Council for the market value of any benefit they receive from using the loyalty program on Council business. Reimbursements to Council must be made within 28 days of the loyalty program being used.

## 3. Payment of Expenses

### 3.1. General Provisions

- 3.1.1. It is expected that expenses will be incurred in the performance of Mayoral and Councillor civic duties. Accordingly, Council will provide reimbursement of approved expenses incurred in the performance of such duties. No allowances or expenses other than those explicitly contained in the Policy are payable to the Mayor or Councillors.
- 3.1.2. The Mayor and Councillors must not obtain any private benefit under the Policy.
- 3.1.3. The Mayor and Councillors must not use any Council resource for political benefit, including actions that may be defined as electioneering. Political benefit includes but is not limited to:
- Production of materials relating to campaigns for re-election;
  - Use of council resources and equipment (such as tablets and printers) for electoral campaigns;
  - Use of official council letterhead, publications, websites, or services for political benefit; or
  - Fundraising activities of political parties or individuals where a benefit is obtained by a political party or elected member and not by a charitable organisation (as defined by the *Australian Charities and Not-for-profits Commission Act 2012* (Cth)).
- 3.1.4. Where it is appropriate for the Mayor or a Councillor to give a gift or benefit (for example, on a Council related business trip or when receiving visitors), these gifts and benefits should be of a value no greater than the quantum for acceptable gifts established by the Narrabri Shire Council Code of Conduct.



- 3.1.5. Where the Mayor or a Councillor gives a gift or benefit, they are to advise the General Manager in writing as soon as reasonably practicable afterwards. The gift or benefit must be recorded on Council's gifts and benefits register.

### **3.2. Approval Process**

- 3.2.1. Reimbursement of expenses shall only be made upon the production of tax invoices and a completed Expense Claim Form signed by both the claiming Councillor and a Certifying officer with appropriate delegation.
- 3.2.2. Claims for reimbursement of expenses are to be lodged and processed after the conclusion of each month.
- 3.2.3. A claim for reimbursement of expenses must be lodged within thirty (30) days of the end of the previous calendar month, on an Expense Claim form and lodged with the General Manager (or their delegate).
- 3.2.4. All reimbursement of expenses must be approved by the General Manager (or their delegate).

### **3.3. Dispute Resolution Process**

- 3.3.1. Any dispute relating to the administration of the Policy must be made in writing to the General Manager detailing the grounds for the dispute. Any such disputes will be referred to the next scheduled Ordinary Meeting of Council for determination and resolution.

## **4. Specific Expenses for Councillors**

### **4.1. Attendance at Conferences and Seminars**

- 4.1.1. Councillors will nominate, or will be nominated by Council to attend conferences, seminars or similar functions through a resolution passed in Open Council.
- 4.1.2. If notice of a conference is brought to the attention of Council, where registration deadlines will not permit a Councillor(s) nomination to be presented in an open session of a Council Meeting, the Mayor and General Manager may approve the attendance of a Councillor to the nominated conference, seminar, or similar function. If the Mayor is the nominated Councillor, then the Deputy Mayor and General Manager may approve the attendance of the Mayor to the nominated conference, seminar, or similar function.
- 4.1.3. If approval is given under the above delegated authority, all Councillors will be notified that the authority has been exercised.
- 4.1.4. The Mayor shall not be precluded from nominating a substitute attendee for functions on those occasions where the Mayor is unable to be in attendance.

### **4.2. What May Be Attended**

- 4.2.1. Any meetings or conferences of organisations or bodies on which a Councillor may be elected or appointed to attend whilst acting in their formal capacity as a Councillor.

### **4.3. Registration**



4.3.1. Where the Mayor or a Councillor has been authorised to attend a conference, seminar, professional development opportunity or similar function the Council will pay all normal registration costs which are charged, including those relating to official luncheons, dinners and tours which are relevant to the interests of the Council.

4.3.2. Where possible, expenses should be paid via Council's procurement system.

#### **4.4. Costs Incurred**

4.4.1. Reimbursement of costs incurred shall be subject to the requirements:

- The travel is on Council related business being to and from the conference, seminar, or similar function.
- Reasonable and necessary out-of-pocket expenses, on the production of receipts or tax invoices.
- The travel is undertaken economically with all due expedition and by the most direct route.
- Any time occupied in other than Council related business is not included in the calculation of expenses to be paid.
- A claim for reimbursement of expenses must be lodged within thirty (30) days of the end of the previous calendar month, on an Expense Claim form.
- Accommodation will be booked through the General Manager.
- Where possible, accommodation costs will be paid in advance prior to attendance by the Mayor or Councillor through Council's procurement.
- Actual accommodation and sustenance (ATO) Taxation Determination concerning travel allowances and incidental or on the basis of reasonableness, as determined by the Mayor and General Manager.

#### **4.5. Attendance at Dinners and Other Non-Council Functions**

4.5.1. Consideration will be given to meeting the cost of Councillors' attendance at dinners and other non-Council functions which provide briefings to Councillors from key members of the community, politicians, and business.

4.5.2. Approval to meet expenses will only be given when the function is relevant to Council's interest and attendance to the function is open to all Councillors.

4.5.3. The Mayor and General Manager may approve the attendance of a Councillor to a dinner or non-Council function. If the Mayor is the nominated Councillor, then the Deputy Mayor and General Manager may approve the attendance of the Mayor to the dinner or non-Council function.

4.5.4. No payment will be reimbursed for any component of the ticket that is additional to the service cost of the function, such as a donation to a political party or candidate electoral fund or some other private benefit.

4.5.5. The fundraising activities of political parties, including political fundraising events, are personal interests. Council will not pay expenses or provide facilities to Councillors in relation to supporting and/or attending such activities or events.

#### **4.6. Attendance at Professional Development Opportunities**

4.6.1. Council will meet expenses incurred by a Councillor in attending an approved professional development opportunity, as detailed in the Cost Incurred section of this Policy.



- 4.6.2. Professional development opportunities will be afforded to Councillors that directly assists in their role as elected representatives of the Narrabri Shire.
- 4.6.3. Council will set aside an annual amount per Councillor in its budget to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies.
- 4.6.4. In the first year of a council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development for Councillors.
- 4.6.5. Professional development opportunities by Councillors will be authorised under this Policy by the General Manager.
- 4.6.6. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 4.6.7. Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
- (a) details of the proposed professional development
  - (b) relevance to Council priorities and business
  - (c) relevance to the exercise of the Councillor's civic duties.
- 4.6.8. In assessing a Councillor request for a professional development activity, the General Manager must consider the factors set out in clause 4.6.7, as well as the cost of the professional development in relation to the Councillor's remaining budget.

#### **4.7. Reporting Requirements**

- 4.7.1. 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.
- 4.7.2. 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.
- 4.7.3. 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).

#### **4.8. Travel Arrangements**



- 4.8.1. Clause 4.8 applies to travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW.
- 4.8.2. All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport. This includes reimbursement:
- for public transport fares;
  - for the use of a private vehicle or hire car;
  - for parking costs for Council and other meetings;
  - for tolls; or
  - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 4.8.3. Councillors and the Mayor will be entitled to be reimbursed for travel from their home whilst carrying out civic duties at the rate per kilometre as determined in the current Local Government (State) Award.
- 4.8.4. Council will not pay any traffic or parking fines or administrative charges for road toll accounts regardless of if they are incurred whilst the Mayor or a Councillor is undertaking their civic duties.
- 4.8.5. Each Councillor is to keep a log of all kilometres travelled to perform their civic duties and submit the log at the end of each month (with their applicable Expense Claim form). The log will contain:
- the date of travel;
  - the venue/location travelled to;
  - the reason for the travel; and
  - the total kilometres travelled.
- 4.8.6. Car-pooling is to be encouraged where more than one Councillor is attending the same civic function.
- 4.8.7. Costs of traffic or parking fines incurred whilst travelling in private or Council vehicle on Council related business are the responsibility of the driver and are not eligible for reimbursement.
- 4.8.8. Where a Councillor must use another form of transport other than their own vehicle for travel within the Local Government area, then such approval must be obtained in advance from the General Manager and the Mayor.
- 4.8.9. In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the general manager. This includes where a meeting or event finishes later than 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50 kilometres from the location.
- 4.8.10. Where the Mayor or a Councillor is required to travel away from their primary residence to perform their civic duties, Council will reimburse costs for accommodation and meals.

#### **4.9. Travel Outside Local Government Area, Including Interstate Travel**

- 4.9.1. Councillors must obtain approval in advance from the General Manager and the Mayor for any travel outside of the Local Government area, including interstate travel.





- 4.9.2. For clarity, a Councillor appointed to a Committee, organisation or body, by Council, will have standing approval, by way of such appointment, to attend any meetings of the Committee, organisation or body outside the local government area provided the method of transport is by road.
- 4.9.3. Councillors will be entitled to travel to official engagements at Council's expense by the most reasonable method.
- 4.9.4. Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle themselves.
- 4.9.5. Councillors when travelling by air will travel economy class unless extenuating circumstances prevent this and approval is obtained by both the General Manager and the Mayor.
- 4.9.6. Where a Councillor travels in their own vehicle, they will be reimbursed at the appropriate per kilometre rate or airfare, whichever is the lower.
- 4.9.7. Upon request by Councillors, vehicles based at Council's Administration Building will be made available to enable Councillors to attend conferences, seminars, workshops or meetings on Council related business.

#### **4.10. Overseas Travel**

- 4.10.1. Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full council meeting prior to travel. The case should include:
- objectives to be achieved in travel, including an explanation of how the travel aligns with current council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillors' civic duties;
  - who is to take part in the travel;
  - duration and itinerary of travel; and
  - a detailed budget including a statement of any amounts expected to be reimbursed by the participant(s).

#### **4.11. Insurances**

- 4.11.1. Pursuant to Section 382 of the Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured.
- 4.11.2. Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties, or exercise of his or her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 4.11.3. Council shall pay the insurance policy excess in respect of any claim accepted by council's insurers, whether defended or not.
- 4.11.4. Appropriate travel insurances will be provided for any Councillors travelling on approved interstate and overseas travel on council business. Councillors while on Council related business shall receive the benefit of insurance cover for:
- Personal Accident (including sickness and journey/travel);
  - Public Liability;
  - Professional Indemnity; or
  - Councillor and Officers Liability.



#### 4.12. Legal Expenses and Assistance

4.12.1. Council may, if requested, indemnify, or reimburse the reasonable legal expenses of:

- a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the Councillor
- a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor
- a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.

4.12.2. In the case of a Code of Conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor.

4.12.3. Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office.

- For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.

4.12.4. Legal expenses that relate to expenses incurred in the event of any enquiry, investigation or hearing by any of the following shall not be reimbursed by Council:

- Independent Commission Against Corruption (ICAC);
- The Office of the Ombudsman;
- The Office of Local Government;
- The Police;
- The Director of Public Prosecutions;
- The Local Government Pecuniary Interest and Disciplinary Tribunal into the conduct of a Councillor;
- The Australia's Securities Commission; or
- A combination of the above.

4.12.5. Council will not meet the legal costs:

- Of legal proceedings initiated by a Councillor under any circumstances;
- Of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation; or
- For legal proceedings that do not involve a Councillor performing their role as a Councillor.

4.12.6. Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a council meeting prior to costs being incurred, provided that the following criteria is met:





- 4.12.6.1. Approval of the General Manager, in writing, is sought and gained prior to any legal expense being incurred.
- 4.12.6.2. The amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis.
- 4.12.6.3. The Councillor's performance or exercise of the civic duty or function was in the opinion of Council bona fide and/or proper, and the Councillor acted in good faith as required under section 731 of the Act.
- 4.12.6.4. The amount of such reimbursement shall be limited to the extent that only fees charged at a rate equivalent to the hourly rate then being charged by Council's Solicitors will be paid (for example, any portion of the expenses representing any hourly charge rate higher than the hourly charge rate of Council's Solicitor will not be reimbursed).
- 4.12.6.5. The Council is not the plaintiff in the action.
- 4.12.6.6. Any reimbursement shall not include any action by one Councillor against another Councillor.
- 4.12.6.7. The enquiry, investigation, hearing or proceeding results in a finding that is not substantially unfavourable to the Mayor or Councillor.

4.12.7. Where doubt arises in relation to any of the clauses in the Policy, Council should seek its own legal advice.

#### **4.13. Care and Other Related Expenses**

- 4.13.1. Council will reimburse a Councillor's reasonable expenses to cover engagement of a babysitter or carer where required to enable the Councillor to attend any Council, Committee Meeting or Council workshop.
- 4.13.2. Other than where a carer is required by a Councillor themselves, Council will meet the reasonable expenses for the care (that is actually and necessarily incurred by a Councillor whilst attending Council and Committee Meetings, and Council workshops) of:
  - A child of the Councillor; or
  - A dependent of the Councillor requiring full-time care.
- 4.13.3. Council will not meet the reasonable expenses for the care of a child or a dependent of the Councillor if the care is provided by a relative of the Councillor.
- 4.13.4. A Councillor is entitled to make a submission to the General Manager, in writing, for special consideration regarding care, for which a recommendation will be put to Council.
- 4.13.5. In addition to the provisions above, the general manager may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.

#### **4.14. Accompanying Person Expenses – Conference, Seminar or Similar Function**

- 4.14.1. Where the Mayor or Councillor is required to attend a conference, seminar, professional development opportunity or similar function to undertake their civic duties, all costs for, or incurred by, the accompanying person, including travel, breakfast, meals, registration and/or participation in any conference programs, are to be borne by the Councillor/accompanying person and not by the Council.

#### **4.15. Accompanying Person Expenses - Official Council Functions Within Local Government Area**



- 4.15.1. Where the Mayor or a Councillor is accompanied at an official Council function within the local government area all travel and subsistence costs for, or incurred by, the accompanying person, will be met by Council.

**4.16. Accompanying Person Expenses - Official Council Functions Outside Local Government Area**

- 4.16.1. Where the Mayor or a Councillor representing the Mayor is accompanied at an official Council function or carrying out an official ceremonial duty outside the local government area (but within the State) the payment of all travel and subsistence costs for, or incurred by, the accompanying person, will be considered by Council.



## 5. Provision of Facilities (and Equipment) for Councillors

### 5.1. General Provisions

- 5.1.1. Council will provide reasonable facilities and equipment to each Councillor to ensure that they can undertake their civic duties in an appropriate and efficient manner.
- 5.1.2. Reasonable facilities shall include those outlined in Clauses 5 and 6 of the Policy and any other aid to support the Mayor and the Councillors in undertaking their civic duties at the discretion of the General Manager in accordance with Council's policies and the Act.
- 5.1.3. The Council Chambers and Committee Room may be utilised by elected representatives of local, state and federal levels for use to meet with the public during this time. No fees will be charged for this use. Usage will be approved subject to:
  - Prior written/verbal request by the elected representative outlining the date and time of the visit; and
  - All usage of any Council facilities must relate solely to local constituency issues and must not relate to the promotion of political issues.

### 5.2. Councillor Corporate Dress

- 5.2.1. Each Councillor will be supplied with a Council name badge and either a necktie or scarf.

### 5.3. Business Cards

- 5.3.1. Councillors will be issued with business cards (the amount to be determined at the discretion of the General Manager). Replacements will be provided upon written request.

### 5.4. Meals and Refreshments at Council Meetings

- 5.4.1. Provision of meals and refreshments associated with Councillor attendance at Council and Committee Meetings and Councillor workshops or at any other time deemed appropriate by the Mayor or General Manager whilst on Council related business.

### 5.5. Councillor (Meeting) Room

- 5.5.1. Provision of meeting room facilities, including furnishings, telephone, appropriate access to the internet, printing and photocopying facilities for the purposes of Council related business.
- 5.5.2. These facilities will be made available at the Council Administration Building located in Narrabri..

### 5.6. Computer Facilities

- 5.6.1. Councillors will be provided with portable devices connected to the internet to assist in undertaking civic duties.
- 5.6.2. Facilities provided will consist of an iPad (or other portable computing device that is reasonably acceptable) with accessories (including carry case and keyboard).
- 5.6.3. Computer facilities shall be dealt with in accordance with the relevant legislation and the Narrabri Shire Council Code of Conduct.



## 6. Provision of Additional Facilities (and Equipment) for the Mayor

### 6.1. Mayoral Office

6.1.1. Council will provide a furnished office at the Council Administration building located in Narrabri to enable the Mayor to undertake civic duties. The office furnishings will include:

- Provision of a computer and associated software packages (with internet connection).
- Provision of a telephone (including all call costs).

### 6.2. Executive Assistant Support

6.2.1. Executive assistant support, from a suitably experienced and qualified resource, will be provided during normal office hours to aid and support to the Mayor in the conduct of their civic duties.

### 6.3. Ceremonial Clothing

6.3.1. Council will provide the Mayor with Mayoral robes and the Chain of Office.

### 6.4. Mobile Phone

6.4.1. Council will meet the cost of mobile call costs in direct relation to the conduct of Mayoral civic duties.

6.4.2. The Mayor must meet the cost of all non-civic duty calls.

### 6.5. Provision of a Motor Vehicle

6.5.1. Council will provide to the Mayor, at its cost, a registered, insured, maintained and fuelled vehicle for use by the Mayor on official duties and for private use.

6.5.2. The vehicle is provided on the following basis:

- The changeover of the vehicle is to occur in accordance with Council's Fleet Replacement Program.
- The Mayor is to be provided with a suitably equipped vehicle commensurate with the requirements of the Office of Mayor in accordance with Council's Fleet Policy and related Operational Protocols that are in place at the time of purchase.
- The Mayor is to enter into Council's standard agreement for the use of the vehicle, which is the subject of this Policy.

6.5.3. Conditions of Use of Motor Vehicle

- 6.5.3.1. The vehicle is to be kept in a clean and tidy condition to ensure that a professional image of the Council is presented at all times, and to retain the capital value of the vehicle.
- 6.5.3.2. The Mayor will ensure the general roadworthiness of the vehicle. This will include for example the checking of oil, fuel, coolant, brake fluid, lights, windscreen washers and wipers, water, battery and tyre tread and pressure, and taking corrective action where necessary as per vehicle specifications/manual.
- 6.5.3.3. The vehicle is to be serviced at required intervals through Council's Workshop and in accordance with the manufacturer's specifications.
- 6.5.3.4. Smoking is not permitted under any circumstances in the vehicle, at any time, by any person.



- 6.5.3.5. Animals are not permitted in the vehicle at any time, unless in the event of medical emergencies or natural disasters.
- 6.5.3.6. Wherever possible, the vehicle is to be garaged off-street.
- 6.5.3.7. The Mayor and their nominated partner are entitled to drive the vehicle, provided that such a person is a fully licensed driver.
- 6.5.3.8. If the Mayor is present in the vehicle, any competent and fully licenced driver may drive the vehicle. Under no circumstances is a person who does not hold a full license (such as a person who is unlicensed or holds a Learners or a Provisional Licence) is to drive the vehicle.
- 6.5.3.9. The Mayor will be strictly responsible for all parking, traffic or other fines or infringements arising from the use of the vehicle whilst the vehicle is in their custody and possession, in accordance with Council's Fleet Policy and Operational Protocols.

#### **6.6. Car Parking Space**

- 6.6.1. One (1) car parking space reserved for the Mayor will be provided at Council's Administration Building located in Narrabri for use by the Mayor.

#### **6.7. Corporate Credit Card**

- 6.7.1. The Mayor will be provided with a Corporate Credit Card to facilitate payment of incidental expenses in conjunction with discharging the functions of the Mayoral Office.
- 6.7.2. The credit card will be limited by the Mayor's current delegation as resolved by Council.
- 6.7.3. The credit card is to be used for Council-related business expenditure only.
- 6.7.4. The credit card must not be used for obtaining cash advances.
- 6.7.5. Upon completion of the Mayoral term, the credit card is to be returned to the General Manager on or prior to the date the term ceases.
- 6.7.6. On-going use of the credit card by the Mayor will be in accordance with and subject to any other Policy relating to the use of such credit facilities adopted by Council from time to time.

#### **6.8. Photograph**

- 6.8.1. The Mayor will be given an official framed photograph as a memento of their term in Office.

### **7. Other Matters**

#### **7.1. Acquisition and Return of Facilities and Equipment by Councillors**

- 7.1.1. All equipment provided to Councillors under the Policy shall remain the property of the Council and be returned in good condition to the Council upon the Mayor or Councillor ceasing to hold Civic Office.

#### **7.2. Annual Fees Payable to Councillors**

- 7.2.1. Pursuant to section 248 of the Act, Council shall, prior to 30 June each year, set by resolution, the annual fees to be paid to the Councillors for the following year commencing on 1 July provided that:



- 7.2.1.1. Such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal;
- 7.2.1.2. Such payment shall be subject to clause 404 of the *Local Government Regulation 2021* and as resolved by Council pursuant to section 254A of the Act.

7.2.2. Councillors will be paid in accordance with the Act at the commencement of each following month. Payments shall be:

- 7.2.2.1. Broken down on a monthly basis;
- 7.2.2.2. Include the amount of Superannuation as determined by the *Superannuation Guarantee (Administration) Act 1992* (Cth); and
- 7.2.2.3. Processed through Council's Payroll System on the last Wednesday of the month.

### **7.3. Annual Fees Payable to the Mayor**

7.3.1. Pursuant to section 249 of the Act, Council shall, prior to 30 June each year, set by resolution, the annual fee to be paid to the Mayor for the following year commencing on 1 July provided that such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal.

7.3.2. The Mayor will be paid in accordance with the Act at the commencement of each following month. Payments shall be:

- 7.3.2.1. Broken down on a monthly basis;
- 7.3.2.2. Include the amount of Superannuation as determined by the *Superannuation Guarantee (Administration) Act 1992* (Cth); and
- 7.3.2.3. Processed through Council's Payroll System on the last Wednesday of the month.

### **7.4. No Deduction under this Policy from Annual (Mayoral or Councillor) Fees**

7.4.1. Unless otherwise provided, the payment of, or reimbursement of expenses and the facilities that may be provided under this Policy, shall be provided without reduction from the annual fees payable to the Mayor and Councillors, as determined by the Council under sections 248 to 254 inclusive of the Act.

## **8. Requirement for Review**

- 8.1. The Policy is to be reviewed within 12 months of an Ordinary Local Government Election, or as required pursuant to updates to the Australian Taxation Office Taxation Determination or other relevant legislation.



## References

- *Local Government Act 1993* (NSW).
- *Local Government (General) Regulation 2021* (NSW).
- Office of Local Government Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW (October 2009).
- 2016 Taxation Determination (TD 2021/6).
- Council's Code of Conduct.
- Expense Claim Form (Appendix A).

## Definitions

**Accompanying Person:** Shall mean spouse, partner or a person with a close personal relationship to the Councillor and/or provides carer support to the Councillor.

**The Act:** *Local Government Act 1993* (NSW).

**The Regulation:** *Local Government (General) Regulation 2021* (NSW).

**Councillors:** Elected Council representatives, including the Mayor.

**Expenses:** Payments made by the Council to reimburse Councillors for reasonable costs or charges incurred or to be incurred for discharging their civic functions. Expenses are separate and additional to annual fees.

**Facilities:** Equipment and services that are provided by Council to Councillors to enable them to perform their civic functions with relative ease and at a standard appropriate to their professional role as Councillors.



### Summary of Expenses for Councillors

Expense Type	Refund Basis	Limit
Attendance at Conference, Seminar, or similar function - Registration	Actual	Nil
Attendance at Conference, Seminar, or similar function - Other costs	Actual	As defined in the relevant ATO Taxation Determination concerning travel allowances and incidentals (TD 2021/6 Table 3).
Attendance at Dinners and other Non-Council Functions	Actual	Nil
Attendance at Professional Development Opportunities - Other costs	Actual	As defined in the relevant ATO Taxation Determination concerning travel allowances and incidentals (TD 2021/6 Table 3).
Travel - use of private motor vehicle	Rate per kilometre as determined in the Local Government (State) Award.	Nil
Travel – Air	Actual	Nil
Travel – Rail	Actual	Nil
Travel – Taxi	Actual	Nil
Travel – Bus	Actual	Nil
Travel – Parking	Actual	Nil; however, valet parking prohibited.
Care and Other Related Expenses	Actual	\$30.00 per hour (up to \$2,500 per annum)
Accompanying Person Expenses - Official Council Functions Within Local Government Area (Travel and subsistence only)	Actual	As defined in the relevant ATO Taxation Determination concerning travel allowances and incidentals (TD 2021/6 Table 3).
Accompanying Person Expenses - Official Council Functions Outside Local Government Area (Travel and subsistence only)	As determined by Council	As determined by Council
Mobile Phone and mobile call costs	Actual	Nil





## History

Minute Number	Meeting Date	Description of Change
447/95	May 16, 1995	Adopted
413/96	May 21, 1996	Councillor Fee Amended
414/96	May 21, 1996	Mayoral Fee Amended
356/97	May 20, 1997	Councillor Fee Amended
357/97	May 20, 1997	Mayoral Fee Amended
142/98	March 18, 1998	Amended
275/98	May 19, 1998	Councillor Fee Amended
276/98	May 19, 1998	Mayoral Fee Amended
218/99	May 18, 1999	Councillor & Mayoral Fee Amended
205/2000	May 18, 2000	Councillor Fee Amended
206/2000	May 18, 2000	Mayoral Fee Amended
556/2000	December 5, 2000	Amended
70/2001	March 20, 2001	Amended
156/2001	May 15, 2001	Councillor Fee Amended
157/2001	May 15, 2001	Mayoral Fee Amended
211/2002	May 21, 2002	Councillor Fee Amended
212/2002	May 21, 2002	Mayoral Fee Amended
198/2003	May 20, 2003	Councillor Fee Amended
199/2003	May 20, 2003	Mayoral Fee Amended
256/2004	May 18, 2004	Councillor Fee Amended
257/2004	May 18, 2004	Mayoral Fee Amended
932/2004	December 14, 2004	Reviewed
334/2005	May 18, 2005	Councillor Fee Amended
335/2005	May 18, 2005	Mayoral Fee Amended
71/2006	February 21, 2006	Councillor Fee Amended
72/2006	February 21, 2006	Mayoral Fee Amended
425/2006	June 20, 2006	Councillor Fee Amended
426/2006	June 20, 2006	Mayoral Fee Amended
909/2007	December 18, 2007	Reviewed
597/2010	September 21, 2010	Reviewed
781/2011	November 15, 2011	Reviewed
18/2013	February 5, 2013	Reviewed
922/2013	December 3, 2013	Reviewed
669/2014	October 28, 2014	Reviewed
500/2015	September 15, 2015	Reviewed
220/2017	October 24, 2017	Format change, change in respect to: overseas travel, expense limits in line with ATO Tax Rulings



	December 24, 2019	Rebranded
	June 2022	Reviewed and amended

**16.10 DRAFT LEGISLATIVE COMPLIANCE POLICY**

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

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

**Attachments:** 1. Draft Legislative Compliance Policy [!\[\]\(a03a7eb2f4046e1d3c76772003e549ea\_img.jpg\) !\[\]\(844169987a590ed8c7e31d5d18950e8d\_img.jpg\)](#)

**DELIVERY PROGRAM ALIGNMENT****4 Civic Leadership - Council as strong leaders for the Community**

**Objective** 4.3 A resilient and sustainable Council

**Strategy** 4.3.1 Ensure policies and procedures are effective and implemented in accordance with legislative requirements and best practice principles

**EXECUTIVE SUMMARY**

Following the Ordinary Local Government Election in December 2021, all NSW councils are required to review and re-adopt various strategic documents including all policies.

The draft Legislative Compliance Policy (the Policy) has been developed to reflect the current needs of the organisation and to align with best practice principles.

**RECOMMENDATION**

**That in relation to the Report 'Draft Legislative Compliance Policy' Council:**

- 1. Endorse the draft Legislative Compliance Policy for the purposes of public exhibition for a period of at least 28 days prior to adoption by Council; and**
- 2. That Council request a further report to Council, following the exhibition period to consider any public submissions received.**

**BACKGROUND**

Following the Ordinary Local Government Election occurring in December 2021, all NSW councils are required to review and re-adopt various strategic documents including all policies.

**CURRENT SITUATION**

The draft Narrabri Shire Legislative Compliance Policy (the Policy) has been developed to reflect the current needs of the organisation.

**Key Purpose of the Policy:**

- Ensure that Narrabri Shire Council complies with its legislative and regulatory requirements.
- Ensure that its legislative requirements are complied with by all Council Officers.
- Ensure that if breaches of the law are committed by Council, Council Officers, or Councillors, it is dealt with appropriately and in accordance with the law.

Beneath this policy will be a Procedure, which will provide a framework and mechanism for executing the policy.

**FINANCIAL IMPLICATIONS**

Nil.

**STATUTORY AND POLICY IMPLICATIONS**

- *Local Government Act 1993 s 8A.*

**CONSULTATION**

It is proposed to publicly exhibit the draft Policy for a period of 28 days for community comment in accordance with Council's Community Engagement Strategy.

**External Consultation**

- NSW Office of Local Government.

**Internal Consultation**

- Executive Management.
- Governance and Risk Section.
- Councillors and the Mayor.



## LEGISLATIVE COMPLIANCE POLICY

<b>Responsible Department:</b>	General Manager
<b>Responsible Section:</b>	Governance and Risk
<b>Responsible Officer:</b>	Manager Governance and Risk

### 1. Objective

The breadth of Narrabri Shire Council's operations results in a large volume of legislation that impacts on and imposes various compliance obligations. The consequences of breaching legislation can vary greatly between minimal impact on Council to severe consequences of both a civil and criminal nature.

The primary objective of this Policy is to ensure that Narrabri Shire Council complies with its legislative and regulatory requirements. A fundamental principle of good public administration is that public officials comply with both the letter and the spirit of the law.

Council, in its role as a Local Government Authority, has an obligation to ensure that its legislative requirements are complied with. The community and those working at council have a high expectation that Council will comply with applicable legislation and Council should take all appropriate measures to ensure that that expectation is met.

If breaches of the law are committed by Council, or its staff; Council and/or its individual staff members and Councillors could be prosecuted or fined, there could also be a significant loss of Council's reputation.

Council will maintain the highest standards of diligence in all areas of public accountability, through its policies and processes, to meet its legal obligations. Council will maintain a Legislative Compliance Management System to ensure these standards of diligence are met.

### 2. Policy Aims

2.1 This Policy, and the principles set out in this Policy, aim to:

- (a) Prevent, and where necessary, identify and respond to breaches of laws, regulations, codes or organisational standards occurring in the organisation.
- (b) Promote a culture of compliance within the organisation; and
- (c) Assist the Council in achieving the highest standards of governance.

### 3. Policy Statement

- 3.1 Council shall have appropriate processes and structures to ensure that legislative requirements are achievable and are integrated into the everyday running of the Council.
- 3.2 These processes and structures will aim to:
  - (a) Develop and maintain a system for identifying the legislation that applies to Council's activities.
  - (b) Assign responsibilities for ensuring that legislation and regulatory obligations are fully implemented in Council.
  - (c) Provide training for relevant staff, Councillors, volunteers and other relevant people in the legislative requirements that affect them.
  - (d) Provide people with the resources to identify and remain up-to-date with new legislation.
  - (e) Conduct of audits to ensure there is compliance.
  - (f) Establish a mechanism for reporting non-compliance.
  - (g) Review accidents, incidents and other situations where there may have been non-compliance.
  - (h) Review audit reports, incident reports, complaints and other information to assess how the systems of compliance can be improved.

#### Roles and Responsibilities

- 3.3 Councillors and Committee Members.
  - (a) Councillors and Committee members have a responsibility to be aware of and abide by legislation applicable to their role.
- 3.4 General Manager.
  - (a) The General Manager should ensure that directions relating to compliance are clear and unambiguous and that legal requirements which apply to each activity for which they are responsible are identified.
  - (b) The General Manager should have systems in place to ensure that all staff are given the opportunity to be kept fully informed, briefed and/or trained about key legal requirements relative to their work within the financial capacity to do so.
  - (c) The General Manager shall ensure that staff seek information on legislative requirements applicable to their area of work and comply with the legislation.

### 4. General Principles

- 4.1 Council is working within the following principles based on the Australian Standards AS ISO 19600:2015 Compliance Management Systems - Guidelines.
  - (a) Council is committed to achieving compliance in all areas of its operations.
  - (b) Council will maintain a Legislative Compliance Policy that sets out its commitment to compliance with applicable laws and regulations.
  - (c) Council will provide sufficient resources to ensure that this legislative compliance program can be implemented, maintained and improved.
  - (d) Council will ensure that all managers, supervisors and staff generally understand, promote and be responsible for compliance with relevant laws, regulations, codes and standards that apply to activities within their day-to-day responsibilities.
  - (e) Council will use its established risk management practices to accurately identify, rate and treat compliance risks.
  - (f) Council will ensure that compliance requirements are integrated into day-to-day operating procedures as appropriate.
  - (g) Council will maintain an effective complaints management system, including the coverage of compliance failures.

- (h) Council will maintain a Statute and Regulation Register (within its electronic delegations database) and all identified legislation imposing compliance and impacting on Council will included on the Register.
- (i) Council will maintain a Breach Register Database (as part of the Legislative Register) and all legislative breaches, including reporting and rectification processes (Management response) will be stated within the Register.
- (j) Council will investigate, rectify and report all compliance failures.
- (k) Council will allocate appropriate responsibility for managing compliance at various levels.
- (l) Council will provide appropriate practical education and training of staff in order for them to meet their compliance obligations.
- (m) Council will actively promote the importance of compliance to staff, contractors and other relevant third parties.
- (n) Council will monitor its Legislative Compliance Management System via the Internal Audit Program and
- (o) Council will review its Legislative Compliance Management System annually to ensure its effectiveness.

## 5. Procedure

- 5.1 As part of the Legislative Compliance Management System, Council will have in place a Legislative Compliance Procedure to ensure that staff utilise the latest version of legislation and when legislation changes, steps are taken to ensure that staff are aware of amendments to legislation.

## 6. Review

- 6.1 A review of Council's Legislative Compliance System, Policy and Procedure will be undertaken within twelve months of an Ordinary Council Election.
- 6.2 A review may be undertaken on an as-needs basis.

## 7. History

Minute Number	Meeting Date	Description of Change
		Draft

**16.11 DRAFT RECOVERY OF COSTS ORDERS IN LITIGATION POLICY**

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

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

**Attachments:**

1. Draft Recovery of Costs Orders in Litigation Policy [↓](#) 
2. Draft Consideration of Hardship Form [↓](#) 

**DELIVERY PROGRAM ALIGNMENT****4 Civic Leadership - Council as strong leaders for the Community**

**Objective** 4.3 A resilient and sustainable Council

**Strategy** 4.3.1 Ensure policies and procedures are effective and implemented in accordance with legislative requirements and best practice principles

**EXECUTIVE SUMMARY**

Following the Ordinary Local Government Election in December 2021, all NSW councils are required to review and re-adopt various strategic documents including all policies.

The draft Recovery of Costs Orders in Litigation Policy (the Policy), as shown at **Attachment 1**, has been developed to reflect the current needs of the organisation and to align with best practice principles.

**RECOMMENDATION**

1. That Council endorse the draft Recovery of Costs Orders in Litigation Policy for the purposes of public exhibition for a period of at least 28 days.
2. That Council request a further report to Council, following the exhibition period to consider any public submissions received.

**BACKGROUND**

Following the Ordinary Local Government Election occurring in December 2021, all NSW councils are required to review and re-adopt various strategic documents including all policies.

The Governance and Risk Section has identified a potential gap in Council's policy framework, whereby there is presently no mechanism for Council to deal with costs orders in exceptional circumstances while complying with its obligations under the *Local Government Act 1993* (NSW).

**CURRENT SITUATION**

The draft Recovery of Costs Orders in Litigation Policy (the Policy) has been developed to reflect the current needs of the organisation.

The Draft Policy provides several things:

1. A standard policy position that Council will pursue costs orders in its favour apart from exceptional cases;
2. Defines exceptional cases; and



3. Provides a mechanism and procedure to apply for, consider, and assess exceptional cases transparently and in accordance with relevant principles and legislative requirements.

It is envisaged that applications to take no action on costs orders will only be approved in exceptional circumstances.

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

Compliance with:

- *Local Government Act 1993* (NSW) ss 8A, 8B, 356.
- *Uniform Civil Procedure Rules 2005* (NSW) rr 38.1, 38.2.

Alignment with:

- *Local Government Debt Management and Hardship Guidelines*.

#### **CONSULTATION**

It is proposed to publicly exhibit the draft Policy for a period of 28 days for community comment in accordance with Council's Community Engagement Strategy.

##### **External Consultation**

- NSW Office of Local Government.

##### **Internal Consultation**

- Executive Management.
- Governance and Risk Section.
- Councillors and the Mayor.



## Recovery of Costs Orders in Litigation Policy

<b>Responsible Department:</b>	Planning Strategy and People
<b>Responsible Section:</b>	Governance and Risk
<b>Responsible Officer:</b>	Manager Governance and Risk

### Objective

To provide a framework for Council's policy on pursuing costs orders in legal proceedings in accordance with its obligations as a public authority.

### Introduction

This policy details Council's position in relation to pursuit and recovery of costs orders in litigation, including circumstances under which Council may resolve to not pursue recovery of costs orders.

From time to time, Narrabri Shire Council is a party to proceedings before Courts, Tribunals, and Commissions in NSW and Australia. Some of these have the power to make costs orders in those proceedings, whereby one party is ordered to reimburse another party for some, or all, of their legal costs incurred in the case.

Under section 356 of the *Local Government Act 1993* (NSW), Council has the power to grant financial assistance to persons for the purpose of exercising its functions. This involves both providing funds to people and entities and waiving funds owing from people and entities to Council. Under the guiding and financial management principles set out in sections 8A and 8B of the Act, Council is required to act impartially in the local community's interests in a way that ensures financial sustainability and responsibility. Specifically, section 8A(b) requires that Council carries out its functions in a way that provides the best possible value for residents and ratepayers. This means Council must exercise due diligence and good governance when dealing with debtors.

## Policy

### 1. Definitions

Term	Meaning
<b>Commercial Unviability</b>	A situation where the cost of pursuing and/or enforcing a costs order significantly exceeds the likely amount that will be recovered by Council. Commercial unviability typically arises where there is no certainty of success in the pursuit and recovery of costs orders and the amount expected to be recovered is far less than the amount required to be expended to recover it.
<b>Costs</b>	Legal and other expenditure that is payable under a costs order made by a court, tribunal, or commission.
<b>Hardship</b>	A difficulty in paying a costs order as a result of: <ul style="list-style-type: none"> <li>Loss or change of income;</li> </ul>



- Illness;
  - Loss arising from an accident;
  - Natural disaster or emergency situation;
  - Death in the family;
  - Separation, divorce, or other family crisis;
  - Family violence; and
  - Some other temporary financial difficulty due to loss of income or increase in essential expenditure.
- Hardship in this sense may be permanent or temporary.

## 2. Presumption in Favour of Pursuit and Recovery

- 2.1. Unless Council resolves otherwise in accordance with this policy, Council will pursue all costs orders made in its favour against other parties in proceedings.
- 2.2. In pursuing costs orders, Council is to seek and consider the advice of Council's retained legal representatives in the matter as to:
  - a) The likely amount of the costs order if assessed;
  - b) The likelihood of recovering those costs or a portion of them; and
  - c) The best means of pursuing and recovering legal costs under a costs order in the circumstances.
- 2.3. Council is to consider that advice when deciding on the most effective method for maximising recovery of costs and minimising wasted expenditure.
- 2.4. In assessing the commercial viability of costs orders, at first instance Council should take advice on and consider serving an examination notice on the debtor pursuant to r38.1 of the *Uniform Civil Procedure Rules 2005* (NSW) and/or applying for an examination order under r38.2 of the *Uniform Civil Procedure Rules 2005* (NSW).
- 2.5. Where no exception applies, Council is to pursue recovery of all costs orders made in its favour.

## 3. Exceptions to the Presumption

- 3.1. There are two (2) exceptions to the presumption in favour of pursuit and recovery:
  - a) Hardship; and
  - b) Commercial unviability.
- 3.2. Where an exception applies, Council may, at its discretion, take one of the following actions:
  - a) Resolve to take no action on the costs order;
  - b) Resolve to suspend recovery of the costs order for a period of time;



- c) Resolve to seek a lesser amount in satisfaction of the costs order than it might otherwise be entitled to, including a nominal amount; or
  - d) Resolve to agree to an instalment order for the total amount of the assessed costs or a lesser amount under clause 3.2.3.
- 3.3. A decision of Council under 3.2 will be exceptional and will only apply when the matter meets the requirements of this Policy.
- 3.4. All decisions of Council under 3.2 will be made on the merits of each case, and on a case-by-case basis.

#### 4. Hardship Applications

- 4.1. A person ordered to pay costs to Council may apply to council seeking a resolution under clause 3.2 in accordance with this policy.
- 4.2. Where a party seeks that Council consider taking action under clause 3.2, they must lodge an application in accordance with this policy:
- a) The application must be in writing in the form prescribed by Council. The prescribed form is Appendix A to this policy.
  - b) The application must be signed by the person applying or their legal representative.
- 4.3. The Application must include sufficient supporting evidence to justify the application, including but not limited to:
- a) Bank statements
  - b) Medical Certificates
  - c) Employment correspondence
  - d) Tax returns
  - e) Statutory declarations explaining circumstances
  - f) Evidence of Centrelink, Veterans Affairs, or other Government benefits
  - g) Letter from financial counsellor or other assistance service.
  - h) Other relevant evidence of hardship.
- 4.4. An application must be made no later than fourteen (14) days before the Ordinary Council Meeting at which the applicant seeks for it to be considered.

#### 5. Assessment and Determination of Hardship Applications

##### Assessment

- 5.1. An assessment is to be conducted by the General Manager, or their delegate, of all hardship applications.



- 5.2. The assessment will have regard to:
- a) The nature of the hardship;
  - b) The duration of the hardship;
  - c) The applicant's financial position;
  - d) The nature of any assets disposed by the person since the costs order was made or during the proceedings;
  - e) The amount of the costs order;
  - f) The likelihood of recovery;
  - g) The estimated cost of recovering the costs order;
  - h) Whether it would be fair and equitable to pass a resolution in accordance with clause 3.2; and
  - i) The likelihood and nature of a precedent being set by a resolution in accordance with clause 3.2.
- 5.3. Following consideration of the above factors, the General Manager, or their delegate, will submit a confidential report to an Ordinary Council Meeting. The report will:
- a) Describe the case the application relates to;
  - b) Identify the likely quantum of the costs order;
  - c) Discuss the basis of the application and its supporting evidence;
  - d) Make a recommendation for Council action under this policy; and
  - e) Provide reasons for that recommendation, addressing the criteria at 5.2.
- 5.4. Where the report is prepared by a delegate of the General Manager, the report must be endorsed by the relevant director and the General Manager before it is brought before Council.
- 5.5. The report should be brought to the next Ordinary Council Meeting following its preparation, if reasonably practicable.
- 5.6. When an application is made, the General Manager may, at their discretion, suspend pursuit and recovery action on the costs order until the application is determined up to a maximum of three months, after which the matter must be brought before Council for decision on suspension pending consideration of the application.

#### Consideration and Decision by Council

- 5.7. At the Ordinary Council Meeting, Council will consider the report and recommendation referred to at 5.3 and make a determination.
- 5.8. A determination by Council will take the form of a resolution.
- 5.9. The resolution will be for one of the options in clause 3.2, a deferral of decision for more information, or to refuse the application.



5.10. If Council does not make a decision at the second Ordinary Council Meeting following the application's submission, the application will be deemed to be refused.

5.11. Due to the nature of the information in the report, the item will usually be dealt with in a closed session of the council meeting

## 6. Commercial Unviability

6.1. In circumstances of commercial unviability, it is unlikely that Council will successfully recover most or all its costs without spending a significantly greater amount pursuing recovery. In those circumstances Council adopts the position that it would not be financially sensible or sustainable to pursue recovery of commercially unviable costs orders.

6.2. If the General Manager or their delegate, considering the advice under clause 2.2, identify that a matter may be commercially unviable, they are to bring a confidential report to an Ordinary Council Meeting in accordance with this policy.

6.3. A report under 6.2 must, at a minimum, contain:

- a) The amount, or estimated amount, of the costs order;
- b) The estimated cost of pursuing recovery of the costs order;
- c) Other factors relevant to commercial viability of pursuing recovery of the costs order;
- d) A synthesis of the advice given under clause 2.2 above; and
- e) A recommendation as to the appropriate course of action on a commercial basis, taking into account Council's legislative obligations.

## Consideration and Decision by Council

6.4. At the ordinary Council Meeting, Council will consider the report and recommendation referred to at 6.2 and make a determination.

6.5. A determination by Council will take the form of a resolution.

6.6. The resolution will be for one of the options in clause 3.2 or to refuse the application.

6.7. Due to the nature of the information in the report, the item will usually be dealt with in a closed session of the council meeting

## 7. Writing Off Debt

7.1. If Council resolves to take no action on the debt in accordance with 3.2(a), The General Manager is to consider writing the debt off in Council's financial accounting systems in accordance with reg 213(5)(c) of the *Local Government (General) Regulation 2021* (NSW).

7.2. If Council resolves to accept a lesser amount in accordance with 3.2(c), the General Manager is to consider writing off the amount that the debt is reduced by in the Council resolution in Council's financial accounting systems in accordance with reg 213(5)(c) of the *Local Government (General) Regulation 2021* (NSW).



### 8. Review

- 8.1. This policy will be reviewed, at the very least, within twelve months of an ordinary Council election.
- 8.2. This policy may be reviewed on an as-needs basis.

### References

- *Local Government Act 1993* (NSW).
- *Local Government (General) Regulation 2005* (NSW).
- *Uniform Civil Procedure Rules 2005* (NSW).

### History

Minute Number	Meeting Date	Description of Change



  
 Narrabri Shire Council  
 46 - 48 Maitland Street  
 PO Box 261, Narrabri NSW 2390

  
 P. (02) 6799 6866  
 F. (02) 6799 6888

  
 E. council@narrabri.nsw.gov.au  
 www.narrabri.nsw.gov.au

Our Reference:

Contact Name:

Governance Coordinator

## Application for Consideration of Hardship

I, \_\_\_\_\_  
 (Full name in BLOCK LETTERS)

Of: \_\_\_\_\_  
 (Address)

Apply for a consideration on the basis of financial hardship.

1) Do you receive any pensions or benefits? ☐ Yes ☐ No

If YES, please provide the following:

Pension Type: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

2) Do you have a current Pensioner Concession ☐ Yes ☐ No

Card issued by the Commonwealth

Government?

PCC No: \_\_\_\_\_ Date of Grant: \_\_\_\_\_

3) How many children do you support ?

No. of Children: \_\_\_\_\_ Ages: \_\_\_\_\_

What is the cause of your financial hardship?


4) How long have you been experiencing hardship?

5) Please state gross weekly amount received from the following sources of income:

a) Pensions and benefits	\$ _____
b) Compensation, superannuation insurance or retirement benefits	\$ _____
c) Spouse's income	\$ _____
d) Income of other residents of the property	\$ _____
e) Casual/part-time employment	\$ _____
f) Family allowance	\$ _____
g) Interest from financial institution	\$ _____
h) Dividends	\$ _____
i) Other:	\$ _____



- 6) Please provide name and current balance of all bank, credit union or building society accounts held by you.


- 7) Please state details of fortnightly outgoings.

Outgoing	Owed to	Amount
Rent/Mortgage:		
Other Loans:		
Insurances:		
Medical and Health Costs:		
Council rates and Charges:		
Other:		

- 8) Please outline any other factors you wish for Council to consider.


Please attach a separate page with any other relevant information you feel may assist your application (including any supporting evidence of the above).

#### Privacy Statement

\*This information is being collected by Narrabri Shire Council, 46-48 Maitland Street Narrabri.

Your information is being collected by Narrabri Shire Council in accordance with the *Privacy Act 1988* (Cth) and the *Privacy and Personal Information Protection Act 1998* (NSW) for the purpose of evaluating hardship in accordance with Council's Recovery of Costs Orders in Litigation Policy. The supply of this information is voluntary; you are not legally required to provide your personal information, however if you do not supply all the information requested above Council may not be able to consider your application for consideration of hardship. If you wish to obtain a copy of Council's Privacy Management Policy, please contact Council on (02) 6799 6866 or [council@narrabri.nsw.gov.au](mailto:council@narrabri.nsw.gov.au).

I hereby declare that the information provided is true and correct. I understand that if I make a false statement in an application, I may be guilty of an offence under the *Crimes Act 1900* (NSW).

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**16.12 DRAFT DELEGATIONS POLICY**

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

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

**Attachments:** 1. Draft Delegations Policy  

**DELIVERY PROGRAM ALIGNMENT****4 Civic Leadership - Council as strong leaders for the Community**

**Objective** 4.3 A resilient and sustainable Council

**Strategy** 4.3.1 Ensure policies and procedures are effective and implemented in accordance with legislative requirements and best practice principles

**EXECUTIVE SUMMARY**

Following the Ordinary Local Government Election in December 2021, all NSW councils are required to review and re-adopt various strategic documents including all policies.

The draft Delegations Policy (the Policy) as shown in **Attachment 1**, has been developed to reflect the current needs of the organisation and to align with best practice principles.

**RECOMMENDATION**

- 1. That Council endorse the draft Delegations Policy for the purposes of public exhibition for a period of at least 28 days prior to adoption by Council; and**
- 2. That Council request a further report to Council, following the exhibition period to consider any public submissions received.**

**BACKGROUND**

Following the Ordinary Local Government Election in December 2021, all NSW councils are required to review and re-adopt various strategic documents including all policies.

**CURRENT SITUATION**

The draft Narrabri Shire Delegations Policy (the Policy) has been developed to reflect the current needs of the organisation. Delegations are a vital part of effective Local Government governance. They provide the means through which the functions of our Councillors and General Manager can be effectively carried out across the shire.

The Governance and Risk Section has drafted a policy that will allow Council to have a transparent, certain, and clear framework for the issue, amendment, and revocation of delegations.

Key Purpose of the Policy:

- Ensure Council Officers are allocated appropriate delegations that enable them to undertake their required duties;
- Ensure Council's delegations are managed and updated in a timely manner; and

- Clearly and transparently:
  - Govern the making of delegations & sub-delegations;
  - Govern the recording of delegation & sub-delegations; and
  - Govern the review of delegations & sub-delegations.

Operating underneath this Policy will be an Operational Protocol issued by the General Manager, which will be used to implement the Policy.

### **STATUTORY AND POLICY IMPLICATIONS**

*Local Government Act 1993 ss 8A, 377, 381*

### **CONSULTATION**

It is proposed to publicly exhibit the draft Policy for a period of 28 days for community comment in accordance with Council's Community Engagement Strategy.

#### **External Consultation**

- NSW Office of Local Government.

#### **Internal Consultation**

- Executive Management.
- Governance and Risk Section.
- Councillors and the Mayor.



## DELEGATIONS POLICY

**Responsible Department:** Planning, Strategy, and People

**Responsible Section:** Governance and Risk

**Responsible Officer:** Manager Governance and Risk

### Objective

The overall objective of this policy is to provide a framework and set Council's policy position on delegations and sub-delegations of authority and functions.

Specifically, this policy aims to:

- Govern the making of delegations & sub-delegations;
- Govern the recording of delegation & sub-delegations; and
- Govern the review of delegations & sub-delegations

In a way that is clear, transparent, and accountable.

### Introduction

Delegations are an important element of any Council Governance Structure. They ensure that relevant people within Council have a level of authority that matches their responsibility. It is vital that the Council has a policy that clearly sets out how Delegations will be made, recorded, and reviewed. Council is committed to adhering to good governance practices through the implementation of this policy.

The *Local Government Act 1993* (NSW) (LGA) and other Acts authorize Council to undertake a number of functions by way of delegations and authorisations to staff.

Subject to several exceptions, sections 377 and 381 of the *Local Government Act 1993* (NSW) enable Council to resolve to delegate the functions of Council under the *Act* or delegable functions under any other *Act* to the General Manager or any other person or body (not including another Council employee).

Section 378 of the *Act* enables the General Manager to sub-delegate any functions inherent to their role as well as functions delegated by Council to the General Manager under sections 377 and 381 to any person (including employees of Council).



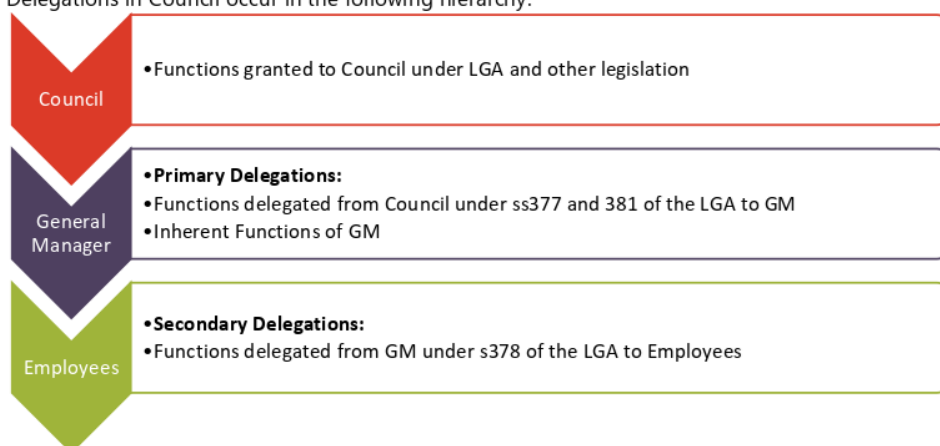
## Policy

### 1. Definitions

Term	Meaning
Delegate	A person to whom functions have been delegated under this policy
Delegations Register	A register containing a record of all delegations and delegation instrument.
Financial Delegations	Delegations of functions that authorise a person to expend or commit to expend funds on Council's behalf
Non-Financial Delegations	Delegations of functions that do not authorise a person to expend or commit to expend funds on Council's behalf.
Primary Delegation	A delegation of functions from Council to the General Manager under s377 of the <i>Local Government Act 1993</i> (NSW)
Secondary Delegation	A delegation of functions from the General Manager to a person under s378 of <i>Local Government Act 1993</i> (NSW).

### 2. Hierarchy of Delegations

2.1. Delegations in Council occur in the following hierarchy:





### 3. Types of Delegations

- 3.1. There are several different types of delegations within Council:
  - 3.1.1. Correspondence;
  - 3.1.2. Technical/Operational;
  - 3.1.3. Financial;
  - 3.1.4. Human Resources; and
  - 3.1.5. Other regulatory delegations.

### 4. Issuing/Removing Delegations

- 4.1. Primary Delegations will be made by Council Resolution. These will occur:
  - 4.1.1. On the appointment of a General Manager;
  - 4.1.2. On the granting of additional delegable functions to Council;
  - 4.1.3. Within twelve months of the beginning of a Council's term;
  - 4.1.4. At any other time the Council so resolves; or
  - 4.1.5. On the commencement of changes in legislation requiring the removal/delegation of functions.
- 4.2. Primary delegations will be issued in the form of a Council Resolution, attaching a formal delegation that records the resolution's resolution number.
- 4.3. Where a primary delegation requires amendment, this will occur by Council Resolution pursuant to section 377 of the Act adopting a new formal delegation instrument.
- 4.4. Secondary Delegations will be made by the General Manager to employees of Council and other people in accordance with, and under the authority granted to them by, section 378 of the Act. Secondary delegations will be issued and administered in accordance with Council's *Delegations Operational Protocol*.
- 4.5. All secondary delegations will cease and be revoked upon the termination of an employee's employment.

### 5. Registration and recording of Delegations

- 5.1. Council will establish a register of delegations.
- 5.2. The Delegations register will record the delegations each position holds, financial, non-financial, and temporary.
- 5.3. The delegations register will be made available to all employees of Council.

### 6. Operation of Delegations

- 6.1. All delegates (primary and secondary) are to exercise their delegations pursuant to their obligations under the Code of Conduct.
- 6.2. All delegates (primary and secondary) are to exercise their delegations under the following broad principles:
  - 6.2.1. In the best interests of the Council;
  - 6.2.2. Objectively;
  - 6.2.3. Transparently;

- 6.2.4. Honestly;
- 6.2.5. Fairly
- 6.2.6. Impartially



- 6.3. Delegations, both financial and non-financial, must be consistent across Council's management systems and software. Upon the adoption of this policy and the implementation of Council's new Delegations Register and Recording system, an alignment review must take place.

## 7. Review of Delegations

- 7.1. Delegations will be reviewed:

- 7.1.1. By Council within 12 months of a Council Election AND other dates as determined by Council resolution for primary delegations;
- 7.1.2. By the General Manager, in accordance with Council's *Delegations Operational Protocol*.

## 8. Review of this Policy

- 8.1. This policy will be reviewed every three years at a minimum or as circumstances warrant.

## References

- *Local Government Act 1993* (NSW).
- *Local Government Regulation 2021* (NSW)

## History

Minute Number	Meeting Date	Description of Change

**16.13 ACCOUNTING TREATMENT OF RURAL FIRE SERVICE ASSETS (RED FLEET)****Responsible Officer:** Glenn Inglis, Acting General Manager**Author:** Glenn Inglis, Acting General Manager**Attachments:** Nil**DELIVERY PROGRAM ALIGNMENT****4 Civic Leadership - Council as strong leaders for the Community****Objective** 4.3 A resilient and sustainable Council**Strategy** 4.3.2 Sustainably manage Council's finances, assets, and workforce**EXECUTIVE SUMMARY**

There is a long running dispute between Councils and the NSW Government surrounding how Rural Fire Service assets are treated in Councils' accounting systems. The NSW Government's position is that since the Act vests ownership in the Council, the Council controls the assets, and they should be included in the Council's asset registers. Councils' position is that the assets are controlled by the RFS, and therefore should not be included.



**RECOMMENDATION**

1. That Council writes to the local State Member Roy Butler MP, the Treasurer the Hon Matt Kean MP, Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and the Minister for Local Government Wendy Tuckerman MP:
  - (a) Expressing Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets;
  - (b) Advising of the impact of the Government's position on Council finances of this accounting treatment;
  - (c) Informing that Council will not record RFS assets in Narrabri Shire Council's financial statements;
  - (d) Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and
  - (e) Amending s119 of the Rural Fires Act 1997 so that the effect is to make it clear that RFS assets are not the property of councils.
2. That Council writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:
  - (a) Advising Members of Narrabri Shire Council's position, including providing copies of correspondence to NSW Government Ministers; and
  - (b) Seeking Members' commitments to support NSW Councils' call to amend the Rural Fires Act 1997 as set out in correspondence.
3. That Narrabri Shire Council writes to the Auditor General advising that notwithstanding any overtures of future qualified audits, it will not record RFS assets in Narrabri Shire Council's financial statements, noting that the State Government's own Local Government Accounting Code of Practice and Financial Reporting provides for councils to determine whether or not they record the RFS assets as council assets.
4. That Council promotes these messages via its digital and social media channels and via its networks.
5. That Council re-affirms its complete support of and commitment to local RFS brigades noting that Narrabri Shire Council's action is entirely directed towards the NSW Government's nonsensical position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which councils consider to be a cynical financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities.
6. That Narrabri Shire Council affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification finally from the State Government about the accounting treatment of RFS assets.

**BACKGROUND**

A long-standing dispute over the accounting treatment of the Red Fleet has come to a head with the Auditor-General's 2021 Report on Local Government on 22 June 2022. The Audit Report reemphasises the State Government determination that RFS assets are the "property" of councils and must be recorded in Council's financial statements with Council required to therefore absorb all depreciation costs.

**CURRENT SITUATION**

The Audit Office Local Government Report has reinforced the notion that RFS mobile and other fire-fighting assets can somehow be deemed to be council assets and applies more pressure on councils and the Office of Local Government (OLG) to conform with this determination, even though councils do not have effective management or control of these assets.

Councils across the State and Local Government NSW (LGNSW) refute this determination. Councils do not have any say in the acquisition, deployment, or disposal of these assets. Comparable assets held by Fire & Rescue NSW (FRNSW) and the State Emergency Service (SES) are not vested anywhere other than with the organisations that purchase, use, maintain and dispose of them.

Councils and LGNSW have also raised concerns that the requirement breaches Australian Accounting Standards. The State Government's own Local Government Accounting Code of Accounting Practice and Financial Reporting provides for councils to determine whether to record RFS assets on their books as council assets. This position has been confirmed by the Secretary of the Department of Planning and Environment in his letter to the Auditor-General dated 7 June 2022, presented in Appendix1 on page 47 of the 2021 Local Government Audit Report.

Council notes advice from LGNSW that many councils are refusing to comply with the Auditor General's instructions. Councils remained firm in 2021, resisting pressure to record RFS assets with the majority (68), choosing not to record the RFS mobile assets in accordance with the Local Government Accounting Code. This was the same number of councils as in 2020. LGNSW is encouraging councils to continue resisting pressure from the Audit Office and make their own determinations notwithstanding overtures that ongoing non-compliance with the Auditor General's instructions may result in future qualified financial reports.

The latest Audit Report has made further impositions on Council by:

- recommending Council undertakes a stocktake of RFS assets and records the value in Council's financial statements;
- warning that if Council does not recognise the assets, it will be found non-compliant and will have a high risk finding reported; and
- calling on the NSW Department of Planning and Environment (OLG) to intervene where councils do not recognise rural firefighting equipment.

The Government's blanket determination is not only nonsensical, but also inconsistent with the treatment of the comparable assets of other emergency service agencies such as Fire & Rescue NSW (FRNSW) and the State Emergency Service (SES). There is no rational reason for maintaining this anomaly.

LGNSW has been advocating this position on councils' behalf and has written to the NSW Treasurer the Hon. Matt Kean MP, Minister for Emergency Services, the Hon. Steph Cooke MP, Minister for Local Government the Hon. Wendy Tuckerman MP and the Auditor-General, Ms Margaret Crawford to express the local government sector's strong objection to the NSW Government's determination,

applied by the Auditor-General, that RFS assets are the property of councils for accounting purposes and amend the *Rural Fires Act 1997*.

LGNSW has advised it will continue its advocacy efforts on councils' behalf and is asking all affected councils in NSW to consider adopting a resolution advising the Audit Office that Council will not record RFS assets on Council's financial statements.

#### **FINANCIAL IMPLICATIONS**

Nil, as Council currently does not include these assets in its financial statements.

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

Resolving this issue would ensure clarification of the legal and accounting position of the red fleet.

#### **CONSULTATION**

##### **External Consultation**

Nil

##### **Internal Consultation**

- Executive Management.
- Governance and Risk.
- Financial Services.

**16.14 RESOLUTIONS REGISTER - JUNE TO JULY 2022**

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

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

**Attachments:** 1. Resolutions Register as at 20 July 2022 (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**

Good governance and transparency dictate that Council maintains a Resolutions Register, and for it to be brought before Ordinary Council Meetings. The Resolutions Register, as at 20 July 2022, is therefore presented to Council.

**RECOMMENDATION**

1. That Council note the Resolutions Register as at 20 July 2022.

**BACKGROUND**

Council Resolutions are, insofar as they are lawful, binding upon the General Manager and executive arm of Council. It is important, and standard industry practice, that a register of resolutions and actions is maintained to ensure transparency and accountability in enacting those resolutions.

Bringing the register before Council at Ordinary Council Meetings will provide Council and the public with situational awareness of the implementation of its resolutions, ensuring transparency and promoting accountability.

**CURRENT SITUATION**

The register has been updated as at 20 July 2022 and is attached to this report. This register lists the outstanding resolutions and action items, as well as a comment on current status. Some of the resolutions and action items are historical and, where no action is possible, a report will be brought to Council seeking resolution.

Governance and Risk intends to present the Resolutions Register in a report to each month's Ordinary Council Meeting.

**FINANCIAL IMPLICATIONS**

Nil

**STATUTORY AND POLICY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**External Consultation**

Nil

**Internal Consultation**

- Executive Management.
- Senior Management.

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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 EOI - Boggabri Bowling Club**

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.

**17.2 The Exchange Business Activator (TEBA) - Professional Advisory Support Program**

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 Narrabri and District Chamber of Commerce - 2022 Business Awards Sponsorship Proposal - Additional Supporting Information**

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.

**17.4 Quarry Development Applications**

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.

**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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