

# **AGENDA**

Narrabri

# Ordinary Council Meeting 27 September 2022

Rob Williams 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 <u>5pm on the working day before the date on which the public forum is to be held</u> 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 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



General Manager Mr Rob Williams



Director Infrastructure Delivery Mrs Eloise Chaplain



Director Corporate & Community Services Mr Andrew Brown



Director Planning and Strategy Ms Donna Ausling





## 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.



### **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

### **AGENDA**

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#### 1 OPENING PRAYER

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

#### 2 ACKNOWLEDGEMENT OF COUNTRY

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.

#### 3 RECOGNITION OF SERVICE MEN & WOMEN

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

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

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

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.

#### 6 MATTERS OF GREAT URGENCY

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

#### Extract from Council's Code of Meeting Practice:

- 14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLICGrounds 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 Writing off Debts to Council

#### 8 PRESENTATIONS

Presentation requests received to date:

1. NIL

#### 9 CONFIRMATION OF MINUTES

#### RECOMMENDATION

That the minutes of the Ordinary Meeting of the Narrabri Shire Council held on 23 August 2022 as circularised be confirmed and signed as a correct record by the Mayor.

#### RECOMMENDATION

That the minutes of the Extraordinary Council Meeting of the Narrabri Shire Council held on 20 September 2022 as circularised be confirmed and signed as a correct record by the Mayor.

# MINUTES OF NARRABRI SHIRE COUNCIL ORDINARY COUNCIL MEETING

# HELD AT THE NARRABRI SHIRE COUNCIL CHAMBERS, 46-48 MAITLAND STREET, NARRABRI ON TUESDAY, 23 AUGUST 2022 AT 1.00PM

**PRESENT:** Cr Ron Campbell, Cr Catherine Redding, Cr Rohan Boehm, Cr Robert Browning,

Cr John Clements, Cr Lisa Richardson

IN ATTENDANCE: Rob Williams (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), Kira Goodhew (Minute Clerk)

Proceedings of the meeting commenced at 1:00pm.

#### 1 OPENING PRAYER

Members and officers were upstanding for the opening prayer by Reverend Bernard Gabbott of the Anglican 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 Dickinson	23/08/2022	Leave of Absence	Leave due to a loss in the family.							
Cr Tiemens	23/08/2022	Leave of Absence	Leave due to being away from the Narrabri Shire.							
Cr Lamont	23/08/2022	Leave of Absence	Leave due to illness.							

#### MINUTE 249/2022

Moved: Cr Catherine Redding Seconded: Cr John Clements

- 1. That Leave of Absence be granted to:
  - a. Cr Brett Dickinson for 23 August 2022 due to a loss in the family;
  - b. Cr Greg Lamont for 23 August 2022 due to illness; and

c. Cr Darrell Tiemens for 19 August 2022 to 4 September 2022 due to being away from the Narrabri Shire.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

**CARRIED 6/0** 

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

1. Nil.

#### 6 MATTERS OF GREAT URGENCY

1. Nil reports.

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

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

- 17.1 Road Opening and Closure at 3206 Killarney Gap Road Narrabri
- 17.2 Staff Matter

#### **8 PRESENTATIONS**

Presentations made to Council:

2. Nil

#### 9 CONFIRMATION OF MINUTES

#### MINUTE 250/2022

Moved: Cr John Clements Seconded: Cr Rohan Boehm

1. That the minutes of Ordinary Meeting of the Narrabri Shire Council held on 26 July 2022 as circularised be confirmed and signed as a correct record by the Mayor.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

CARRIED 6/0

#### 10 MATTERS OF GREAT URGENCY

1. Nil reports.

#### 11 QUESTIONS WITH NOTICE

1. Nil reports.

#### 12 MAYORAL MINUTE

#### 12.1 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR JULY/AUGUST 2022

#### MINUTE 251/2022

Moved: Cr Ron Campbell

1. That Council note the Mayoral appointments for the period 22 July 2022 to 17 August 2022.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

CARRIED 6/0

#### 12.2 MAYORAL MINUTE - RESOURCES FOR REGIONS GRANT PROJECTS

#### MINUTE 252/2022

Moved: Cr Ron Campbell

- 1. That the General Manager prepare all documents required for the following projects to be funded from the Resources for Regions Round 9:
  - a. Narrabri Sports Precinct feasibility study;
  - b. Dripping Rock feasibility study;
  - c. Wee Waa Arts Centre Program;
  - d. Disability Inclusion and Accessibility Program;
  - e. Wee Waa Community and Business Hub;
  - f. Narrabri Intersection upgrade Kaputar and Old Gunnedah Road;
  - g. Yarrie Lake Circuit Road upgrade and seal;
  - h. Dangar Park embellishments; and
  - i. Splash Parks for the Communities of Wee Waa, Boggabri and Narrabri.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

**CARRIED 6/0** 

#### **Attachments**

1 Supplementary Report - Mayoral Minute - Resources for Regions Grant Projects

#### 13 OUR CIVIC LEADERSHIP

# 13.1 DELEGATE REPORT - FLOODPLAIN MANAGEMENT ADVISORY COMMITTEE (FMAC) MINUTES - 8 AUGUST 2022

#### MINUTE 253/2022

Moved: Cr John Clements Seconded: Cr Lisa Richardson

1. That Council note the Delegate Report on the Floodplain Management Advisory Committee meeting held on 8 August 2022.

<u>In Favour:</u> Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

CARRIED 6/0

#### 13.20 LOG OF AUTO-ARCHIVE ACCESS

#### MINUTE 254/2022

Moved: Cr John Clements Seconded: Cr Catherine Redding

That Council note the Log of Auto-Archive report.

<u>In Favour:</u> Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

**CARRIED 6/0** 

# 13.2 DELEGATE REPORT - CENTRAL NORTHERN REGIONAL LIBRARY (CNRL) MINUTES AND AGENDA FOR ANNUAL GENERAL MEETING AND ORDINARY MEETING - 16 MARCH 2022

#### MINUTE 255/2022

Moved: Cr Catherine Redding Seconded: Cr Lisa Richardson

1. That Council note the Delegate Report on the Central Northern Regional Library (CNRL) Annual General Meeting and Ordinary Meeting held on 16 March 2022.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

# 13.3 DELEGATE REPORT - NSW PUBLIC LIBRARIES ASSOCIATION NORTH EAST FULL ZONE MEETING - 12 MAY 2022

#### MINUTE 256/2022

Moved: Cr Catherine Redding Seconded: Cr John Clements

1. That Council note the Delegate Report on the NSW Public Libraries Association North East Full Zone Meeting held on 12 May 2022.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

CARRIED 6/0

# 13.4 DELEGATE REPORT - MAULES CREEK COAL COMMUNITY CONSULTATIVE COMMITTEE MEETING - WEDNESDAY 25 MAY 2022

#### MINUTE 257/2022

Moved: Cr John Clements Seconded: Cr Lisa Richardson

1. That Council note the Delegate Report on the Maules Creek Coal Community Consultative Committee Meeting held on Wednesday 25 May 2022.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

**CARRIED 6/0** 

# 13.5 COUNTRY MAYORS ASSOCIATION OF NSW GENERAL MEETING MINUTES - FRIDAY 5 AUGUST 2022

#### MINUTE 258/2022

Moved: Cr John Clements Seconded: Cr Lisa Richardson

1. That Council note the Delegate Report on the Country Mayors Association of NSW General Meeting on Friday 5 August 2022.

<u>In Favour:</u> Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

# 13.6 COUNTRY MAYORS ASSOCIATION OF NSW RURAL SKILLS FORUM MINUTES - THURSDAY 4 AUGUST 2022

#### MINUTE 259/2022

Moved: Cr John Clements Seconded: Cr Catherine Redding

1. That Council note the Delegate Report on the Country Mayors Association of NSW Rural Skills Forum held on 4 August 2022.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

CARRIED 6/0

#### 13.7 MEMBERSHIP - MINING AND ENERGY RELATED COUNCILS NSW

#### MINUTE 260/2022

Moved: Cr John Clements Seconded: Cr Rohan Boehm

1. That Council endorse the attendance of both the Mayor and General Manager (if available), to attend MERC's meeting in Sydney on 2 September 2022 for the purposes of assessing the value proposition of membership and prepare a further report for consideration.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

CARRIED 6/0

#### 13.8 SPORTING WALL OF FAME- ASSESSMENT PANEL

#### MINUTE 261/2022

Moved: Cr Lisa Richardson Seconded: Cr Rohan Boehm

1. That Council appoints Councillor Redding to the Sporting Wall of Fame Assessment Panel in accordance with Section 4(i) of the Sporting Wall of Fame Policy.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

#### 13.9 RESOLUTIONS REGISTER - JULY TO AUGUST 2022

#### MINUTE 262/2022

Moved: Cr John Clements Seconded: Cr Rohan Boehm

- 1. That Council receive and note the outstanding Resolutions Register as at 17 August 2022.
- 2. That Council receive and note the completed Resolutions Register as at 17 August 2022.

<u>In Favour:</u> Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

**CARRIED 6/0** 

#### 13.10 ORDINARY COUNCIL MEETING SCHEDULE UNTIL SEPTEMBER 2023

#### MINUTE 263/2022

Moved: Cr Lisa Richardson Seconded: Cr John Clements

- 1. That Council set the dates for the Ordinary Council Meetings as follows:
  - a. Tuesday, 18 October 2022;
  - b. Tuesday, 22 November 2022;
  - c. Tuesday, 20 December 2022;
  - d. Tuesday, 28 February 2023;
  - e. Tuesday, 28 March 2023;
  - f. Tuesday, 18 April 2023;
  - g. Tuesday, 23 May 2023;
  - h. Tuesday, 27 June 2023;
  - i. Tuesday, 25 July 2023;
  - j. Tuesday, 22 August 2023; and
  - k. Tuesday, 26 September 2023.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

#### MOVE INTO COMMITTEE OF THE WHOLE

MINUTE 264/2022

Moved: Cr John Clements Seconded: Cr Lisa Richardson

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

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

CARRIED 6/0

The Council moved into Committee of the Whole, the time being 2:07 pm.

#### MOVE OUT OF COMMITTEE OF THE WHOLE

#### MINUTE 265/2022

Moved: Cr John Clements Seconded: Cr Robert Browning

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

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

**CARRIED 6/0** 

The Council moved out of Committee of the Whole, the time being 2.19 pm.

#### 13.11 NARRABRI SHIRE COUNCIL CODE OF MEETING PRACTICE 2022

#### **MINUTE 266/2022**

Moved: Cr John Clements Seconded: Cr Robert Browning

1. That Council endorse Option 2 as the draft Code of Meeting Practice 2022 for public exhibition for 28 days.

In Favour: Crs Ron Campbell, Catherine Redding, Robert Browning and John Clements

Against: Crs Rohan Boehm and Lisa Richardson

CARRIED 4/2

#### 13.12 POLICY FRAMEWORK AND REVIEW

MINUTE 267/2022

Moved: Cr Rohan Boehm Seconded: Cr John Clements

1. That Council adopt the draft Policy Framework as attached to this report.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

CARRIED 6/0

#### 13.13 DELIVERY PROGRAM 6 MONTHLY PROGRESS REPORT - JUNE 2022

#### MINUTE 268/2022

Moved: Cr John Clements Seconded: Cr Catherine Redding

1. That Council adopt the Delivery Program 6 Monthly Progress Report, as attached, detailing Council's progress in meeting its objectives, strategies and measures up to the June 2022 period.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

**CARRIED 6/0** 

#### 13.14 OPERATIONAL AND SERVICE PLAN ANNUAL REPORT - JUNE 2022

#### MINUTE 269/2022

Moved: Cr Lisa Richardson Seconded: Cr John Clements

1. That Council adopt the Operational and Service Plan Annual Report, as attached, detailing Council's progress in meeting its actions, capital works and key performance measures for the 2021/2022 financial year.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

#### 13.15 QUARTERLY BUDGET REVIEW STATEMENT - JUNE 2022

#### MINUTE 270/2022

Moved: Cr Lisa Richardson Seconded: Cr Catherine Redding

1. That Council note the Quarterly Budget Review Statement for the period ending 30 June 2022.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

**CARRIED 6/0** 

#### 13.16 CAPITAL WORKS CARRY FORWARDS, REVOTES AND OVER RUNS

#### **MINUTE 271/2022**

Moved: Cr John Clements Seconded: Cr Lisa Richardson

- 1. That Council revote in 2022/2023 an amount of \$879,000, as identified in attachment 1 to this report, from the 2021/2022 capital works program.
- 2. That Council carry forward to 2022/2023 an amount of \$15,455,691, as identified in attachment 1 to this report, to finalise works not completed as at the end of 2021/2022 financial year.
- 3. That Council reduce multi-year capital project budgets in 2022/2023 by an amount of \$60,369, for projects that exceeded their projected votes at 30 June 2022, or were commenced in advance, as identified in attachment 1 to this report.

<u>In Favour:</u> Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

#### 13.17 INVESTMENT REPORT - JULY 2022

**MINUTE 272/2022** 

Moved: Cr Rohan Boehm Seconded: Cr Catherine Redding

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

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

CARRIED 6/0

#### 13.18 INFRASTRUCTURE STATUS REPORT - AUGUST

**MINUTE 273/2022** 

Moved: Cr Catherine Redding Seconded: Cr John Clements

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

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

**CARRIED 6/0** 

#### 13.19 PLANNING AND DEVELOPMENT SERVICES REPORT - JULY 2022

#### MINUTE 274/2022

Moved: Cr Catherine Redding Seconded: Cr Lisa Richardson

1. That Council receive and note the Planning and Development Services report for the month of July 2022

<u>In Favour:</u> Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

**CARRIED 6/0** 

Item 13.20 was dealt with at an earlier time in the meeting (before Item 13.2)

#### 14 OUR SOCIETY

1. Nil reports.

#### 15 OUR ENVIRONMENT

#### 15.1 NARRABRI SEWERAGE SCHEME AND SEWERAGE TREATMENT PLANT IMPROVEMENTS

#### MINUTE 275/2022

Moved: Cr Rohan Boehm Seconded: Cr Robert Browning

1. That Council:

a. Receive and note Narrabri Sewerage Scheme and Sewerage Treatment Plant Improvements Planning report.

b. Endorse the development of an Improvement Plan.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

CARRIED 6/0

#### 15.2 ROAD SERVICES - RESOURCING

#### MINUTE 276/2022

Moved: Cr Rohan Boehm Seconded: Cr Lisa Richardson

1. That Council receive and note the Road Services – Resourcing report.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

CARRIED 6/0

#### 15.3 AMENDMENT TO SECTION 7.12 CONTRIBUTIONS PLAN

#### MINUTE 277/2022

Moved: Cr Rohan Boehm Seconded: Cr John Clements

 That Council adopt the Section 7.12 Development Contributions Plan, as attached to this report.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

#### 15.4 RECONCILIATION ACTION PLAN

#### **MINUTE 278/2022**

Moved: Cr Catherine Redding Seconded: Cr Rohan Boehm

- 1. That Council note the progress on the Innovate Reconciliation Action Plan 2023-2025.
- 2. That Council nominate Councillor Clements as delegate and Councillor Boehm as alternate delegate to the proposed Reconciliation Action Plan Advisory Committee.
- 3. That a further report be submitted on draft Terms of Reference and formal establishment of a Reconciliation Action Plan Advisory Committee.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

CARRIED 6/0

#### SUSPENSION OF STANDING ORDERS

#### **MINUTE 279/2022**

Moved: Cr John Clements Seconded: Cr Lisa Richardson

1. That Council suspend standing orders for a break.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

CARRIED 6/0

The Council suspend standing orders, the time being 3:10 pm.

#### **RESUMPTION OF STANDING ORDERS**

#### MINUTE 280/2022

Moved: Cr John Clements Seconded: Cr Catherine Redding

1. That Council resume standing orders.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

The Council resume standing orders, the time being 3:24 pm.

#### 16 OUR ECONOMY

1. Nil reports.

#### 17 CONFIDENTIAL (CLOSED COUNCIL) MEETING

At 3.24 pm 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 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 281/2022

Moved: Cr Catherine Redding Seconded: Cr Rohan Boehm

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 Road Opening and Closure at 3206 Killarney Gap Road Narrabri

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.

<u>In Favour:</u> Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

#### 17.1 ROAD OPENING AND CLOSURE AT 3206 KILLARNEY GAP ROAD NARRABRI

#### MINUTE CO-282/2022

Moved: Cr Rohan Boehm Seconded: Cr Catherine Redding

#### 1. That Council;

- a. approve the proposed land swap with the landowner noted within this report.
- b. completes the required Council Road Closure Process under Part 4 Division 3 of the Roads Act 1993 (NSW).
- c. completes the required Council Road Opening Process under Part 2 Division 1 of the Roads Act 1993 (NSW).
- d. prepares a Plan of First Title Creation and takes all steps required to complete registration by the Land Registry Services NSW.
- e. authorise the General Manager to sign all relevant documents required to effect the road opening and closure and land swap.

<u>In Favour:</u> Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John Clements and Lisa Richardson

Against: Nil

**CARRIED 6/0** 

#### MINUTE 283/2022

Moved: Cr Catherine Redding Seconded: Cr Lisa Richardson

1. That at 3:53 pm Council move out of Closed (Public Excluded) Meeting and that the resolutions from the Closed (Public Excluded) Meeting be read out to those present by the Chair of the Meeting or their nominee.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, Robert Browning, John

Clements and Lisa Richardson

Against: Nil

CARRIED 6/0

The Council moved into open session at 3.53 pm and the General Manager read out to those present the resolutions of the Closed (Public Excluded) Meeting.

#### 18 MEETING CLOSED

The Meeting closed at 3:53 pm.

The minutes of this meeting are scheduled to be confirmed at the Ordinaheld on 27 September 2022.	ary Council Meeting to be
	CHAIRPERSON

# MINUTES OF NARRABRI SHIRE COUNCIL EXTRAORDINARY COUNCIL MEETING HELD AT THE NARRABRI SHIRE COUNCIL CHAMBERS, 46-48 MAITLAND STREET, NARRABRI ON TUESDAY, 20 SEPTEMBER 2022 AT 3.00PM

**PRESENT:** Cr Catherine Redding, Cr Rohan Boehm, Cr Robert Browning, Cr John Clements,

Cr Brett Dickinson, Cr Greg Lamont, Cr Lisa Richardson, Cr Darrell Tiemens

IN ATTENDANCE: Rob Williams (General Manager), Donna Ausling (Director Planning and

Strategy), Eloise Chaplain (Director Infrastructure Delivery), Andrew Brown (Director Corporate and Community Services), Kira Goodhew (Minute Clerk)

Proceedings of the meeting commenced at 3:00pm.

#### 1 OPENING PRAYER

Members and officers were upstanding for the opening prayer.

#### 2 ACKNOWLEDGEMENT OF COUNTRY

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

#### 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

#### MINUTE 284/2022

Moved: Cr John Clements Seconded: Cr Brett Dickinson

1. That an apology from Cr Ron Campbell be received and accepted.

In Favour: Crs Catherine Redding, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 8/0

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

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.

COUNCILLOR	ITEM NUMBER	PECUNIARY/ NON- PECUNIARY	REASON
Cr Catherine Redding	7.1	Pecuniary	Landholder affected by Inland Rail lease.

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

1. Nil.

#### 6A PUBLIC FORUM AND PRESENTATIONS

#### 6A PUBLIC FORUM

 Jim Purcell spoke on Item 7.1 in support of a submission to NSW DPE regarding Inland Rail at Narrabri.

#### **Attachments**

1. Documents tabled by Jim Purcell regarding Item 7.1

At 3:18pm, Cr Redding left the meeting after declaring a pecuniary interest in relation to Item 7.1, due to being an landholder affected by an Inland Rail lease and was not present at or in sight of the meeting during the consideration of the item.

#### 6B VOTE TO ASSUME CHAIR

The Deputy Mayor vacated the Chair.

The General Manager assumed the role of Returning Officer.

The Returning Officer received three (3) nominations for the role of Chair, that being for:

- 1. Cr Lamont;
- 2. Cr Richardson; and
- 3. Cr Dickinson.

Cr Lamont and Cr Richardson accepted the nomination for the role of Chair. Cr Dickinson declined the nomination.

The Returning Officer then conducted the election via open voting. The results of the election were:

Cr Lamont: 5 votes (Crs Rohan Boehm, Robert Browning, John Clements, Brett Dickinson and

Greg Lamont)

Cr Richardson: 2 votes (Crs Lisa Richardson and Darrell Tiemens)

Cr Lamont was declared Chair for the period until the Deputy Mayor returned to the meeting.

Cr Lamont assumed the Chair of the Meeting at 3:19pm.

#### 7 OUR ENVIRONMENT

# 7.1 RESPONSE TO EXHIBITION OF PREFERRED INFRASTRUCTURE AND AMENDMENT REPORT FOR INLAND RAIL - NARROMINE TO NARRABRI (N2N)

#### MINUTE 285/2022

Moved: Cr John Clements Seconded: Cr Darrell Tiemens

1. That Council endorse the draft submission to the NSW Department of Planning and Environment in response to the exhibition of the Preferred Infrastructure and Amendment Report for Inland Rail Narromine to Narrabri (N2N) section, Application Number SSI-9487 as shown as Attachment 8 to this report.

In Favour: Crs Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont,

Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

#### MOVE INTO COMMITTEE OF THE WHOLE

MINUTE 286/2022

Moved: Cr John Clements Seconded: Cr Rohan Boehm

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

<u>In Favour:</u> Crs Rohan Boehm, Robert Browning, 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 3:29pm.

#### MOVE OUT OF COMMITTEE OF THE WHOLE

#### MINUTE 287/2022

Moved: Cr John Clements Seconded: Cr Rohan Boehm

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

In Favour: Crs Rohan Boehm, Robert Browning, 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 4:20pm.

#### 7.2 AMENDMENT TO INLAND RAIL SUBMISSION

#### MINUTE 288/2022

Moved: Cr John Clements Seconded: Cr Rohan Boehm

- That the following inclusion to the executive summary to the response to Exhibition of Preferred Infrastructure and Amendment Report for Inland Rail be deemed a Matter of Great Urgency;
  - a. That Narrabri Shire Council asks the Minister to take note of the concern that Inland Rail/ARTC, as requested, has not assessed the Narrabri Alternative Route (as proposed by the Narrabri Inland Rail Concerned Residents Group). The alternate route proposal has been submitted by engineers, hydrologists, surveyors and the broader Narrabri community members since March 2018.
  - b. The Narrabri Alternative Route appears to save hundreds of millions of dollars and minimises flood impacts. This is supported by the WRM study commissioned by the Narrabri Inland Rail Concerned Residents Group. Narrabri Shire Council, with the current route selection, is unfunded for significant connectivity costs for the proposed Inland Port and the Special Activation Precinct (SAP).
- 2. That Council write to the relevant Minister pointing out its concerns as above be deemed a Matter of Great Urgency.

The Chair ruled the business to be of Great Urgency

In Favour: Crs Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont,

Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

#### 7.3 AMENDMENT TO INLAND RAIL SUBMISSION

#### MINUTE 289/2022

Moved: Cr John Clements Seconded: Cr Rohan Boehm

- 1. That the following be included to the executive summary to the response to Exhibition of Preferred Infrastructure and Amendment Report for Inland Rail;
  - a. That Narrabri Shire Council asks the Minister to take note of the concern that Inland Rail/ARTC, as requested, has not assessed the Narrabri Alternative Route (as proposed by the Narrabri Inland Rail Concerned Residents Group). The alternate route proposal has been submitted by engineers, hydrologists, surveyors and the broader Narrabri community members since March 2018.
  - b. The Narrabri Alternative Route appears to save hundreds of millions of dollars and remove any flood impacts. This is supported by the WRM study commissioned by the Narrabri Inland Rail Concerned Residents Group. Narrabri Shire Council, with the current route selection, is unfunded for significant connectivity costs for the proposed Inland Port and the Special Activation Precinct (SAP).
- 2. That Council write to the relevant Minister pointing out its concerns as above.

<u>In Favour:</u> Crs Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont,

Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

The Chair thanked all staff involved in the preparation of the submission for their hard work.

Cr Catherine Redding returned to the meeting at 4:26 pm.

Cr Lamont vacated the Chair at 4:26pm.

The Deputy Mayor resumed the Chair of the Meeting at 4:26pm.

#### 7 MEETING CLOSED

The Meeting closed at 4:26pm.

The minutes of this meeting are scheduled to be confirmed at the Ordinary Meeting of the Narrabri Shire Council held on 27 September 2022.

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**CHAIRPERSON** 

### 10 MATTERS OF GREAT URGENCY

Nil reports.

### 11 QUESTIONS WITH NOTICE

Nil reports.

#### 12 MAYORAL MINUTE

#### 12.1 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR AUGUST/SEPTEMBER 2022

Responsible Officer: Ron Campbell, Mayor

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

Attachments: Nil

#### RECOMMENDATION

1. That Council note the Mayoral appointments for the period 18 August 2022 to 19 September 2022.

For the information of Councillors, I provide details of my Mayoral appointments and attendances between the following dates 18 August 2022 to 19 September 2022.

#### 22 August 2022

Interview with local radio station - 2MaxFM

#### 23 August 2022

Workshop to Discuss Grant Allocations – Resources for Regions Round 9

#### **Attendees**

- Narrabri Shire Councillors
- Narrabri Shire MANEX Team
- Narrabri Shire Council Governance Team
- Luke Meppem, Acting Finance Manager

#### 23 August 2022

**Narrabri Shire Council, Ordinary Council Meeting** 

#### 25 August 2022

West Narrabri Precinct Project – Level Crossing at Narrabri Rail Triangle

#### **Purpose**

To discuss status and way forward for the proposed level crossing at Narrabri.

#### **Process**

Council to advise -

- Project status
  - Design track and signalling, including UGLRL approvals
  - Material procurement
  - Construction procurement and delivery strategy
- Funding
- Delivery timeline including contractor availability and track access

### **Attendees**

- General Manager
- Mayor
- Director of Infrastructure Delivery
- Transport for NSW

## 29 August 2022

## **Opening Speech welcoming delegates to Wheat Breeding Assembly 2022**

## **Purpose**

Wheat Breeding Assembly, Australia's wheat breeding forum, brings together breeders, researchers and other industry stakeholders to build a stronger, more resilient and profitable Australian wheat industry.

#### **Attendees**

- Wheat Breeders
- Researchers
- Students
- Growers
- Agronomists
- End users
- Policymakers

## 1 September 2022

Police Function – Narrabri Police Station

### **Purpose**

General recognition of retired Officers in the Oxley District

## 8 September 2022

Interview with Prime 7 News

### 8 September 2022

**Narrabri SAP Councillor Briefing** 

## **Purpose**

The purpose of the briefing was to provide an update on the Narrabri Special Activation Precinct, with a focus on the outcomes from the Enquiry by Design workshop, where the project's technical specialists and government agencies came together to work through new land uses for the precinct, taking into account the constraints and opportunities, including transport connectivity and town planning options.

## 9 September 2022

## Port of Newcastle

## **Purpose**

To inform Council of the diversification of the Port of Newcastle and what this means for grain and cotton producers in the northwest and other industry in the region that import and export.

It was also a fact gathering trip where Port of Newcastle staff will meet with producers and those in the freight and logistics sector to understand their current and future import and export needs. Port of Newcastle are also interested in exploring upcountry investment opportunities.

### **Attendees**

Mayor

**Director Planning and Strategy** 

**Director Infrastructure Delivery** 

**Economic Development Manager** 

Craig Carmody – Port of Newcastle CEO

Lucas Coleman – Port of Newcastle – Senior Manager Corporate Affairs and Strategy

Kate McArthur – Manager – Business Development

Wayne Johnson – ARTC – Group Executive – Hunter Valley Network

Jock Carter – The Stable Group

Michael Clancy – The Stable Group

Jocellin Jansson – the Stable Group

## 17 September 2022

## **Presiding Officer at the Narrabri Citizenship Ceremony**

### **Purpose**

Citizenship Ceremony, where 22 new citizens were welcomed.

## **19 September 2022**

Interview with ABC Radio Drive Time - Tess Orrick, Journalist

### **Purpose**

Flooding in Narrabri Shire.

## 13 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

### 13.1 NOTICE OF MOTION - ROADS

Attachments: Nil

I, Councillor John Clements, give notice that at the next Ordinary Meeting of Council be held on 27 September 2022, I intend to move the following motion:-

### **MOTION**

- 1. That NSC investigate and report on the following.
  - a. Road repair and construction workforce adequacy
  - b. Adequacy of current plant and equipment to the capacity to repair and maintain our roads
  - c. Adequacy of current arrangements with external contractors as far a support for the repair and maintenance of NSC roads
  - d. A full list of culverts in need of repair or upgrade to concrete base
  - e. The current state of all negotiations with state disaster recovery funding processes.
  - f. Funds held currently for road repair

#### **RATIONALE**

### **Objective**

To fulfil the role of elected Councillor in dealing with policy and structural issues that drive deep community concern.

## Strategy

It's time we had a comprehensive list of our preparedness re workforce, equipment and other arrangements to allow the Council to plan, budget and lobby for better outcomes.

#### **Comments**

The community is deeply unhappy re the state of our roads, much of this precedes the current wet cycle.

I commend this Notice of Motion to Council.

#### 13.2 NOTICE OF MOTION - SPECIAL ACTIVATION PRECINCT

Attachments: Nil

I, Councillor Darrell Tiemens, give notice that at the next Ordinary Meeting of Council be held on 27 September 2022, I intend to move the following motion:-

#### **MOTION**

- 1. That Council reaffirms its support for the Special Activation Precinct (SAP) project and undertakes to continue working closely with experts across federal, state and local government as well as the private sector, to ensure that Narrabri Shire residents are the beneficiaries of the planned future growth in our Shire.
- 2. That Council resolves to wholeheartedly thank both the federal and state governments, on behalf of the Narrabri Shire Community, for their commitment to our Shire during the early phases of the SAP development.
- 3. That Council note the excellent group of work done to date, including the recent Enquiry by Design exercise, and looks forward to working with the experts to ensure that we achieve the best outcomes for our Shire.

#### **RATIONALE**

Narrabri was announced as a Special Activation Precinct (SAP) in November 2020 and is the sixth and final of the SAPs. The Narrabri SAP will ultimately attract investment and employment opportunities to our region, and will capitalise and leverage off Inland Rail, the Narrabri West Walgett Line and the Northern NSW Inland Port (N2IP). The Precinct will identify infrastructure, housing, social and community needs required to support Narrabri's future growth. SAPs aim to ensure regional communities such as Narrabri are well positioned to meet future economic needs and grow communities. SAPs are a NSW government initiative delivered in partnership by the Department of Regional NSW, NSW Department of Planning and Environment, Regional Growth and Development Corporation (RGDC) and the local council.

The Narrabri SAP will possess direct access to both international and national markets via Inland Rail. The Precinct has a distinctive and real opportunity to be a thriving hub targeting a range of commercial activities including energy-intensive manufacturing, renewables, agricultural value-adding, freight and logistics, and recycling.

The Narrabri SAP Investigation Area incorporates Council's N2IP land, located between Culgoora and Yarrie Lake Roads. It is acknowledged that the NSW Department of Planning and Environment is well down the path of Master Planning and conducting a range of technical investigations to support the final master plan and the ultimate boundary of the Precinct.

The Narrabri SAP will be of immense benefit for the community and the broader New England North West Region and brings together both planning and investment to create jobs and to boost economic growth. Businesses that set up in the Narrabri SAP will be ultimately supported by a concierge service and have the benefit of streamlined planning and approvals and have access to government-funded infrastructure.

I commend this Notice of Motion to Council.

#### 13.3 CREATION OF THE OFFICE OF DEPUTY MAYOR

Responsible Officer: Andrew Brown, Director Corporate and Community Services

Author: Alice Gemmell-Smith, Governance Coordinator

Attachments: 1. Nomination Form 4 🖫

#### **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**

In accordance with statutory requirements, Council is required to determine if it wishes to create the Office of Deputy Mayor. In January 2022, this was done with a conclusion date of September 2022. This allowed for the Deputy Mayor term to align with the standard Ordinary Council Election cycle, being September 2024.

On the assumption that Council will wish to elect a Deputy Mayor, a nomination paper for Office of Deputy Mayor has been provided as **Attachment 1** to this report. Nomination papers may be delivered or sent to the General Manager either prior to or at the Council Meeting.

#### RECOMMENDATION

- 1. That Council create the Office of Deputy Mayor.
- 2. That Council set the term of the Office of Deputy Mayor.
- 3. That Council elect the Deputy Mayor by way of open voting or confidential ballot, if more than one (1) nomination for Deputy Mayor is received.

## **BACKGROUND**

Council is required to determine if it wishes to create the Office of Deputy Mayor in accordance with the provisions of the *Local Government Act 1993* (NSW) (the Act) and the *Local Government (General) Regulation 2021* (NSW) (the Regulation).

Section 231 of the Act outlines the requirements for the creation and election of a Deputy Mayor. The election process is set out in Schedule 7 of the Regulation.

At the January 2022 Ordinary Council Meeting, Council resolved to create the Office of Deputy Mayor, setting the term of the Deputy Mayor to conclude in September 2022. This was to enable the Deputy Mayor's term, to realign with the standard Local Government election cycle.

Previously, Council has resolved to elect the Deputy Mayor by Open Voting.

#### **CURRENT SITUATION**

On the assumption that Council will wish to elect a Deputy Mayor, a nomination paper for Office of Deputy Mayor is attached to this report (**Attachment 1**).

Nomination papers may be delivered or sent to the General Manager either prior to or at the Council Meeting.

The nomination is to be in writing and signed by two (2) or more councillors (one (1) of whom may be the nominee).

The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

Should there be more than one (1) Councillor nominated for the Office of Deputy Mayor, Council is to determine whether the election is to be by:

- 1. Preferential ballot;
- 2. Ordinary ballot; or
- 3. Open voting.

Before proceeding with the election, Council is required to resolve which method of voting is to be used. While the option to have a preferential ballot is available it is not normally used in circumstances such as this. Both ordinary ballot and open voting are the more common methods.

#### **Election Methods**

#### Ordinary Ballot

- This method utilises ballot-papers.
- The Returning Officer decides the way votes are to be marked on the ballot-papers.
- If there are only two (2) candidates, the candidate with the higher number of votes is elected. If there are only two (2) candidates and they are tied, the one (1) elected is to be chosen by lot.
- If there are three (3) or more candidates, a vote is taken; the candidate with the lowest number of votes is excluded. If three (3) or more candidates remain further votes are taken with the candidate receiving the lowest number of votes being excluded until two (2) candidates remain.
- A further vote is taken of the two (2) remaining candidates; the candidate with the higher number of votes is elected. If there are only two (2) candidates and they are tied, the one (1) elected is to be chosen by lot.
- If at any stage during a count two (2) or more candidates are tied on the lowest number of votes, the one (1) excluded is to be chosen by lot.

### **Open Voting**

- This method utilises a show of hands.
- The election procedure is the same as for the ordinary ballot method.

## **Preferential Ballot**

- This method utilises ballot-papers.
- Councillors are to mark their votes by placing the numbers "1", "2" and so on, against the candidate names to indicate the order of their preference for all the candidates.
- If a candidate has an absolute majority of first preference votes, that candidate is elected.

- If an absolute majority is not achieved, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- If no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one (1) candidate has received an absolute majority of votes, who is then elected.
- If, on any count of votes, there are two (2) candidates in, or remaining in, the election and the numbers of votes cast for the two (2) candidates are equal, the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- If, on any count of votes, there are three (3) or more candidates in, or remaining in, the election and the numbers of votes cast for two (2) or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes, the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

### **Definitions**

Term	Meaning
Absolute majority:	In relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.
Ballot:	In the context of this type of election has the meaning of a secret ballot.
Chosen by lot:	If two (2) candidates are tied (having equal numbers of votes) their names are written on similar slips of paper by the Returning Officer, the slips are folded by the Returning Officer so as to prevent the candidate names being seen, the slips are mixed and one (1) is drawn at random by the Returning Officer and the candidate whose name is on the drawn slip is chosen.

## Timing of Election

The election for Office of Deputy Mayor is to take place at the Council Meeting at which the Council determines the method of voting.

#### FINANCIAL IMPLICATIONS

Nil.

## STATUTORY AND POLICY IMPLICATIONS

This report enables Council to create the Office of Deputy Mayor in line with the statutory requirements of the Act and the Regulation.

If Council resolves this way; Council is additionally statutorily required to resolve:

- 1. The term of the Office of Deputy Mayor; and
- 2. The method of voting for the Office of Deputy Mayor.

## **CONSULTATION**

## **External Consultation**

Advice circulated from the Office of Local Government (OLG) has been considered in the preparation of this report and is freely available from the Office's website.

## **Internal Consultation**

Nil.



 Narrabri Shire Council
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PO Box 261, Narrabri NSW 2390 E. council@narrabri.nsw.gov.au



## **NOMINATION FORM - DEPUTY MAYOR**

Clause 2 of Schedule 7 Local Government (General) Regulation 2021 (NSW)

To: General Manager Narrabri Shire Council		
We, the undersigned, hereby nominate the following for the position of Deputy Mayor:		
Cr		
Nominated by: (At least two (2) councillors, one of whom may be the r	nominee)	
Name:	Signature:	
Name:	Signature:	
I hereby agree to my nomination for the posi	ition of Deputy Mayor:	
Name:	Signature:	
Date (dd/mm/yyyy):		
Received By:	Returning Officer:	
Date (dd/mm/yyyy):	Time:	
	Name:    Date (dd/mm/yyyy):   Received By:	

#### 13.4 ANNUAL APPOINTMENT OF COUNCIL DELEGATES

Responsible Officer: Andrew Brown, Director Corporate and Community Services

Author: Alice Gemmell-Smith, Governance Coordinator

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

### **EXECUTIVE SUMMARY**

Each year Council determines the appointment of delegates, in accordance with section 377 of the *Local Government Act 1993* (NSW). The delegates are authorised by resolution to represent the Council on the respective organisations from the date of the resolution appointing them.

Due to the NSW Local Government Elections being delayed until December, committee delegates were appointed in January 2022 for a period of eight (8) months until September 2022, to bring the cycle back in line with the elections of Mayor and Deputy Mayor. It is a requirement for Council to annually review representation and formally appoint its delegates

#### RECOMMENDATION

1. That Council determines its delegate appointments to the respective organisations and committees for up until the Ordinary Council Meeting to be held in September 2023:

External Body/Organisation	2022/2023 Delegates
Central Northern Libraries Committee	Delegate: Cr <insert surname=""></insert>
	Alternate: Cr <insert surname=""></insert>
Joint Regional Planning Panel (JRPP)	Delegate: Cr <insert surname=""></insert>
	Delegate: Cr <insert surname=""></insert>
	Alternate: Cr <insert surname=""></insert>
Leards Forest Environmental Trust	Delegate: Cr <insert surname=""></insert>
Committee	Alternate: Cr <insert surname=""></insert>
Lillian Hulbert Memorial Prize Committee	Delegate: Mayor
Myall Creek Memorial Committee	Delegate: Cr <insert surname=""></insert>
	Delegate: Cr <insert surname=""></insert>
	Alternate: Cr <insert surname=""></insert>
Namoi Water	Delegate: Cr <insert surname=""></insert>
	Alternate: Cr <insert surname=""></insert>
Narrabri Bush Fire Management	Delegate: Cr <insert surname=""></insert>
Committee	Alternate: Cr <insert surname=""></insert>
Narrabri Hospital Advisory Committee	Delegate: Cr <insert surname=""></insert>
	Alternate: Cr <insert surname=""></insert>
North West Regional Weed Committee	Delegate: Cr <insert surname=""></insert>
Minutes	Alternate: Cr <insert surname=""></insert>

Wee Waa Hospital Advisory Committee	Delegate: Cr <insert surname=""></insert>
	Alternate: Cr <insert surname=""></insert>
Narrabri Gas Project Water Technical	Delegate: Cr <insert surname=""></insert>
Advisory Group	Alternate: Cr <insert surname=""></insert>

Community Consultative Committee	2022/2023 Delegates
Boggabri Coal	Delegate: Cr <insert surname=""></insert>
Community Consultation Committee	Alternate: Cr <insert surname=""></insert>
Inland Rail: Narromine to Narrabri (N2N)	Delegate: Cr <insert surname=""></insert>
Community Consultative Committee	Alternate: Cr <insert surname=""></insert>
Maules Creek Coal Mine	Delegate: Cr <insert surname=""></insert>
Community Consultative Committee	Alternate: Cr <insert surname=""></insert>
Narrabri Coal Mine	Delegate: Cr <insert surname=""></insert>
Community Consultative Committee	Alternate: Cr <insert surname=""></insert>
Narrabri Gas Project	Delegate: Cr <insert surname=""></insert>
Community Consultative Committee	Delegate: Cr <insert surname=""></insert>
	Alternate: Cr <insert surname=""></insert>
Tarrawonga Coal Mine	Delegate: Cr <insert surname=""></insert>
Community Consultative Committee	Alternate: Cr <insert surname=""></insert>
Vickery Coal Mine	Delegate: Cr <insert surname=""></insert>
Community Consultative Committee	Alternate: Cr <insert surname=""></insert>
Western Slopes Pipeline	Delegate: Cr <insert surname=""></insert>
Community Consultative Committee	Alternate: Cr <insert surname=""></insert>
Whitehaven Coal Sponsorship Committee	Delegate: Cr <insert surname=""></insert>
	Alternate: Cr <insert surname=""></insert>

Internal Advisory/Special Purpose Committee	2021/2022 Delegates
Access and Inclusion Advisory Committee	Delegate: Cr <insert surname=""></insert>
(Internal)	Delegate: Cr <insert surname=""></insert>
Audit Risk and Improvement Committee	Delegate: Cr <insert surname=""></insert>
Crime Prevention Advisory Committee	Delegate: Cr <insert surname=""></insert>
	Delegate: Cr <insert surname=""></insert>
Floodplain Risk Management Advisory	Delegate: Mayor
Committee	Delegate: Cr <insert surname=""></insert>
	Delegate: Cr <insert surname=""></insert>
	Delegate: Cr <insert surname=""></insert>
Local Traffic Committee	Delegate: Cr <insert surname=""></insert>
	Alternate: Cr <insert surname=""></insert>
Narrabri Airport Advisory Committee	Delegate: Cr <insert surname=""></insert>
	Alternate: Cr <insert surname=""></insert>
Saleyards Advisory Committee	Delegate: Cr <insert surname=""></insert>
	Delegate: Cr <insert surname=""></insert>
The Crossing Theatre Advisory Committee	Delegate: Cr <insert surname=""></insert>
	Alternate: Cr <insert surname=""></insert>

2. That Council reaffirm the appointment of delegates appointed at the 23 August 2022 Ordinary Council Meeting up until the Ordinary Council Meeting to be held in September 2023.

Internal Advisory/Special Purpose	2022/2023 Delegates
Committee	
Sporting Wall of Fame Assessment Panel	Delegate: Cr Redding
Narrabri Shire Council Reconciliation	Delegate: Cr Clements
Action Plan Committee	Alternate: Cr Boehm

#### **BACKGROUND**

Each year Council determines the appointment of delegates, in accordance with section 377 of the *Local Government Act 1993* (NSW). The delegates are authorised by resolution to represent the Council on the respective organisations from the date of the resolution appointing them.

### **CURRENT SITUATION**

Committee delegates will be appointed for a period of twelve (12) months until September 2023. It is a requirement for Council to annually review representation and formally appoint its delegates.

Currently, the following appointments are in place;

## **External Bodies and Organisations**

Name of Body/Organisation	Details	2021/2022 Delegates
Central Northern Libraries	General meetings held	Delegate: Cr Redding
Committee	throughout the year.	Alternate: Cr Richardson
Joint Regional Planning Panel	Meetings held as	Delegate: Cr Clements
(JRPP)	required.	Delegate: Cr Boehm
		Alternate: Cr Browning
Leards Forest Environmental	Meetings held	Delegate: Cr Richardson
Trust Committee	quarterly.	Alternate: Cr Dickinson
Lillian Hulbert Memorial Prize	Meetings held	Delegate: Mayor
Committee	annually.	
Myall Creek Memorial	Meetings held as	Delegate: Cr Redding
Committee	required.	Delegate: Cr Lamont
		Alternate: Cr Boehm
Namoi Water	Agenda and Minutes	Delegate: Cr Clements
	are sent in to Council.	Alternate: Cr Redding
Narrabri Bush Fire	Meetings are held	Delegate: Cr Tiemens
Management Committee	biannually, one before	Alternate: Cr Dickinson
	bush fire season and	
	one after bush fire	
	season	

Name of Body/Organisation	Details	2021/2022 Delegates
Narrabri Hospital Advisory	Meetings are held	Delegate: Cr Redding
Committee	monthly (on the second	Alternate: Cr Tiemens
	Tuesday of the month,	
	commencing at	
	2.00pm) at the	
	Narrabri Hospital.	
North West Regional Weed	Meetings are held	No delegate was appointed.
Committee Minutes	quarterly	
Wee Waa Hospital Advisory	Meetings are held	Delegate: Cr Dickinson
Committee	monthly (on the first	Alternate: Cr Clements
	Tuesday of the month,	
	commencing at	
	1.00pm) at the Wee	
	Waa Hospital	
Narrabri Gas Project Water	Meetings held as	Delegate: Cr Redding
Technical Advisory Group	required.	Alternate: Cr Clements

# Community Consultative Committees (CCC)

Community Consultative Committee	Details	2020/2021 Delegates
Boggabri Coal	Meetings are held	Delegate: Cr Redding
Community Consultation Committee	quarterly. Agenda and Minutes are sent in to	Alternate: Cr Clements
Committee	Council.	
Inland Rail: Narromine to	Meetings held as	Delegate: Cr Clements
Narrabri (N2N) Community Consultative Committee	required.	Alternate: Cr Browning
Maules Creek Coal Mine	Meetings are held	Delegate: Cr Dickinson
Community Consultative	quarterly. Agenda and	Alternate: Cr Browning
Committee	Minutes are sent in to	
	Council.	
Narrabri Coal Mine	Meetings are held	Delegate: Cr Redding
Community Consultative	quarterly (first Tuesday	Alternate: Cr Clements
Committee	of every third month at	
	4.00pm). Agenda and	
	Minutes are sent in to	
	Council.	
Narrabri Gas Project	Meetings are held	Delegate: Cr Browning
Community Consultative	monthly (on the second	Delegate: Cr Redding
Committee	Tuesday of the month).	Alternate: Cr Dickinson
Tarrawonga Coal Mine	Meetings are held	Delegate: Cr Tiemens
Community Consultative	quarterly. Agenda and	Alternate: Cr Redding
Committee	Minutes are sent in to	
	Council.	

Community Consultative Committee	Details	2020/2021 Delegates
Vickery Coal Mine	Meetings are held	Delegate: Cr Redding
Community Consultative	quarterly. Agenda and	Alternate: Cr Tiemens
Committee	Minutes are sent in to	
	Council.	
Western Slopes Pipeline	Meetings held as	Delegate: Cr Tiemens
Community Consultative	required.	Alternate: Cr Dickinson
Committee		
Whitehaven Coal Sponsorship	Meetings held as	Delegate: Cr Tiemens
Committee	required.	Alternate: Cr Dickinson

## **Advisory Committees**

Committee	Details	2021/2022 Delegates
Access and Inclusion Advisory	Meetings are held	Delegate: Cr Redding
Committee	quarterly.	Delegate: Cr Richardson
Crime Prevention Advisory	Meetings are held	Delegate: Cr Redding
Committee	quarterly.	Delegate: Cr Richardson
Floodplain Risk Management	Meetings held as	Delegate: Mayor
Advisory Committee	required.	Delegate: Cr Browning
		Delegate: Cr Clements
		Delegate: Cr Dickinson
Narrabri Airport Advisory	Meetings held, at a	Delegate: Cr Tiemens
Committee	minimum, biannually.	Alternate: Cr Boehm
Reconciliation Action Plan	Meetings held as	Delegate: Cr Clements
Advisory Committee	required.	Alternate: Cr Boehm
Saleyards Advisory	Meetings held, at a	Delegate: Cr Tiemens
Committee	minimum, biannually.	Delegate: Cr Dickinson
The Crossing Theatre	Meetings held, at a	Delegate: Cr Redding
Advisory Committee	minimum, biannually.	Alternate: Cr Tiemens

## **Special Purpose Committees**

Special Purpose Committee	Details	2021/2022 Delegates
Audit and Risk Committee	Meetings are held	Delegate: Cr Lamont
(Internal)	quarterly.	
Local Traffic Committee	Meetings held as	Delegate: Cr Dickinson
	required.	Alternate: Cr Browning
Sporting Wall of Fame	Meetings held annually.	Delegate: Cr Redding
Assessment Panel		

Of the above committees, Council had only recently appointed the following delegates at the at the 23 August 2022 Ordinary Council Meeting.

- Sporting Wall of Fame Assessment Panel Delegate: Cr Redding
- Narrabri Shire Council Reconciliation Action Plan Committee Delegate: Cr Clements, Alternate: Cr Boehm

## **FINANCIAL IMPLICATIONS**

There is an established budget allocation for the travel and attendance to meetings for Council delegates. This budget is adopted annually as part of the Council's current Operational Plan and Budget.

## STATUTORY AND POLICY IMPLICATIONS

• Local Government Act 1993 (NSW) s 377.

## **CONSULTATION**

**External Consultation** 

Nil.

**Internal Consultation** 

Nil.

#### 13.5 INVESTMENT REPORT - AUGUST 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:

- Four (4) investments matured, totalling \$5 million.
- Four (4) new investment were placed, totalling \$7 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 August 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 August 2022.

Investments maturing during the month:

_	03/08/22	BOQ	\$2,000,000	244 days @ 0.60%
•	03/00/22	ьоц	72,000,000	244 days @ 0.0070
•	17/08/22	NAB	\$1,000,000	245 days @ 0.56%
•	31/08/22	Macquarie Bank	\$1,000,000	365 days @ 0.40%
•	31/08/22	BOQ	\$1,000,000	119 days @ 1.48%

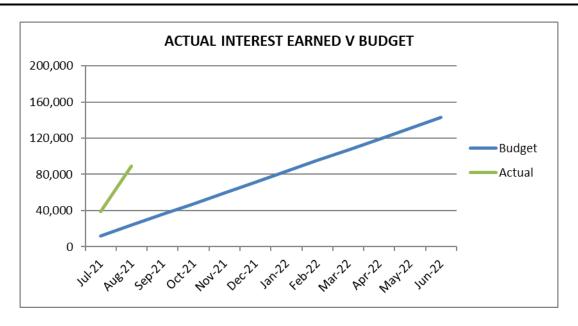
New Investment secured during the month:

•	03/08/22	BOQ	\$2,000,000	182 days @ 3.38%
•	17/08/22	NAB	\$1,000,000	154 days @ 3.18%
•	31/08/22	BOQ	\$2,000,000	182 days @ 3.58%
•	31/08/22	AMP	\$2,000,000	273 days @ 3.90%

	Market Value (\$)	Term (days)	Rate	Maturity Date	% of Portfolio
Short Term Deposits (<1 yr)	35,000,000.00				84.59%
BOQ	1,000,000.00	273	0.56%	07/09/22	2.42%
AMP	1,000,000.00	329	0.80%	14/09/22	2.42%
NAB	4,000,000.00	161	1.08%	28/09/22	9.67%
NAB	1,000,000.00	273	0.62%	12/10/22	2.42%
NAB	2,000,000.00	300	0.63%	19/10/22	4.83%
AMP	3,000,000.00	126	2.40%	26/10/22	7.25%
AMP	2,000,000.00	364	1.00%	02/11/22	4.83%
BOQ	1,000,000.00	273	0.70%	16/11/22	2.42%
Judo Bank	1,000,000.00	182	2.25%	16/11/22	2.42%
NAB	2,000,000.00	273	0.72%	23/11/22	4.83%
MyStateBank	2,000,000.00	181	2.60%	30/11/22	4.83%
NAB	1,000,000.00	273	0.88%	07/12/22	2.42%
MyStateBank	1,000,000.00	189	2.80%	14/12/22	2.42%
NAB	1,000,000.00	273	1.43%	04/01/23	2.42%
ME Bank	3,000,000.00	273	1.48%	11/01/23	7.25%
NAB	2,000,000.00	147	3.20%	21/12/22	4.83%
BOQ	2,000,000.00	182	3.38%	01/02/23	4.83%
NAB	1,000,000.00	154	3.18%	18/01/23	2.42%
BOQ	2,000,000.00	182	3.58%	01/03/23	4.83%
AMP	2,000,000.00	273	3.90%	31/05/23	4.83%
Cash Deposits	6,375,161.01				15.41%
NAB At Call A/c	2,000,000.00	At Call	0.07%	n/a	4.83%
NAB Working A/c	4,375,161.01	At Call	0.01%	n/a	10.57%
Total Cash & Investments	41,375,161.01				100.00%

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

Cash Book balance at 31 July 2022	2,661,907.39
Plus Receipts	6,262,166.42
Plus Investments Matured	5,000,000.00
Less Payments	-3,175,728.28
Less Investments Placed	-7,000,000.00
Cash Book balance at 31 August 2022	3,748,345.53
Unmatched statement items	127,367.17
Unmatched ledger book items	499,448.31
Reconciliation Balance as at 31 August 2022	4,375,161.01



## **Investment Rate Summary for August 2022**

Average Interest Rate on Investments:	1.61%
Weighted Average Interest Rate on Investments	1.82%
Council's Benchmarks	
Bank Bill Swap Rate (BBSW) 90-day index (31/08/2022) <sup>1</sup>	2.45%
Average 11am Cash Rate	1.85%

### **FINANCIAL IMPLICATIONS**

Interest income for the month was \$50,445.21. This is ahead of budget 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 Council's annual insurance premiums, Boston Street bridge project, and the construction of a new waste cell.

Council first quarter rates instalment was due 31 August, which saw an increase of available funds.

#### 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 (NSW).
- Local Government (General) Regulation 2021 (NSW).
- Ministerial Investment Order dated 12 January 2011.
- Council's Investment Policy dated 15 August 2017.

<sup>&</sup>lt;sup>1</sup> Source: www.asx.com.au

## **CONSULTATION**

## **External Consultation**

Nil.

## **Internal Consultation**

• Responsible Accounting Officer.

#### 13.6 INFRASTRUCTURE DELIVERY STATUS REPORT - SEPTEMBER 2022

Responsible Officer: Eloise Chaplain, Director Infrastructure Delivery

Author: Eloise Chaplain, Director Infrastructure Delivery

Attachments: 1. Infrastructure Delivery - Status Report September 2022 🗓 🖺

#### **DELIVERY PROGRAM ALIGNMENT**

4 Civic Leadership - Council as strong leaders for the Community

Objective 4.3 A resilient and sustainable Council

Strategy 4.3.3 Deliver reliable and quality services through innovation and continuous

improvement

#### **EXECUTIVE SUMMARY**

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

\*\* Please note report prepared prior to flood event occurring as such plan for next month expected to change.

## **RECOMMENDATION**

1. That Council receive and note the Infrastructure Delivery Status Report – September 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 of September 2022. This report will bring data and information from teams each month. Please note due to the date when compiling report information, some works may vary. Data captured as of 15 September 2022.

## **CURRENT SITUATION**

Please see Attachment 1 for detailed report.

#### FINANCIAL IMPLICATIONS

Capital costings noted in **Attachment 1**.

## STATUTORY AND POLICY IMPLICATIONS

Nil, all works completed in accordance with Acts, Regulations and Policies relevant to the team.

## **CONSULTATION**

## **External Consultation**

Nil

## **Internal Consultation**

- Infrastructure Delivery Managers
- Manager Financial Services



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

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P. (02) 6799 6866 E. council@narrabri.nsw.gov.au



## Infrastructure Delivery Status Report - September

Please note this report is compiled mid-month to avoid delay in supplying the most current information. Hence completed works for the month refers to approximately mid the previous month to mid the current month.

## **Roads Maintenance**

Please see below Maintenance activities completed in September and plan for October.

Grading					
Completed This Month	Plan Next Month				
SR004 Spring Plains Road	SR009 Bald Hill Road				
SR191 Miller-Williams Lane	SR045 Nowley Road				
SR041 Mission Lane	MR329 Cypress Way				
SR042 McDowells Lane	SR004 Spring Plains Road				
SR084 Cliffdale Lane	SR001 Millie Road				
SR194 Quegobla Creek Road	SR135 Timor Mountain Road				
SR253 Squires Lane	SR018 Wave Hill Road				
SR238 Evans Lane	SR235 Finchs Lane				
SR039 Gwabegar Road	SR028 Binalong Road				
SR195 Dubbo Creek Road	SR123 Trevena Lane				
SR050 Stumpy Lane	SR131 Haystack Road				
SR033 Forest Way	SR015 Therribri Road				
SR218 Prices Lane	SR022 Braymont Road				
SR031 Lake Circuit	SR006 Eulah Creek Road				
SR217 Lynchs Lane	SR007 Couradda Road				
SR044 Trindalls Lane	SR118 Byalla Lane				
SR232 Cotton Lane	SR023 Barbers Lagoon Road				
SR064 Tulladunna Lane					
SR103 Roma Lane					
SR047 Middle Route Road					
SR048 Cubbaroo Lane					
SR198 Spongs Lane					
SR011 Appletrees Lane					
SR016 Browns lane					
SR163 Delwood Road					
SR165 Wynella Road					
SR166 Kanangra Lane					
SR186 Greylands Road					
SR181 Davis Road					
SR017 Old Narrabri Road					
SR079 Merrilong Lane					
SR187 Longsight Lane					
SR020 Blairmore Road					
SR057 Mayfield Road					

SR015 Therribri Road	
SR162 Yarranabee Riad	
SR071 Gibbs Lane	
SR261 Goodyers lane	
SR109 The Island Road	
SR122 Stoltenbergs Road	
SR054 Stoney Creek Road	

Other maintenance works also completed, include signage works, line marking, tar patching, minor patching etc. Other matters arising:

- · Culgoora Rd Rectification Works
  - o Council has submitted scope of works to TfNSW
  - Short term, waiting on water to recede for short term rectifications
  - o Continual wet weather
- SR118 Byalla Lane
  - o Inspected and short-term rectifications works completed
- Pilliga Road
  - Regular inspections completed throughout the month; further short-term rectification works completed
  - Waiting on deed finalisation prior to major upgrade works
  - Floodways to be upgraded as part of flood repairs, however water levels required to recede prior to works

Significant delays to works due to weather and covid.

## **Parks and Open Space Maintenance**

Slashing				
Completed This Month	Plan Next Month			
Painting Boggabri Pool shell	Tennis fence install Narrabri			
Tiling Narrabri 50m pool	Mowing and slashing villages			
Grant funding applications and project scopes	Outdoor pools opening in Narrabri Boggabri wee			
	Waa			
Sports field prep for summer season	Painting of town clock toilet			
	Town mowing programs			

Other matters arising:

Council are having trouble over the past two weeks with vandalism. Below are the incidents in Narrabri;

- Collins park two bins set on fire under the stairs in the grandstand damaging the brick work
- Skate park bin set on fire and melted on concrete
- Town clock toilets buttons on cisterns were smashed through the wall rendering both toilets unusable in the men's for the weekend
- Cooma oval playground fence has been damaged with three panels kicked in
- Cooma oval disabled toilets cistern and bowl damaged hand basin smashed (photo below)

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- Maitland street (community kiosk) locks on doors were broken
- Town clock two hands on front face tied together causing mechanism to slip and windowpane on Southern face, a rock has been thrown through (this damage would need someone to climb up on the clock to get to the face)



## Water/ Sewer Maintenance

C	ompleted This Month		Plan Next Month
<ul> <li>Planning Narrabri</li> <li>Install rep St bore si</li> <li>Completi througho</li> <li>Water ma</li> </ul>		•	Maintaining flushing programs for all schemes.  Planning and scoping of ice pigging throughout Narrabri water scheme.  Finalising the warranty check for faulty smart meters  Organise service for Elizabeth Street and Bellata chlorine dosing units  Install sampling point at Namoi Street Reservoirs  Calibrating the chlorine sensors within the
sewerage • Compilin	ing SPS cleaning program through all e schemes. g pump station depths and rising main ins to inform future replacement of mps.	Sewer •	Narrabri water scheme Finalising defect works at the Wee Waa and Boggabri STP

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- Plan for replacement pump at Masons SPS.
- Servicing digester winches at Narrabri STP.
- Completing servicing of digester 3 at Narrabri STP.
- Sewer main emergency repairs and choke clearing.
- Cleared the gravity line to the creek from Narrabri STP
- Augmentation of sludge pump at Narrabri STP
- Sewer main emergency repairs and choke clearing.
- PIRMPS to be tested and updated for annual review
- Development of Sewer Assessment and Improvement Plan
- Install replacement pump for Masons SPS
- Augment sludge pump at Narrabri STP
- Implement new condition for Narrabri STP Licence
- Plan for drum screen servicing at Narrabri STP

## Other matters arising:

- Recruitment underway for Water Service Operators
- · IWCM issues paper draft received and organising presentation to Council
- Submitted the Narrabri STP Annual Return



## **Capital Works In Progress**

Please note this is not an exhaustive list for more details refer to the quarterly Operational Service Plan Report. Costings are for reference only, committed costs not shown below. Cost reported 15.09.2022 shown for financial year 2022/23.

Roads				
Project	Budget	Actual Cost	This Month	Next Month
Flood Event Feb 2020	\$3,700,000	\$126,793	Continuation SR004 Spring Plains Road	SR018 Wave Hill (Awaiting the outcome of flooding)
Flood Event March 2021	\$1, 000, 000	\$20,596	Waiting on REPA claim approval	
Flood Event Nov 2021	\$1, 000, 000	\$ 0	IRW Works MR127 Pilliga Road REPA claim submitted	Delay due to wet weather Waiting on REPA claim approval
21/22 R CW Boggabri New Boston St Bridge	\$3,200,000	\$339,046	Columns continuing after flood waters recede. Delays incurred.	Delay due to wet weather and river heights
21/22 R CW SR001 Millie Rd Reconstruction	\$3,605,340	\$549,934	Continuation of Stage 1	Completion of Stage 1 Commencing Stage 2
21/22 West Precinct Old Newell Hwy Rehab	\$3,000,000	\$1,417	Meetings with UGL and TfNSW to expediate the process to get approval for construction Procurement of materials initiated with the engagement of rail procurement specialist Tender documentation preparation finalisation	Once approval given tender to be advertised
21/22 R CW Tibbereena Ped Crossing	\$70,000	\$21,935	Works to recommence and blister work to continue.	Works to be finalised
22/23 Pilliga Road (two year project)	\$2,980,000	\$0	Federal Government approved funding Planning work for commencement	Finalisation of Deed Planning work for commencement

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Para la cata	Paral and	A development	This second	New Alberta
Project	Budget	Actual Cost	This Month	Next Month
20/21 P&OS CW Narrabri Tennis	\$310,852	\$3,465	Ramp construction and fence installation	Fence completion
Courts Upgrade				
21/22 Collins Park Scoreboard	\$2,540	\$0	Frame construction	Electrical infrastructure install
21/22 NOS CW Tourism Hub	\$2,400,000	\$5,132	Organise meeting	Meeting with Aboriginal Lands Counci
				waiting on determination action from
				Crown Lands.
21/22 OS Town Clock Toilets Refurb	\$50,000	\$0	Contractor has started painting	Complete town clock painting install nev
			community kiosk and start works on town	signage and fixtures
			clock on completion of the Kiosk	
22/23 Wee Waa Cemetery	\$90,000	\$1,100	Septic system quotation and purchase of	Procurement
Amenities			amenities building	
22/23 Pool Projects	\$130,000	\$25,433	BBQ installation Pool painting completed	Scope of works for accessibility
			tiling 50m pool completed at Boggabri	
Fleet				
Project	Budget	Actual Cost	This Month	Next Month
22/23 Fleet Plant Replacement	\$2,472,991	\$0	Completed light vehicle assessments and	Telehandler quotations to be accessed
			Purchase orders placed	Plant Trailer quotations to be assessed
			Plant / Car Trailer	
			Telehandler tender spec out for quotations	
			Two (2) Graders Ordered.	
			Library Van arrived and being scheduled	
			for fit out.	
			Chassis Tipper Ordered	

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			Misc Small plant replaced	
Water/Sewer				
Project	Budget	Actual Cost	This Month	Next Month
21/22 S CW Boggabri Sew Treat	\$550,000	\$0	Surveyors engaged for surveying of pond	Surveying completed and soil tests
Reuse Pond			perimeter	undertaken to inform dam design.
22/23 Water mains replacement –	\$350,000	\$0	Quotes obtained for design work,	Designer engaged and design underway.
Fitzroy St Narrabri			pipelining contractors engaged	
22/23 Wat CW Bo Water Main	\$100,450	\$0	Developing designs and ordering	Design completed and materials ordered
Renewal Wee Waa St Boggabri			materials for jobs.	
22/23 Watermains Renewal -	\$100,000	\$0	Quotes obtained for design work,	Designer engaged and design underway.
Boolcarrol Rd Wee Waa			pipelining contractors engaged	
22/23 Sewer mains replacement –	\$60,000	\$0	Scope of works developed and contractor	Scope reassessed in favour of the Sewer
Narrabri Rising Mains			engaged to undertake job.	Assessment Program
22/23 Environmental improvements	\$260,000	\$2,635	RFT advertised to market and assessment	Successful contractor awarded
at Narrabri STP			undertaken.	
Waste				
Project	Budget	Actual Cost	This Month	Next Month
21/22 SW CW NLF New Cell 1	\$1,800,000	\$1,445,738	Continuation of leachate barrier and	Completion of leachate system and
			collection system.	construction of access ramp.

#### 13.7 PLANNING AND DEVELOPMENT SERVICES REPORT - AUGUST 2022

Responsible Officer: Donna Ausling, Director Planning and Strategy

Author: Kristin De Koninck, Development Systems Officer

Attachments: 1. Planning and Development Status Report - August 2022 🗓 🖺

2. Statistics Snapshot - August 2022 U

3. Heritage Advisory Services Report - May to August 2022 🗓 🖺

4. Iron Bridge Boggabri Conservation Action Plan J

#### **DELIVERY PROGRAM ALIGNMENT**

## 4 Civic Leadership - Council as strong leaders for the Community

Objective 4.1 A transparent and accountable Council

Strategy 4.1.3 Increase awareness of Council's role in the community including the services and

facilities provided

#### **EXECUTIVE SUMMARY**

This report provides an overview of the activities, and statistics, carried out by the Planning and Development Services unit for the month of August 2022.

#### RECOMMENDATION

1. That Council receive and note the Planning and Development Services report for the month of August 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 Planning and Development Services allied activities for the preceding month.

#### **CURRENT SITUATION**

The major highlights of each section are outlined below.

## **Building:**

- Eight (8) Construction Certificates were determined during the month. The average processing time for the month (once all relevant information was received) was 26 days.
- A total of five (5) new Construction Certificate applications were lodged during the month with a value of estimated work of \$513,680.00

### **Statutory Planning:**

• Twelve (12) Development Applications totalling a capital investment value of \$1,176,310.10 were determined during the month.

The average processing time for Development Applications is 8 days.

• A total of twelve (12) new applications, with a total capital investment value of \$4,358,203.60, were lodged during the month of August. Of these, a notable application was for 116 mini storage sheds and 27 caravan storage sheds at 24 Williams Drive, Narrabri, as well as a new 23 room motel at 28 Mooloobar Street, Narrabri.

## **Building Compliance:**

- Two (2) Orders were issued during the month of August. A Refrain Activity Order for flooding and sediment control issues at Mitchell and Charles Street, Wee Waa, and a Make Safe and Demolition Order to the Insurer for a residential premise in Narrabri recently destroyed by fire.
- Two (2) Penalty Infringement Notices were issued during the month of August for non-compliance of essential fire safety measures.

## **Regulatory Services:**

No Penalty Infringement Notices were issued during the month of August.

## Heritage Advisory Services (May to August 2022):

- Australia Telescope Compact Array Inspection of the site.
- Boggabri Court House Inspection of building discussion of adaptive re-use options.
- Boggabri Red Cross Hall Inspection of building discussion of adaptive re-use options.
- Boggabri Tennis Club Building Inspection of building discussion of adaptive re-use options.
- Eulah Creek Bridge Provision of advice regarding demolition and replacement.
- Faulkner's Building, 43 Maitland Street, Narrabri Inspection of completed adaptative works.
- Iron Bridge, Boggabri Inspection of the bridge and provision of recommendations regarding management and/or replacement.
- Maitland Street, Narrabri.
- Yarrie Lake Inspection of the site.

## **Awning Discussion Paper**

 A discussion paper was prepared in relation to the management of awnings and verandas in business districts.

#### **War Memorials**

 General management - Discussions regarding strategies for future management of war memorials throughout the LGA.

- Wee Waa War Memorials Participation in planning for adoption of a Conservation Plan.
- Management Strategy for the memorials and planning for future management.

## **Local Heritage Fund (Heritage Assistance Fund)**

Discussions with key staff regarding implementation of a Local Heritage Fund.

## **FINANCIAL IMPLICATIONS**

Detailed in the body of the Report.

### STATUTORY AND POLICY IMPLICATIONS

Nil.

## **CONSULTATION**

#### **External Consultation**

• Heritage Advisor, Mr Ray Christison

### **Internal Consultation**

- Development Services Team
- Regulatory Services Team

# Planning and Development – Status Report – August

# **Development and Planning**

Development Applications (DA)					
Development Applications	lodged and de	termined			
Number YTD Value \$ August No. Average days Applications YTD Value \$ August No. Average days Applications					
Applications lodged	20	8,433,892	4,358,203	12	
Applications determined	21	1,812,934	1,176,310	12	8
Applications awaiting determination			7,422,403	11	

Planning Applications Lodged and Decided				
Number of Applications Value (Estimated Cost)				
Applications Lodged	12		\$4,358,203.60	
Applications Decided	12		\$1,176,310.10	
Pending	11		\$7,422,403.60	

Development Applications lodged by type					
	August Total	August Value \$	Year-to-date Total	Year-to-date Value \$	
Dwellings/Dual Occupancy	0	0	3	2,540,524.00	
Sheds	7	352,000	11	1,620,165	
Commercial	2	3,956,203	3	4,223,203	
Industrial	0	0	0	0	
Subdivision	0	0	0	0	
Tourism Development	0	0	0	0	
Modifications	2	0	2	0	
Others	1	50,000	1	50,000	
Infrastructure/Solar/Pond	0	0	0	0	
Total	12	4,358,203	20	8,433,892	

	Year to Date Figures DA Determined by Council					
Month	Determined		Lodged	Processing Time		
	Number of DA	Value of DA \$	Number of DA	Value of DA	(work days)	
July	9	\$636,624	8	\$4,075,689	21	
August	12	\$1,176,310	12	\$4,358,203	8	
September						
Average Q1						
October						
November						
December						
Average Q2						
January						
February						
March						
Average Q3						
April						
May						
June						
Average Q4						
Total						

Average Employee Cost Per Application Determined – Development Applicat		
	YEAR TO DATE	
Planning Budget	\$223,976.23	
Number of employees	3	
Total number of applications decided to date (Total applications determined to date)	21	
Average employee cost per application determined	\$1811.68	

Construction Certificates (CC)					
Construction Certificates lo	dged and dete	rmined			
Number YTD Value \$ August No. Average days Certification YTD  August No. Average days Value \$ of CC determination					
Council lodged	11	1,332,880	513,680	5	
Council determined	14	1,696,016	1,317,835	8	26
Construction Certificates awaiting determination			354,000	5	

Construction Certificate lodged by type					
	Private Certifier	Council	August Total	August Value \$	
Dwelling	4	0	4	1,896,258	
Shed/Garage	0	2	2	55,500	
Commercial	0	1	1	267,000	
Industrial	0	1	1	155,000	
Alteration/additions	0	0	0	0	
to dwelling					
Others	0	1	1	36,180	
Total	4	5	9	2,409,938	

	Year to Date Figures CC Determined by Council					
Month	Determined		Lodged	Processing Time		
	Number of CC	Value of CC \$	Number of CC	Value of CC		
July	6	378,181	6	819,200	30	
August	8	1,317,835	5	513,680	23	
September						
Average Q1						
October						
November						
December						
Average Q2						
January						
February						
March						
Average Q3						
April						
May						
June						
Average Q4						
Total						

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Average Employee Cost Per Application Determined – Construction Certificate					
	YEAR TO DATE				
Building employee cost	\$99,101/year				
Number of employees	1				
Total number of applications decided to date (Total applications determined to date)	14				
Average employee cost per application determined	\$1202.40				

Inspections				
Type of Inspections Number				
Footing	3			
Framing	1			
Final	0			
Wet area	0			
Stormwater	1			
External Drainage	1			
Internal Drainage	1			
Site Inspections	16			
Swimming Pool	9			
Other	1			
Total	33			

Occupation Certificates					
Lodged Issued					
Council	0	0			
Private Certifiers	3	3			
Total	3	3			

Swimming Pool Compliance Inspections					
Application Number	Date Lodged	Inspected (including re- inspections) On	NOI/Direction Issued	Non- Compliance Issued	Certificate of Compliance Issued
SPCC2022/0022	05/07/2022	02/08/2022			
SPCC2022/0030		03/08/2022 16/08/2022			
SPCC2023/0001	04/08/2022	08/08/2022	08/08/2022	08/08/2022	
SPCC2023/0002	17/08/2022	17/08/2022 19/08/2022			
SPCC2023/0004	22/08/2022	23/08/2022	24/08/2022	24/08/2022	
SPCC2023/0005	26/08/2022	26/08/2022			

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	Building Unit								
Application ID	Status	Primary Property	Full Details	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	9/09/2020				
CC2022/0037	Current	15 Maitland Street, NARRABRI NSW 2390	Construction of Carport	12,000.00	6/04/2022				
CC2022/0036	Current	7-11 Maitland Street, NARRABRI NSW 2390	Renovate 3 existing bathrooms and addition of disabled toilet	120,000.00	6/04/2022				
CC2023/0014	Current	39 Wee Waa Street, BOGGABRI NSW 2382	Shed 14x7m	36,000.00	26/08/2022				
CC2023/0013	Current	3 Boston Street, BOGGABRI NSW 2382	Transport Depot & Ancillary accommodation units x 4 (crib rooms)	155,000.00	30/08/2022				
CC2023/0003	APPROVED	13 Ugoa Street, NARRABRI NSW 2390	Construct 2 class 9b structures	267,000.00	9/08/2022	24/08/2022	12		
CC2023/0008	APPROVED	861 Kaputar Road, NARRABRI NSW 2390	Construction of a Shed	19,500.00	8/08/2022	18/08/2022	9		
CC2022/0042	APPROVED	66-74 Francis Street, NARRABRI NSW 2390	Fuel Centre	699,955.00	16/05/2022	5/08/2022	58		
CC2023/0004	APPROVED	151 Mckenzie Street, NARRABRI NSW 2390	Inground Fibreglass Swimming Pool	55,900.00	25/07/2022	18/08/2022	15		
CC2022/0051	APPROVED	54 Coppleson Drive, NARRABRI NSW 2390	New Dwelling and Temporary Placement of Storage Container	180,000.00	27/06/2022	9/08/2022	31		
CC2022/0003	APPROVED	36 Balonne Street, NARRABRI NSW 2390	Residential Shed	40,000.00	26/07/2021	3/08/2022	6		
CC2023/0001	APPROVED	41 Piper Lane, NARRABRI NSW 2390	Two Bay Garage	19,300.00	11/07/2022	18/08/2022	28		
CDC2023/0002	APPROVED	1 Warrior Street, WEE WAA NSW 2388	Two Patios attached to dwelling	36,180.00	3/08/2022	30/08/2022	20		

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	Planning Unit								
Application ID	Status	Primary Property	Full Details	Value \$	Date Lodged	Decision Date	Number of Days		
DA2023/0002	Current	24 Williams Drive, NARRABRI NSW 2390	116 mini storage sheds & 27 caravan storage sheds	1,000,000.00	2/08/2022				
DA2023/0012	Current	28 Mooloobar Street, NARRABRI NSW 2390	23 Room New Motel - 28 Mooloobar Street NARRABRI	2,956,203.60	10/08/2022				
DA2023/0006	Current	14 Regent Street, NARRABRI NSW 2390	4 Separate Townhouses	1,250,000.00	28/07/2022				
ModDA2023/0002	Current	29 Millie Road, BELLATA NSW 2397	4.55(1A) - Minimal environmental impact	0.00	17/08/2022				
DA2023/0017	Current	163 Gibbons Street, NARRABRI NSW 2390	6x7m garage with open carport	16,000.00	25/08/2022				
DA2023/0018	Current	91 Maitland Street, NARRABRI NSW 2390	Change of use to from Retail to Aesthetics premise	50,000.00	25/08/2022				
DA2022/0061	Current	43 Cooma Road, NARRABRI NSW 2390	Change of use to Hydraulic and Mechanical Repair Business	0.00	16/02/2022				
DA2023/0015	Current	4 Old Newell Highway, NARRABRI NSW 2390	Extending existing shed by 2 additional bays	120,000.00	17/08/2022				
DA2023/0007	Current	543 Old Gunnedah Road, NARRABRI NSW 2390	Secondary Dwelling	880,000.00	28/07/2022				
DA2023/0001	Current	12169 Newell Highway, NARRABRI NSW 2390	Shed	1,137,200.00	5/07/2022				
DA2023/0019	Current	14 Thurlagoona Avenue, NARRABRI NSW 2390	Steel framed shed	13,000.00	30/08/2022				
DA2023/0010	APPROVED	41 Coppleson Drive, NARRABRI NSW 2390	Carport and awning	50,000.00	5/08/2022	16/08/2022	8		
DA2022/0100	APPROVED	5 Caroline Way, NARRABRI NSW 2390	Change of Use to "Transport Depot"	0.00	30/06/2022	8/08/2022	27		
DA2023/0003	APPROVED	13 Ugoa Street, NARRABRI NSW 2390	Construct 2 class 9b structures	267,000.00	13/07/2022	9/08/2022	19		
DA2023/0014	APPROVED	12 Droubalgie Street, NARRABRI NSW 2390	Construction of a 14x7m shed	35,000.00	19/08/2022	30/08/2022	8		
DA2023/0013	APPROVED	1737 Yarrie Lake Road, YARRIE LAKE NSW 2388	Demo farm shed and replace with new farm shed	88,000.00	19/08/2022	30/08/2022	8		

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DA2022/0078	APPROVED	BOGGABRI BOWLING CLUB, 52 Laidlaw Street, BOGGABRI NSW 2382	Demolition of Boggabri Bowling Club	169,800.00	13/05/2022	23/08/2022	71
DA2023/0008	APPROVED	326 Kaputar Road, NARRABRI NSW 2390	Shed	30,000.00	1/08/2022	16/08/2022	11
DA2023/0009	APPROVED	109 Mckenzie Street, NARRABRI NSW 2390	Shed	70,000.00	22/07/2022	29/08/2022	26
DA2023/0005	APPROVED	39 Wee Waa Street, BOGGABRI NSW 2382	Shed 14x7m	37,351.00	20/07/2022	3/08/2022	10
DA2023/0004	APPROVED	81B Jacks Creek Road, NARRABRI NSW 2390	Single Storey Dwelling	410,524.00	13/07/2022	2/08/2022	14
DA2022/0089	APPROVED	1046 Couradda Road, EDGEROI NSW 2390	Two Lot Subdivision	18,635.10	7/06/2022	18/08/2022	51
ModDA2023/0001	APPROVED	139 Kaputar Road, NARRABRI NSW 2390	Conditions 11 and 12 to be modified to only apply at stage 4 of the subdivision	0.00	8/08/2022	15/08/2022	6

	Building Compliance Matter	s
Location	Issue	Status
Mitchell and Charles Street, Wee Waa	Flooding created by contractors diverting the flow of stormwater thus causing flooding on the streets on 3 <sup>rd</sup> and 5 <sup>th</sup> August 2022.	Issued a Refrain Activity Order to the head contractor
Fraser Street, Narrabri	Major fire destroyed residential premise on 12 August 2022.	Make Safe and Demolition Order was issued to the Insurer as authorised representative of the owner. Contractors attended premise within 48 hours of Order issued and applied PVA spray coat, securing friable asbestos. Demolition and clearance to be completed by 30 September 2022.
Wave Hill Road	Complaints received from concerning use of the road by road trains and A-triple combinations, alleged to be overloaded, thus causing damage and degradation.	Currently being investigated.
The Crossing Theatre	License condition changes for the Crossing Theatre.	Assistance provided from Licensing Police from Tamworth, including the preparation of a Plan of Management supporting the license condition alterations.
Narrabri Shire	Fire safety compliance inspections, focusing on the significant increase of short-term rental and accommodations.	Inspections have commenced.
Hotel Accommodation Premise, Narrabri	Non-compliance with essential fire safety measures.	Infringement Notices issued to the licensee and the owners of the premises.
Boo Boo Road, Berrigal Road and Manamoi Road, Bellata	Alleged illegal use by overloaded road trains causing significant damage and posing a risk to local traffic.	Currently being investigated.

	Heritage Matters
Matter	Description
Australia Telescope Compact Array	Inspection of the site.
Boggabri Court House	Inspection of building discussion of adaptive re-use options.
Boggabri Red Cross Hall	Inspection of building discussion of adaptive re-use options.
Boggabri Tennis Club Building	Inspection of building discussion of adaptive re-use options.
Eulah Creek Bridge	Provision of advice regarding demolition and replacement.
Falkner's Building (43 Maitland St, Narrabri)	Inspection of completed adaptative works.
Boggabri Iron Bridge	Inspection of the bridge and provision of recommendations regarding management and/or replacement.
Maitland Street, Narrabri	
Yarrie Lake	Inspection of the site.
Awning Discussion Paper	Preparation of discussion paper regarding management of awnings and verandahs in business districts.
War Memorials	General management involving discussions regarding the strategies for future management of war memorials throughout the LGA.
	Wee Waa War Memorials participation in planning for adoption of a Conservation Management Strategy for the memorials and planning for future management.
Local Heritage Fund (Heritage Assistance Fund)	Involved in ongoing discussion regarding the implementation of a Local Heritage Fund.

### **Regulatory Compliance**

Environmental Reporting	Aug-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	0
Illegal Camping Complaints – Move Alongs Issued	0
Abandoned Vehicles	0
Abandoned Vehicles – Initial Inspection/NOI	0
Abandoned Vehicles – Follow Up Inspection	0
Abandoned Vehicles – Vehicles Towed to Holding Yard	0
Abandoned Vehicles – Vehicles Towed to Holding Yard  Abandoned Vehicles – Disposed/Tendered	0
Overgrown/Waste on Property Complaints Received	2
Overgrown/Waste on Property Complaints Received  Overgrown/Waste on Property Complaints – Inspections Completed	2
Overgrown/Waste on Property Complaints – Inspections Completed  Overgrown/Waste on Property Complaints – Average Time to Respond (Days)	14
Overgrown/Waste on Property Complaints – Average Time to Respond (Days)	2
Overgrown/Waste on Property Complaints – Initial Inspections  Overgrown/Waste on Property Complaints – Initial Courtesy Call/Letter	2
	0
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 Order 11 Issued	0
Order 22A Issued	0
Order 27 Issued	-
	0
Burning Permits  Burning Permits  Burning Permits  Burning Permits	3
Burning Permits – Requests Received	3
Burning Permits – Inspections	_
Burning Permits - Approvals Issued	3
Section 68 Applications	0
s 68 - Septic Inspections Completed	5
s 68 - Septic Approvals to Install Issued	5
Annuarial to On ante larged	0
Approval to Operate Issued	0
s 68 - Septic Quarterly Reports Registered	0
Commissioning Certificate	0
Parking Complaints	2
Noise Complaints	1
Food Inspections - Annual Inspections	37
Food Complaints - Complaints	1
Food Complaints - Inspections	1
Food Complaints - Average time to Respond (days)	3
Underground Petroleum Inspections Completed (6-monthly)	0

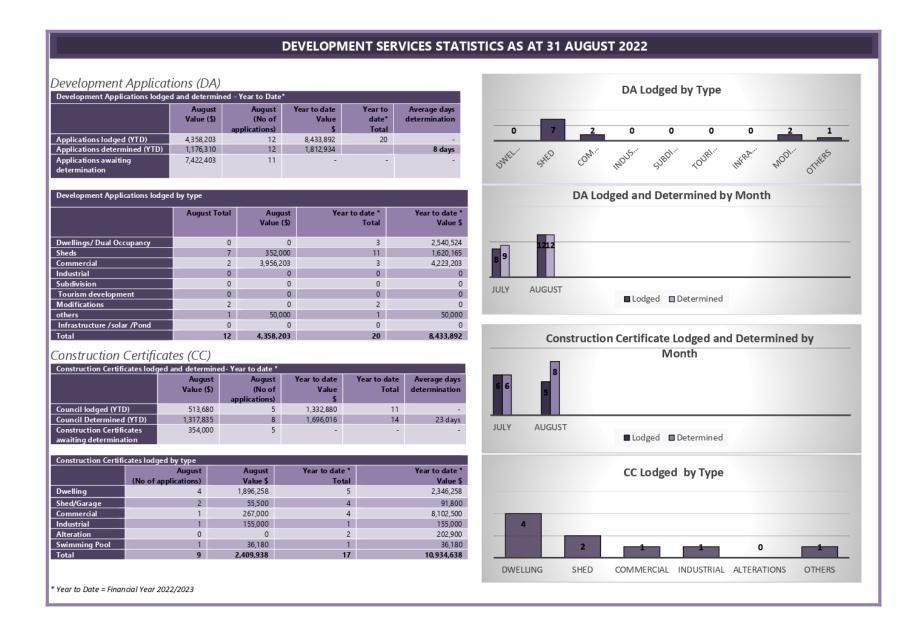
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Companion Animals Reporting	Aug-22
Number of Companion Animals Impounded	22
Dogs	14
Cats	8
Number of Companion Animals Registered	9
Dogs	2
Cats	7
Number of Companion Animals Rehomed	7
Dogs	6
Cats	1
Number of Companion Animals Released to Owner	6
Dogs	5
Cats	1
Number of Companion Animals Euthanised	3
Dogs	3
Cats	0
Number of Feral Animals Euthanised	6
Dogs	0
Cats	6
Method of Canine Impoundment	14
Patrolling	5
Surrenders	2
Handed in to Council (Pre-caught prior to impoundment)	7
Seized	0
Method of Feline Impoundment	8
Council Trapping Operations	0
Handed in to Council (Stray - Privately caught/trapped)	2
Handed in to Council (Feral - Privately trapped)	6
Surrenders	0
Complaints Received by Council	56
Dogs	45
Cats	11
Average Time to Respond (in Days) - Companion Animal Complaints	0
Dogs	
Cats	
Number of Animals Microchipped by Council	5
Dogs	3
Cats	2
Animals Rehomed through Council	0

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Dogs	0
Cats	0
Cats Trapped by Council	0
Stray	0
Feral	0
Owned	0
Number of Dog Attacks Reported to Council	4
Orders Issued	0
Number of Nuisance Dog Orders Issued	0
Number of Menacing Dog Orders Issued	0
Number of Dangerous Dog Orders Issued	0

PIN Issued	August
Parking	0
Companion Animals	0
Impounded Vehicles	0
Impounded Livestock	0
Litter	0
Illegal Dumping	0
Land Contamination and Pollution	0
Overgrown Premises	0
Public Health Related	0
Food Safety	0
Swimming Pools	0
Development	0





ABN: 67 070 055 319 0419 438 609 raychristison@higround.com.au

The General Manager Narrabri Shire Council PO Box 261 NARRABRI NSW 2390

Attention: Donna Ausling

Dear Donna

### Report on Narrabri Shire Council Heritage Advisory Service – May to August 2022

Between May and August 2022 I dealt with a number of matters relating to heritage management within the LGA. Matters covered included:

#### Heritage Advice

I provided advice on a number of properties as follows:

- Australia Telescope Compact Array Inspection of the site.
- Boggabri Court House Inspection of building discussion of adaptive re-use options.
- Boggabri Red Cross Hall Inspection of building discussion of adaptive re-use options.
- Boggabri Tennis Club Building Inspection of building discussion of adaptive re-use options.
- Eulah Creek Bridge Provision of advice regarding demolition and replacement.
- Faulkner's Building, 43 Maitland Street, Narrabri Inspection of completed adaptative works.
- Iron Bridge, Boggabri Inspection of the bridge and provision of recommendations regarding management and/or replacement.
- Maitland Street, Narrabri.
- Yarrie Lake Inspection of the site.

#### **Awning Discussion Paper**

I prepared a discussion paper regarding management of awnings and verandahs in business districts.

#### **War Memorials**

- General management I was involved with discussions regarding strategies for future management of war memorials throughout the LGA.
- Wee Waa War Memorials I participated in planning for adoption of a Conservation Management Strategy for the memorials and planning for future management.

### Local Heritage Fund (Heritage Assistance Fund)

I was involved in ongoing discussions regarding implementation of a Local Heritage Fund.

### Recommendations

I recommend that Council be informed of the activities identified above. I am happy to discuss any of the above issues if required.

Yours faithfully

Ray Christison Heritage Advisor



### **Conservation Action Plan**



The lattice girder bridge and long approach structure viewed from the western bank of the Namoi River.

Prepared by Ray Christison

HIGH GROUND CONSULTING

14 August 2022

### Iron Bridge Boggabri

The Iron Bridge carries Regional Road 357 across the Namoi River north of Boggabri.



View from the western end of the bridge showing the long approach span.

View from the eastern end of the bridge showing hr lattice structure.





Detail of the riveted lattice structure.

#### Historical timeline

- c1881 An iron lattice bridge was designed by Public Works Engineer John A. McDonald.
- 1882 Tenders were advertised for construction of an Iron Bridge over the Namoi River at Yellowbank, near Boggabri.
- 1882 Contract for erection of a bridge over the Namoi River at Boggabri awarded By Department of Public Works to British firm G.H. Royce and Company on 20 October 1882. The bridge components were manufactured in England.
- 1885 The bridge was completed and opened.

### Statement of significance

The bridge was assessed by Cardno Consulting in 2001 as part of a Study of the Heritage Significance of pre 1930 RTA Controlled Metal Road Bridges in NSW. It was identified as having State significance. Regardless, it is not currently listed on the NSW State Heritage Register. The Statement of Significance for the bridge has been summarised as follows:

The Iron Bridge over the Namoi River, completed in 1885, has significance because:

- It has been an important item of infrastructure in the history of New South Wales for over 115 years,
- It was a technically sophisticated bridge structure for its time,
- It has strong aesthetic lines,
- It contributed significantly to the social and commercial development of Northern New South Wales.
- It is an good representative example of this type of bridge.

### **Conservation Guidelines**

The Burra Charter guides all cultural heritage management practices in Australia. It establishes the following principles for the management of heritage places, including heritage buildings:

### Article 2. Conservation and management

- 2.1 Places of cultural significance should be conserved.
- 2.2 The aim of conservation is to retain the cultural significance of the place.
- 2.3 Conservation is an integral part of good management of places of cultural significance.
- 2.4 Places of cultural significance should be safeguarded and not put at risk or left in a vulnerable state.

### Article 3. Cautious approach

3.1 Conservation is based on a respect for the existing fabric, use, associations and meanings. It requires a cautious approach of changing as much as necessary but as little as possible.3.2 Changes to a place must not distort the physical or other evidence it provides, nor be based on conjecture.

### Article 4. Knowledge, skills and techniques

- 4.1 Conservation should make use of all the knowledge, skills and disciplines, which can contribute to the study and care of the place.
- 4.2 Traditional techniques and materials are preferred for the conservation of significant fabric. In some circumstances modern techniques and materials, which offer substantial conservation benefits may be appropriate.

### Hierarchy of interventions

The Burra Charter recommends the following hierarchy of interventions in the management of heritage places:

- Conservation is the preferred option. Conservation means all the processes of looking after a
  place so as to retain its cultural significance. It generally involves taking efforts to retain the
  existing fabric of the place or building.
- 2. Maintenance means the continuous protective care of the fabric and setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction.
- Preservation means maintaining the fabric of a place in its existing state and retarding deterioration.
- Restoration means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.
- Reconstruction means returning a place to a known earlier state and is distinguished from restoration by the introduction of new material into the fabric.
- 6. Adaptation means modifying a place to suit the existing use or proposed use.

### Policies for the management of the bridge

### 1. General guidance for repairs and maintenance

Maintenance and repairs should be undertaken in accordance with Heritage Branch Office of Environment & Heritage for the maintenance of heritage assets, **Information Sheet How to Carry Out Work on Heritage Sites and Buildings**.

### 2. Conserve existing fabric

Efforts should be made to ensure that as much of the original fabric as possible is retained.

### **Action Plan**

### Iron Bridge

Priority	Works to be performed					
1	Apply for State Heritage Register listing of the bridge.					
2	Undertake regular engineering inspections of the bridge to ensure its suitability for					
	purpose.					
3	Undertake regular maintenance as recommended by engineering assessments.					
4	4 If a replacement or upgrade is required it should be planned alongside the existing					
	bridge with conservation of the iron bridge considered as a priority.					

### 13.8 RESOLUTIONS REGISTER - AUGUST TO SEPTEMBER 2022

Responsible Officer: Andrew Brown, Director Corporate and Community Services

Author: Jason Townsend, Manager Governance and Risk

Attachments: 1. Outstanding Resolutions Register 19 September 2022 🗓 🖺

2. Completed Resolution Register 19 September 2022 🗓 🖫

#### **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 19 September 2022, is therefore presented to Council.

### RECOMMENDATION

- 1. That Council receive and note the outstanding Resolutions Register as at 19 September 2022.
- 2. That Council receive and note the completed Resolutions Register as at 19 September 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 19 September 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.

The format for this report has been changed following feedback from Councillors.

This month also sees the addition of resolutions completed in the period since the last Ordinary Council Meeting, following feedback from Councillors.

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.



## **Resolution Register**

(Outstanding)

Criteria
Directorate(s):
Meeting(s):
Officer(s):
Date From:
Date To:

Council

Printed: 19 September 2022 11:37 AM

No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
1	01/11/2017	464/2014	Heavy Vehicle Parking	MINUTE 307/2015  1. That Council is presented with additional updates to the Narrabri Shire Cemetery Plan of Management by December 2015 to accommodate use of new sections at the Narrabri Lawn Cemetery, once design is completed and approved, and use of the Pilliga Columbarium Wall which is currently under construction.	Director Planning and Strategy		30/09/2022	17 Aug 2022 – 10:43 AM – Manager Governance and Risk Revised Target Date changed by: Manager Governance and Risk From: 23 Aug 2022 To: 30 Sep 2022 Reason: To be reviewed at Policy Review
2	01/11/2017	307/2015	Cemetery Management Plan	MINUTE 464/2014     Council receive and note the report regarding heavy vehicle parking issues.     Council's Director of Planning and Development submit a draft 'Parking Strategy and Enforcement Policy' to a future Meeting of Council for consideration.	Manager Parks and Open Spaces	15/11/2017	31/12/2022	10 Aug 2022 – 2:58 PM – Director Infrastructure Delivery Revised Target Date changed by: Director Infrastructure Delivery From: 31 Jul 2022 To: 31 Dec 2022 Reason: Waiting on finalisation of Eulah Creek Cemetery Plan prior to reporting on the Cemetery Management Plan to Council as it would need to include the final plan for this cemetery.
3	25/09/2018	224/2018	Acquisition of Land for Expansion for Narrabri Landfill	<ul> <li>MINUTE 224/2018</li> <li>That Council:  1. Commence action by negotiation or compulsory acquisition to acquire a 15-metre wide strip of land having a total area of approximately one (1) hectare adjoining the Narrabri Landfill site, being part of Lot 153 in DP588798.</li> <li>2. Authorise the General Manager to negotiate a sale price in accordance with advice from an independent Certified Practising Valuer, and meet all reasonable survey and legal costs associated with this acquisition.</li> <li>3. Make all necessary arrangements to:  a. Classify the land as operational land in accordance with section 31 of the Local Government Act 1993.</li> <li>b. Apply its Common Seal to any necessary documents relating to the acquisition.</li> </ul>	Manager Property Services	09/10/2018	01/06/2023	15 Aug 2022 - 11:04 AM - Manager Property Services Revised Target Date changed by: Manager Property Services From: 30 Sep 2022 To: 01 Jun 2023 Reason: Investigations are ongoing.
4	30/10/2018	240/2018	Road Network Condition Assessment	MINUTE 240/2018     1. That Council note the condition and assessment report with no changes to the existing proposed road services 2018/2019 budgets.     2. That Council undertaken community consultation to determine the levels of services and risk that are acceptable to road users within Narrabri Shire.	Cain , Michael	13/11/2018	30/06/2023	17 May 2022 – 3:39 PM – Director Infrastructure Delivery Next condition Assessment budgeted for FY23 in line with the four year cycle. Community consultation to be completed in FY23 as part of further development of Roads Strategy.



## **Resolution Register**

(Outstanding)

Criteria
Directorate(s):
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No.	Start Date	Minute	Report Title	Resolution	Responsible	Original	Revised	Current Status
					Officer	Target Date	Target Date	
5	26/02/2019	025/2019	Single Property – Amendment to Local Government Boundary	MINUTE 025/2019  That Council:  1. Support the proposed boundary change.  2. Seek a Council resolution from Moree Plains Shire Council that also supports the boundary change.  3. Authorise making a joint proposal to the Minister for Local Government and His Excellency the Governor of New South Wales.  4. Request a provision for the payment of any outstanding rates and charges to be included in a proclamation to affect the boundary change.	Governance Coordinator	12/03/2019	30/09/2022	20 Jul 2022 – 7:45 AM – Governance Coordinator Revised Target Date changed by: Governance Coordinator From: 31 Jul 2022 To: 30 Sep 2022 Reason: Outcome awaiting decision from the NSW Office of Local Government and the Minister for Local Government. No further action required by Narrabri Shire Council or Moree Plains Shire Council at this stage.
6	23/02/2021	038/2021	Provision Of New Doctors Residence in Boggabri	<ol> <li>MINUTE 038/2021</li> <li>That Council provide a suitable prefabricated home on vacant Council land at 37 Dalton Street Boggabri, at an estimated cost of \$274,800.</li> <li>That the provision of the home be funded from the Maules Creek Coal Voluntary Planning Agreement (VPA) for Boggabri Community projects.</li> <li>That Council upon the successful completion of the new residence, place 29 Laidlaw St, Boggabri for sale with an authorised real estate agent in its current condition; any profits from sale are to be placed into a reserve for Community Projects within Boggabri.</li> <li>That rental income received from 37 Dalton Street, Boggabri be placed into a reserve (restricted) for maintenance and upkeep of the 37 Dalton Street Boggabri.</li> <li>That Council approve the use of the Council Seal for all relevant documents to enact this resolution.</li> </ol>	Manager Property Services	09/03/2021	01/07/2023	15 Aug 2022 - 11:03 AM - Manager Property Services Revised Target Date changed by: Manager Property Services From: 28 Feb 2023 To: 01 Jul 2023 Reason: Quotes currently being sourced.
7	27/07/2021	120/2021	Notice of Motion – Doctors Creek land erosion issue	1. That Council seeks an urgent meeting of all appropriate NSW Government authorities regarding the significant erosion immediately downstream of the Doctors Creek bridge from the February 2020 rain event. With the intent that the outcome of the meeting map the way forward in dealing with the erosion issues.  2. That Council requests that the previous report from	Director Infrastructure Delivery	26/08/2021	31/08/2022	17 May 2022 – 3:46 PM – Director Infrastructure Delivery Report to be prepared for Council detailing Formal discussions with Crown



### **Resolution Register**

(Outstanding)

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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
				Doctors Creek bank erosion be examined in conjunction with the proposed solution to the erosion issues.				
8	27/07/2021	131/2021	Notice of Motion – Rural Banking Options (Wee Waa)		Manager Governance and Risk	26/08/2021	27/09/2022	16 Aug 2022 - 12:47 PM - Manager Governance and Risk Revised Target Date changed by: Manager Governance and Risk From: 23 Aug 2022 To: 27 Sep 2022 Reason: Moved to September meeting due to size of August meeting agenda and priority.
				all Australians, and will contribute to Australia's national economic development.  3. That Council write to the Local State and Federal Members of Parliament, to inform them of Councils desire to support the passage of the Commonwealth Postal Savings Bank Bill through Parliament.				
9	15/02/2022	014/2022	Notice of Motion – Use of iPad Technology by	MINUTE 014/2022	Manager Governance and Risk	17/03/2022	27/09/2022	15 Aug 2022 - 12:12 PM - Manager Governance and Risk Revised Target Date changed by: Manager Governance and Risk From: 1 Sep 2022 To: 27 Sep 2022



### **Resolution Register**

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Council

19 September 2022 11:37 AM

No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target	Revised Target	Current Status
			Councillors	THAT  (i) That the General Manager provide a report to the 22 <sup>nd</sup> March 2022 Ordinary meeting detailing the following:- the details of how emails and other Council documents are auto-archived for the purposes of complying with any legal requirements and details of all relevant legislation and other responsibilities that are relevant to this. Also, that offsite backup and protection from tampering be detailed in the report.  (ii) That the General Manager present a report outlining a new or existing Policy for approval or modification on proposed protocols that would need to be observed to allow access to auto-archived material. This should include penalties for access outside of the finalised policy.  (iii) That the General Manager provide a report to each Ordinary Meeting of Council detailing the number of accesses to auto-archived material that have been undertaken, by whom and the reason for access, ensuring process that excludes any detail in reports that could identify an individual.		Date	Date	Reason: Ongoing reporting of access.
10	22/03/2022	062/2022	Notice of Motion – Urgent Works on Melburra Road (Off Killarney Gap Road)	MINUTE 062/2022  Moved: Cr Greg Lamont Seconded: Cr Rohan Boehm  1. That the General Manager provide a report to the appropriate budget briefing of council on:  (a) what work has been undertaken on Melburra Rd the last three (3) years and the cost;  (b) the result of General Manager, or delegate, meeting on site with interested Councillors and the Melburra Road Users Group to discuss options such as concreting the culverts, fencing, regular grading etc., to ensure they have a reliable and safe road to use;  (c) as a result of (b) what works are proposed to rectify the problems, the cost and source of funds.	Manager Roads Services	21/04/2022	31/10/2022	10 Aug 2022 – 3:03 PM – Director Infrastructure Delivery Revised Target Date changed by: Director Infrastructure Delivery From: 26 Jul 2022 To: 31 Oct 2022 Reason: Information provided to Council further engagement to be completed with key stakeholders
11	22/03/2022	064/2022	Notice of Motion – Narrabri West Railway Museum	MINUTE 064/2022  1. That the General Manager submit a report to a future meeting of Council on the history of attempts to have the	Manager Tourism and Cultural Services	21/04/2022	01/10/2022	9 Sep 2022 - 10:41 AM - Manager Tourism and Cultural Services Revised Target Date changed by: Manager Tourism and Cultural Services From: 1 Jul 2022 To: 01 Oct 2022 Reason: Difficulty in researching project.

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### **Resolution Register**

(Outstanding)

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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
				Narrabri West Railway Museum being established in the old Narrabri West Water Tower, information on any possible grant sources to complete the Museum, if any existing funding sources are in reserves or trust or any details on entities that may have been involved in the past.				
12	22/03/2022	070/2022	Council Committees	MINUTE 070/2022  1. That Council hold a workshop to consider the formation of Council standing committees.	Manager Governance and Risk	21/04/2022	27/09/2022	16 Aug 2022 - 12:48 PM - Manager Governance and Risk Revised Target Date changed by: Governance Coordinator From: 27 Sep 2022 To: 25 Oct 2022 Reason: To be workshopped at the October briefing.
13	26/04/2022	111/2022	Deferral of workshop on Council Standing Committees	MINUTE 111/2022  1. That Council defer the workshop to discuss Council Standing Committees within three (3) months.	Manager Governance and Risk	26/05/2022	06/09/2022	16 Aug 2022 - 12:48 PM - Manager Governance and Risk Revised Target Date changed by: Governance Coordinator From: 06 Sep 2022 To: 25 Oct 2022 Reason: To be workshopped at the October briefing.
14	26/04/2022	CO- 080/2022	Narrabri Underground Voluntary Planning Agreement (VPA) Update	MINUTE CO-001/2022  1. That Council accept the \$2.603 million Voluntary Planning Agreement offer from Whitehaven Coal dated 27 January 2022, as negotiated for the Narrabri Underground mine and this motion remain confidential until such time as the matter is concluded.	Manager Planning and Development	26/05/2022	30/09/2022	10 Aug 2022 - 2:20 PM - Manager Planning and Development Revised Target Date changed by: Manager Planning and Development From: 31 Jul 2022 To: 30 Sep 2022 Reason: Explanatory note being drafted to be sent to Lindsay Taylor Lawyers to Review
15	28/06/2022	172/2022	Crown Lands – Boston Street Bridge Licence	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.	Manager Property Services	28/07/2022	01/12/2022	15 Aug 2022 – 11:00 AM – Manager Property Services Revised Target Date changed by: Manager Property Services From: 31 Aug 2022 To: 01 Dec 2022 Reason: Still awaiting a response from Crown/Minister
16	28/06/2022	<u>CO-</u> 200/2022	Shannon Estate – Sale of residential land	MINUTE CO-199/2022  1. That Council adopt the Assessed Market Value as outlined in the attached confidential valuations as the	Manager Property Services	28/07/2022	01/12/2022	15 Aug 2022 - 9:34 AM - Manager Property Services Revised Target Date changed by: Manager Property Services From: 28 Jul 2022 To: 01 Dec 2022 Reason: All remaining lots are under contract and are set to settle by Christmas



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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
				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.				
17	26/07/2022	222/2022	Economic Development Activities Update - June 2022	<ol> <li>MINUTE 222/2022</li> <li>That Council receive and note the Economic Development Section activities update highlighted in this report.</li> <li>That Council is the lead economic development entity in the Narrabri Shire and therefore should apply for a grant from the Regional NSW Business Case and Strategy Development Fund.</li> <li>That Council acknowledge that the Special Activation Precinct investigations and the Northern NSW Inland Port are once in lifetime opportunities for the Narrabri Shire and therefore incorporate the inclusion of a dedicated Council officer to assist with these projects into the grant application.</li> <li>That Council incorporate the development of a shopfront located in the Narrabri Central Business District into the grant application.</li> </ol>	Manager Economic Development	25/08/2022	25/09/2022	15 Aug 2022 - 9:27 AM - Manager Economic Development Revised Target Date changed by: Manager Economic Development From: 25 Aug 2022 To: 25 Sep 2022 Reason: Grant application preparation is in process in line with the terms of the Council resolution.
18	26/07/2022	226/2022	2022 Local Government NSW (LGNSW) Annual Conference	MINUTE 226/2022  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 Cr Dickinson, Cr Lamont, Cr Richardson and Cr Tiemens to attend the Conference; and  (e) Workshop any motions to be made to the Conference, at the Councillor Briefing in August 2022.	Executive Assistant	25/08/2022	20/10/2022	16 Aug 2022 - 12:49 PM - Manager Governance and Risk Revised Target Date changed by: Manager Governance and Risk From: 25 Aug 2022 To: 20 Oct 2022 Reason: Delegates selected. Event to happen in October 2022.
19	26/07/2022	238/2022	Accounting Treatment of	MINUTE 238/2022	Director Corporate	25/08/2022	25/08/2022	10 Aug 2022 - 3:40 PM - Manager Financial Services (acting) Action reassigned to Director Corporate and Community Services by: Manager



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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
			Rural Fire Service Assets (Red Fleet)	<ol> <li>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:</li> </ol>	and Community Services			Financial Services (acting) for the reason: Advocacy letter best to come from senior staff
				<ul> <li>(a) Expressing Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets;</li> </ul>				
				<ul> <li>(b) Advising of the impact of the Government's position on Council finances of this accounting treatment;</li> </ul>				
				<ul> <li>(c) Informing that Council will not record RFS assets in Narrabri Shire Council's financial statements;</li> </ul>				
				(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.				



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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
				<ol> <li>That Council promotes these messages via its digital and social media channels and via its networks.</li> <li>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.</li> <li>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.</li> </ol>				
20	26/07/2022	CO- 242/2022	EOI - Boggabri Bowling Club	MINUTE CO-242/2022  1. That Council approve the transfer of goods as listed here within.	Manager Property Services	25/08/2022	31/10/2022	15 Aug 2022 – 9:27 AM – Manager Property Services Revised Target Date changed by: Manager Property Services From: 25 Aug 2022 To: 31 Oct 2022 Reason: Successful applicants have been notified. Removal items to take place in September.
21	26/07/2022	CO- 246/2022	Narrabri and District Chamber of Commerce – 2022 Business Awards Sponsorship Proposal – Additional Supporting Information	1. That Council grants \$2,500 for the Narrabri and District Chamber of Commerce 2022 Business Awards Event, as a one off contribution in recognition of recent hardships in the community.  2. That Council develops and adopts a general Community Sponsorship Policy.	Manager Economic Development	25/08/2022	30/09/2022	17 Aug 2022 – 10:42 AM – Manager Governance and Risk Revised Target Date changed by: Governance Coordinator From: 30 Sep 2022 To: 30 Sep 2022 Reason: Policy to be brought to October OCM
22	26/07/2022	<u>CO-</u> 247/2022	Quarry Development Applications	MINUTE CO-247/2022  1. That Council receive and note Quarry Development Applications, further to that:  (a) Endorse the staged submission of Quarry Development Applications; and  (b) Endorse the development of a Stakeholder Engagement Strategy.	Director Infrastructure Delivery	25/08/2022	25/08/2022	17 Aug 2022 – 10:42 AM – Manager Governance and Risk Action reassigned to Director Infrastructure Delivery by: Manager Governance and Risk for the reason: Reassigned to correct Directorate for action.
23	23/08/2022	252/2022	Mayoral Minute – Resources for Region Grant Projects	MINUTE 252/2022  1. That the General Manager prepare all documents required for the following projects to be funded from the	Director Planning and Strategy	22/09/2022	22/09/2022	31 Aug 2022 - 4:52 PM - Governance Coordinator Action reassigned to Director Planning and Strategy by Governance Coordinator for the reason: Action as required.



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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
				a. Narrabri Sports Precinct feasibility study; b. Dripping Rock feasibility study; c. Wee Waa Arts Centre Program; d. Disability Inclusion and Accessibility Program; e. Wee Waa Community and Business Hub; f. Narrabri Intersection upgrade Kaputar and Old Gunnedah Road; g. Yarrie Lake Circuit Road upgrade and seal; h. Dangar Park embellishments; and i. Splash Parks for the Communities of Wee Waa, Boggabri and Narrabri.				
24	23/08/2022	261/2022	Sporting Wall of Fame– Assessment Panel	MINUTE 261/2022  1. That Council appoints Councillor Redding to the Sporting Wall of Fame Assessment Panel in accordance with Section 4(i) of the Sporting Wall of Fame Policy.	Director Planning and Strategy	22/09/2022	22/09/2022	
25	23/08/2022	275/2022	Narrabri Sewerage Scheme and Sewerage Treatment Plant Improvements	MINUTE 275/2022  1. That Council:  a. Receive and note Narrabri Sewerage Scheme and Sewerage Treatment Plant Improvements Planning report.  b. Endorse the development of an Improvement Plan.	Manager Water Services	22/09/2022	22/09/2022	31 Aug 2022 - 6:32 PM - Governance Coordinator Action reassigned to Manager Water Services by: Governance Coordinator for the reason: Please action as required.
26	23/08/2022	278/2022	Reconciliation Action Plan	1. That Council note the progress on the Innovate Reconciliation Action Plan 2023-2025.  2. That Council nominate Councillor Clements as delegate and Councillor Boehm as alternate delegate to the proposed Reconciliation Action Plan Advisory Committee.  3. That a further report be submitted on draft Terms of Reference and formal establishment of a Reconciliation Action Plan Advisory Committee.	Director Planning and Strategy	22/09/2022	22/09/2022	



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27	23/08/2022	CO- 282/2022	Road Opening and Closure at 3206 Killarney Gap Road Narrabri	1. That Council;  a. approve the proposed land swap with the landowner noted within this report.  b. completes the required Council Road Closure Process under Part 4 Division 3 of the Roads Act 1993 (NSW).  c. completes the required Council Road Opening Process under Part 2 Division 1 of the Roads Act 1993 (NSW).  d. prepares a Plan of First Title Creation and takes all steps required to complete registration by the Land Registry Services NSW.  e. authorise the General Manager to sign all relevant documents required to effect the road opening and closure and land swap.	Manager Property Services	22/09/2022	22/09/2022	31 Aug 2022 – 6:34 PM – Governance Coordinator Action reassigned to Manager Property Services by: Governance Coordinator for the reason: Please action as required.



### **Resolution Register**

(Completed)

19 September 2022 11:43 AM

Criteria
Directorate(s):
Meeting(s):
Officer(s):
Date From:
Date To: Completed since 17/08/2022

No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target	Revised Target	Current Status
					J	Date	Date	
1	27/10/2020	174/2020	Boggabri Community Projects VPA – Boggabri Tractor Shed – Project Expenditure Approval	MINUTE 174/2020     That Council approve funding of the Boggabri Tractor Shed – Capacity Building Project (\$60,000) as per the details and stipulations outlined in this report.      That Council fund this project from Maules Creek Mine Voluntary Planning Agreement.	Manager Planning and Development	10/11/2020	31/12/2022	17 Aug 2022 - 10:44 AM - Manager Planning and Development Action completed by: Manager Planning and Development Funding Allocated. Completed.
2	27/10/2020	175/2020	Boggabri Community Projects VPA – Boggabri CBD and Business Activation Project – Project Expenditure Approval	That Council approve funding of the Boggabri CBD and Business Activation Project (\$120,000) as per the details and stipulations outlined in this report.     That Council fund the project from Maules Creek Mine Voluntary Planning Agreement.	Manager Planning and Development	10/11/2020	31/07/2022	17 Aug 2022 - 10:43 AM – Manager Planning and Development Action completed by: Manager Planning and Development Completed.
3	28/06/2022	168/2022	Draft Burials on Private Land Policy	MINUTE 168/2022  1. That Council workshop the draft "Private Burials Policy" at a future Councillor Briefing.	Director Planning and Strategy	28/07/2022	31/08/2022	17 Aug 2022 - 10:38 AM - Director Planning and Strategy Action completed by: Director Planning and Strategy Workshop undertaken. Item to be resubmitted to a future Council Meeting.
4	28/06/2022	191/2022	2022/2023 Community Grants Fund	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	Grants Officer	28/07/2022	15/08/2022	17 Aug 2022 – 10:39 AM – Grants Officer Action completed by: Director Planning and Strategy Funding issued in line with the terms of the Council resolution.

Narrabri Shire Council Page 1 of 6



### **Resolution Register**

(Completed)

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Directorate(s):
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Completed since 17/08/2022

19 September 2022 11:43 AM

No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
				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".				
5	26/07/2022	217/2022	Delegate Report – Vickery Coal Mine Community Consultative Committee	1. That Council note Councillor Redding's Delegate Report on the Vickery Coal Mine Community Consultative Committee meeting held on 11 May 2022.	Executive Assistant	25/08/2022	25/08/2022	1 Aug 2022 - 11:08 AM - Governance Coordinator Action completed by: Governance Coordinator No action required.
6	26/07/2022	225/2022	Country Mayor's Association (CMA) – Regional and Rural Skills Forum – 4 August 2022	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. 3. That the General Manger appoint a staff delegate(s) to attend the Regional and Rural Skills Forum and report back to Council on the Forum.	Executive Assistant	25/08/2022	23/08/2022	16 Aug 2022 - 12:49 PM - Manager Governance and Risk Action completed by: Governance Coordinator Delegates Report tabled at August Council Meeting.
7	26/07/2022	243/2022	The Exchange Business Activator (TEBA) – Professional Advisory Support Program	<ol> <li>CO-MINUTE 243/2022</li> <li>That Council receive and note the report on The Exchange Business Activator (TEBA) Professional Advisory Support Program.</li> <li>That the General Manager prepare a Briefing Paper on the full history of Council's involvement in the TEBA program.</li> </ol>	Director Planning and Strategy	25/08/2022	25/08/2022	17 Aug 2022 – 10:38 AM – Director Planning and Strategy Action completed by: Director Planning and Strategy Briefing Paper prepared and issued for the information of Council in line with the terms of the resolution.
8	23/08/2022	251/2022	Mayoral Minute – Mayoral	MINUTE 251/2022	Executive Assistant	22/09/2022	22/09/2022	31 Aug 2022 – 4:52 PM – Executive Assistant Action completed by: Governance Coordinator

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### **Resolution Register**

(Completed)

Criteria
Directorate(s):
Meeting(s):
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Date To:

Completed since 17/08/2022

No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
			Appointments for July/August 2022	<ol> <li>That Council note the Mayoral appointments for the period 22 July 2022 to 17 August 2022.</li> </ol>				No action required.
9	23/08/2022	253/2022	Delegate Report – Floodplain Management Advisory Committee (FMAC) Minutes – 8 August 2022	MINUTE 253/2022  1. That Council note the Delegate Report on the Floodplain Management Advisory Committee meeting held on 8 August 2022.	Manager Planning and Development	22/09/2022	22/09/2022	1 Sep 2022 – 10:45 AM – Manager Planning and Development Action completed by: Manager Planning and Development Report noted by Council. Further updates as required will be sent to Council meetings
10	23/08/2022	254/2022	Log of Auto-Archive Access	MINUTE 254/2022  1. That Council note the Log of Auto-Archive report.	Manager Governance and Risk	22/09/2022	22/09/2022	31 Aug 2022 – 4:52 PM – Governance Coordinator Action completed by: Governance Coordinator No action required.
11	23/08/2022	255/2022	Delegate Report – Central Northern Regional Library (CNRL) Minutes and Agenda for Annual General Meeting and Ordinary Meeting – 16 March 2022	MINUTE 255/2022  1. That Council note the Delegate Report on the Central Northern Regional Library (CNRL) Annual General Meeting and Ordinary Meeting held on 16 March 2022.	Director Planning and Strategy	22/09/2022	22/09/2022	31 Aug 2022 – 4:53 PM – Governance Coordinator Action completed by: Governance Coordinator No action required.
12	23/08/2022	256/2022	Delegate Report – NSW Public Libraries Association North East Full Zone Meeting – 12 May 2022	1. That Council note the Delegate Report on the NSW Public Libraries Association North East Full Zone Meeting held on 12 May 2022.	Director Planning and Strategy	22/09/2022	22/09/2022	31 Aug 2022 – 5:21 PM – Governance Coordinator Action completed by: Governance Coordinator No action required.
13	23/08/2022	<u>257/2022</u>	Delegate Report – Maules Creek Coal Community Consultative Committee Meeting – Wednesday 25 May 2022	MINUTE 257/2022  1. That Council note the Delegate Report on the Maules Creek Coal Community Consultative Committee Meeting held on Wednesday 25 May 2022.	Manager Planning and Development	22/09/2022	22/09/2022	1 Sep 2022 – 10:46 AM – Manager Planning and Development Action completed by: Manager Planning and Development Report noted NFAR
14	23/08/2022	258/2022	Country Mayors Association of NSW General Meeting Minutes – Friday 5 August 2022	MINUTE 258/2022  1. That Council note the Delegate Report on the Country Mayors Association of NSW General Meeting on Friday 5 August 2022.	Mayor	22/09/2022	22/09/2022	31 Aug 2022 - 5:23 PM - Mayor Action completed by: Governance Coordinator No action required.
15	23/08/2022	259/2022	Country Mayors Association of NSW Rural Skills Forum Minutes – Thursday 4 August 2022	MINUTE 259/2022  1. That Council note the Delegate Report on the Country Mayors	Redding, Catherine	22/09/2022	22/09/2022	31 Aug 2022 - 4:54 PM - Governance Coordinator Action completed by: Governance Coordinator No action required.

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### **Resolution Register**

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Criteria
Directorate(s):
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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
				Association of NSW Rural Skills Forum held on 4 August 2022.				
16	23/08/2022	260/2022	Membership – Mining and Energy Related Councils NSW	MINUTE 260/2022  1. That Council endorse the attendance of both the Mayor and General Manager (if available), to attend MERC's meeting in Sydney on 2 September 2022 for the purposes of assessing the value proposition of membership and prepare a further report for consideration.	Director Planning and Strategy	22/09/2022	22/09/2022	31 Aug 2022 – 5:23 PM – Director Planning and Strategy Action completed by: Governance Coordinator No action required.
17	23/08/2022	262/2022	Resolutions Register - July to August 2022	That Council receive and note the outstanding Resolutions Register as at 17 August 2022.     That Council receive and note the completed Resolutions Register as at 17 August 2022.	Manager Governance and Risk	22/09/2022	22/09/2022	31 Aug 2022 – 5:26 PM – Governance Coordinator Action completed by: Governance Coordinator No action required.
18	23/08/2022	263/2022	Ordinary Council Meeting Schedule until September 2023	MINUTE 263/2022  1. That Council set the dates for the Ordinary Council Meetings as follows:  a. Tuesday, 18 October 2022; b. Tuesday, 22 November 2022; c. Tuesday, 20 December 2022; d. Tuesday, 28 February 2023; e. Tuesday, 28 March 2023; f. Tuesday, 18 April 2023; g. Tuesday, 23 May 2023; h. Tuesday, 27 June 2023; i. Tuesday, 25 July 2023; j. Tuesday, 22 August 2023; and k. Tuesday, 26 September 2023.	General Manager	22/09/2022	22/09/2022	31 Aug 2022 - 6:29 PM - General Manager Action completed by: Governance Coordinator Meetings created in infocouncil and list provided to Manager Customer and Information Services to update the website.
19	23/08/2022	266/2022	Narrabri Shire Council Code of Meeting Practice 2022	MINUTE 266/2022  1. That Council endorse Option 2 as the draft Code of Meeting Practice 2022 for public exhibition for 28 days.	Director Corporate and Community Services	22/09/2022	22/09/2022	31 Aug 2022 – 6:30 PM – Director Corporate and Community Services Action completed by: Governance Coordinator Code of Meeting Practice is now on Public Exhibition. A report will be returned to Council to adopt the final COMP in October 2022 once Public Exhibition has concluded.

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## **Resolution Register**

(Completed)

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Directorate(s):
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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
20	23/08/2022	267/2022	Policy Framework and Review	MINUTE 267/2022  1. That Council adopt the draft Policy Framework as attached to this report.	Governance Coordinator	22/09/2022	22/09/2022	1 Sep 2022 – 6:14 PM – Governance Coordinator Action completed by: Governance Coordinator Final Policy framework uploaded to Council's record management system and a request sent to upload it on the policy register on Council's website.
21	23/08/2022	268/2022	Delivery Program 6 Monthly Progress Report - June 2022	MINUTE 268/2022  1. That Council adopt the Delivery Program 6 Monthly Progress Report, as attached, detailing Council's progress in meeting its objectives, strategies and measures up to the June 2022 period.	Director Corporate and Community Services	22/09/2022	22/09/2022	31 Aug 2022 - 6:31 PM - Director Corporate and Community Services Action completed by: Governance Coordinator Report noted. No further action required.
22	23/08/2022	269/2022	Operational and Service Plan Annual Report – June 2022	MINUTE 269/2022  1. That Council adopt the Operational and Service Plan Annual Report, as attached, detailing Council's progress in meeting its actions, capital works and key performance measures for the 2021/2022 financial year.	Director Corporate and Community Services	22/09/2022	22/09/2022	31 Aug 2022 – 6:31 PM – Director Corporate and Community Services Action completed by: Governance Coordinator Report noted. No further action required.
23	23/08/2022	270/2022	Quarterly Budget Review Statement – June 2022	MINUTE 270/2022  1. That Council note the Quarterly Budget Review Statement for the period ending 30 June 2022.	Director Corporate and Community Services	22/09/2022	22/09/2022	31 Aug 2022 - 6:31 PM - Director Corporate and Community Services Action completed by: Governance Coordinator Report noted. No further action required.
24	23/08/2022	271/2022	Capital Works Carry Forwards, Revotes and Over Runs	<ol> <li>That Council revote in 2022/2023 an amount of \$879,000, as identified in attachment 1 to this report, from the 2021/2022 capital works program.</li> <li>That Council carry forward to 2022/2023 an amount of \$15,455,691, as identified in attachment 1 to this report, to finalise works not completed as at the end of 2021/2022 financial year.</li> <li>That Council reduce multi-year capital project budgets in 2022/2023 by an amount of \$60,369, for projects that exceeded their projected votes at 30 June 2022, or were commenced in advance, as identified in attachment 1 to this report.</li> </ol>	Director Corporate and Community Services	22/09/2022	22/09/2022	31 Aug 2022 - 6:31 PM - Director Corporate and Community Services Action completed by: Governance Coordinator Report noted. No further action required.
25	23/08/2022	272/2022	Investment Report – July 2022	MINUTE 272/2022  1. That Council note the Investment Report for July 2022.	Director Corporate and Community Services	22/09/2022	22/09/2022	31 Aug 2022 – 6:32 PM – Director Corporate and Community Services Action completed by: Governance Coordinator Report noted. No further action required.



### **Resolution Register**

(Completed)

Criteria
Directorate(s):
Meeting(s):
Officer(s):
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Completed since 17/08/2022

No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
26	23/08/2022	273/2022	Infrastructure Status Report – August	MINUTE 273/2022  1. That Council receive and note the Infrastructure Delivery Status Report – August 2022.	Director Infrastructure Delivery	22/09/2022	22/09/2022	31 Aug 2022 – 6:32 PM – Director Infrastructure Delivery Action completed by: Governance Coordinator Report noted. No further action required.
27	23/08/2022	274/2022	Planning and Development Services Report – July 2022	MINUTE 274/2022  1. That Council receive and note the Planning and Development Services report for the month of July 2022	Director Planning and Strategy	22/09/2022	22/09/2022	31 Aug 2022 – 6:32 PM – Director Planning and Strategy Action completed by: Governance Coordinator Report noted. No further action required.
28	23/08/2022	276/2022	Road Services – Resourcing	MINUTE 276/2022  1. That Council receive and note the Road Services – Resourcing report.	Director Infrastructure Delivery	22/09/2022	22/09/2022	31 Aug 2022 - 6:32 PM - Director Infrastructure Delivery Action completed by: Governance Coordinator Report noted. No further action required.
29	23/08/2022	277/2022	Amendment to section 7.12 Contributions Plan	MINUTE 277/2022  1. That Council adopt the Section 7.12 Development Contributions Plan, as attached to this report.	Manager Planning and Development	22/09/2022	22/09/2022	1 Sep 2022 – 10:47 AM – Manager Planning and Development Action completed by: Manager Planning and Development Updates adopted NFAR

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#### 13.9 LOG OF AUTO-ARCHIVE ACCESS

Responsible Officer: Andrew Brown, Director Corporate and Community Services

Author: Jason Townsend, Manager Governance and Risk

Attachments: Nil

#### **DELIVERY PROGRAM ALIGNMENT**

### 4 Leadership

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

and reporting

Strategy 4.4.2 Ensure effective and sound local governance practice

#### **EXECUTIVE SUMMARY**

At the 15 February 2022 Extraordinary Council Meeting a resolution was passed to receive a monthly report detailing the number of accesses to auto-archived material that have been undertaken, by whom and the reason for access, ensuring that the process excludes any detail in reports that could identify an individual.

#### RECOMMENDATION

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

### **BACKGROUND**

Council requested at the 15 February 2022 Extraordinary Meeting that the following report be prepared for each Ordinary Meeting of Council.

### 9.2 Notice of Motion - Use of iPad Technology by Councillors

### Minute 001/2022

Moved: Cr Rohan Boehm Seconded: Cr John Clements

That

(iii) That the General Manager provide a report to each Ordinary Meeting of Council detailing the number of accesses to auto-archived material that have been undertaken, by whom and the reason for access, ensuring process that excludes any detail in reports that could identify an individual.

### **CURRENT SITUATION**

For the period 23 August 2022 to 20 September 2022 the auto archive email system was not accessed by staff.

The only persons with access to the auto archives email system during this period is the Acting IT Coordinator and Trainee IT Support Officer.

### **FINANCIAL IMPLICATIONS**

Nil.

### STATUTORY AND POLICY IMPLICATIONS

Nil.

### **CONSULTATION**

**External Consultation** 

Nil.

### **Internal Consultation**

Nil.

#### 13.10 DELEGATIONS POLICY - FOR ADOPTION

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 Narrabri Shire Delegations Policy (the Policy) was developed to reflect the current needs of the organisation and to align with best practice principles. The Policy was endorsed, by Council, to be placed on public exhibition for a period of 28 days (**Attachment 1**). The public exhibition period occurred between Wednesday 27 July 2022 and Wednesday 24 August 2022.

### **RECOMMENDATION**

1. That Council adopt the Delegations Policy as attached to this report.

### **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.

The Governance and Risk Section has identified a potential gap in Council's policy framework, whereby there is currently no policy regarding the issuing of Delegations from the General Manager to Operational Staff.

### **CURRENT SITUATION**

The draft Narrabri Shire Delegations Policy (the Policy) was developed to reflect the current needs of the organisation and to align with best practice principles. The Policy was endorsed by Council to be placed on public exhibition for a period of 28 days (**Attachment 1**). The public exhibition period occurred between Wednesday 27 July 2022 and Wednesday 24 August 2022. During this time, Council called for submissions from the public on the draft document to enable further consideration at this Ordinary Council meeting. Zero (0) submissions were received.

Since the public exhibition stage of the draft Policy, no further amendments have been made to the document.

# **STATUTORY AND POLICY IMPLICATIONS**

Local Government Act 1993 ss 8A, 377, 381

# **CONSULTATION**

The draft policy was publicly exhibited for a period of 28 days for community comment in accordance with the requirements of the *Local Government Act 1993*. Zero (0) submissions were received.

#### **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:

- 1.1. Govern the making of delegations & sub-delegations;
- 1.2. Govern the recording of delegation & sub-delegations; and
- 1.3. 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).



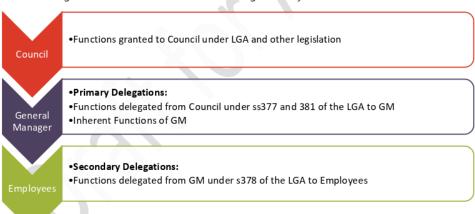
# **Policy**

#### 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	<ul> <li>Delegations of functions that authorise a person to expend or commit to expend funds on Council's behalf</li> </ul>	
. 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	I. A delegation of functions from Council to the General Manager under s377 of the <i>Local Government Act</i> 1993 (NSW)	
Secondary Delegation	ation  5. A delegation of functions from the General Manage to a person under s378 of <i>Local Government Act 199</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:
  - (a) Correspondence;
  - (b) Technical/Operational;
  - (c) Financial;
  - (d) Human Resources; and
  - (e) Other regulatory delegations.

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# 4. Issuing/Removing Delegations

- 4.1. Primary Delegations will be made by Council Resolution. These will occur:
  - (a) On the appointment of a General Manager;
  - (b) On the granting of additional delegable functions to Council;
  - (c) Within twelve months of the beginning of a Council's term;
  - (d) At any other time the Council so resolves; or
  - (e) 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:
  - (a) In the best interests of the Council;
  - (b) Objectively;
  - (c) Transparently;
  - (d) Honestly;
  - (e) Fairly
  - (f) 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:
  - (a) By Council within 12 months of a Council Election AND other dates as determined by Council resolution for primary delegations;
  - (b) 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.

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# References

- Local Government Act (NSW) 1993.
- Local Government (General) Regulation 2021.

# History

Minute Number	Meeting Date	Description of Change
237/2022	26 July 2022	Endorsed for Public Exhibition

#### 13.11 RECOVERY OF COSTS ORDERS IN LITIGATION POLICY - FOR ADOPTION

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 4 1

2. Draft Consideration of Hardship Form U

#### **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) was developed to reflect the current needs of the organisation and to align with best practice principles and was endorsed by Council to be placed on public exhibition for a period of 28 days (**Attachment 1**). The public exhibition period occurred between Wednesday 27 July 2022 and Wednesday 24 August 2022.

# **RECOMMENDATION**

1. That Council adopt the Recovery of Costs Orders in Litigation as attached to this report.

# **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) was developed to reflect the current needs of the organisation and to align with best practice principles and was endorsed by Council to be placed on public exhibition for a period of 28 days (**Attachment 1**). The public exhibition period occurred between Wednesday 27 July 2022 and Wednesday 24 August 2022. During this time, Council called for submissions from the public on the draft document to enable further consideration at this Ordinary Council meeting. Zero (0) submissions were received.

Since the public exhibition stage of the draft Policy no further amendments have been made to the document.

#### 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**

The draft policy was publicly exhibited for a period of 28 days for community comment in accordance with the requirements of the *Local Government Act 1993*. Zero (0) submissions were received.

# **External Consultation**

NSW Office of Local Government.

# **Internal Consultation**

- Executive Management.
- Governance and Risk Section.





# RECOVERY OF COSTS ORDERS IN LITIGATION POLICY

Responsible Department: Planning, Strategy and People

Responsible Section: Governance and Risk

Responsible Officer: 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	
Commercial Unviability	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.	
Costs	Legal and other expenditure that is payable under a costs order made by a court, tribunal, or commission.	
Hardship	A difficulty in paying a costs order as a result of: 1.1.1. Loss or change of income; 1.1.2. Illness; 1.1.3. Loss arising from an accident; 1.1.4. Natural disaster or emergency situation; 1.1.5. Death in the family;	

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- 1.1.6. Separation, divorce, or other family crisis;
- 1.1.7. Family violence; and
- 1.1.8. 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

#### 5.1. Assessment

- (a) An assessment is to be conducted by the General Manager, or their delegate, of all hardship applications.
- (b) The assessment will have regard to:
  - (i) The nature of the hardship;
  - (ii) The duration of the hardship;
  - (iii) The applicant's financial position;
  - (iv) The nature of any assets disposed by the person since the costs order was made or during the proceedings;
  - (v) The amount of the costs order;
  - (vi) The likelihood of recovery;
  - (vii) The estimated cost of recovering the costs order;
  - (viii) Whether it would be fair and equitable to pass a resolution in accordance with clause 3.2; and
  - (ix) The likelihood and nature of a precedent being set by a resolution in accordance with clause 3.2.
- (c) 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:
  - (i) Describe the case the application relates to;
  - (ii) Identify the likely quantum of the costs order;
  - (iii) Discuss the basis of the application and its supporting evidence;
  - (iv) Make a recommendation for Council action under this policy; and
  - (v) Provide reasons for that recommendation, addressing the criteria at 5.2.
- (d) 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.
- (e) The report should be brought to the next Ordinary Council Meeting following its preparation, if reasonably practicable.

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(f) 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.

#### 5.2. Consideration and Decision by Council

- (a) At the Ordinary Council Meeting, Council will consider the report and recommendation referred to at 5.3 and make a determination.
- (b) A determination by Council will take the form of a resolution.
- (c) 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.
- (d) 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.
- (e) 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.
- 6.4. Consideration and Decision by Council
  - (a) At the ordinary Council Meeting, Council will consider the report and recommendation referred to at 6.2 and make a determination.
  - (b) A determination by Council will take the form of a resolution.
  - (c) The resolution will be for one of the options in clause 3.2 or to refuse the application.
  - (d) 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).

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# 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
236/2022	26 July 2022	Endorsed for Public Exhibition









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	ī		
	(Address)		
App	oly for a consideration on the basis of financial ha	ardship.	
1)	Do you receive any pensions or benefits?	☐ Yes ☐ No	
If '	YES, please provide the following:		
Pe	ension Type: Amount: \$		
2)	Do you have a current Pensioner Concession Card issued by the Commonwealth Government?	☐ Yes ☐ No	
PC	PCC No: Date of Grant:		
No	How many children do you support ?  o. of Children:  Ages:		
VV			
4)	How long have you been experiencing hardship	?	
5)	Please state gross weekly amount received from sources of income:	the following	
	a) Pensions and benefits	\$	
	b) Compensation, superannuation insurance	\$	

or retirement benefits

e) Casual/part-time employment

g) Interest from financial institution

d) Income of other residents of the property

c) Spouse's income

f) Family allowance

h) Dividends

i) Other:

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\$

6) Please provide name a or building society acc	and current balance of all ba	nk, credit union
or building society act	courts field 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 oth	er factors you wish for Cour	ncil to consider.
-1	age with any other relevant	
48 Maitland Street Narral Your information is being accordance with the <i>Prive</i> <i>Personal Information Pro</i> evaluating hardship in ac Costs Orders in Litigation voluntary; you are not leg information, however if y requested above Council application for considera copy of Council's Privacy Council on (02) 6799 686	collected by Narrabri Shire acy Act 1988 (Cth) and the Pacetion Act 1998 (NSW) for the cordance with Council's Recal Policy. The supply of this in gally required to provide you ou do not supply all the informay not be able to conside tion of hardship. If you wish Management Policy, please 6 or council@narrabri.nsw.g	Council in rivacy and ne purpose of overy of formation is ur personal ormation r your to obtain a contact ov.au.
	e a false statement in an ap nder the C <i>rimes Act 1900</i>	
Signature		Date
		Page 2 of 2

13.12 LEGISLATIVE COMPLIANCE POLICY - FOR ADOPTION

Responsible Officer: Andrew Brown, Director Corporate and Community Services

Author: Jason Townsend, Manager Governance and Risk

Attachments: 1. Draft Legislative Compliance 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 Legislative Compliance Policy (the Policy) was reviewed and endorsed by Council to be placed on public exhibition for a period of 28 days (**Attachment 1**). The public exhibition period occurred between Wednesday 27 July 2022 and Wednesday 24 August 2022.

# **RECOMMENDATION**

1. That Council adopt the Legislative Compliance Policy as attached to this report.

## **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) was reviewed and endorsed by Council, at the July 2022 Ordinary Council Meeting, to be placed on public exhibition for a period of 28 days (**Attachment 1**). The public exhibition period occurred between Wednesday 27 July 2022 and Wednesday 24 August 2022. During this time, Council called for submissions from the public on the draft document to enable further consideration at this Ordinary Council meeting. Zero (0) submissions were received.

Since the public exhibition stage of the draft Policy, no further amendments have been made to the document.

#### FINANCIAL IMPLICATIONS

Nil.

# STATUTORY AND POLICY IMPLICATIONS

• Local Government Act 1993 s 8A.

# **CONSULTATION**

The draft policy was publicly exhibited for a period of 28 days for community comment in accordance with the requirements of the *Local Government Act 1993*. Zero (0) submissions were received.

# **External Consultation**

• NSW Office of Local Government.

# **Internal Consultation**

- Executive Management.
- Governance and Risk Section.
- Councillors and the Mayor.





# **LEGISLATIVE COMPLIANCE**

Responsible Department: General Manager
Responsible Section: Governance and Risk

Responsible Officer: Manager Governance and Risk

# 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.

# Policy

# 1. Policy Aims

- 1.1 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.

#### 2. Policy Statement

- 2.1. Council shall have appropriate processes and structures to ensure that legislative requirements are achievable and are integrated into the everyday running of the Council.
- 2.2. 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.

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- (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.

# 3. Roles and Responsibilities

- 3.1. Councillors and Committee Members.
  - (a) Councillors and Committee members have a responsibility to be aware of and abide by legislation applicable to their role.

#### 3.2. 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 <u>Statute and Regulation Register</u> (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 <u>Breach Register Database</u> (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.

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- (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.

# History

Minute Number	Meeting Date	Description of Change
235/2022	26 July 2022	Endorsed for Public Exhibition

# 13.13 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS POLICY - FOR ADOPTION

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 draft Narrabri Shire Payment of Expenses and Provision of Facilities to Councillors Policy (the Policy) was reviewed and endorsed by Council to be placed on public exhibition for a period of 28 days (**Attachment 1**). The public exhibition period occurred between Wednesday 27 July 2022 and Wednesday 24 August 2022.

## RECOMMENDATION

1. That Council adopt the Payment of Expenses and Provision of Facilities to Councillors Policy as attached to this report.

#### **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 Payment of Expenses and Provision of Facilities to Councillors Policy (the Policy) was reviewed and endorsed by Council, at the July 2022 Ordinary Council Meeting, to be placed on public exhibition for a period of 28 days (**Attachment 1**). The public exhibition period occurred between Wednesday 27 July 2022 and Wednesday 24 August 2022. During this time, Council called for submissions from the public on the draft document to enable further consideration at this Ordinary Council meeting. Zero (0) submissions were received.

Since the public exhibition stage of the draft Policy, no further amendments have been made to the document.

#### **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**

The draft policy was publicly exhibited for a period of 28 days for community comment in accordance with the requirements of the *Local Government Act 1993*. Zero (0) submissions were received.

# **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

Responsible Department: Planning, Strategy and People

Responsible Section: Governance and Risk

Responsible Officer: 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:
  - (a) Councillor workshops, inspections, Council and Committee Meetings.
  - (b) Community meetings approved by the Mayor or General Manager.
  - (c) Meetings with staff approved by the General Manager.
  - (d) Conferences, seminars, professional development opportunities, formal and social functions where representing Council and approved by either the Council or the Mayor and General Manager.

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### 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:
  - (a) Retail loyalty programs (such as Everyday Rewards and Flybuys);
  - (b) Accommodation loyalty programs ( such as Best Western Rewards and IHG Rewards Club); and
  - (c) 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

- (a) 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.
- (b) The Mayor and Councillors must not obtain any private benefit under the Policy.
- (c) 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:
  - (i) Production of materials relating to campaigns for re-election;
  - (ii) Use of council resources and equipment (such as tablets and printers) for electoral campaigns;
  - (iii) Use of official council letterhead, publications, websites, or services for political benefit;
  - (iv) 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).
- (d) 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

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(e) 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

- (a) 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.
- (b) Claims for reimbursement of expenses are to be lodged and processed after the conclusion of each month.
- (c) 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).
- (d) All reimbursement of expenses must be approved by the General Manager (or their delegate).

#### 3.3. Dispute Resolution Process

(a) 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

- (a) Councillors will nominate, or will be nominated by Council to attend conferences, seminars or similar functions through a resolution passed in Open Council.
- (b) If notice of a conference is bought 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.
- (c) If approval is given under the above delegated authority, all Councillors will be notified that the authority has been exercised.
- (d) 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

(a) 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.

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#### 4.3. Registration

- (a) 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.
- (b) Where possible, expenses should be paid via Council's procurement system.

#### 4.4. Costs Incurred

- (a) Reimbursement of costs incurred shall be subject to the requirements:
  - (i) The travel is on Council related business being to and from the conference, seminar, or similar function.
  - (ii)Reasonable and necessary out-of-pocket expenses, on the production of receipts or tax invoices.
  - (iii) The travel is undertaken economically with all due expedition and by the most direct route.
  - (iv) Any time occupied in other than Council related business is not included in the calculation of expenses to be paid.
  - (v)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.
  - (vi) Accommodation will be booked through the General Manager.
  - (vii) Where possible, accommodation costs will be paid in advance prior to attendance by the Mayor or Councillor through Council's procurement .
  - (viii) 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

- (a) 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.
- (b) 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.
- (c) 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
- (d) 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.
- (e) 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.

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#### 4.6. Attendance at Professional Development Opportunities

- (a) 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
- (b) Professional development opportunities will be afforded to Councillors that directly assists in their role as elected representatives of the Narrabri Shire.
- (c) 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.
- (d) 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.
- (e) Professional development opportunities by Councillors will be authorised under this Policy by the General Manager.
- (f) 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.
- (g) Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
  - (i) Details of the proposed professional development
  - (ii) Relevance to Council priorities and business
  - (iii) Relevance to the exercise of the Councillor's civic duties.
- (h) 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

- (a) 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.
- (b) 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.
- (c) 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).
  - (ii) The agenda of the conference.
  - (iii) Any items of interest to Council discussed at the conference.
  - (iv) Recommendations for further areas of action or investigation (if applicable).

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#### 4.8. Travel Arrangements

- (a) Clause 4.8 applies to travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW.
- (b) All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport. This includes reimbursement:
  - (i) for public transport fares;
  - (ii) for the use of a private vehicle or hire car;
  - (iii) for parking costs for Council and other meetings;
  - (iv) for tolls; or
  - (v) for documented ride-share programs, such as Uber, where tax invoices can be issued.
- (c) 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.
- (d) 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.
- (e) 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:
  - (i) the date of travel:
  - (ii) the venue/location travelled to;
  - (iii) the reason for the travel; and
  - (iv) the total kilometres travelled.
- (f) Car-pooling is to be encouraged where more than one Councillor is attending the same civic function.
- (g) 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.
- (h) 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.
- (i) 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 that 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50 kilometres from the location.
- (j) 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
  - (a) 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.
  - (b) 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.

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- (c) Councillors will be entitled to travel to official engagements at Council's expense by the most reasonable method.
- (d) Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle themselves.
- (e) 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.
- (f) Where a Councillor travels in their own vehicle, they will be reimbursed at the appropriate per kilometre rate or airfare, whichever is the lower.
- (g) 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

- (a) 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;
  - (ii) who is to take part in the travel;
  - (iii) duration and itinerary of travel; and
  - (iv) a detailed budget including a statement of any amounts expected to be reimbursed by the participant(s).

#### 4.11. Insurances

- (a) Pursuant to Section 382 of the Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured.
- (b) 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.
- (c) Council shall pay the insurance policy excess in respect of any claim accepted by council's insurers, whether defended or not.
- (d) 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:
  - (i) Personal Accident (including sickness and journey/travel).;
  - (ii) Public Liability;
  - (iii) Professional Indemnity; or
  - (iv) Councillor and Officers Liability.

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#### 4.12. Legal Expenses and Assistance

- (a) Council may, if requested, indemnify, or reimburse the reasonable legal expenses of:
  - (i) 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
  - (ii) 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
  - (iii) 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.
- (b) 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.
- (c) 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.
  - (i) For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- (d) 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:
  - (i) Independent Commission Against Corruption (ICAC);
  - (ii) The Office of the Ombudsman;
  - (iii) The Office of Local Government;.
  - (iv) The Police;
  - (v) The Director of Public Prosecutions;
  - (vi) The Local Government Pecuniary Interest and Disciplinary Tribunal into the conduct of a Councillor;
  - (vii) The Australia's Securities Commission; or
  - (viii)A combination of the above.
- (e) Council will not meet the legal costs:
  - (i) Of legal proceedings initiated by a Councillor under any circumstances;
  - (ii) Of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation; or
  - (iii) For legal proceedings that do not involve a Councillor performing their role as a Councillor.

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- (f) 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:
  - (i) Approval of the General Manager, in writing, is sought and gained prior to any legal expense being incurred.
  - (ii) 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.
  - (iii) 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.
  - (iv) 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).
  - (v) The Council is not the plaintiff in the action.
  - (vi) Any reimbursement shall not include any action by one Councillor against another Councillor.
  - (vii) The enquiry, investigation, hearing or proceeding results in a finding that is not substantially unfavourable to the Mayor or Councillor.
- (g) 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

- (a) 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.
- (b) 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:
  - (i) A child of the Councillor; or
  - (ii) A dependent of the Councillor requiring full-time care.
- (c) 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.
- (d) 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.
- (e) 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
  - (a) 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

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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
  - (a) 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
    - (a) 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
  - (a) 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.
  - (b) 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.
  - (c) 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:
    - (i) Prior written/verbal request by the elected representative outlining the date and time of the visit; and
    - (ii) 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
  - (a) Each Councillor will be supplied with a Council name badge and either a necktie or scarf.
- 5.3. Business Cards
  - (a) 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
  - (a) 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
  - (a) Provision of meeting room facilities, including furnishings, telephone, appropriate access to the internet, printing and photocopying facilities for the purposes of Council related business.
  - (b) These facilities will be made available at the Council Administration Building located in Narrabri.

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#### 5.6. Computer Facilities

- (a) Councillors will be provided with portable devices connected to the internet to assist in undertaking civic duties.
- (b) Facilities provided will consist of an iPad (or other portable computing device that is reasonably acceptable) with accessories (including carry case and keyboard).
- (c) 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

- (a) 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:
  - (i) Provision of a computer and associated software packages (with internet connection).
  - (ii) Provision of a telephone (including all call costs).

#### 6.2. Executive Assistant Support

(a) 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

(a) Council will provide the Mayor with Mayoral robes and the Chain of Office.

#### 6.4. Mobile Phone

- (a) Council will meet the cost of mobile call costs in direct relation to the conduct of Mayoral civic duties.
- (b) The Mayor must meet the cost of all non-civic duty calls.

#### 6.5. Provision of a Motor Vehicle

- (a) 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.
- (b) The vehicle is provided on the following basis:
  - (i) The changeover of the vehicle is to occur in accordance with Council's Fleet Replacement Program.
  - (ii) 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.
  - (iii) The Mayor is to enter into Council's standard agreement for the use of the vehicle, which is the subject of this Policy.

#### (c) Conditions of Use of Motor Vehicle

- (i) 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.
- (ii) 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

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- corrective action where necessary as per vehicle specifications/manual.
- (iii) The vehicle is to be serviced at required intervals through Council's Workshop and in accordance with the manufacturer's specifications.
- (iv) Smoking is not permitted under any circumstances in the vehicle, at any time, by any person.
- (v) Animals are not permitted in the vehicle at any time, unless in the event of medical emergencies or natural disasters.
- (viii) Wherever possible, the vehicle is to be garaged off-street.
- (ix) The Mayor and their nominated partner are entitled to drive the vehicle, provided that such a person is a fully licensed driver.
- (x) 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 unlicenced or holds a Learners or a Provisional Licence) is to drive the vehicle.
- (xi) 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

(a) 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

- (a) 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.
- (b) The credit card will be limited by the Mayor's current delegation as resolved by Council.
- (c) The credit card is to be used for Council-related business expenditure only.
- (d) The credit card must not be used for obtaining cash advances.
- (e) 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.
- (f) 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

(a) 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
  - (a) 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.

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#### 7.2. Annual Fees Payable to Councillors

- (a) 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:
  - (i) Such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal;
  - (ii) 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.
- (b) Councillors will be paid in accordance with the Act at the commencement of each following month. Payments shall be:
  - Broken down on a monthly basis;
  - (ii) Include the amount of Superannuation as determined by the Superannuation Guarantee (Administration) Act 1992 (Cth); and
  - (iii) Processed through Council's Payroll System on the last Wednesday of the month.

#### 7.3. Annual Fees Payable to the Mayor

- (a) 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.
- (b) The Mayor will be paid in accordance with the Act at the commencement of each following month. Payments shall be:
  - (i) Broken down on a monthly basis;
  - (ii) Include the amount of Superannuation as determined by the Superannuation Guarantee (Administration) Act 1992 (Cth); and
  - (iii) 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
  - (a) 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

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# 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,	Actual	Nil
Seminar, or similar function -		
Registration		
Attendance at Conference,	Actual	As defined in the relevant ATO
Seminar, or similar function –		Taxation Determination
Other costs		concerning travel allowances and
		incidentals (TD 2021/6 Table 3).
Attendance at Dinners and other	Actual	Nil
Non-Council Functions		
Attendance at Professional	Actual	As defined in the relevant ATO
Development Opportunities –		Taxation Determination
Other costs		concerning travel allowances and
		incidentals (TD 2021/6 Table 3).
Travel - use of private motor	Rate per kilometre as determined	Nil
vehicle	in the Local Government (State)	
	Award.	
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 -	Actual	As defined in the relevant ATO
Official Council Functions Within		Taxation Determination
Local Government Area (Travel		concerning travel allowances and
and subsistence only)		incidentals (TD 2021/6 Table 3).
Accompanying Person Expenses -	As determined by Council	As determined by Council
Official Council Functions Outside		
Local Government Area (Travel		
and subsistence only)		
Mobile Phone and mobile call costs	Actual	Nil

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# 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

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		Format change, change in respect
220/2017	October 24, 2017	to:
		overseas travel, expense limits in line
		with ATO Tax Rulings
	December 24, 2019	Rebranded
	June 2022	Reviewed and amended
234/2022	26 July 2022	Endorsed for Public Exhibition

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#### 13.14 DETERMINATION OF ORGANISATIONAL STRUCTURE

Responsible Officer: Rob Williams, General Manager
Author: Rob Williams, General Manager

Attachments: 1. Organisational Structure 🗓 🖺

#### **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**

In accordance with section 333 of the *Local Government Act 1993* (the Act), Council must review its organisational structure within 12 months of a general local government election.

The General Manager has now undertaken a comprehensive review of the organisational structure with a focus on ensuring the organisation is prepared for the next stage of community and economic growth, strengthen Council's leadership and ensuring that Narrabri Shire Council is best placed to operate as one progressive and community-focused team.

This proposed structure at **Attachment 1** is recommended to allow Narrabri Shire Council to increase its focus on financially sustainable continuous improvement, environmental sustainability, and service delivery.

#### RECOMMENDATION

- 1. That Council determine the Organisation Structure to be as per the structure attached at Attachment 1; and
- 2. That Council determine the following positions to be senior staff positions in accordance with section 332 of the *Local Government Act 1993*:
  - a. Director Infrastructure Delivery;
  - b. Director Corporate and Commercial Services; and
  - c. Director Planning and Sustainability.
- 3. That this resolution will take effect at 11:59pm on 11 October 2022.

#### **BACKGROUND**

The current organisation structure was determined by Council on 27 April 2021.

Under the current organisation structure senior staff positions, other than the General Manager, are identified as the Director Corporate and Community Services, Director Planning, Strategy and People and Director Infrastructure Delivery.

#### **CURRENT SITUATION**

In accordance with section 333 of the *Local Government Act 1993*, council must review its organisational structure within 12 months of a general local government election.

Following a review by the General Manager, it has been identified that the current organisational structure, does not meet the ongoing need of the organisation and no longer remains appropriate.

In determining the organisational structure, the governing body must, after consulting with the General Manager, determine:

- Senior staff positions; and
- Roles and the reporting line of holders of senior staff positions.

The proposed structure will provide the ability for the organisation to deliver Council's strategic objectives while improving efficiency. It will allow the General Manager to focus more time on building key relationships with the community and the Government, in turn allowing them to advocate for funding and support.

The proposed structure allows for the three Directors and Chief Financial Officer to take greater responsibility for the day to day running of the Council's operations. The structure will ensure that Council is well placed to capitalise on the opportunities arising from the Special Activation Precinct and the Community's goals as outlined in the Community Strategic Plan.

#### FINANCIAL IMPLICATIONS

The proposed structure will be funded by existing budget allocations.

### STATUTORY AND POLICY IMPLICATIONS

Requirements of section 332 of the Act:

- A Council must, after consulting the General Manager, determine the senior staff positions
  within the organisational structure and the roles and reporting line of holders of senior staff
  positions.
- Council may not determine a position to be a senior staff position unless the responsibilities, skills and accountabilities of the position are generally equivalent to those applicable to the Executive Band of the Local Government (State) Award; and
- The total remuneration package payable with respect to the position is equal to or greater than the minimum remuneration package (within the meaning of Part 3A of the *Statutory* and Other Offices Remuneration Act 1975) payable with respect to senior executive office holders whose positions are graded Level 1 (General Management).

Senior staff are to be employed under performance-based contracts and the General Manager may appoint or dismiss senior staff only after consultation with the Council.

Following the determination of the senior staff structure, the General Manager must, after consulting the Council, determine the positions (other than senior staff positions) within the organisation structure of the council. This must be determined to give effect to the priorities set out in the Community Strategic Plan and Delivery Program. This consultation will occur following the determination of the senior staff positions. As per the Local Government Award, a wider consultation process will need to be undertaken regarding any proposed change with non-senior staff positions.

In accordance with section 333 of the Act the council must review, and may re-determine, the organisation structure within 12 months after any ordinary election of the council.

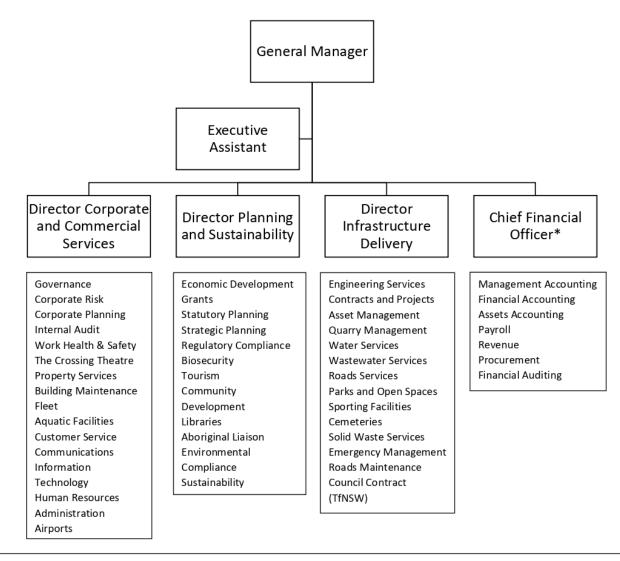
# **CONSULTATION**

# **External Consultation**

Nil.

# **Internal Consultation**

- Councillors.
- Executive Management.
- Senior Management.



\*The role of Chief Financial Officer will report to the General Manager as a member of the executive but is not proposed to be designated as a senior staff position.

#### 13.15 NARRABRI SHIRE COUNCIL CODE OF MEETING PRACTICE 2022

Responsible Officer: Andrew Brown, Director Corporate and Community Services

Author: Jason Townsend, Manager Governance and Risk

Attachments: 1. Draft Code of Meeting Practice 2022 - Cannot Appear via AVL with an

Opening Prayer (under separate cover)

### **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**

With the Ordinary Local Government Election occurring in December 2021, all NSW councils are required to review and re-adopt their several strategic documents including their Code of Meeting Practice.

At the Ordinary Council Meeting on 23 August 2022, Council resolved to publicly exhibit Option 2 (Attachment) as Council's draft Code of Meeting Practice. The public exhibition period occurred between Wednesday 24 August 2022 and Wednesday 21 September 2022

### RECOMMENDATION

1. That Council adopt Narrabri Shire Council's Code of Meeting Practice 2022, as attached.

# **BACKGROUND**

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

# **CURRENT SITUATION**

Council's Governance and Risk Section reviewed Narrabri Shire Council's Code of Meeting Practice to ensure it remains fit for purpose and developed a suite of standard forms to accompany the Code of Meeting Practice.

Four options were presented to Council. These options were drafted based on feedback from Councillors at the August workshop. At the Ordinary Council Meeting on 23 August 2022, Council resolved to publicly exhibit Option 2 (**Attachment**) as Council's draft Code of Meeting Practice. The public exhibition period occurred between Wednesday 24 August 2022 and Wednesday 21 September 2022. During this time, Council called for submissions from the public on the draft document to enable further consideration at this Ordinary Council meeting. Zero (0) submissions were received.

# **Amendments to the Model Code of Meeting Practice**

Due to the nature of the Model Code of Meeting Practice, councils are very limited in the amendments that can be made to their own document. Amendments can only be adding the optional clauses, amending the optional clauses, and adding new clauses.

The attached documents show these with the following colours:

- Black text clauses that are mandatory and inflexible.
- Red text clauses that are deemed as optional by the Model Code of Meeting Practice
- Purple text clauses that have been inserted by Council and are specific to Narrabri Shire Council.

#### FINANCIAL IMPLICATIONS

Nil.

#### STATUTORY AND POLICY IMPLICATIONS

# Local Government Act 1993 (NSW) pt 2 div 1 ss 360-364:

Section 360 Conduct of meetings of councils and committees

- 1) The regulations may prescribe a model code of meeting practice for the conduct of meetings of councils and committees of councils of which all the members are councillors.
- 2) The model code may contain both mandatory and non-mandatory provisions.
- 3) A council must, not later than 12 months after an ordinary election of councillors, adopt a code of meeting practice that incorporates the mandatory provisions of the model code prescribed by the regulations. The adopted code may also incorporate the non-mandatory provisions and other provisions.
- 4) A code adopted or amended by the council must not contain provisions that are inconsistent with the mandatory provisions.
- 5) A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by it.

Section 361 Preparation, public notice and exhibition of draft code

- 1) Before adopting a code of meeting practice, a council must prepare a draft code.
- 2) The council must give public notice of the draft code after it is prepared.
- 3) The period of public exhibition must not be less than 28 days.
- 4) The public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to the council.
- 5) The council must publicly exhibit the draft code in accordance with its notice.

# Section 362 Adoption of draft code

- 1) After considering all submissions received by it concerning the draft code, the council may decide
  - a) to amend those provisions of its draft mandatory code that are non-mandatory provisions, or

- b) to adopt the draft code as its code of meeting practice.
- 2) If the council decides to amend its draft code, it may publicly exhibit the amended draft in accordance with this Division or, if the council is of the opinion that the amendments are not substantial, it may adopt the amended draft code without public exhibition as its code of meeting practice.

# Section 363 Amendment of the code

A council may amend a code adopted under this Part by means only of a code so adopted.

# Section 364 Public availability of the code

- 1) The code of meeting practice adopted under this Division by a council must be available for public inspection free of charge at the office of the council during ordinary office hours.
- 2) Copies of the code must be available free of charge or, if the council determines, on payment of the approved fee.

Once adopted, the Narrabri Shire Code of Meeting Practice 2022 will replace the Narrabri Shire Council Code of Meeting Practice 2021.

#### **CONSULTATION**

#### **External Consultation**

- Office of Local Government.
- Local Government Governance Network.

#### **Internal Consultation**

Customer Relations Coordinator.

# 13.16 MEMBERSHIP REQUIREMENTS FOR AUDIT, RISK AND IMPROVEMENT COMMITTEES

Responsible Officer: Andrew Brown, Director Corporate and Community Services

Author: Maree Bales, Risk Coordinator

Attachments: 1. OLG Circular - 22-21 - Update on membership requirements for audit,

risk and improvement committees 🗓 🖺

2. OLG Attachment - 22-21 🗓 🖺

#### **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**

Following recent discussions, the Office of Local Government (OLG) and NSW Treasury have agreed that the NSW Government's Prequalification Scheme for Audit and Risk Committee Chairs and Members will not be suitable for use by councils and has released the attached circular shown at **Attachment 1.** 

#### RECOMMENDATION

1. That Council note the membership requirements for audit, risk and improvement committees as outlined by the Office of Local Government via Circular 22-21 and its attachment as attached to this report.

#### **BACKGROUND**

Following recent discussions, the Office of Local Government (OLG) and NSW Treasury have agreed that the NSW Government's Prequalification Scheme for Audit and Risk Committee Chairs and Members will not be suitable for use by councils and has released the attached circular shown at **Attachment 1.** 

OLG's draft Guidelines for Risk Management and Internal Audit for Local Councils in NSW, issued for consultation last year, contemplated that from June 2027 councils would be required to appoint ARIC chairs and a prescribed number of ARIC members from the NSW Government prequalification scheme. Following discussions with NSW Treasury, OLG has taken the opportunity to revisit this requirement, delaying the finalisation of the Guidelines.

While OLG anticipates that this delay will not be significant, it recognises the need to give councils and joint organisations certainty. The proposed new requirements for ARIC membership have therefore been set out and are included as an attachment to the circular as shown at **Attachment 2.** 

#### **CURRENT SITUATION**

Under the new requirements, all councils will be required, at a minimum, to have an ARIC that comprises of the following:

- one independent chair who meets the independence and eligibility criteria for an ARIC chair,
   and
- at least two independent members who meet the independence and eligibility criteria for ARIC members. Councils may also appoint additional independent members should they choose to do so.

Councils will also have the option of appointing one non-voting councillor member to their ARIC who meets the eligibility criteria for councillor members.

The proposed independence and eligibility criteria for ARIC chairs and independent members and the proposed eligibility criteria for councillor members of ARICs are set out in **Attachment 2.** 

The above requirements will apply to all councils. The removal of the requirement for ARIC chairs and a prescribed number of ARIC members to be appointed from the NSW Government prequalification scheme based on which tier a council is in, means that it is no longer necessary to place councils in tiers and these arrangements will no longer apply.

Given that councils will no longer be required to appoint ARIC chairs and members from the NSW Government prequalification scheme, the timeframe for compliance with the ARIC membership requirements in the Guidelines will be brought forward to 1 July 2024. As of that date all councils will be required to ensure ARIC chairs and members meet the eligibility and independence requirements set out in the Guidelines and have a risk management framework and internal audit function that complies with the Guidelines.

Deadline	Requirement
June 2022	Councils must appoint an ARIC
June 2024	Risk Management Framework must comply with guidelines
June 2024	Internal audit function must comply with the guidelines
June 2024	Annual attestation requirements for risk management and internal audit
<del>June 2027</del>	Membership of ARIC must meet guidelines
June 2024	
June 2027	Annual attestation requirements for ARIC

Council is currently seeking expression of interests to fill the vacant member on the ARIC detailing the independence and eligibility requirements.

A review of independence and eligibility criteria of the current chair, member and councillor member will be conducted in due course to ensure compliance with the guidelines.

#### FINANCIAL IMPLICATIONS

Nil.

### STATUTORY AND POLICY IMPLICATIONS

• Section 428A of the Local Government Act 1993 (NSW).

• OLG's draft Guidelines for Risk Management and Internal Audit for Local Councils in NSW.

# **CONSULTATION**

# **External Consultation**

- Office of Local Government.
- NSW Treasury.

# **Internal Consultation**

- Governance and Risk Team.
- Executive Management.



# Circular to Councils

Circular Details	Circular No 22-21 / Date 20 July 2022 / A824754
Previous Circular	21-26 New risk management and internal audit framework for councils and joint organisations
Who should read this	General Managers / Councillors / Council governance staff / Audit, risk and improvement committee members and internal audit personnel
Contact	Council Governance Team / (02) 4428 4100 / olg@olg.nsw.gov.au
Action required	Information

# Update on membership requirements for audit, risk and improvement committees

#### What's new or changing

- Following recent discussions, the Office of Local Government (OLG) and NSW
  Treasury have agreed that the NSW Government's Prequalification Scheme for
  Audit and Risk Committee Chairs and Members will not be suitable for use by
  councils and joint organisations.
- OLG's draft Guidelines for Risk Management and Internal Audit for Local
  Councils in NSW, issued for consultation last year, contemplated that from June
  2027 councils and joint organisations would be required to appoint Audit, Risk
  and Improvement Committee (ARIC) chairs and a prescribed number of ARIC
  members from the NSW Government prequalification scheme. Following
  discussions with NSW Treasury, OLG has taken the opportunity revisit this
  requirement, delaying the finalisation of the Guidelines.
- While OLG anticipates that this delay will not be significant, it recognises the
  need to give councils and joint organisations certainty, particularly given that
  some are currently in the process of establishing an ARIC for the first time and
  appointing chairs and members. The proposed new requirements for ARIC
  membership have therefore been set out in the attachment to this circular.

#### What this will mean for your council

- Under the new requirements, all councils (including county councils) and joint organisations will be required, at a minimum, to have an ARIC that comprises of the following:
  - one independent chair who meets the independence and eligibility criteria for an ARIC chair, and
  - at least two independent members who meet the independence and eligibility criteria for ARIC members – councils may appoint additional independent members should they choose to do so.
- Councils will also have the option of appointing one non-voting councillor member to their ARIC who meets the eligibility criteria for councillor members.
- The proposed independence and eligibility criteria for ARIC chairs and independent members and the proposed eligibility criteria for councillor members of ARICs are set out in the attachment to this circular.
- The above requirements will apply to <u>all</u> councils and joint organisations. The removal of the requirement for ARIC chairs and a prescribed number of ARIC

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- members to be appointed from the NSW Government prequalification scheme based on which tier a council is in, means that it is no longer necessary to place councils in tiers and these arrangements will no longer apply.
- Given that councils and joint organisations will no longer be required to appoint ARIC chairs and members from the NSW Government prequalification scheme, the timeframe for compliance with the ARIC membership requirements in the Guidelines will be brought forward to 1 July 2024. As of that date all councils and joint organisations will be required to ensure ARIC chairs and members meet the eligibility and independence requirements set out in the Guidelines and have a risk management framework and internal audit function that complies with the Guidelines.

#### Key points

- Under the Local Government Act 1993, all councils (including county councils) and joint organisations are required to have an ARIC or to have entered into an arrangement with another council or joint organisation to share an ARIC from 4 June 2022.
- OLG recognises that some councils and joint organisations may have faced challenges in establishing an ARIC or shared arrangements for an ARIC ahead of the 4 June deadline and is prepared to accommodate some flexibility in implementation timeframes provided they can demonstrate that they are actively taking steps to appoint or share an ARIC.
- The Guidelines will be finalised soon. Full compliance with the requirements in the Guidelines will be required from 1 July 2024.

#### Where to go for further information

- The proposed independence and eligibility criteria for ARIC chairs and independent members and the proposed eligibility criteria for councillor members are set out in the attachment to this circular.
- The draft <u>Guidelines for Risk Management and Internal Audit for Local Councils in NSW</u> provides further guidance on the proposed requirements for ARICs, the risk management framework and internal audit function. As noted above, the proposed requirement in the draft Guidelines to use the NSW Government prequalification scheme and the tiering arrangements will no longer apply.
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at <u>olg@olg.nsw.gov.au</u>.
- If councils or joint organisations require assistance in establishing an ARIC or shared arrangements for an ARIC, they should contact their Council Engagement Manager at OLG.

Liz Moore A/Deputy Secretary, Crown Lands and Local Government

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#### **Attachment**

The following requirements will apply to ARIC chairs and members from 1 July 2024.

#### 1. Independence requirements for ARIC chairs and independent members

All ARIC chairs and independent members must be independent to ensure they have no real or perceived bias or conflicts of interest that may interfere with their ability to act independently and can provide the council with robust, objective, and unbiased advice about how the council is functioning.

ARIC chairs and independent members cannot:

- → currently be a councillor of any NSW council
- → be a non-voting representative of the board of the joint organisation
- → be a candidate at the last election of the council
- → be a person who has held office in the council during its previous term
- be currently employed by the council or joint organisation, or been employed during the last 12 months
- → conduct audits of the council on behalf of the Audit Office of NSW
- → have a close personal or business relationship with a councillor or a person who has a senior role in the council that may lead to a real or perceived conflict of interest
- → currently, or within the last three years, provided any material goods or services (including consultancy, legal, internal audit, and advisory services) to the council which directly affect subjects or issues considered by the ARIC
- → be (or have a close family member who is) a substantial shareholder, owner, officer, or employee of a company that has a material business, contractual relationship, direct financial interest or material indirect financial interest with the council or a related entity which could be considered a real or perceived conflict of interest, or
- currently or have previously acted as an advocate of a material interest on behalf of the council or a related entity which could be considered a real or perceived conflict of interest.

Current staff of councils cannot serve as the chair of an ARIC but may serve as an independent member of another council's ARIC provided they meet the independence and eligibility criteria for membership of the council's ARIC and their employer is not participating in a shared arrangement with the other council in relation to the ARIC or the internal audit function.

#### 2. Eligibility requirements for ARIC chairs and members

The persons appointed as a chair or a member of an ARIC must possess the skills, knowledge, and experience necessary to undertake their roles on the ARIC effectively and to ensure the ARIC is able to operate appropriately and effectively to support the council.

The following eligibility criteria for ARIC chairs and members reflects the minimum standards persons must meet to be appointed as the chair or member of a council's ARIC. Councils may require ARIC chairs and members to satisfy more onerous eligibility criteria if they choose to do so.

# Eligibility requirements for ARIC Chairs

In addition to meeting the independence requirements set out above, the following eligibility criteria apply to the chair of an ARIC.



#### Essential criteria

ARIC chairs must demonstrate the following:

- leadership qualities and the ability to promote effective working relationships in complex organisations
- an ability to communicate complex and sensitive assessments in a tactful manner to the head of the council's internal audit function, senior management and the mayor and councillors
- → a sound understanding of:
  - the principles of good organisational governance and capacity to understand local government accountability, including financial reporting
  - o the business of the council or the environment in which it operates
  - internal audit operations, including selection and review of the head of the council's internal audit function, and
  - o risk management principles
- extensive senior level experience in governance and management of complex organisations, an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- → functional knowledge in areas such as risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- → a capacity to form independent judgements and a willingness to constructively challenge/question management practices and information, and
- → a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of the chair of an ARIC.

#### Desirable criteria

 possession of a relevant professional qualification or membership (e.g., Institute of Internal Auditors (IIA), CPA Australia (CPA) and Chartered Accountants Australia and New Zealand (CA)) is desirable.

#### Eligibility requirements for ARIC independent members

In addition to meeting the independence requirements set out above, the following eligibility criteria apply to ARIC independent members:

# Essential criteria

ARIC independent members must demonstrate the following:

- → an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- → functional knowledge in areas such as risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- → a capacity to form independent judgements and willingness to constructively challenge/question management practices and information
- → a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of an independent member of an ARIC, and



preparedness to undertake any training on the operation of ARICs recommended by the chair based on their assessment of the skills, knowledge and experience of the independent member.

#### Desirable criteria

Ideally, independent members of ARICs should also meet the following criteria, but these are not essential:

- extensive senior level experience in governance and management of complex organisations, and
- → possession of a relevant professional qualification or membership (e.g., Institute of Internal Auditors (IIA), CPA Australia (CPA) and Chartered Accountants Australia and New Zealand (CA)).

#### Eligibility requirements for non-voting councillor members of ARICs

A councillor must demonstrate the following to be appointed as a non-voting ARIC member:

- an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- → a good understanding of one or more of the following: risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and willingness to constructively challenge/question management practices and information
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of a councillor member of an ARIC, and
- preparedness to undertake any training on the operation of ARICs recommended by the chair based on their assessment of the skills, knowledge and experience of the councillor member.

Note: The mayor cannot be appointed as a councillor member on a council's ARIC.

# 3. Appointment of ARICs

When selecting ARIC members, councils should ensure the ARIC has an appropriate mix of skills, knowledge and experience to successfully implement its terms of reference and add value. An ARIC should have:

- at least one member with financial expertise (for example, a qualified accountant or auditor or other financial professional with experience of financial and accounting matters), and
- → a mix of skills and experience in:
  - o business
  - o financial and legal compliance
  - o risk management
  - o internal audit, and
  - any specialised business operations of the council, where the ARIC would benefit from having a member with skills or experience in this area.

All ARIC members should have sufficient understanding of the council's financial reporting responsibilities to be able to contribute to the ARIC's consideration of the annual financial statements.



Each ARIC member should also have sufficient time to devote to their responsibilities.

Where possible, councils should ensure that at least one other ARIC member is also qualified to act as the chair if this is ever required.

Note: Councils must undertake a criminal record and financial status (bankruptcy) check of ARIC chairs and members before their appointment.

#### 13.17 MEMBERSHIP - MINING AND ENERGY RELATED COUNCILS NSW ASSOCIATION

Responsible Officer: Rob Williams, General Manager
Author: Rob Williams, General Manager

Attachments: 1. Letter from Mining and Energy Related Councils NSW 4

2. Fact Sheet J

3. MERC Newsletter - June 2022 🗓 🖫

4. MERC Agenda - 2 September 2022 U

#### **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**

Following a report to Council (Item 13.7, 23 August 2022) regarding the Mining and Energy Related Councils NSW Incorporated (MERC) request to Council to consider re-joining the Association. The following resolution was passed.

#### **RESOLUTION**

That Council endorse the attendance of the Mayor or General Manager, or both, to attend MERC's meeting in Sydney on 2 September 2022 for the purposes of assessing the value proposition of membership and prepare a further report for consideration.

The General Manager subsequently attended via zoom the meeting of the Association on Friday 2 September 2022

# **RECOMMENDATION**

1. That Council agrees / does not agree to re-join the Mining and Energy Related Councils NSW Association.

# **BACKGROUND**

Council's previous membership of MERC concluded in 2016.

# **CURRENT SITUATION**

MERC have written to Council to invite consideration by Council to re-join the Association. A copy of their letter to Council is shown at **Attachment 1**.

Shown at **Attachment 2** is the MERC Fact Sheet that outlines purpose, vision, history, achievements and advantages of membership.

MERC seeks to be the peak support body for local government impacted by mining and energy related activities in NSW.

MERC currently has 19 member Councils throughout NSW and a copy of their latest newsletter is shown at **Attachment 3**.

An invitation was extended to Council by MERC to attend their next meeting on 2 September 2022. This provided an opportunity to see (via Zoom) Committee members and assess the value proposition of membership.

Shown in **Attachment 4** is the agenda for the 2 September meeting attended by the General Manager.

The meeting ran from approximately 9.00am to 1.30pm with the main items to note from the General Manager observation being the list of 5 presentations on the agenda.

The presentations were overall informative and covered a wide variety of topics that would be of interest to Narrabri Shire Council. It was not the first time the General Manager had been provided with some of the information, however with the range of forums available to access this type of information it may prove useful for some Councillors as a way to become informed about topical issues in this field of interest.

The key question for Narrabri Shire Council is whether the existing available groupings within LGNSW, such as 'Country Mayors LGNSW' would be able to cover off the advocacy and information channels necessary to play an effective role in matters affecting our local communities.

From a General Manager perspective there would be little additional benefit for operational staff in joining the Association as opposed to any of the other available groups within the local government sector but I would urge Councillors to consider the position from their own perspective prior to making a collective decision as to whether re-joining MERC would be a priority.

# FINANCIAL IMPLICATIONS

Membership is \$8,024 (GST inclusive) per annum, plus any attendance costs and travel time if relevant. However, there is no current allocation for membership in the 2022/2023 budget.

# STATUTORY AND POLICY IMPLICATIONS

Nil.

# **CONSULTATION**

# **External Consultation**

Nil.

# **Internal Consultation**

Nil.



The Acting General Manager Narrabri Shire Council PO Box 261 NARRABRI NSW 2390 19th July 2022

Dear Mr Inglis,

I am writing to request Narrabri Shire Council consider re-joining the Association of Mining & Energy Related Councils NSW Incorporated (MERC), given the growth of mining and energy developments in your local government area, plus having a new Council with seven new councillors and a huge regional economic potential with the Inland Port, Strategic Activation Precinct (SAP) and Inland Rail projects.

I have attached a Fact Sheet outlining details on what MERC does, its background, achievements, advantages of being a member and it's future aspirations that would complement the outcomes, objectives and strategies in your newly endorsed 10-year Community Strategic Plan 2022/2032 (CSP), indicated as follows:

- 1. Society An empowered, inclusive and connected community Objectives 1.2 & 1.3;
- 2. Environment A sustainable and compatible natural & built environment Objective 2.3;
- 3. Economy A strong, diverse and sustainable economy Objective 3.3;
- 4. Civic Leadership Council as strong leaders for the community Objective 4.2 & 4.3.

By being a member of the Association, this will assist your Council with achieving the above outcomes, their respective objectives and strategies outlined in the CSP and Delivery Program in these telling times.

As the debate on renewable energy and Coal Seam Gas solutions for alternate energy sources increases and the need for support with associated ongoing negotiations with both government and the private sector continues, the Association of Energy & Mining Related Councils is therefore a cost effective solution for local government councils affected by mining and energy as an advocate.

The Association is striving to grow even more and has the potential to become an even "stronger voice". We would like Narrabri Shire Council to join our dynamic and proactive Association to increase your voice and to help achieve the Vision and Strategic Directions in the fact sheet attached to make mining and energy related local government areas in NSW better places in which to live and grow.

If you have any enquiries on the aforementioned, please don't hesitate to contact the Executive Officer, Greg Lamont by phone on 0407937636 or by email <a href="mailto:info@miningrelatedcouncils.asn.au">info@miningrelatedcouncils.asn.au</a> or myself on 0425798068 or by email <a href="mailto:michael.banasik@wollondilly.nsw.gov.au">michael.banasik@wollondilly.nsw.gov.au</a>

Yours faithfully

Cr Michael Banasik Chair

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#### FACT SHEET

#### Vision

Councils affected by mining and energy related production *need* a voice: a voice that understands the issues and a voice that is listened to. The Association of Mining & Energy Related Councils NSW Incorporated *is* that voice.

The Association of Mining & Energy Related Councils NSW Incorporated vision is to be the peak support body for councils impacted by mining and energy related activities in NSW by empowering, resourcing and advocating on their behalf and on behalf of their communities.

#### History

Mining has a strong and proud history in NSW having been undertaken since the 1790s and it continues to contribute significantly to the state's economic wellbeing. Notwithstanding these obvious benefits, there are also unintended consequences of mining that can negatively burden or adversely affect local communities, both directly and on a continuing basis.

With this in mind, the Association of Coal Related Councils was established in 1982 in Wollongong to present a comprehensive, co-ordinated and co-operative approach to State and Federal Governments on behalf of affected councils.

After a number of years, the Association also took on representation of metalliferous councils and became known as the Association of Mining Related Councils. The Association continued to grow and adapt and in 1999 embraced all aspects of mining, including extractive industries, gas exploration, quarries and minerals.

To incorporate the growing demand for renewable energy, in 2017 the Association again adopted a new direction, renaming itself the Association of Mining and Energy Related Councils NSW.

The Association has successfully evolved and progressed since its inception and yet throughout its various adaptations has retained its original focus of advocating on behalf of its members in a comprehensive, co-ordinated and co-operative approach to the State and Federal Governments. Changes aside, its relevance as an alliance of impacted Councils in NSW is as critical now as back in 1982.

### Achievements

The Association currently has 19 member councils throughout NSW. As a united voice, the Association:

 was represented on the NSW Government's Resources for Regions Panel which allowed the Association to be involved in criteria development and funding decisions by the state government for the provision of social and physical infrastructure where mining has expanded.



- has been involved in developing guidelines on voluntary planning agreements (VPAs) with the Department Planning, Infrastructure and Environment and stakeholders (NSW Minerals Council).
- is regularly consulted by the state government and its departments in relation to the ever changing legislation surrounding mining, energy and CSG developments.
- has been asked by the Minister for Energy, the Hon Matt Kean to be part of the Reference Panel for the Renewable Energy Zone pilots being established throughout NSW as the government grapples with energy supply in NSW without Liddell and Eraring Power Stations.

#### Advantages of Being a Member

- The Association has a long and commendable history with a dearth of experienced representatives who come together in a united, apolitical and influential voice.
- In addition to its members, the Association has developed a panel of environmental, planning, mining, social and economic impact consultants who may be accessed by member Councils.
- MERC delegates have the opportunity to be appointed to working parties set up by industry
  working parties on specific matters to assist members. For example, VPA Framework,
  Regional Advisory Forum, Resources for Regions, Renewable Energy Zones Reference
  Panel, etc.
- MERC delegates have the opportunity to network with experienced Councillors and
  professional planning staff at its quarterly meetings, as well as being able to raise specific
  issues with higher-level decision makers such as Members of Parliament, relevant
  Departmental Staff and other keynote speakers.
- The Association continually seeks expert advice for the benefit of its members. For example, it is working with DPIE, the NSW Minerals Council and the University of Technology Sydney (UTS) on improving the current planning consultation process on developments prior to the release of an EIS using the 'participatory consultation modelling' system.
- MERC is progressive and forward-thinking. For example, liaising with the University of
  Western Australia and University of Queensland in the Commonwealth Research Centre for
  Transformation of Mining Economies (CRC TiME) to rejuvenate economic development and
  communities post mining. MERC also recently joined the Orana Opportunity Network (ON2)
  which has links to University of Newcastle research entities.
- The Association of Mining & Energy Related Councils is financially viable and able to
  engage consultants and research agencies to undertake studies and/or prepare submissions on
  behalf of members. Refer web page <a href="https://www.miningrelatedcouncils.asn.au">www.miningrelatedcouncils.asn.au</a> for list of latest
  submissions. Membership is \$8024, inclusive of GST for 2021-22, increased by rate peg of
  (.03%) for 2022-2023, can be funded from VPA and/or CE funds annually.

### The Future



MERC developed its 2020-23 three-year Strategic Plan with appropriate deliverables, actions, outcomes and KPIs to ensure its Vision Statement is met and to provide for a greater focus on renewable energy such as emerging Renewable Energy Zones. MERC is developing various Position Statements as guides for its members to consider and continues to educate its members on what affected Councils are doing with solar, battery and wind farming, etc. There is room for change with our name eg Association of Energy & Mining Related Councils to address energy in a greater light.



#### FACT SHEET

#### Vision

Councils affected by mining and energy related production *need* a voice: a voice that understands the issues and a voice that is listened to. The Association of Mining & Energy Related Councils NSW Incorporated *is* that voice.

The Association of Mining & Energy Related Councils NSW Incorporated vision is to be the peak support body for councils impacted by mining and energy related activities in NSW by empowering, resourcing and advocating on their behalf and on behalf of their communities.

#### History

Mining has a strong and proud history in NSW having been undertaken since the 1790s and it continues to contribute significantly to the state's economic wellbeing. Notwithstanding these obvious benefits, there are also unintended consequences of mining that can negatively burden or adversely affect local communities, both directly and on a continuing basis.

With this in mind, the Association of Coal Related Councils was established in 1982 in Wollongong to present a comprehensive, co-ordinated and co-operative approach to State and Federal Governments on behalf of affected councils.

After a number of years, the Association also took on representation of metalliferous councils and became known as the Association of Mining Related Councils. The Association continued to grow and adapt and in 1999 embraced all aspects of mining, including extractive industries, gas exploration, quarries and minerals.

To incorporate the growing demand for renewable energy, in 2017 the Association again adopted a new direction, renaming itself the Association of Mining and Energy Related Councils NSW.

The Association has successfully evolved and progressed since its inception and yet throughout its various adaptations has retained its original focus of advocating on behalf of its members in a comprehensive, co-ordinated and co-operative approach to the State and Federal Governments. Changes aside, its relevance as an alliance of impacted Councils in NSW is as critical now as back in 1982.

#### Achievements

The Association currently has 19 member councils throughout NSW. As a united voice, the Association:

- was represented on the NSW Government's Resources for Regions Panel which allowed the Association to be involved in criteria development and funding decisions by the state government for the provision of social and physical infrastructure where mining has expanded.
- has been involved in developing guidelines on voluntary planning agreements (VPAs) with the Department Planning, Infrastructure and Environment and stakeholders (NSW Minerals Council).

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- is regularly consulted by the state government and its departments in relation to the ever changing legislation surrounding mining, energy and CSG developments.
- has been asked by the Minister for Energy, the Hon Matt Kean to be part of the Reference Panel for the Renewable Energy Zone pilots being established throughout NSW as the government grapples with energy supply in NSW without Liddell and Eraring Power Stations.

#### Advantages of Being a Member

- The Association has a long and commendable history with a dearth of experienced representatives who come together in a united, apolitical and influential voice.
- In addition to its members, the Association has developed a panel of environmental, planning, mining, social and economic impact consultants who may be accessed by member Councils.
- MERC delegates have the opportunity to be appointed to working parties set up by industry
  working parties on specific matters to assist members. For example, VPA Framework,
  Regional Advisory Forum, Resources for Regions, Renewable Energy Zones Reference
  Panel, etc.
- MERC delegates have the opportunity to network with experienced Councillors and
  professional planning staff at its quarterly meetings, as well as being able to raise specific
  issues with higher-level decision makers such as Members of Parliament, relevant
  Departmental Staff and other keynote speakers.
- The Association continually seeks expert advice for the benefit of its members. For example, it is working with DPIE, the NSW Minerals Council and the University of Technology Sydney (UTS) on improving the current planning consultation process on developments prior to the release of an EIS using the 'participatory consultation modelling' system.
- MERC is progressive and forward-thinking. For example, liaising with the University of Western Australia and University of Queensland in the Commonwealth Research Centre for Transformation of Mining Economies (CRC TiME) to rejuvenate economic development and communities post mining. MERC also recently joined the Orana Opportunity Network (ON2) which has links to University of Newcastle research entities.
- The Association of Mining & Energy Related Councils is financially viable and able to
  engage consultants and research agencies to undertake studies and/or prepare submissions on
  behalf of members. Refer web page <a href="www.miningrelatedcouncils.asn.au">www.miningrelatedcouncils.asn.au</a> for list of latest
  submissions. Membership is \$8024, inclusive of GST for 2021-22, increased by rate peg of
  (.03%) for 2022-2023, can be funded from VPA and/or CE funds annually.

#### The Future

MERC developed its 2020-23 three-year Strategic Plan with appropriate deliverables, actions, outcomes and KPIs to ensure its Vision Statement is met and to provide for a greater focus on renewable energy such as emerging Renewable Energy Zones. MERC is developing various Position Statements as guides for its members to consider and continues to educate its members on what affected Councils are doing with solar, battery and wind farming, etc. There is room for change with our name eg Association of Energy & Mining Related Councils to address energy in a greater light.

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# **MERC Newsletter – June 2022**

#### Introduction

Delegates, here is the June MERC Newsletter, please circulate the Newsletter to your fellow Councillors and senior staff, so they can appreciate and understand the excellent work the Association and you are doing on behalf of your Council and community, with regard to mining and energy related matters.

#### **New format for Newsletter**

A suggestion by Cr Scott Ferguson, Blayney Shire Council Mayor and member of the Executive Committee of MERC that the newsletter have an Executive Summary at the front so busy delegates and staff of member Councils can have a quick read of the issues within the newsletter on matters of interest to them. Thereafter they can delve further into the details.

As we realise everyone is time poor so here goes with a different format for you. There will be an Executive Summary with governance items and then summaries of other items with more details are located further in. This should still give delegates the information they need albeit in a more condensed way. Hope you enjoy and any feedback would be appreciated.

# EXECUTIVE SUMMARY

# (a) GOVERNANCE MATTERS

Next Meetings of Association – Next Ordinary meeting to be held in Sydney 2<sup>nd</sup> September 2022 at Club York, Second Level, 99 York Sydney. Executive Committee meetings will be called by Chair beforehand. After that a 2 day mini conference, AGM and Ordinary meeting to be held in Dubbo, arrangements and dates to be sorted. A discussion held with Dubbo event staff on 13<sup>th</sup> July on how it may work – more later.

- ii. <u>COVID-19 Virus Impact on MERC In 2022 MERC will be resuming its' activities in the normal manner.</u> What this means for MERC delegates is that 2022 will have quarterly as "face to face" meetings with use of zoom in exceptional circumstances. Executive Committee meetings will be by zoom means as determined.
- iii. <u>Speakers for Next Meeting in Sydney</u> Minister for Planning, Minister for Energy, Minister for Regional NSW and Deputy Premier will be pursued. CEO NSW Minerals Council has confirmed for 2<sup>nd</sup> September meeting in Sydney..
- iv. Orana Opportunity Network (O2N) MERC is trialling as a Bronze Member of ON2 for 12 months. Their Newsletters are available on their website on o2n@o2n.org.au.
- v. <u>CRC Transformation in Mining Economies (CRCTIME)</u> MERC is a partner with CRC TiME on a no cost but consultative basis. They provide updates on progress with opportunity for members to join webinars, workshops, surveys etc. Latest update is below.
- vi. Renewable Energy Zones (REZ) Mike Young, Executive Director Planning & Communities, Energy Corporation, Department Energy & Climate Change provided delegates with an informative insight on what is happening with Renewable Energy Zones in NSW. There is an opportunity for MERC to be part of a working party with Energy Co to successfully roll out the REZ's. Waiting for Mike to get back to EO to talk about opportunities for MERC to be involved in the REZ roll-out.

# (b) MATTERS OF INTEREST

#### i. Department Fair Trading - Proposed Constitutional Changes

The NSW Government wants to update rules for the day-to-day operation of incorporated associations so they are fairer, more productive and better meet the needs of the community and business. We have drafted a proposed Regulation\* that keeps many of the existing rules, but introduces some new requirements in areas such as:

- using technology for committee and general meetings
- financial reporting requirements
- postal or electronic ballots
- filling casual vacancies.

# ii. Mine Safety News - NSW Mines Regulator

We've released a consolidated report on air quality, dust or other airborne contaminants at above surface coal mines, based on findings from our assessment of 36 mines between December 2020 and October 2021. Airborne contaminants include fumes, mist, gas, vapour, dust or other microorganism that are potentially harmful to workers.

We commend the sites with best practice controls and monitoring equipment to ensure exposure to airborne contaminants is minimised, however workers at some sites had difficulty identifying the range of airborne contaminant hazards in their workplace.

Of the 36 sites assessed under the inspection program, 17 separate mines were given notices relating to the principal hazard of air quality or dust or other airborne contaminants. The **consolidated report** includes key assessment findings as well as recommendations to industry

#### iii. Hunter Valley Mining Land Could Create 13,000 jobs if Reused.

Repurposing defunct mining land for use by the renewable energy, agriculture, manufacturing and conservation sectors could create more than 13,000 jobs in the Hunter Valley, a report says.

#### Key points:

- 130,000 hectares of mining land is scheduled for release over the next two decades;
- A report says the land could be "maximised" for use by various sectors;
- Environmental lobby group Lock the Gate commissioned the report by EY Consulting.

The Diversification and Growth: Transforming Mining Land in the Hunter Valley report, commissioned by Lock the Gate, says \$3.7 billion in gross economic output over a 25-year period could be generated, alongside \$7b in potential industry output, if steps are taken to transform former coal mining sites. It also argues more needs to be done than the current "minimum legal standard" that mine owners have to abide by in terms of land rehabilitation.

"The release of land as mines are scheduled to close and the global shift from coal provides the Hunter with new opportunities to pivot its economic base while leveraging its major workforce, industry and supply chain strengths," the report by EY Consulting said

Research from the University of Newcastle released to the ABC earlier this year concluded that almost 17,000 people in the Hunter Valley worked in a direct or indirect mining job, and that 50 per cent of Greater Hunter residents wanted to see a transition away from fossil fuels.

"For the Hunter, the phasing down of fossil fuel based industries creates several key vulnerabilities, especially managing the transition of its large industrial employment base," the report said.

#### iv. CRC for Transformations in Mining Economies (CRC TiME)

CSIRO Futures is partnering with the Cooperative Research Centre for Transformations in Mining Economics (CRC TiME) to scope a potential project on the opportunity for the Australian Mining, Equipment, Technology and Services (METS) sector to improve mine closure outcomes. While this study is in the scoping phase they are seeking interviews with key CRC TiME partners to guide the direction of the project, including identifying key questions that the project should seek to address and opportunities for the project to add value to the sector.

Other topics discussed in this interview may include:

- Barriers to successful mine closure
- Strengths of the Australian METS sector in mine closure activities
- Opportunities for the METS sector to support local solutions to improve economic, environmental and social outcomes.

Interview with Executive Officer occurred 10<sup>th</sup> June where NSW's Resources for Rejuvenation project was outlined to them.

### v. Hunter Hydrogen Symposium

RDA Orana and the Orana Opportunity Network are proud to be partnering with New H2 in the development of the Hydrogen Hub in the Hunter and are working to ensure that the hub supports hydrogen projects in our region.

Following a year of work, New H2, is presenting the Hunter Hydrogen Symposium, bringing together leaders across government, industry and academia to explore the most recent developments, challenges and opportunities across the Hydrogen sector.

The event includes a limited-seat industry dinner on Tuesday, August 2nd at Fort Scratchley – co-hosted by HunterNet and Business Hunter – followed by a full-day symposium at Rydges Newcastle. The symposium will showcase the hydrogen projects underway across the region, provide an update on policy developments, and discuss the latest advancements in hydrogen research and innovation. The symposium will also provide a platform to navigate the conversations required for both industry and community in the Hunter that will support and underpin the region's growth. Enquiries to RDA Orana

#### vi. Environment Protection Licence

New standard conditions for large mines with an Environment Protection Licence come into effect from 2<sup>nd</sup> July 2022. The reforms are set out in Schedule 8A of the Mining Regulation 2016 & will bring greater consistency across all large mines in NSW.

vii. Andrew Bray, National Director, Re-Alliance, June 2022 writes:-"We're in the midst of an energy crisis. Power prices are rising, there's a threat of blackouts in some states and the Australian Energy Market Operator has just temporarily suspended the electricity spot market. All this has been brought about by a number of factors – the key one being our reliance on fossil fuels.

Outages at coal-fired power stations have exacerbated an energy supply crunch, and the high cost of fossil fuel generation has made the market "impossible to operate". We need an energy market that can operate with stability and provide affordable power to Australians.

The good news is that we know how to achieve this: by investing in renewable energy infrastructure. Renewables can provide us with clean, reliable and cheap power, and with an abundance of solar and wind, we can be self-reliant on our energy sources.

Regional communities must be active participants in our energy transformation, and we want to see more accessible decision-making processes, higher and fairer payments to transmission hosts and neighbours, and action to coordinate best possible local outcomes during the peak construction phase.

Last week, we were pleased to see two key announcements that promise a swifter and more thoughtful approach to our transition to renewables.

 Energy ministers from across the country met and agreed to develop a national transition plan for Australia's energy sector to reach net zero.

With a breakdown in collaborative action between energy ministers over the past decade, it was heartening to see ministers meeting collegially again. They focused on actions to address the current energy challenges, but also recognised the need for large-scale renewable generation and agreed to develop a strategy to transition to net zero. We hope this is the start of a much-needed coordinated approach to Australia's energy transition.

Read more about what this meeting means for our energy future.



2. The NSW Government announced a \$1.2billion investment in transmission and storage infrastructure to facilitate the development of NSW's Renewable Energy Zones.

Urgently building transmission infrastructure is crucial to our energy transformation, and so we're pleased to see this investment from the NSW Government.

We hope this development will be thoughtful and incorporate more community voices and needs, such as for increased and fair landholder payment arrangements for those hosting new transmission infrastructure. Read more about this announcement.

In other renewable energy news, the **2022 National Renewables in Agriculture Conference and Expo** is happening in Albury on Thursday 18 August. Integrating agricultural practices into a renewables future is critical, and as interest in on-farm renewable energy explodes amid skyrocketing electricity prices, it's a pertinent time to be having these discussions. Click here for tickets and more info.

Our energy system is clearly in a mess right now, but we know the steps that are needed to fix it. If we have the courage to make these changes and bring regional communities with us at the same time, we're hopeful that this could be the last energy crisis we see.

### viii. Renewable Energy Zones (REZ's)

A REZ is a hub of renewable projects across a region that forma a modern-day power station, producing a large amount of energy for the State. The State Government has set them up in the New England, Southern NSW and Hunter/Central Coast Regions. The latest updates from Energy Corporation NSW & NSW Consumer Trustee, by James Hayes, CEO EnergyCo:

"We are pleased to announce that the NSW Government has reached another important milestone in delivering the Central-West Orana REZ Access Scheme. Access Schemes are a key part of the NSW Government's plan to coordinate new renewable energy and storage investment in REZs across the state".

If MERC is to get more involved in the REZ's it would need to have a discussion at a future meeting to review the current Strategic Plan actions and how it would like to resource any actions if it were to become more involved in the processes across the whole of the State given the growth of the REZ throughout NSW. Waiting on Mike to outline how this would work.

ix. Related Matters of Interest – Coal Mining, Renewable Energy & Microgrid Issues

"Recycling Centre Tests Solar System Made of Second-Hand Panels in Landmark Plot" Sophie

Vorath writes on 14<sup>th</sup> July 2022: "A waste and recycling centre in the New South Wales regional centre of Dubbo has become the testing ground for a ground breaking solar project – the installation of an 8kW PV system using second hand panels.

Dubbo Regional Council (DRC) announced its participation in the trial on Tuesday, in partnership with Blue Tribe, CSIRO, Solar Professionals and the New South Wales state government. Council's role is to host the second-hand solar system on its Small Vehicle Receival Centre at the Whylandra Waste and Recycling Centre.

If all goes to plan, it's hoped that Dubbo residents can reuse solar panels in their own homes or businesses. The project was born when School Infrastructure NSW, faced with the challenge of de-commissioning around 30,000 PV modules over the coming few years, engaged Blue Tribe to help work out how to manage the solar waste stream responsibly.

As Blue Tribe tells it, "numerous ideas were developed and the Second Life Solar concept was born." That concept – and plans to give it a test-run with a second-hand system in Dubbo – then received NSW government backing in the second round of the Environment Protection Authority's Circular Solar grants program.

The Circular Grants scheme aims to address the estimated 3,000–10,000 tonnes a year of waste solar panels and battery systems NSW alone is expected to be generating by 2025; and 40,000-71,000 tonnes per year by 2035.

Solar panel collection and recycling programs will be a huge part of the solution to this waste problem, and a dedicated solar recycling industry is slowly establishing itself in Australia, via start-ups including Reclaim PV, the Solar Recovery Corporation, and a co-operative called Lotus Energy.

But recycling is not the only option. As One Step reported here, another important avenue that is being explored is the market for second-hand panels, which currently exists at a niche level, only – but holds major potential.

Solar panels are designed to operate for 25-30 years but as consumers upgrade to larger rooftop systems, they are often replacing modules that are still fully operational and less than 10 years old — and because they don't know what else to do with them they often wind up in the tip. In Dubbo, which has been a leader in rooftop solar uptake in New South Wales, this threatens to become a big problem for local waste management services — unless, of course, it can be flipped into an even bigger opportunity.

"There are more than 2.8 million small-scale solar systems installed Australia-wide, and Dubbo is the second largest installer of small-scale solar systems in NSW," said the DRC's manager of

resource recovery and efficiency, John Wisniewski. "So if we can find extended uses for our solar panels, we'll be reducing our overall environmental footprint," he said, adding that the trial would also help boost the service life of solar panels, increase the uptake of renewables and help meet Council's 50% renewable energy target.

"Around the country we are installing record amounts of rooftop solar systems but at the same time we are also throwing away fully functioning older solar modules into landfill," said James McGregor from the Blue Tribe Company. "As we transition to 100% renewables it is like filling up a bucket with a hole in the bottom of it. "This project is about giving these panels a second life by diverting them from landfill and utilising them to continue to generate clean energy to help us get to NSW's net zero targets sooner," he added.

"We couldn't think of a better place to trial this than at DRC's Whylandra Waste and Recycling Centre in the heart of one of the leading solar communities in Australia."

NSW isn't the only state exploring this avenue for used solar panels. A Queensland-based research project investigating the potential to reuse second-hand solar panels, including on the rooftops of households unable to afford the cost of a new PV system, recently won the backing of Energy Consumers Australia.

The project, called Reclaimed PV Panels Market Assessment, and led by the University of Queensland, will use the \$42,869 ECA grant to explore potential revenue streams and consumer interest for used solar panels. The project will also identify current market or policy barriers to reusing, repurposing, and recycling discarded solar modules, and explore opportunities to use a circular economy to better include consumers not currently able to access PV due to financial constraints".

"Warren Buffett Snaps Up 2 Australian Solar Farms & Big PV & Storage Pipeline" Giles Parkinson, 7<sup>th</sup> July 2022 writes: "US investment magnate Warren Buffett has made his first major play into the Australian renewables sector, with the purchase of two operating solar farms in New South Wales, and a deal to co-develop a multi-gigawatt pipeline of solar and battery storage projects.

The two NSW projects are the 150MW (ac) Suntop solar farm and the 105MW (ac) Gunnedah solar farm, which have been bought from Canadian Solar by CalEnergy Resources Australia, a subsidiary of Northern Powergrid, which is in turn is owned by Buffett's Berkshire Hathaway Energy Co.

The deal between Canadian Solar and Buffett's CalEnergy extends to a multi-year development services agreement that provides a framework for the two companies to work together to build out Canadian Solar's growing renewable energy pipeline in Australia.

Buffett's main renewables play so far has been through MidAmerican Energy, based in Dec Moines, Idaho, along with much of his other businesses, but of his renewables play has been in wind energy, not solar.

MidAmerican boasts more than 7,300MW of wind capacity and 64MW of solar energy in its renewable energy portfolio and has plans for a big 2GW wind project with some 50GW of solar.

He is also behind the Gemini project in Nevada which will boast 690MW of solar and 590MW of battery storage (no duration revealed).

"We are delighted to work with CalEnergy in Australia to grow their renewable energy portfolio," said Dr. Shawn Qu, the chairman and CEO of Canadian Solar. "The sale of these projects in New South Wales paves the way for a strong collaboration between our respective companies. In Australia, we have now brought seven development projects to NTP (notice-to-proceed) and beyond and continue to develop and grow our multi-GW solar and storage pipeline. "I look forward to continuing to contribute to Australia's decarbonization and renewable energy growth ambitions."

Suntop and Gunnedah both have long term supply agreements with global online shopping giant Amazon for around two thirds of their output, part of Amazon's commitment to source the equivalent of all its electricity consumption from renewables. Amazon announced in May that both Suntop and Gunnedah had started sending power to the grid.

Canadian Solar says the two projects, which have a combined capacity of 345MW (on a dc basis) have now reached substantial completion and are expected to generate more than 700,000MWh a year, avoiding more than 450,000 tonnes of CO2-equivalent emissions annually.

These are the first operating assets in Australia for CalResources, which has focused mainly on the oil and gas industry since being established in the 1970s and owns two as yet undeveloped gas projects in Australia. It also owns projects in the UK and Poland. Its project developments are managed by Perth-based Travis Enman, an ex Woodside and Shell executive who established the company's Australian operations since 2011.

"EnergyAustralia Downgraded Over Coal Plant Breakdowns, Coal Supply Shortages" Giles Parkinson writes 7<sup>th</sup> July 2022: "The repeated breakdowns at the ageing Yallourn coal generator in Victoria and the coal supply shortages at the Mt Piper coal generator in Victoria have led to a significant downgrade of EnergyAustralia by the international ratings agency S&P Global Ratings.

The downgrade to BBB- from BBB+, and its negative watch, will lead to a bigger bill for borrowings, and comes as analysts take stock of depleted earnings, margin calls, and the possibility that EnergyAustralia – one of the country's big three "gen-tailers" – may breach its debt covenants and go its parent for more funds.

EnergyAustralia and other big coal generators should be rolling in windfall profits given the high wholesale electricity prices in Australia, but the fact that many have suffered multiple outages and have also had to buy coal supplies on the spot market has led to big losses instead.

S&P says EnergyAustralia is facing a \$200 million hit to its earnings this calendar year, a \$1 billion liquidity crunch on the margin calls, and its ability to cash in on high prices in coming years is in doubt because its coal generators are not reliable.

"EA has faced several unplanned outages at its coal plants, mainly at the ageing Yallourn plant, along with coal supply shortages at Mount Piper. Management actions have not yet materially improved operational performance over the past few years," it noted. "Exacerbating this are

volatile wholesale market conditions. Several baseload coal plant outages, extreme weather, low output from renewables, and high demand have forced up electricity prices.

"It says EA faces potential liquidity issues, despite a cash balance of around \$490 million, and will have to use its parent company CLP as a "backstop" for any further liquidity needs "over the next 12 months at least."

The issue is further complicated by the uncertainties created by the age of Yallourn plant, questions about resumption of adequate coal to Mount Piper, and the future course of coal prices. EA also needs to spend on transitioning its portfolio to replace its retiring fleet, including in at least one big battery project in Victoria, and potentially some pumped hydro projects in NSW.

"We believe EA may be at risk of breaching one of its debt covenants, being the interest coverage ratio. The interest coverage ratio threshold is required to be greater than 1.45x and is calculated on a rolling 12-month basis as of end of June and December. "We believe that the management will be proactive in managing any potential breaches, if required. We will monitor the progress; and this risk is incorporated into the negative outlook.

S&P notes that EA's dependence on fossil fuels (54 per cent coal and 30 per cent gas) that are subject to more frequent outages and other operational issues leave it exposed to climate transition risk, like its other big peers who have also failed to keep up with the switch to

renewables. "Exposure to flooding and end-of-life asset retirement costs and associated waste management also increase medium-term environmental risks."

Meanwhile, Origin Energy, which has made similar profit warnings because of coal supply problems for its Eraring coal generator, has confirmed one of the four units at what is the country's biggest coal generator remains out of action. "A fault caused unit 1 at Eraring to come offline on Tuesday evening, and our onsite team is currently working to diagnose the cause and the actions we need to take to rectify it over coming days. Eraring's other units are not affected," a spokesperson said."

"Works Start at Big NSW Solar Project to Power NBN" Michael Mazenbarb 7<sup>th</sup> July writes: 
"Construction works have commenced at a south-central New South Wales solar farm, and will mark the first step towards the National Broadband Network sourcing all of its power needs from renewable energy sources.

The 75MW Wyalong solar farm is being developed by Greek-based Mytilineos and will sell around half of its output to NBN Co under a 10-year power purchase agreement, the first of several NBN expects to sign to meet its 100 per cent renewable energy target. A ground-breaking ceremony for the project was attended by federal communications minister Michelle Rowland, who said the solar project would supply the NBN with 80GWh, enough to supply the broadband network with around one-fifth of its energy needs.

"This initiative will not only support NBN Co with their climate transition, it will also support Australia's transition to net-zero and create up to 150 jobs in the Griffith and West Wyalong community and stimulate the local economy," Rowland said.

"It is critical Australian organisations and communities find ways to reduce emissions, and NBN Co through its 100 per cent renewables commitment is not only reducing emissions, it is also the first Australian telecommunications company and Australian government business to join the global RE100 initiative," Rowland added.

The event was also attended by former Nationals leader, and local MP, Michael McCormack, with the project to involve the installation of around 127,000 solar panels and engaging 150 workers during the construction phase. Construction of the solar farm is expected to be completed over the next six months, with first power produced in late 2022.

NBN Co announced its commitment to the RE100 initiative in December last year, which sees corporate energy buyers commit to purchasing the equivalent of all their electricity needs from renewable energy sources. It has committed to transitioning to 100 per cent renewables by the end of 2025 and will participate in the Science-based Targets Initiative, with NBN indicating it will publish targets for its Scope 1, Scope 2, and Scope 3 emissions later this year.

NBN Co chief development officer, Gavin Williams, welcomed the commencement of construction at the first project that will supply renewable power to the telecommunications company. "It's particularly pleasing that we are moving from ambition to action and demonstrating through deeds rather than words, our commitment to reduce emissions and support the nation's transition to a net-zero carbon economy," Williams said. "We have a strong commitment to helping make the network as efficient and resilient as possible."

"As we deliver on our company purpose to lift the digital capability of Australia not only are we aligning with the latest climate science we are also playing a role in helping support climate technologies and the livelihoods of people working in new energy jobs."

Telstra announced a commitment to shifting to 100 per cent renewable energy in early 2020, and Optus made a similar commitment in May this year – but neither of the telecommunications giants appear to have signed up to the RE100 initiative.

"Whitehaven Coal Urges NSW to Keep Hands off Coal Cash Cow" Peter Ker Resources reporter in the Financial Review, Jul 18, 2022 writes: "Cashed up coal miner Whitehaven says it will make sure politicians in NSW understand the consequences of increasing royalties ahead of next year's state election, as a global energy shortage prompts customers to seek contracts that are double or triple the normal duration. The politics of energy dominated Whitehaven's investor update on Monday, which sparked a surge in the company's share price to record levels when managing director Paul Flynn indicated next month's full-year earnings would be 15 times higher than last year.

A series of geopolitical interventions over the past two years have caused extraordinary turbulence in coal markets and resulted in prices for top quality NSW thermal coal being nine times higher than they were in August 2020. At \$US433.90 a tonne on Friday, top quality NSW thermal coal was close to the record price of \$US436.07 a tonne set on May 20. Prior to September last year the price had never been higher than the \$US194.79 set in 2008 and the price was below \$US50 per tonne in August 2020.

China's ban on Australian coal in 2020 combined with numerous weather and pandemic related disruptions to mines in several nations – including multiple incidents of flooding in NSW – to drive coal prices to record levels long before war in Ukraine prompted many coal consumers to blacklist Russian products and drive prices even higher. European nations will officially stop using Russian coal on August 10 and Mr Flynn said Whitehaven had agreed to send a few shipments of NSW coal to European customers.

But fresh from a trip to Whitehaven's biggest sales destination, Japan, Mr Flynn said he remained focused on servicing the North Asian customers that had supported the business over the past decade and the South East Asian customers that are expected to be the world's strongest future growth market for thermal coal. Mr Flynn said those Asian customers were more focused on long-term security of supply than the extremely high prices they were having to pay for coal.

"Customers are really just worried about continuity of supply, they were quite measured in their conversations, they all understand cycles come and go they were starting to raise their attention more toward two to three-year type contracts and it was really just about locking in that physical supply rather than price right now," he said. "Our existing customers, they are starting to look at longer-term arrangements so where we have had an evergreen type annual contract, they are looking to do something a little more firm and put a second or third year on the back of that.

"It is really just about locking in that physical supply rather than price right now. There is a tricky balance we are going to have to manage here in terms of interest from non-traditional jurisdictions and balancing the needs of existing customers who have been with us a long time. That promotes more [coal market] tightness and presumably a longer horizon of good pricing here."

Whitehaven said it expects to report \$3 billion of full-year earnings before interest, tax, depreciation and amortisation (EBITDA) next month; up from \$204.5 million for the year to June 2021.

Less than two years after the miner was asking lenders for covenant relief, Whitehaven now has net cash of \$1 billion and will continue making huge cashflows for a while yet based on the traditional lag of several months between market prices and the prices Whitehaven's customers pay for their coal.

Whitehaven has a share buyback program underway and Mr Flynn will reveal more about the company's plans for shareholder returns on August 25. Record coal prices and profits are prompting governments to seek a bigger share of the spoils; the Queensland government infuriated miners last month when it added three new levels to the state's coal royalty regime.

Mr Flynn said the changes were "very negative" and had reduced the net present value of Whitehaven's undeveloped Winchester South coking coal project in Queensland by 3 per cent. Winchester South was supposed to be Whitehaven's first step beyond mining in NSW and Mr Flynn said he hoped NSW did not follow suit next year.

"We will be making sure that NSW government leading up to the election in March next year understands the critical role the resources sector plays in NSW and ... further investment needs certainty," he said. "Unpredictable things that occur, such as in Queensland, don't really foster the

confidence necessary to commit billions of dollars of capital to the projects this industry typically spends."

The NSW government did not change coal royalty rates in last month's pre-election budget but many in the mining industry fear it will be politically easier to raise royalties next year after the election

Asked whether governments still cared whether there was investment in more coal projects, Mr Flynn said he believed they did, particularly in Queensland where coal was a big part of the economy. Whitehaven has all state and federal approvals in hand to build a new coal mine at the Vickery site in NSW where Rio Tinto previously mined coal with high-energy content.

In previous years Mr Flynn expressed frustration that Vickery was being delayed by slow approvals processes and legal challenges by environmentalists, but in the past 18 months Whitehaven has repeatedly signalled that it is not in a rush to develop the mine.

Mr Flynn extended the wait for development of Vickery again on Monday when he said Whitehaven was unlikely to take a final investment decision on the project within the next 12 months; a comment he has been making for more than 18 months now.

By waiting longer before developing Vickery, Whitehaven may allow the market for skilled labour to cool from the extreme tightness that is currently forcing it to pay quarterly retention bonuses to key staff. Consumables are also extremely expensive at the moment, with Mr Flynn revealing that suppliers were imposing 26 per cent increases on the price of truck tyres.

It may also allow Whitehaven to use Vickery – which is expected to cost between \$700 million and \$1 billion – as leverage in royalty discussions with politicians ahead of the NSW election in March 2023.

Mr Flynn said the strong interest Japanese coal-fired power generators had shown in buying Vickery's coal in years gone by remained evident on his recent trip to Japan. "They know there is going to be structural tightness in the market for some time to come and speaking to the customers, across a few customers there was an aggregate of some 3000 new megawatts coming on, ultra-super critical plants, all of which would be ideally suited to Vickery," he said, in reference to the new coal-fired power stations under construction in Japan.

"They are brand new units coming on with 30 or 40 year type horizons on them and they are wondering where that coal of the future is going to come from if people stop investing [in new mines]."

Whitehaven shares traded above \$6 on Monday morning for the first time since the company took on its modern structure in 2012 when three small companies – Aston Resources, Whitehaven Coal and Coalworks – combined to form a single company.

Shaw and Partners analyst Peter O"Connor said it was "not ludicrous" to suggest Whitehaven shares could soon be fetching \$10 per share. "The cash cow will keep on giving for at least another couple of quarters, at this super elevated rate, not least because of pricing lags," he said in a note.

Asked whether he was seeing evidence that sustainability focused investors were changing their attitudes toward coal in the wake of the energy price crisis sweeping much of the world, Mr Flynn said he believed change was underway.

"The sentiment has certainly moved. No one is forgetting the [emissions reduction] commitments that each country has made but I think everyone is looking at this and saying 'look how fragile our energy system is'," he said.

**Disclaimer** The comments and details in the articles in this newsletter do not reflect the views, policies or position of the Association or its member Councils and are sourced and reproduced from public media outlets by the Executive Officer to provide information for members that they may not already be exposed to in their Local Government areas

#### Contacts

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# **BUSINESS PAPER**

# ORDINARY MEETING

Association of Mining & Energy Related Councils (NSW) Inc.

Meeting commences at 9am on Friday 2nd September 2022, in York 2 Room, Club York, 2<sup>nd</sup> Floor, 99 York St, Sydney, NSW.

(ENTRANCE TO LIFTS 2nd FLOOR ARE ON THE LEFT NEXT TO CLUB YORK ENTRANCE AREA)

#### IMPORTANT NOTICES TO READ BEFORE THE MEETING

Note 1: Delegates are reminded that the provisions of the NSW Local Government Model Code of Conduct and Model Code of Meeting Practice apply to meetings of the Association of Mining & Energy Related Councils (NSW) Inc.

Note 2: The Association's constitution requires the Executive Committee to meet at least four times a year (Clause 7.4) and to have at least one Ordinary General Meeting per year (Clause 11.1), which is at least the Annual General meeting. The practice at MERC has been to have an Ordinary General meeting after each Executive Committee meeting and an Annual General Meeting in November each year after Council elections and appointments.

Note 3: Details for delegates/speakers (if needed) to be part of the meeting via zoom.com Video Conferencing Meeting information-click on the meeting link below:

Greg Lamont is inviting you to a scheduled Zoom meeting. Join Zoom Meeting click on link:

Join Zoom Meeting

https://us06web.zoom.us/j/82025136825?pwd=a2QzeXZpbUl6WUhSWG9aU0lpLzRuQT09

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# AGENDA – ORDINARY MEETING Association of Mining & Energy Related Councils (NSW) Inc.

- 1. Welcome by Chair (including Narrabri Shire Council delegates as observers)
- 2. Acknowledgement of Country
- "I acknowledge the traditional custodians of the land that we meet on today and pay our respects to the Elders past, present & emerging".

#### 3. Apologies.

Any apologies should now be submitted and recorded by the Executive Officer. Received to date of business paper:- Cr Jim Hickey, Broken Hill; Grant Baker GM, Bland Shire; Cr Peter Abbott, Cobar Shire; Cr Mathew Dickerson & Murray Wood GM, Dubbo Regional; Cr Katrina Walker, Cr Ros Jackson & Gary Woodman GM, Warren Shire; Cr Aniello lannuzzi, Warrumbungle Shire Council.

#### Recommendation:

That the apologies submitted by the delegates be received and noted.

#### 4. Disclosures of Interest.

Any disclosures of interest (pecuniary or non-pecuniary) should now be made and recorded by the Executive Officer.

#### Recommendation:

That the disclosures of interest and reasons for them be received and noted.

# 5. Adoption of Minutes of the Ordinary meeting held on $3^{\rm rd}$ June 2022 - Refer Attachment A

#### Recommendation

That the minutes of the Ordinary meeting held on 3rd June 2022 be received and noted.

6. Business Arising from Minutes of Ordinary meeting held on 3rd June 2022

#### Recommendation

That the minutes of the Ordinary meeting held on 3<sup>rd</sup> June 2022 be received and noted.

- 7. Adoption of Minutes of Executive Committee meeting held on 30th August 2022
- Business Arising from Minutes of Executive Committee meeting held on 30<sup>th</sup> August 2022
- 9. Delegates Reports Nil
- 10. Speakers
  - (a) Speakers for Ordinary Meeting 2nd September to note:

- (1) Steve Galilee, CEO NSW Minerals Council & Chair Paul Flynn (Possible) for update on what NSW MC doing in relation to mining abatement, climate change, automation and general catch up with MERC delegates;
- (2) Andrew Bray, National CEO RE-Alliance latest Renewable Energy issues;
- (3) Mike Young, Energy Corporation of NSW /NSW Treasury, Executive Director Planning & Communities on REZ issues and MERC involvement;
- (4) Megan Dixon, CEO RDA Orana O2N Zero Business Incubator & Innovation Zone and Transport Study Golden Highway;
- (5) Lana Hall, Program Manager Resources for Regions, Dept Regional NSW with either Steven Wills Executive Director Regional Programs or Kirsten Fulton, Director Regional Programs.

# 11. Executive Officer's Report – Attachment B and Attachments C-F

- (a) Correspondence Attach C
- (b) Finance Report Attach D
- (c) Meetings with Ministers & Senior Government Staff Update
- (d) Membership Campaign Update
- (e) Submissions Update
- (f) Progress Report Outstanding decisions of Association Attach E
- (g) Progress Report Strategic Plan 2020 2023 Actions Attach F
- (h) Renewable Energy Zones Update
- (i) Orana Opportunity Network (ON2) Update
- (j) Resources for Regions Round 9 Update
- (k) Royalties for Rejuvenation Update

#### 12. General Business

- (a) Location & Venue for Next meetings 11th November, Dubbo;
- (b) 2 Year Terms for Executive Committee;
- (c) Life Memberships.

# Close

Greg Lamont, Executive Officer 25<sup>th</sup> August 2022

# ATTACHMENT A - MINUTES 3RD June 2022

MINUTES OF THE ASSOCIATION OF MINING & ENERGY RELATED COUNCILS (NSW) INC. ORDINARY MEETING HELD AT CLUB YORK, 2<sup>nd</sup> Floor YORK 2 ROOM, 99 YORK ST, SYDNEY 3<sup>rd</sup> JUNE 2022

#### Present in person

Cr Michael Banasik
Cr Kevin Duffy
Orange City Council (Chair)
Cr Scott Ferguson
Cr Mathew Deeth
Steve Loane OAM
Cr Peter Batten
Murray Wood
Wollondilly Shire Council
Cr Shire Council
Cabonne Shire Council
Dubbo Regional Council

Murray Wood Dubbo Regional Council
Cath Blakey Wollongong City Council
Cr Elaine Bendall Lachlan Shire Council
Greg Tory Lachlan Shire Council
Veronica Windus Cabonne Shire Council

#### By Zoom

Cr Dennis Brady
Cr Denis Todd
Lachlan Shire Council (Ex Comm)
Warrumbungle Shire Council (Ex Comm)

Cr Liz McGlynn Bland Shire Council
Cr Jim Hickey Broken Hill City Council
Brendan Hayes Parkes Shire Council
Mike Urquhart Walgett Shire Council
Cr Katrina Walker Warren Shire Council

# **Apologies**

Cr Phyllis Miller OAM Forbes Shire Council (Dep Chair)

Cr Dom Figliomeni Wollongong City Council Cr Jason Hamling Orange City Council Kent Boyd Parkes Shire Council Heather Nicholls Cabonne Shire Council Brad Cam Mid Western Regional Council Cr Mathew Dickerson **Dubbo Regional Council** Ross Earl Blayney Shire Council Peter Vlatko Cobar Shire Council

Ross Earl Blayney Shire Council
Peter Vlatko Cobar Shire Council
Cr Peter Abbott Cobar Shire Council
Cr Jarrod Marsden Cobar Shire Council
Cr Des Kennedy Mid Western Regional Council

**Brad Cam** Mid Western Regional Council Cr Andrew Dawson Cabonne Shire Council Ron Zwicker Wollongong City Council Cr Jane Keir Walgett Shire Council Cr Greg Rummery Walgett Shire Council Gary Woodman Warren Shire Council Cr Ros Jackson Warren Shire Council Cr John Stafford Upper Lachlan Shire Council Colleen Worthy Upper Lachlan Shire Council Cr Aneillo Iannuzzi Warrumbungle Shire Council

5

Hon Anthony Roberts Hon Matt Kean Andrew Lewis Minister for Planning & Public Places Minister for Energy & Treasurer Ex Dir Energy, Dept Energy & Climate

#### In attendance

Greg Lamont, Executive Officer (Minute Taker); Liza Schiff (Melting Pot Planning); Mike Young, Executive Director- Department Energy & Climate Change (Energy Corporation); Matthew Sprott, Director – Energy Co, DECC; Tim McMinn (DPE-Hydrogen Hub) and by zoom Daryl Quinlivan, Commissioner for Agriculture.

#### 1. Welcome by Chair.

The Chair, Councillor Michael Banasik, welcomed members to the meeting and declared the meeting open at 9.10am.

#### 2. Acknowledgement of Country by Chair

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

#### 3. Apologies.

**OM 9/2022** Resolved (Cr Ferguson/Loane) that the apologies as per the above list be **received** and noted

#### 4. Disclosures of Interest.

Cr Dom Figliomeni declared an interest as a shareholder in New Hope and Whitehaven mining companies.

#### 5. Adoption of the Minutes of the Ordinary Meeting held on 18<sup>th</sup> March 2022 OM 10/2022 Resolved (Cr Duffy/Loane) that the minutes of the Ordinary meeting held on 18<sup>th</sup> March 2022 be received and noted.

- Business Arising from Minutes of the Ordinary meeting held on 18<sup>th</sup> March 2022
   Nil
- 7. Receipt of the Notes on the Executive Committee Meeting held on 31<sup>st</sup> May 2022 OM 11/2022 Resolved (Cr Duffy/Cr Brady) that consideration of the notes of the Executive Committee meeting held on 31<sup>st</sup> May 2022 be deferred until after the Executive Officer provides a background report on the items & recommendations.

# 8. Executive Officer's Report

The Executive Officer went through the items in his report that related to matters on the Agenda for this meeting prior to consideration of the notes to Item (j).

# SUSPENSION OF STANDING ORDERS AT 10AM TO RECEIVE PRESENTATIONS FROM THE FOLLOWING SPEAKERS AND MORNING TEA

**OM 12/2022** Resolved (Cr Ferguson/Cr Duffy) that the meeting be suspended at 10.00am to receive the presentations from the speakers below and morning tea.

- (a) Tim McMinn Director, Hydrogen Hub, Depart Energy & Climate Change:
  - Nation Leading Policy Framework established with 60 actions, \$3billion incentives and 2030 target stretch:
    - o 110,000 tonnes pa green hydrogen produced;
    - o 10,000 hydrogen vehicles;

- 10% gas network blending;
- o 100 refuelling stations;
- 20% NSW government heavy vehicle fleet as users;
- Renewable energy and electrolyser capacity.
- Establishment of Hydrogen Hubs there has been 10 applicants shortlisted with up to \$150m grant funding available to have them start by end 2024. Program is to complement the Federal Governments \$464m Hubs Program;
- The 10 shortlisted areas are Moree, Newcastle x 3, Berrima, Muswellbrook, Wagga Wagga and Port Kembla x 3;
- Setting up the East Coast Hydrogen Network along Hume Hwy, then Pacific and New Highways to connect Melbourne, Sydney and Brisbane.
- Targeting 2026 for deployment of infrastructure along the 3 hwys;
- Setting up 4 hydrogen refuelling stations and aiming to have 20-25 hydrogen powered linehaul trucks.
   (Slides to be distributed)
- (b) Mike Young Executive Director- Planning & Communities, Energy Co, Dept Energy & Climate Change:
  - Energy Corporation of NSW is a statutory authority re-established in line with legislative functions under the Energy and Utilities Administration Act 1987 and Electricity Infrastructure Investment Act 2020 has been set up to "join the dots" with the design, delivery and coordination of Renewable Energy Zones (REZ's) and other electricity infrastructure in a way that benefits consumers, investors and regional communities;
  - Transmission development is becoming increasingly controversial in local communities, with communities already raising concerns with compensation, consultation, land use conflict and cost recovery.
  - The loss of social licence has the potential to delay the rollout of transmission infrastructure which would jeopardise energy security, slow NSW's transition to net zero emissions and increase electricity costs for consumers. To avoid this the government will need to actively build community support for the transition rollout.
  - Consequently, Mike is keen to work with MERC to establish a dedicated forum, with strategic planning & coordination, developing a governance model for community benefit funding for community projects.
  - Given MERC's involvement with VPA's and Resources for Regions criteria working parties involving Department of Planning and stakeholder bodies like the NSW Minerals Council in the past he has suggested to delegates that MERC could work with Energy Co with some of the foregoing. If it comes off there may be funds available for this that MERC could be eligible for its involvement. (Slides to be distributed)
- (c) Daryl Quinlivan Commissioner for Agriculture, Dept Primary Industries via zoom had a general discussion with delegates on the recent Issues Paper -Renewable Energy and Agriculture in NSW he has released seeking feedback on them. Darryl indicated that he had received a lot of submissions from individual landholders, councils, government agencies and developer entities and was sifting through them at the moment. He said there were

some common themes among them and hopes to have a draft report ready to discuss with the Minister for Energy and senior staff by September 2022. The "right to farm" was also discussed with delegates. (No slides provided – discussion only)

#### **RESUMPTION OF STANDING ORDERS AT 12.00PM**

**OM 13/2022** Resolved (Cr Batten/Cr Blakey) that the meeting be resumed at 12.00pm to continue with the meeting items.

#### Executive Officer's Report (continued)

The Executive Officer continued through the items in his report that related to matters on the Agenda for this meeting from Item (j).

#### Items (a) to (i) Information Noted

OM 14/2022 Resolved (Loane/Wood) that the notes of the Executive Committee meeting held on 31st May 2022 items (a) –(i) be received and noted.

#### Item (j) Review - Delegates to Association

OM 15/2022 Resolved (Cr Ferguson/Cr Deeth) that:

- i. it be noted that Clause 7 of the constitution already indicates that non-elected delegates (if they are the endorsed delegates from their respective councils) are currently able to be elected to the Executive Committee (EC) and there is no need for a change to the constitution to be considered for the EC;
- ii. members be encouraged to appoint the General Manager or appropriate Director or senior officer to accompany elected delegates or have them appointed as delegates in addition to elected delegates to ensure the senior management of the member councils become more informed of MERC activities and involved in them;
- iii. members to be informed of the items in i and ii.
- Business Arising from the Notes of Executive Committee Meeting held on 31st May 2022 - Nil
- 10. Delegates Reports Nil.
- 11. Executive Officer's Report Dealt with in Item 7
- 12. General Business
  - (a) Life Memberships

**OM 16/2022** Resolved (Loane/Cr Duffy) that consideration of the nominations for life memberships for Owen Hasler and Peter Shinton be referred to the next Executive Committee meeting to consider when a quorum is present as per protocol.

# (b) Two Year Terms

**OM 17/2022** Resolved (Loane/Cr Duffy) that consideration of the two-year terms be referred to the Executive Committee for consideration.

#### (c) Next Meetings

OM 18/2022 Resolved (Loane/Cr Duffy) that:

(i) the next Ordinary meeting of MERC to be in Sydney 2<sup>nd</sup> September 2022; and (ii) the date of the next Executive Committee to be determined by Chair in consultation with Executive Committee and Executive Officer.

#### (d) Membership of MERC

**OM 19/2022** Resolved (Cr Ferguson/Cr Banasik) that the Executive Officer make appropriate arrangements to meet with Mayor of the Council involved to discuss their membership options.

#### (e) REZ Working Party

**OM 20/2022** Resolved (Cr Ferguson/Cr Duffy) that MERC write to the Minister for Energy & Treasurer requesting that our Association be part of the REZ Working Party being proposed by Mike Young, Executive Director-Planning & Communities, Energy Co, Department of Energy & Climate Change on the following basis:

- (i) there are many broader issues involved with councils in and out of the REZ's with renewable energy;
- (ii) MERC is the most appropriate entity to assist the government with the smooth roll out of their programs, given our involvement with Ministers and senior bureaucrats on working parties in the past.

#### (f) Illawarra Freight Movements

Cr Deeth outlined the issues that are being experienced with coal freight movements in the Illawarra and involvement of MERC in discussions with the Illawarra Chamber of Commerce on how MERC can assist. He will contact the CEO of Illawarra Chamber of Commerce to discuss with MERC EO

#### (g) Renewable Energy Sector

Cr Ferguson suggested that the Executive Officer scan the renewable energy sector for appropriate entities that may benefit our exposure and membership if MERC became a member eg Clean Energy Council, Re-Alliance, Renew, APPEA etc.

# (h) Dendrobium Coal Mine Extension Determination

Cr Blakey informed delegates that the IPC rejected the approval of the State Significant Infrastructure Development for Dendrobium Mine and now it goes to the Minister to determine.

#### Close – the meeting closed at 1.10pm

The minutes (pages 1-4) were confirmed at a meeting of the Ordinary Meeting held on the 2<sup>nd</sup> September 2022 and are a concise and accurate record of proceedings of the Ordinary General meeting held on 3<sup>rd</sup> June 2022.

# Cr Michael Banasik, Chairperson ATTACHMENT B - EXECUTIVE OFFICER'S REPORT

#### (a) Correspondence

The attached list of inwards and outwards correspondence and their status is submitted as information and for decision where required. **Refer Attachment C.** 

#### Recommendation:

That the correspondence be received and noted.

#### (b) Finance Report 1/4/22 - 30/06/22

The details of the Finance Report consisting of the Balance Sheet, Profit and Loss Statement, at  $30^{th}$  June 2022, Budget Comparison for the year to  $30^{th}$  June 2022 and the Budget for 1/7/22 - 30/6/23. **Refer Attachment D.** 

MERC has funds under investment of \$45,876.49 at 30<sup>th</sup> June 2022 on a low fixed interest rate, this will change when interest is added but slightly due to the low rate. Overall MERC is in a sound financial position, with cash on hand as at 24<sup>th</sup> August 2022 of \$174,346.96. Note \$50,000 to go back to reserves under investment. This quarter

This strong position is due to the prompt payment of fees for this year already and the outstanding fees from 2021/22 year.

#### Recommendation:

That the information be noted.

#### (c) Meetings with Ministers & Senior Staff Update.

Despite the difficulties experienced with Covid and getting speakers to meetings generally, efforts continue to line up meetings with Ministers and senior bureaucrats, Opposition parties and relevant agencies/entities for delegates to have meetings with them when in Sydney or regions.

Mike Young, Energy Co, Executive Director Planning & Communities will be attending following up on his presentation on Regional Energy Zones (REZ) last meeting to talk generally with delegates on the REZ issues and how MERC can be part of the solution in a working party or other entity. He will be accompanied by Matthew Sprout, Director Planning & Policy, Energy Co.

Lana Hall Program Manager and Steven Wills, Executive Director Programs, Department of Regional NSW on Resources for Regions Round 9.

#### Recommendation:

That the information be noted.

#### (d) Membership Update

Narrabri Shire Council has resolved to attend the next meeting of MERC to undertake a value proposition on re-joining MERC, with Mayor Ron Campbell and General Manager Rob Williams attending the meeting. Cr John Clements from Narrabri Shire Council will also be in attendance to assist with the assessment of this process, which is a positive.

#### Recommendation:

That the information be noted

(e) Submissions Update - Nil outstanding.

#### Recommendation:

That the information be noted

**(f)** Progress Report on Outstanding Decisions of Assoc – Refer Attachment E Attached is a schedule of outstanding decisions, for the information of delegates. Decisions are being addressed in a timely manner as outlined.

#### Recommendation:

That the information be noted

(g) Progress Report - Actions in Strategic Plan 2020 – 2023. Refer Attachment F Attached is a schedule on the progress of actions from the Strategic Plan, for the information of the delegates. Additional comment on the relevant actions taken to date and progress with incomplete actions, are as outlined in the attachment.

#### Recommendation:

That the information be noted.

#### (h) Renewable Energy Zones (REZ) Update

The scope of the REZ Reference Group is to provide advice to EnergyCo NSW to protect partners on matters related to the design and development of the Central West Orana REZ; on issues and concerns held by regional stakeholders and how these may be managed; how to best maintain effective ongoing consultation and engagement with the community. The same is being set up for the New England REZ, Southern REZ., Hunter & Central Coast, Illawarra REZ and South Western REZ

The Executive Officer is part of the NSW Reference Groups as MERC is statewide to represent all mining & energy related councils on the issues and to report back to MERC on them, if needed. Individual Councils affected by the REZ's are still be part of the reference group and will be invited as required in each of the zones.

Attending the reference groups in person was affected by Covid with most meetings held virtually which loses the personal attendance impact. Minutes are distributed when received and meetings attended where practicable. The consultation process has now changed.

What is emerging is that there are a lot of concerns being raised by communities in these Regional Energy Zones with the location of transmission lines & impacts of them on property values, compensation, land use conflicts and the consultation process.

(Refer the MERC submission forwarded to delegates which outlines these and feedback from Councils in the REZ's that feel their issues are not being heard and the focus appears to b on getting developments up and running at the expense of addressing the impacts on communities).

The NSW Government has developed processes to overcome these issues – by identifying infrastructure project roles, engaging & consulting etc as outlined below but they don't seem to be working.

<u>"Consultation on REZ network infrastructure projects</u> In assessing and making recommendations about REZ network infrastructure projects, the Infrastructure Planner must consult with following:

- a. AEMO:
- relevant operators in the REZ; and
- b. each local council in the REZ.(EII Act Sec 30(3).

Consultation will include seeking advice and considering feedback on the project scope, options considered as well as social licence considerations. Further, views from local communities, including First Nations groups and other relevant stakeholders, including prospective generation projects and consumer advocates will be considered.

<u>Community engagement principles and requirements</u> The Infrastructure Planner's recommendation is to include how local communities and stakeholders were consulted through the options assessment process and how their feedback was considered.

<u>Engagement principles</u> In seeking the views of local communities and other stakeholders, the Infrastructure Planner will be guided by the following principles:

- engage early and often with a broad range of stakeholders and local communitiesincluding potentially affected landholders, local First Nations communities, special interest groups and local Councils;
- tailor communications materials and engagement methods to meet the needs of different stakeholders and facilitate meaningful participation;
- c. be responsive and respectful in dealings with stakeholders and local communities; and
- d. provide project information that is clear, accurate, relevant, and up-to-date.

  Engagement requirements

<u>Requirements</u> To meet these principles and demonstrate how the views of local communities and stakeholders have been taken into account in assessing and making recommendations about REZ network infrastructure projects, the Infrastructure Planner will use its best endeavours to implement the following core engagement requirements:

- e. establish an engagement approach and communications framework that is tailored to the needs and values of local communities and stakeholders;
- f. provide opportunities for local communities and stakeholders to meaningfully participate in the transmission route planning process;
- g. provide clear, transparent and publicly accessible information that outlines how the outcomes of community and stakeholder engagement have informed decision-making about transmission route planning; and
- h. Inform communities and stakeholders about how and when they will be engaged and how the Infrastructure Planner will take feedback into account."

When Mike Young addressed delegates at our meeting on 3<sup>rd</sup> June 2022 he indicated that there were <u>Social Licence Issues</u> being experienced by the REZ rollouts as follows, p 8:

- "Transmission development is becoming increasingly controversial in local communities, with communities already raising the following concerns:
  - compensation compensation is not sufficient and is not consistent with wind farms and other similar infrastructure
  - consultation consultation is not genuine, does not occur early enough and there is limited ability to influence route design o
  - land use conflict impacts on prime agricultural land and need to prioritise use of public land rather than private land o
  - cost recovery limitations in current regulatory regime to recover additional compensation payments.
- Loss of social licence has the potential to delay the rollout of transmission infrastructure which would jeopardise energy security, slow NSW's transition to net zero emissions and increase electricity costs for consumers.
- To avoid this, the government will need to actively build community support for the transmission rollout.

Opportunity for MERC: One of the suggestions with the membership review survey was to improve the MERC "value proposition" (similarly to what MERC did with VPA's and Resources for Regions) by setting up a working party with the senior bureaucrats involved in the REZ's and Energy to improve the level of communication and to address issues raised with the approval process as outlined in the submission to the Agriculture Commissioner and by delegates at previous meetings.

I have arranged for Mike Young and Mathew Sprott from EnergyCo to attend our next meeting to discuss the issues, consider setting up a working party and how this can benefit MERC and the REZ's. I have also sent a letter to Minister Kean requesting he consider setting up the working party and having MERC part of it (following Mike's presentation to our last meeting) plus to come to our meeting on 3<sup>rd</sup> September to discuss with delegates but to date no response.

Andrew Bray, CEO RE-Alliance will also speak at the meeting on the latest renewable energy developments for the information of delegates.

#### Recommendation:

That information be noted

# (i) Membership O2N

Delegates considered a membership proposal from Orana RDA to be part of the Orana Opportunity Network (ON2) and participation in the UNSW Research Project on the Economic Impacts of Mine Automation in the NSW Orana Region.

MERC subsequently resolved to join on a 12-month trial basis as a bronze member for \$1320 inc GST. Regular newsletters are received from Orana RDA and any information of interest is relayed to delegates.

Recent approaches from CEO RDA Orana (Megan Dixon) have been to seek MERC's assistance as a partner to O2N chasing grant funding for the following two projects:

(a) <u>Development of a Business Case to establish a Zero Emissions Business</u> Incubator & Innovation Zone.

The NSW Government has a Regional NSW – Business Case and Strategy Development Fund, which closes this Wednesday. O2N intends to seek funding to progress the business case, with a focus on 2 specific consultancies:

- Stakeholder engagement to consolidate and negotiates partnerships, design requirements, detailed feasibility and development of the operations and governance structures for the facility and the
- Design and documentation for the development of the Zero Hub buildings, as per the specs developed from the first consultancy.

This facility can be a catalyst to put the regions on the map for resources and energy, as identified by industry when we were doing our industry planning for O2N.Our focus is to drive innovation, collaboration and advancement in the resources, energy and construction sectors on a global scale.

It is intended that the facility be based on strong partnerships between industry, governments, education providers, researchers, and the community, and enable strong collaboration is critical in shaping the future of the METS and resources sector not only in the region but internationally.

The facility will build on and support the activity occurring across the region; including the establishment of the renewable energy zone, the critical minerals hub and the efforts by industry to move towards zero emissions production.

(b) <u>Development of a Business Case to Undertake a Transport Study for the Golden Highway</u>

The NSW Government have funding available for business cases, and RDA Orana are planning to seek funding to update and expand the study done in 2013/14 to include rail and air as well as road; to take into account new projects including Inland Rail, mining and renewable energy developments.

RDA Orana know that studies are being done by NSW Transport but feel that this study will plug any gaps and enable their local Government partners and them to advocate for improvements. It will also take into account three modes of transport between the two regions and the flow of goods both from the Orana as well as the flow of goods from the Hunter.

Letters of support were provided to RDA Orana to support the two projects on the basis that member Councils will benefit by the projects. CEO and Director Regional

Development RDA Orana Megan Dixon will be speaking to delegates to outline the progress with O2N and MERC's involvement in the need to provide letters of support for these two studies.

#### Recommendation:

That information be noted

#### (j) Resources for Regions Round 9 Update

The NSW Government has committed \$140m for Round 9 of the Resources for Regions program as part of the \$3.3 billion Regional Growth Fund to provide for community programs and infrastructure projects, including an expanded level of support for communities where gas exploration may occur (Moree Plains, Narrabri and Liverpool Plains Shire Councils).

There is a base amount of \$2m with further weighted funding based on the mining employment location quotient and an additional allocation based on the prevalence of tenements (mines). Reference to the Council's Community Strategic Plans, Regional Economic Development Plans and Destination NSW Marketing Plans are to be used/considered when looking at community needs. Councils can work with Joint Organisations and is encouraged.

The applications are open for 7 weeks from 12<sup>th</sup> August 2022 and close 30<sup>th</sup> September 2022. The estimated royalties paid by mining companies in 2018 was \$1.12 billion, so \$140m back into affected mining communities whilst Councils are appreciative but is still short of meeting requirements of those Councils that don't have a mine but are affected by mines in their neighbours LGA's eg Forbes Shire Council where miners live, water supply, etc.

In affect the approval of mining generates a lot of money for the government but very little goes back into the LGA's where the mines are, subsiding the rest of the governments' activities eg Royalties for Rejuvenation is one program. Steve Galiliee, CEO NSW Minerals Councils will be addressing delegates on what mining is doing to address emissions and use renewable energy and he might like to comment on the Resources for Regions and Royalties for Rejuvenation program.

#### Recommendation

That information be noted

# (k) Royalties for Rejuvenation. - Regional Expert Panels

The NSW Government will set aside at least \$25m pa from mining royalties to support coal mining communities in NSW through the Royalties for Rejuvenation Fund. 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.

The coal mining industry plays an important role in the workforce and economy of NSW, producing around 80% of the state's electricity supply and supporting over 100,000 direct and indirect jobs.

The NSW Government's Royalties for Rejuvenation Fund is supposed to ensure coal mining communities have the support and funds they need to diversify their economies for a strong and vibrant future.

To do this, the NSW Government is currently establishing Regional Expert Panels to provide regionally specific advice on funding applications and to ensure decision making is aligned with the needs of the local area. Applications opened 8<sup>th</sup> August for 4 REP's – Hunter, Illawarra, Central West & North West and close 5<sup>th</sup> September through Hudson Executive.

Councillors are not eligible to be on the panels. Applicants are to have knowledge of the commercial and economic activity of the affected coal mining regions, can represent groups that favour a move away from coal mining and can provide innovative, transparent and informative advice.

#### Recommendation

That information be noted

#### **General Business**

- (a) Speakers as listed to note;
- (b) Location & Venue for Next meetings to discuss:- November 11th Dubbo and Mini Conference engagement of experts to arrange the event, speakers, etc;
- (c) 2 Year Terms for Executive Committee to discuss;
- (d) Life Memberships to discuss

Greg Lamont, Executive Officer, 25th August 2022

# ATTACHMENT C - CORRESPONDENCE June - August 2022

Month	From/to	Subject	Action	Status
June/Aug	CIBIS	Web page Updates	Newsletters/on webpage.	Information
June/Aug	EO to/from MERC delegates.	Newsletters, emails, information, meeting attendances, etc	Seeking responses or providing information.	For information
June/Aug	CRC TIME	Being kept informed of progress	Information received	For information
June/Aug	Club York & Italian Rest	Arranging dinner & meetings Sept	Booked for meeting 2 <sup>nd</sup> Septs	For information
June/Aug	CEC, Indust Careers & Renew Econ	Daily emails on coal & renewable energy matters of interest	Reported matters that are relevant to delegates in monthly newsletters	For information
June/Aug	Megan Dixon	Newsletters Orana RDA/O2N	Information received	Information
June	Minister Kean	Letter re MERC on Working Party REZ roll outs	Sent & request Minister to attend next meeting 2 <sup>nd</sup> Sept	Minister or Senior Staff to attend
June	Gunnedah GM	Response Letter re Membership	To have meeting with Mayor	For Information
June/Aug	GM Lachlan Shire Council, Greg Tory	Clarification-when does a Mine commence operations for Rating purposes	EO contacted relevant Councils. GM taking matter to Oct LGNSW Conference	For Information
June/Aug	LGNSW	Weekly Newsletters	Information received	For Information
June/July/ Aug	CEO Steve Galilee	NSW Minerals Council	To attend Sept mtg	For Information
Aug	GM Narrabri Shire Council	Invitation to join MERC	Report to NSC Mtg 23/8/22	For Information
Aug	Mike Young, Energy Co Ex Director	REZ Rollouts	Liaison with MERC involvement on REZ Working Party	To attend mtg 2 <sup>nd</sup> Sept
Aug	CEO RE - Alliance	Address delegates on latest with Renewable Energy Issues	RE-Alliance working closely with Clean Energy Council and communities	To attend mtg 2 <sup>nd</sup> Sept
Aug	Regional NSW Staff-Alison Treloar	Resources for Regions Round 9 (R4R9)	R4R9 been released Awaiting confirmation of a speaker for mtg	For Information
Aug	DPIE/ Regional NSW	Royalties for Rejuvenation	Research on the establishment of panel of experts Councillors are excluded!!!!	For information
Aug	Megan Dixon CEO RDA Orana	O2N Zero Business Incubator & Innovation Zone &Transport Study	Letters of Support from MERC for Grant Funding Business cases	To attend meeting 2 <sup>nd</sup> Sept

# ATTACHMENT D - FINANCIAL REPORT 30th June 2022

# BALANCE SHEET - 30/06/22

Assets				
Current Assets				
Bank Accounts				
Business Bank Account -CBA	\$63,878.86			
Credit Card	\$3,390.09			
Term Deposit	\$45,876.49			
Total Bank Assaults		<b>\$442.445.44</b>		
Total Bank Accounts		\$113,145.44		
Other Current Assets				
Trade Debtors –Memberships Not Paid	\$16,204.75			
Total Other Current Assets		\$16,204.75		
Total Current Assets			\$129,350.19	
Non-Current Assets				
Office Equipment				
Office Equipment At Cost	\$976.00			
Accum. Depr. Office Equipment	\$0.00			
Total Office Equipment		\$976.00		
Total Non-Current Assets			\$976.00	
Total Assets				\$130,326.19
<u>Liabilities</u>				
Current Liabilities				
GST Liabilities				
GST Collected	\$14,451.04			
GST Paid	(\$14,048.45)			
GST Adj	(\$0.59)			
	\$402.00			
Total GST Liabilities		\$402.00		
Total Current Liabilities				
Trade Creditors	\$0.00			
Total Liabilities		\$0.00		\$402.00
Total Elabilities				Ψ+0∠.00
Net Assets				\$129,924.19

# PROFIT & LOSS 30th June 2022

Income				
Membership Fees			\$136,252.96	
Reimbursement - Term Deposit			\$50,000.00	
ATO Refund			\$306.00	
General Meetings			\$0.00	
Total Income				\$186,558.96
Gross Profit				\$186,558.96
Expenses				
General Expenses				
Executive Officer Contract		\$132,354.62	Includes GST	
Reimbursement of Credit Card		\$3,142.40		
Expenses paid on Credit Card:				
Travel Expenses	\$1,200.16			
Office Expenses	\$7.00			
Fair Trading	\$82.00	\$1,289.16		
Executive Officer – Exp Reimb				
Meeting Expenses	\$1,821.73			
Telephone	\$462.00			
Travel Expenses	\$2,562.12	\$4,845.85		
Bank Fees		\$31.50		
Insurance		\$2,480.00		
LGNSW Conference Expenses		\$7,389.87		
Consultant's fees		\$3,190.00		
Membership O2N Orana RDA		\$1,320.00		
Web Page Expenses		\$692.01		
Total General Expenses			\$156,735.41	
Total Expenses				\$156,735.41
Operating Profit				\$29,823.55
Other Income				
Interest Income			\$73.36	
Total Other Income				\$73.36
Total Other Expenses				\$0.00
Net Profit/(Loss)				\$29,896.91

# **BUDGET COMPARISON AS AT 30th June 2022**

		Expended to	Expenditure
Operating Expenditure	Estimate	31/06/2022	Remaining
Audit Fees	0.00	0.00	0.00
Legal Expenses	0.00	0.00	0.00
Equipment purchases and repairs	1,000.00	0.00	1,000.00
General Meetings	2,000.00	1,289.16	710.84
Insurances	2,600.00	2,480.00	120.00
Travel & Accom - Chairman	2,000.00	0.00	2,000.00
Travel & Accom - Other	2,000.00	0.00	2,000.00
Web Page & Computer	3,000.00	692.01	2,307.99
Executive Officer Contract (inc GST)	130,000.00	132,354.62	-2,354.62
Executive Officer Expenses	12,000.00	4,845.85	7,154.15
Conference Expenses	4,500.00	7,389.87	-2,889.87
Membership Fees	0.00	1,320.00	-1,320.00
Consultants - Other	5,000.00	3,190.00	1,810.00
Credit Card	5,000.00	3,142.40	1,857.60
Bank Fees	40.00	31.50	8.50
	169,140.00	156,735.41	12,404.59
GST Liabilities	1,000.00	0.00	1,000.00
Total Operating Expenditure	170,140.00	156,735.41	13,404.59

Operating Revenues	Estimate	Revenue to Date	Revenue Remaining
Membership fees	152,457.71	136,252.96	16,204.75
General Meetings	2,500.00	0.00	2,500.00
ATO Refund / Payable	0.00	306.00	-306.00
Sundries	100.00	0.00	100.00
Transfer from Reserves*	20,000.00	50,000.00	-30,000.00
Interest on Investments	200.00	73.36	126.64
	175,257.71	186,632.32	-11,374.61
Operating result - Surplus/(-Deficit)	5,117.71	29,896.91	-24,779.20

<sup>\*(</sup>NOTE: \$50,000 reimbursed from Reserves instead of \$20,000 in budget due to cashflow needs (membership fees slow to be paid but were paid early July 2022), result would have be \$30,000.00 - \$24,779.20 = \$5220.80 a small surplus for the year against the budget)

# BUDGET COMPARISON for 1/7/22 - 30/6/23

			Expenditure
Operating Expenditure	Estimate		Remaining
Audit Fees	0.00	0.00	0.00
Legal Expenses	0.00	0.00	0.00
Equipment purchases and repairs	1,000.00	0.00	1,000.00
General Meetings	2,000.00	0.00	2,000.00
Insurances	2,600.00	0.00	2,600.00
Travel & Accom - Chairman	2,000.00	0.00	2,000.00
Web Page & Computer	3,000.00	0.00	3,000.00
Executive Officer Contract	135,000.00	0.00	135,000.00
Executive Officer Expenses	12,000.00	0.00	12,000.00
Conference Expenses	7,000.00	0.00	7,000.00
Membership Fees	1,500.00	0.00	1,500.00
Consultants - Other	5,000.00	0.00	5,000.00
Credit Card	5,000.00	0.00	5,000.00
Bank Fees	40.00	0.00	40.00
	176,140.00	0.00	176,140.00
GST Liabilities	1,000.00	0.00	1,000.00
Total Operating Expenditure	177,140.00	0.00	177,140.00

Operating Revenues	Estimate	Revenue to Date	Revenue Remaining
Membership fees	136,519.69	0.00	136,519.69
General Meetings	2,500.00	0.00	2,500.00
ATO Refund / Payable	0.00	0.00	0.00
Sundries	100.00	0.00	100.00
Transfer from Reserves*	20,000.00	0.00	20,000.00
Interest on Investments	100.00	0.00	100.00
	159,219.69	0.00	159,219.69
Operating result - Surplus/(-Deficit)	-17,920.31	0.00	-17,920.31

<sup>\*(</sup>NOTE: \$20,000 projected to reimbursed from Reserves, if needed for cash flow)

# <u>ATTACHMENT E</u> <u>REPORT ON OUTSTANDING DECISIONS - 30/6/22</u>

Meeting	Min No	Subject	Decision	Status
Ex Com Mtg 8.11.18 & Ordinary Mtg 9.11.18	OM 36/2018	Notice of Motion  – Development of Renewable Energy Policies	That the Executive Committee of the Association of Mining & Energy Related Councils (NSW) Incorporated, urgently commence to develop policies regarding energy sources such as fossil fuel, wind, solar, coal seam gas, etc. The policies are on a as required basis to be created in consultation with the NSW State Government and the members.	Ongoing. CSG Policy adopted 2019. No other Policies under consideration to date.
AGM 27.11.20	AGM 8/2020	Audit Report on Financials Statements by Member CFO to be presented to AGM	That the EO arrange for an annual review/audit report on the Financial Statements by an experienced qualified Local Government CFO or equivalent to present a report to accompany the annual Financial Report, as "best practice."	To be actioned for Nov 2022 AGM
ECM 23.2.21	ECM 7/2021	NSW Audit Office	That EO seek advice from NSW Audit Office on requirements for having an annual audit report of MERC's financials by either member CFO or a registered audit firm or accounting entity.	To be actioned for Nov 2022 AGM
ECM 23.2.21 OM 3.6.22	ECM 10/2021 OM 17/2022	2 Year Terms Executive Committee	Take the matter to Executive Committee for decision on 31st May 2022. Deferred to Ex Comm meeting 30th August for consideration and recommendation to Ordinary meeting.	To be actioned for AGM in Nov 2022 if agreed

# ATTACHMENT F QUARTERLY REVIEW OF 2020 – 2023 STRATEGIC PLAN As at 30/06/22

#### STRATEGIC DIRECTION 1 - ADVOCACY

- 1. To ensure member Councils are heard.
- 2. Generating a dynamic and respected voice, effectively representing member Councils.

Deliverables	Actions	Outcomes	Performance Measure	Milestone – 2020/23	Key Performanc e Indicators	Status
Foster positive government & industry relationships.	Invitations issued to Ministers/Sh adow Ministers, other political parties and relevant senior staff and industry leaders to attend meetings, & to meet with MERC delegations.	An ongoing dialogue built on mutual trust and bi –partisanship	Number of Ministers, Shadow Ministers & Senior government officials attending MERC quarterly meetings & level/ number of delegations to govt	The no of .     ministers, senior officers & Shadow Ministers attend MERC meetings 2. Number of reports to govt on delegations per year.	At least one high level Government or Industry presenter to address priority issues of MERC at each Quarterly meeting	Speakers at every meeting.
Communicate with councils and media	Remind, promote & position councils as key to representing communities on mining & energy development s to add value to their communities	The promotion of LGA's as the key to equitable representing of their communities	1.Number of events/ workshops conducted on best practice for DA assessments, policy development & processes; 2. Contacts with renewable energy peak bodies.	Meetings are held during the year with members and industry entities. Conduct events/workshop s with members.	Evidence of events held for member councils and renewable Energy sector peak bodies meetings & corresponde nce.	Delegates informed at Meetings on contacts with members, workshops held and industry participatio n.
Representation on government committee's and taskforces.	Encourage MERC delegates to be part of relevant government and industry working parties, forums and panels	Ongoing positive relationships with working groups to ensure member Councils receive strong representation and a fair hearing for their projects and concerns.	No of entities that MERC is a delegate to. Reports by delegates on government working parties to MERC at Quarterly meetings.	Delegates to report to MERC as required.	No of delegates reports presented to MERC.	Where MERC has delegates their reports are provided to each MERC meeting

Comments: Ongoing. Only delegate is EO to the REZ Reference Groups at this stage plus invited Councils when invited or held. Invitations issued to Ministers to attend meetings. Workshops and events yet to be planned, tours by host Council & speakers being used to inform delegates of industry changes. Mike Young addressed delegates 3<sup>rd</sup> June 2022 on possibility of establishing another working party for REZ with MERC involved. Attending meeting on 2<sup>nd</sup> Sept to explore further.

# STRATEGIC DIRECTION 2 - RESOURCING

- 1. Resourcing to support member Councils.
- 2. Strengthening local capacity of member Councils through the sharing of expert knowledge and skills.

Deliverables	Actions	Outcomes	Performance Measure	Milestone – 2020-23	Key Performance Indicators	Status
Closer Collaboration with members & their technical staff	Expand the influence of MERC members with relevant council staff to "share lessons learnt" on DA's and council processes.	A sound working relationship is established with member council staff on knowledge sharing, policy development & planning processes	The conduct of events/workshop s with member technical staff on best practice with planning processes.	Arrange for events and workshops with member staff. Develop a culture of "lessons learnt" with council staff. Organise event workshops	No of events/ and workshops held. No of Technical staff involved in "lessons leamt" & presentations to MERC delegates	DTS Orange City Council addressed delegates on sustainable water management in competing growth areas involving mining
Sponsor, showcase and share MERC expertise	Sponsor and showcase an event to demonstrate a culture of resource sharing across the Association members.	Member Council are more informed on best practice in the assessment of DA's, policy development and planning processes.	The development of a strategy to showcase an event to Local Government	Showcase an event to Local Government and MERC members	No of events showcased.	None organised at this stage.
Marketing the benefits of MERC membership	Develop and implement a marketing campaign for the branding and ongoing growth of MERC	A revised and revitalised campaign will drive council enquiries and increased membership	Marketing campaign developed and implemented.	Undertake and implement a marketing campaign to attract members.	No of new members attracted. Assessment of marketing strategies annually	Marketing campaign developed in part. Attendance at LGNSW Conference March 2022 , Part of REZ Reference Group,

Comments: More to be done in these areas in approaching members interest, however with the participation in the REZ Reference Groups at Central, New England, Riverina & South West will expose MERC to more potential members than in the past. Tours by host council sustainability staff organised for each meeting where possible.. Consideration of mini conference underway fro 2023

# **STRATEGIC DIRECTION 3 - EMPOWERING**

- 1. Develop position statements to empower member Councils.
- 2. Empowering member Councils with the tools to design, plan and negotiate for the benefit of their communities.

Deliverables	Actions	Outcomes	Performance Measure	Milestone – 2020/23	Key Performance Indicators	Status
Renewable Energy	Review NSW Govt policies and plans on Renewable Energy to inform members of the issues for their determination and actions.	MERC will have provided members with relevant information on Renewable Energy for their individual policy consideration	Level of involvement of MERCP with government agencies and entities involved with Renewable Energy policy and processes	Renewable Energy production information available.	Attendance at REZ Reference Group mtgs and distribution of minutes to members;     No of submissions pa to government on Renewable Energy issues.	EO now part of NSW REZ Reference Groups to feed issues back to members. Submission on Renew Energy & Agric May 2022
Emerging Issues	Provide members with relevant information on mining & energy production emerging issues.	Members will have up to date information on emerging issues as they evolve for informed decision making.	Presentation of information to members on emerging issues via newsletters, emails and submissions to government	Information and position statements on emerging issues provided to members.	1.Regular distribution of relevant information on emerging issues provided to members.	The provision of the Monthly Newsletter to keep MERC abreast of emerging issues is occurring
Research Sponsorship	Research fellowships will be offered to inform MERC on relevant areas of concern – socio economic impacts, consultation, rehabilitation. etc	Member Councils will have the benefit of expert advice and MOU'S with relevant major universities.	Research proposals presented to MERC.	Proposals presented for consideration to MERC as they evolve.	1.No of PhD research students engaged; 2.No that present to MERC meetings each year; 3.No of MOU's signed with Universities to research specific issues	Ongoing see reports in Business paper on status with ON2 & UNSW plus the CRC TIME with UWA & QU.

Comments: Trial bronze membership with ON2 linkage to UNSW with usage of automation in mining and impacts of this on communities and CRC TiME partnership. CEO RDA Orana speaking on O2N Grant application Zero Business Incubator & Innovation Fund & Transport Study for Golden Hwy.

# 14 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

#### 14.1 COUNCIL LIBRARY DELEGATE TO ATTEND NSW PUBLIC LIBRARY CONFERENCE

Responsible Officer: Donna Ausling, Director Planning and Strategy

Author: Scott Pollock, Manager Cultural Facilities

Attachments: 1. SWITCH 2022 program  $\downarrow$  🖺

#### **DELIVERY PROGRAM ALIGNMENT**

1 Society - An empowered, inclusive and connected community

Objective 1.2 A vibrant and connected community

Strategy 1.2.2 Develop, maintain, and enhance quality community spaces and facilities

# **EXECUTIVE SUMMARY**

The NSW Public Libraries Association (NSWPLA) holds the SWITCH conference yearly which is an informative and thought-provoking conference for library delegates. Keynote speakers are from diverse backgrounds and specialties, providing a valuable opportunity to listen to experts in the library field.

#### RECOMMENDATION

- 1. That Council:
  - a. Receive and note the Report.
  - b. Authorise the attendance of a Councillor to attend the NSW Public Libraries Association (NSWPLA) 2022 SWITCH Conference.

# **BACKGROUND**

The NSWPLA Conference will be held in Albury, NSW, from 8 November to 12 November 2022. A copy of the conference program is enclosed for the information of Council.

#### **CURRENT SITUATION**

Council's library delegate generally attends the NSWPLA conference annually. Cr Redding is Council's appointed delegate and is also currently the Chair of the North East Zone of the NSWPLA.

Accordingly, Council's authorisation for the appointed delegate to attend the upcoming Conference is sought.

#### FINANCIAL IMPLICATIONS

• Conference: \$750

Travel and accommodation: \$1500

#### STATUTORY AND POLICY IMPLICATIONS

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

# **CONSULTATION**

# **External Consultation**

• NSW Public Libraries Association.

# **Internal Consultation**

• Narrabri Shire Council Library Coordinator.



# Draft Program as of 13-Apr-2022

	REGISTRATION (Tue Nov	78)
	5.00pm - 7.00pm	Registration
	5.30pm - 7.30pm	Welcome Reception & Opening of Trade Exhibition A great way to begin SWITCH 2022 Sponsored by JAMES BENNETT
	6.00pm	Awards Presentations: TBC



#### PLATINUM SPONSOR



DAY 2 (Thu Nov 10)		
8.30am - 9.00am	Coffee and Registration	
THEME: Connect		
9.00am - 9.05am	Welcome Back	
9.05am - 10.00am	TOPIC: Creating Your Brand Rebecca Saunders	
10.00am - 10.45am	PANEL SESSION: Reading and Writing Festivals in NSW Libraries	
10.45am - 11.00am	MORNING TEA & NETWORKING	
THEME: Community		
11.15am – 11.35am	State Library Address Dr John Vallance, State Librarian, State Library of NSW	
11.35am – 12.20pm	TOPIC: (title TBC) Michael Campbell, Westwords	
12.20pm – 1.00pm	TBC	
1.00pm - 2.00pm	LUNCH	
	THEME: Community	
2.00pm – 2.30pm	Bolinda - Platinum Sponsor Session	
2.30pm - 3.00pm	ТВС	
3.00pm - 3.30pm	AFTERNOON TEA & NETWORKING	
THEME: Collaborate		
3.30pm – 4.00pm	TOPIC: ALIA and Professional Pathways ALIA CEO	
4.00pm - 4.45pm	ТВС	
4.45pm – 4.50pm	TBC	
4.50pm – 5.00pm	Conference Acknowledgements and Farewell Cr Dallas Tout, NSWPLA President	
7.00pm until late	Farewell Reception	

DAY 3 (Fri Nov 11)		
ANNUAL GENERAL MEETING		
9.00am - 9.30am	Registration	
9.30am - 11.00am	Annual General Meeting	

# 15 OUR ENVIRONMENT



# 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

# 15.1 DRAFT NARRABRI FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN

Responsible Officer: Donna Ausling, Director Planning and Strategy

Author: Michelle Henry, Manager Planning and Development

Attachments: 1. Draft Narrabri Floodplain Risk Management Study - Public Exhibition

Copy (under separate cover)

2. Draft NFRMS Appendix A (under separate cover)

3. Draft NFRMS Appendix B (under separate cover)

4. Draft NFRMS Appendix C (under separate cover)

5. Draft NFRMS Appendix D (under separate cover)

#### **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**

The Draft Narrabri Floodplain Risk Management Study and Plan was reviewed and discussed at the meeting of the Narrabri Floodplain Risk Management Advisory Committee (FRMAC) held 8 August 2022 and is now recommended to Council to endorse for the purposes of public exhibition.

# **RECOMMENDATION**

- 1. That Council endorse the *Draft Narrabri Floodplain Risk Management Study and Plan* for the purposes of public exhibition.
- 2. That Council place on public exhibition the *Draft Narrabri Floodplain Risk Management Study and Plan* for a period of at least 60 days and during the exhibition period call for and accept submissions from the public on the draft Plan.

#### **BACKGROUND**

Councils are required by the NSW State Government to undertake a Floodplain Risk Management Study and Plan. This will determine which land has the potential to be affected by flooding, and to investigate possible mitigation measures to reduce and eliminate the negative impacts that flooding can have on communities.

WRM Water + Environment were engaged to prepare the Narrabri Floodplain Risk Management Study and Plan which has been completed and is in draft format. The study modelled and reviewed a number of scenarios and examined a range of measures to mitigate risk for our community. This included infrastructure changes such as channel upgrades and new levees, as well as house raising and voluntary house purchasing in some instances. Planning controls have also been reviewed leading to recommendation for some proposed changes in zoning, and also to building and development controls. The location of Emergency Evacuation Centres and new systems for flood warnings were also investigated.

#### **CURRENT SITUATION**

A Councillor briefing session was held on 2 August 2022 where Councillors were provided with a presentation by lead project consultant Greg Roads (WRM) and Stakeholder Engagement Specialist Cate McMahon (Wisepoint). This briefing afforded an opportunity to review the draft study, pose any questions regarding the documentation and review the potential implications in terms of risk to property and life, flood hazard and proposed planning controls.

Extensive community engagement and consultation is proposed in relation to this initiative. A Stakeholder Engagement Strategy (SES) has been prepared to identify and work with the key stakeholders and inform the community whilst also identifying concerns and proactively managing community expectations and responses. An extended public exhibition period of sixty (60) days is proposed.

#### FINANCIAL IMPLICATIONS

The Narrabri Floodplain Risk Management Study and Plan has been partially funded by Council in conjunction with a grant from the NSW Department of Planning and Environment (Office of Environment and Heritage) Flood Grants department.

#### STATUTORY AND POLICY IMPLICATIONS

Detailed in the body of the report

#### CONSULTATION

Following resolution of Council, the *Draft Narrabri Floodplain Risk Management Study and Plan* will be placed on public exhibition for an extended period of sixty (60) days. During this exhibition period Council will call for and accept submissions from the public on the Draft plan.

#### **External Consultation**

- WRM Water + Environment.
- Narrabri Shire Floodplain Risk Management Advisory Committee.
- Wise Point.
- NSW Department of Planning and Environment (DPE).

# **Internal Consultation**

- Director of Planning and Strategy.
- Planning and Development team.

#### 15.2 PROPOSED LEASES TO NAMOI AERO CLUB

Responsible Officer: Andrew Brown, Director Corporate and Community Services

Author: Jesse Dixon, Acting Manager Property Services

Attachments: 1. Lease 1 - Lease Plan 🗓 🖫

2. Lease 2 - Site Plan 🗓 🛣

#### **DELIVERY PROGRAM ALIGNMENT**

2 Environment - A sustainable and compatible natural and built environment

Objective 2.2 An integrated and strategic built environment

Strategy 2.2.1 Maintain, enhance and support an integrated, diverse and safe transport network:

Pedestrian; Road; Rail; and Air

#### **EXECUTIVE SUMMARY**

The Namoi Aero Club currently have two separate land leases at the Narrabri Airport where a hangar and a club house are constructed. They have proposed an extension of the lease area containing the hanger to allow the construction of a second hanger.

#### RECOMMENDATION

- 1. That Council enter into a lease agreement with Namoi Aero Club for Three (3) x Five (5) year sequential leases for Lot 535 DP813537 and part Lot 2 DP1218270, as identified in Attachment 1.
- 2. That Council enter into a lease agreement with Namoi Aero Club for Three (3) x Five (5) year sequential leases for Lot 532 DP800635, as identified in Attachment 2.
- 3. That Council delegate authority to the General Manager to enter into the lease agreements and execute relevant documentation.

# **BACKGROUND**

Namoi Aero Club is a well-established organisation in the Narrabri community with a long history of providing flight training. The Namoi Aero Club currently lease land at the Narrabri Airport for infrastructure which supports their organisation. Specifically, the land currently leased is Lot 535 DP813537 on which an aircraft hanger is constructed, and Lot 532 DP800635 on which a club house is constructed.

In July 2022, Council received correspondence on behalf of Namoi Aero Club identifying that they had previously made a formal request to Council in 2019 to allow for an extension of the leased area to construct a second hanger. The existing hanger was identified by the club as having been constructed by them in 1993. The identified location for the extension of the lease area adjoins the current location and is within Lot 2 DP1218270.

Council most recently entered into a lease agreement with Namoi Aero Club for the current hanger location in July 2021. The term of the lease is 5 years commencing 1 July 2021, with 2x5 year renewal options. Council also entered into a separate lease agreement for the club house at the same time.

The term of this lease was also for a period of 5 years with 2x5 years renewal options. Each of the two agreements identified the rent payable to be \$520 per annum.

Council records indicate there had also been previous lease arrangements for these sites.

# **CURRENT SITUATION**

Council staff have determined the proposed location for second hanger is suitable.

It is proposed that Council enter into Three (3) x Five (5) year sequential leases for the lease areas identified as "X" and "Y" in **Attachment 1** of this report. The lease would consolidate the existing hanger location and new hanger location into a single lease. Terms and conditions of the proposed arrangements have been negotiated between Council and the Lessee's representative.

Lessor	Narrabri Shire Council
Lessee	Namoi Aero Club
Term	Three (3) x Five (5) year sequential leases
Rent	\$1,040 per annum inclusive of GST
Rent Reviews	2% annual increases
Lease Commencement	To be confirmed
Legal Costs	Each party responsible for their own legal fees. Other costs associated with boundary alignment and registration to be equally shared between lessor and lessee.
Lease Area	1,290m2 (lease areas "X" and "Y" in Attachment 1.

Further, it is also proposed that Council enter into Three (3) x Five (5) year sequential leases for the lease area identified as Lot 532 DP 800635. Terms and conditions of the proposed arrangements have been negotiated between Council and the Lessee's representative.

Lessor	Narrabri Shire Council
Lessee	Namoi Aero Club
Term	Three (3) x Five (5) year sequential leases
Rent	\$520 per annum inclusive of GST
Rent Reviews	2% annual increases
Lease Commencement	To be confirmed
Legal Costs	Each party responsible for their own legal fees.
Lease Area	Lot 532 DP800635 as identified in Attachment 2.

The effective commencement and termination dates of the two leases would be same.

The existing lease arrangements entered into in July 2021 would be terminated upon the execution of the new leases.

#### **FINANCIAL IMPLICATIONS**

The three separate sequential 5 year leases for the hanger sites would result in total revenue of approximately \$5,412, \$5,980 and \$6,597 respectively.

The three separate sequential 5 year leases for the club house site would result in total revenue of approximately \$2,706, \$2,988 and \$3,299 respectively.

Total revenue over the combined terms would equate to approximately \$26,978.

The lease rent has not been negotiated on commercial terms, in consideration of the non-commercial operations of the Namoi Aero Club. Future ground leases for commercial entities would be negotiated at a commercial rental rate.

A commercial valuation has not been obtained by a registered valuer in this instance, however in consideration of the rates applicable at some other rural airports in NSW, a commercial value in the vicinity of \$10,000 per annum could be considered indicative of a land lease for the site provided in **Attachment 1.** 

#### STATUTORY AND POLICY IMPLICATIONS

Local Government Act 1996 (NSW).

Real Property Act 1900 (NSW).

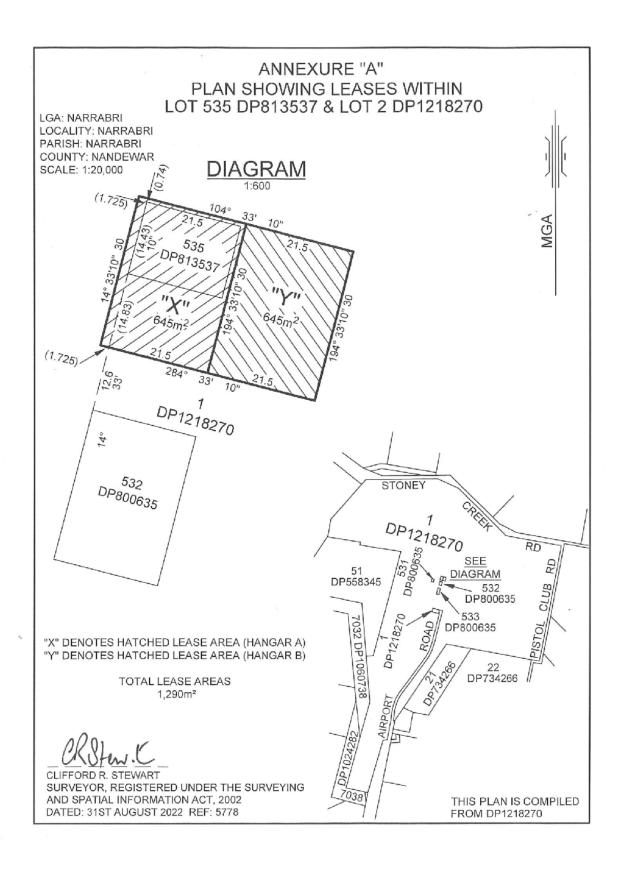
#### **CONSULTATION**

#### **External Consultation**

- Namoi Aero Club.
- Council's legal representatives.

# **Internal Consultation**

- Manager Governance and Risk.
- Airport Coordinator.





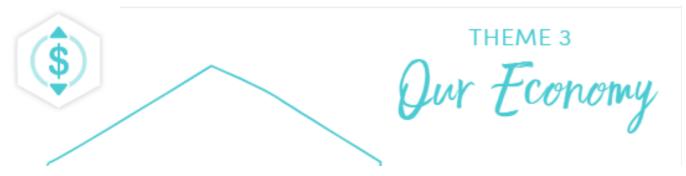


Generated: 12/09/2022
Drawn by: nicoleg
Scale: 1:1129 @ A3
Projection: GDA94 / MGA zone 55
46-48 Maidland 5t. Nerrabin NSW 2390 (PO Box 261)
Tel: CG 9799 6866 Email: council@harrabin.naw.gov.au



Proposed Lease Are - Aero Clubhouse Lot 532 DP800632 This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground. This information has been prepared for Council's infernal jueposes and for no other purpose. No statement is mude about the accuracy or suitability of the information for use of ear any puose (whether the puopose has been notified to Council or not). While every care is taken to ensure the accuracy of this data, nether the Narrabel Sirve Council not NSV 50 statial Services makes any representations or warrathes about its accuracy, not inability, completeness or suitability for any particular purpose and disclaims all reportability and all liability finduding without illustrations. It is allowed to the council accuracy to the council and counc

# 16 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

Nil reports.

# 17 CONFIDENTIAL (CLOSED COUNCIL) MEETING

# **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 Writing off Debts to Council

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

#### 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.

# 18 MEETING CLOSED