

40 40 Martiana Street

Narrabri

AGENDA

Ordinary Council Meeting 20 December 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 Darrell Tiemens



Cr Rohan Boehm



Cr Robert Browning



Cr John Clements



Cr Brett Dickinson



Cr Greg Lamont



Cr Lisa Richardson



Cr Cathy Redding



General Manager Mr Rob Williams



Chief Financial Officer Gian Rimbaud



Director Corporate and Commercial Services Mr Andrew Brown



Director Infrastructure Delivery Mrs Eloise Chaplain



Director Planning and Sustainability 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 Kamilaroi 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 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:

- 16.1 Australia Day 2023 Award Nominations
- 16.2 Business Paper and Unconfirmed Minutes of the Audit, Risk and Improvement Committee
- 16.3 Provision of Doctors Residence in Boggabri

7 PRESENTATIONS

Presentation requests received to date:

1. Nil.

8 CONFIRMATION OF MINUTES

RECOMMENDATION

That the minutes of the Ordinary Meeting of the Narrabri Shire Council held on 22 November 2022 as circularised be confirmed and signed as a correct record by the Mayor.

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

PRESENT: Cr Ron Campbell, Cr Darrell Tiemens, Cr Rohan Boehm, Cr Robert Browning, Cr

John Clements, Cr Brett Dickinson, Cr Greg Lamont, Cr Catherine Redding, Cr

Lisa Richardson

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

Sustainability), Eloise Chaplain (Director Infrastructure Delivery, Gian Rimbaud (Chief Financial Officer), Jason Townsend (Director Corporate and Commercial

Services), Kira Goodhew (Minute Clerk)

Proceedings of the meeting commenced at 1:00 pm.

1 OPENING PRAYER

Members and officers were upstanding for the opening prayer by Rev. Ben Connelly of Narrabri Anglican Church, 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 Kamilaroi 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

Nil.

5 DECLARATION OF PECUNIARY AND NON- PECUNIARY INTERESTS

COUNCILLOR	ITEM NUMBER	PECUNIARY/ NON-PECUNIARY	REASON
Cr Browning	18.2	Non-Pecuniary Significant	Relations nomitated for Sporting Wall of Fame.
Cr Tiemens	16.1	Pecuniary	Lives on Killarney Gap Road.
	16.2	Pecuniary	Business in the process of installing an additional Electric Vehicle Charging Station.

6 QUESTIONS WITH NOTICE

Nil reports.

7 MATTERS OF GREAT URGENCY

Nil reports.

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

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

- 18.1 Appointment of Audit, Risk and Improvement Committee Member
- 18.2 Sporting Wall of Fame
- 18.3 Contract 2022-23/09 Supply and Delivery of 7MM Precoated Aggregate, DGB20, Crusher Dust and Bedding Sand for Road Maintenance Works

9 PRESENTATIONS

Presentations made to Council:

2. Nil.

10 CONFIRMATION OF MINUTES

MINUTE 349/2022

Moved: Cr Catherine Redding Seconded: Cr John Clements

1. That the minutes of Ordinary Meeting of the Narrabri Shire Council held on 18 October 2022 as circularised be confirmed and signed as a correct record by the Mayor.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John

Clements, Brett Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

13 MAYORAL MINUTE

13.1 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR OCTOBER/NOVEMBER 2022

MINUTE 350/2022

Moved: Cr Ron Campbell

1. That Council note the Mayoral appointments for the period 13 October 2022 to 11 November 2022.

<u>In Favour:</u> Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

13.2 MAYORAL MINUTE - LETTER REQUESTING DECLARATION OF A STATEWIDE ROAD EMERGENCY

MINUTE 351/2022

Moved: Cr Ron Campbell

1. That Council joins with Local Government NSW and Country Mayors Association of NSW in declaring a Statewide Road Emergency.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

The Mayor vacated the Chair, the time being 1:51 pm.

The Deputy Mayor assumed the Chair of the Meeting, the time being 1:51 pm.

At 1:51 pm, Cr Ron Campbell left the meeting.

SUSPENSION OF STANDING ORDERS

MINUTE 352/2022

Moved: Cr Darrell Tiemens Seconded: Cr John Clements

1. That Council suspend standing orders for a break.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

Council suspended standing orders at 1:59 pm.

The Deputy Mayor vacated the Chair, the time being, 2:04 pm.

At 2:05 pm, Cr Ron Campbell returned to the meeting.

The Mayor assumed the Chair of the Meeting, the time being 2:05 pm.

RESUMPTION OF STANDING ORDERS

MINUTE 353/2022

Moved: Cr Ron Campbell Seconded: Cr Darrell Tiemens

1. That Council resume standing orders.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

Council resumed standing orders, the time being 2:05 pm.

SUPPLEMENTARY 1.1 MAYORAL MINUTE - FLOODING EMERGENY

MINUTE 354/2022

Moved: Cr Ron Campbell

- 1. That Council declare the Narrabri Shire Council as being under a flooding emergency situation.
- 2. That Council establish a Flood Recovery Council Advisory Committee in accordance with the proposed Terms of Reference attached to this Minute.
- 3. That the General Manager present a report to the first Flood Recovery Council Advisory Committee Meeting on potential funding sources for any Council at risk funds that may be used to combat the flood emergency.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

14 OUR CIVIC LEADERSHIP

14.1 RESOLUTIONS REGISTER - OCTOBER TO NOVEMBER 2022

MINUTE 355/2022

Moved: Cr John Clements Seconded: Cr Rohan Boehm

- 1. That Council receive and note the outstanding Resolutions Register as at 14 November 2022.
- 2. That Council receive and note the completed Resolutions Register as at 14 November 2022.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

14.2 LOG OF AUTO-ARCHIVE ACCESS

MINUTE 356/2022

Moved: Cr Lisa Richardson Seconded: Cr Catherine Redding

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

<u>In Favour:</u> Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

14.3 INVESTMENT REPORT - OCTOBER 2022

MINUTE 357/2022

Moved: Cr Darrell Tiemens Seconded: Cr Lisa Richardson

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

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

14.4 2021/2022 DRAFT ANNUAL FINANCIAL STATEMENTS

MINUTE 358/2022

Moved: Cr Rohan Boehm Seconded: Cr Catherine Redding

- 1. That Council formally adopt the draft Annual Financial Statements for the year ended 30 June 2022 as presented, for referral to audit.
- 2. The Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer be authorised to sign the Statements by Councillors and Management on the preparation of the General Purpose and Special Purpose Financial Statements for the year ended 30 June 2022.
- 3. The General Manager be delegated the authority to issue the audited Annual Financial Statements upon receipt of the auditors' reports, subject to there being no material audit changes or audit issues.
- 4. That Council present the audited Annual Financial Statements and Auditors Reports to the public at a meeting to be held in conjunction with its next available Ordinary Council meeting.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

14.5 2021/2022 ANNUAL REPORT

MINUTE 359/2022

Moved: Cr John Clements Seconded: Cr Darrell Tiemens

- 1. That Council adopt the 2021/2022 Annual Report, noting that the financials included are draft unaudited and are subject to change following the finalisation of Council's Audited Financial Statements for the financial year ending 30 June 2022.
- 2. That Council's 2021/2022 Annual Report include a watermark on the document to explicitly show that all financial figures included in the document are draft unaudited financial figures.
- 3. That Council present the 2021/2022 Annual Report with the audited Annual Financial Statements and Auditors Reports, once finalised, to the public at the next available Ordinary Council meeting.

In Favour: Crs Ron Campbell, Darrell Tiemens, Robert Browning, John Clements, Brett Dickinson,

Catherine Redding and Lisa Richardson

Against: Crs Rohan Boehm and Greg Lamont

CARRIED 7/2

Attachments

1 2021/2022 Annual Report (with watermark)

14.6 QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2022

MINUTE 360/2022

Moved: Cr Darrell Tiemens Seconded: Cr Catherine Redding

 That Council adopt the Quarterly Budget Review Statement for the period ended 30 September 2022 as the revised Budget estimates for the year ended 30 June 2023 and the Operational Plan and Capital Works Plan be amended accordingly.

<u>In Favour:</u> Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

14.7 OPERATIONAL AND SERVICE PLAN QUARTERLY REPORT - 1 JULY 2022 TO 30 SEPTEMBER 2022

MINUTE 361/2022

Moved: Cr John Clements Seconded: Cr Brett Dickinson

1. That Council adopt the Quarter 1 2022/2023 Quarterly Operational and Service Plan Progress Report, as attached, detailing Council's progress in meeting its actions, capital works and key performance measures for the period of 1 July 2022 to 30 September 2022.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

At 2:45 pm, Cr Darrell Tiemens left the meeting.

At 2:46 pm, Cr Darrell Tiemens returned to the meeting.

14.8 POLICY REVIEW

MINUTE 362/2022

Moved: Cr John Clements Seconded: Cr Catherine Redding

- 1. That Council adopt the policies listed in table 1 of this report.
- 2. That Council repeal the policies listed in table 2 of this report on the basis that they have been subsumed into a new policy in table 1 of this report.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

14.9 PROCEDURES FOR ADMINISTERING CODE OF CONDUCT

MINUTE 363/2022

Moved: Cr John Clements Seconded: Cr Robert Browning

- 1. That Council adopt the Model Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW, as attached to this report.
- 2. That the General Manager or their delegate amend the Model Procedures adopted at 1 above to:
 - (a) Remove prefatory material from pages 1 and 2 of the document; and
 - (b) Reformat the document to be in accordance with Council's standard document styling.
- 3. That pages 48 to 77 (inclusive) of the Code of Conduct 2022, save for the document history table, be repealed and replaced with the Procedures document adopted at 1 above.
- 4. That the Code of Conduct 2022 otherwise remain unchanged.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

14.10 ACCEPTANCE OF TENDERS UNDER DELEGATION - OCTOBER 2022

MINUTE 364/2022

Moved: Cr Darrell Tiemens Seconded: Cr Catherine Redding

1. That Council note the determination of tenders under delegation for the period to October 2022.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

14.11 SUBMISSION ON THE INDEPENDENT REVIEW OF THE DELIVERY OF THE INLAND RAIL PROGRAM

MINUTE 365/2022

Moved: Cr Rohan Boehm Seconded: Cr John Clements

1. That Council receive and note the submission on the Independent Review of the Delivery of the Inland Rail Program.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

14.12 PLANNING AND DEVELOPMENT MONTLHY STATUS REPORT - OCTOBER 2022

MINUTE 366/2022

Moved: Cr Lisa Richardson Seconded: Cr John Clements

1. That Council receive and note the Planning and Development Services Report for the month of October 2022.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

14.13 INFRASTRUCTURE DELIVERY STATUS REPORT - NOVEMBER 2022

MINUTE 367/2022

Moved: Cr Catherine Redding Seconded: Cr John Clements

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

<u>In Favour:</u> Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

15 OUR SOCIETY

15.1 DRAFT PUBLIC ART POLICY

MINUTE 368/2022

Moved: Cr Lisa Richardson Seconded: Cr Catherine Redding

- 1. That Council endorse the draft "Public Art Policy" for the purposes of public exhibition.
- 2. That Council place on public exhibition the "Public Art Policy" for a period of at least 28 days, during the exhibition period call for and accept submissions from the public on the draft Policy.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

At 3:11 pm, Cr Tiemens left the meeting after declaring a pecuniary interest in relation to Item 16.1 and 16.2, due to a pecuniary interest on the basis that he lives on Killarney Gap Road and that his business is in the process of installing an Electric Vehicle charging station. Cr Tiemens was not present at or in sight of the meeting during the consideration of these items.

16 OUR ENVIRONMENT

16.1 ROAD CROSSING FLOODWAY UPGRADES

MINUTE 369/2022

Moved: Cr John Clements Seconded: Cr Catherine Redding

- 1. That Council endorse the four (4) priority floodway upgrades.
- 2. That Council endorse the completion of a floodway audit.

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

Lamont, Catherine Redding and Lisa Richardson

Against: Nil

Not Present: Cr Darrell Tiemens

CARRIED 8/0

16.2 LICENCE FOR CHARGING STATIONS FOR ELECTRIC VEHICLES

MINUTE 370/2022

Moved: Cr Catherine Redding Seconded: Cr Lisa Richardson

- 1. That Council enter into a licence agreement with National Roads and Motorists' Association Limited for part Lot 20 DP758755 known as 89 Barwan Street Narrabri, as indicatively identified in Attachment 1.
- 2. That the licence agreement be for a term of 5 years, with the option of renewal for a further term of 5 years.
- 3. That the licence fee for the term of the licence (including any option for renewal) is set at \$1 per annum plus GST.
- 4. That Council delegate authority to the General Manager to enter into the licence agreement and execute relevant documentation.

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

Lamont, Catherine Redding and Lisa Richardson

Against: Nil

Not Present: Cr Darrell Tiemens

CARRIED 8/0

At 3:24 pm, Cr Darrell Tiemens returned to the meeting.

16.3 RESIGNATION AS CROWN LAND MANAGER

MINUTE 371/2022

Moved: Cr John Clements Seconded: Cr Robert Browning

- 1. That Council provide written consent to resign as Crown Land Manager over the land immediately surrounding Lot 214 DP39796, as shown in green shading and outline in Attachment 1.
- 2. That Council delegate authority to the General Manager to provide the written consent of resignation.

<u>In Favour:</u> Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

16.4 RECONCILIATION ACTION PLAN UPDATE

MINUTE 372/2022

Moved: Cr Rohan Boehm Seconded: Cr John Clements

- 1. That Council note the progress on the Innovate Reconciliation Action Plan 2023-2025.
- 2. That Council endorse the draft Reconciliation Action Plan (RAP) Advisory Committee Terms of Reference acknowledging that the Terms of Reference may need amended following discussions and engagement with key stakeholders including the Local Aboriginal Land Councils.

<u>In Favour:</u> Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

16.5 NOTICE OF MOTION - WEE WAA LAGOON BRIDGE EXTENSION

MINUTE 373/2022

Moved: Cr John Clements Seconded: Cr Brett Dickinson

- 1. That Narrabri Shire Council seek funding under the NSW Betterment fund or similar State or Commonwealth resilience fund for the following purposes:
 - (a) To fully investigate and develop costed plans (not engineering) to extend the Wee Waa lagoon bridge south past Harris Lane. This being to remove the isolation caused to residents and businesses by the inundation of this section of road;
 - (b) To fully investigate whether with a Lagoon creek bridge extension, an increase in the road height at Bohena Creek would be justified;
 - (c) To fully investigate and develop costed plans (not engineering) to raise the road height by bridge or culvert on the Kamilaroi highway east of Wee Waa at Glencoe channel road crossing, Glenarvon floodway;
 - (d) That investigations include assessment of the reduction in isolation and financial and other impacts on individual and business due to isolation caused by flood waters;
 - (e) That a local reference committee be set up at the appropriate time to utilise local knowledge.

<u>In Favour:</u> Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

16.6 NOTICE OF MOTION - DEVELOPMENT OF GATELY FIELD SOCCER FACILITIES

MINUTE 374/2022

Moved: Cr John Clements Seconded: Cr Rohan Boehm

- 1. That Narrabri Shire Council confirms its support for development of the Gately Field soccer facilities.
- 2. That this include development of a facility plan in conjunction with representatives from the club.
- 3. That Council details its interaction with Northern Inland Football and its attempts to provide grant money for the upgrade of change rooms, canteen, and toilets.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

At 3:42 pm, Cr Greg Lamont left the meeting.

SUSPENSION OF STANDING ORDERS

MINUTE 375/2022

Moved: Cr Ron Campbell

1. That Council suspend standing orders for a break.

<u>In Favour:</u> Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Catherine Redding and Lisa Richardson

Against: Nil

Not Present: Cr Greg Lamont

CARRIED 8/0

Council suspended standing orders at 3:42 pm.

At 3:52 pm, Cr Greg Lamont returned to the meeting.

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RESUMPTION OF STANDING ORDERS

MINUTE 376/2022

Moved: Cr Ron Campbell

1. That Council resume standing orders.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

Council resumed standing orders at 3:52 pm.

17 OUR ECONOMY

17.1 DELEGATE'S REPORT - SWITCH 2022 ANNUAL CONFERENCE OF THE NEW SOUTH WALES PUBLIC LIBRARIES ASSOCIATION (NSWPLA)

MINUTE 377/2022

Moved: Cr Catherine Redding Seconded: Cr Lisa Richardson

1. That Council note Councillor Redding's Delegate Report on the 2022 Annual Conference of the New South Wales Public Libraries Association (NSWPLA) meeting held on 8 November 2022 to 11 November 2022.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

17.2 DA2023/0012 - CONSTRUCTION OF A MOTEL ACCOMMODATION (23 ROOMS), 28 & 30 MOOLOOBAR STREET, NARRABRI NSW 2390

MINUTE 378/2022

Moved: Cr Brett Dickinson Seconded: Cr Catherine Redding

1. That Council determine DA 2023/0012 pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979 by the granting of consent subject to conditions, as detailed in Appendix A 'Conditions of Development Consent – DA 2023/0012'.

In Favour: Crs Ron Campbell, Darrell Tiemens, Robert Browning, John Clements, Brett Dickinson,

Catherine Redding and Lisa Richardson

Against: Crs Rohan Boehm and Greg Lamont

CARRIED 7/2

17.3 REQUEST FOR SUSPENSION OF ALCOHOL FREE ZONE - NAMOI HOTEL

MINUTE 379/2022

Moved: Cr Lisa Richardson Seconded: Cr Catherine Redding

1. That Council:

- (a) Suspend the Alcohol Free Zone on Maitland Street and Bowen Street within the proposed area in front of the Namoi Hotel, for a period of 12 months (Starting 22 November 2022 and Ending 22 November 2023). The remaining section of Maitland Street and Bowen Street outside of the fenced area will remain an Alcohol Free Zone.
- (b) Reserves the right to revoke this suspension of the Alcohol Free Zone.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

17.4 REQUEST FOR SUSPENSION OF ALCOHOL FREE ZONE (AFZ) - TOURIST HOTEL

MINUTE 380/2022

Moved: Cr Rohan Boehm Seconded: Cr Greg Lamont

That Council suspend the Alcohol Free Zone on Maitland Street and Doyle Street within
the proposed area in front of the Tourist Hotel, between the hours of 5:00PM to 10:00PM
on Friday 16 December 2022, during the annual Narrabri Chamber of Commerce's
Christmas Carnival Event. The remaining section of Maitland Street and Doyle Street
outside of the fenced area will remain an Alcohol Free Zone, for the Narrabri Chamber of
Commerce's Christmas Carnival event.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John

Clements, Brett Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

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

MINUTE 381/2022

Moved: Cr Greg Lamont Seconded: Cr Brett Dickinson

1. That council:

- (a) Note that after assessing the tenders submitted (in accordance with the criteria specified in the tender documents) and having regard to all the circumstances, the Tender Panel recommends that Council accept both tenders from Mass Group Pty Ltd and Specialised Quarries & Concrete for Contract 2022-23/09 Supply and Delivery of 7mm Precoated Aggregate, DGB20, Crusher Dust and Bedding Sand for Road Maintenance Works for the Period from Acceptance and Approval of Tender to 30 June 2023.
- (b) In accordance with the Tender Panel Recommendation, Council accept the tenders from Maas Group Pty Ltd and Specialised Quarries and Concrete and for Contract 2022-23/09 Supply and Delivery of 7mm Precoated Aggregate, DGB20, Crusher Dust and Bedding Sand for Road Maintenance Works for the Period from Acceptance and Approval of Tender to 30 June 2023 and authorise the General Manager to sign the contract documents.
- (c) Grant authority to the General Manager to assess Contract 2022-23/09 Supply and Delivery of 7mm Precoated Aggregate, DGB20, Crusher Dust and Bedding Sand for Road Maintenance Works for the Period from Acceptance and Approval of Tenders to 30 June 2023 and extend the term of the contract for a further one or two years up to the 30 June 2024 or the 30 June 2025 in accordance with the contract and subject to Council still requiring the service, the satisfactory performance of the Contractors and any requested variations in unit rates are considered reasonable and are based on quantifiable rise & fall in prices.
- (d) Maintain the confidentiality of the documents and considerations in respect of Contract 2022-23/09 Supply and Delivery of 7mm Precoated Aggregate, DGB20, Crusher Dust and Bedding Sand for Road Maintenance Works ("the tender").

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

18 CONFIDENTIAL (CLOSED COUNCIL) MEETING

MINUTE 382/2022

Moved: Cr John Clements Seconded: Cr Darrell Tiemens

1. 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:

18.1 Appointment of Audit, Risk and Improvement Committee Member

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).

18.2 Sporting Wall of Fame

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).

2. That Item 18.3 be dealt with in open Council.

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

Clements, Brett Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

Council moved into Closed Meeting, the time being 4:31 pm.

18.1 APPOINTMENT OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEMBER

MINUTE CO-383/2022

Moved: Cr Greg Lamont Seconded: Cr Catherine Redding

- 1. That Council appoint Candidate 1 to the Audit, Risk and Improvement Committee as an independent member.
- 2. That Council provide an official letter of appointment signed by the mayor to Candidate 1 to confirm the terms and condition of the appointment in line with the draft Risk Management and Internal Audit for local council in NSW Guidelines.
- 3. That the ARIC Chairperson provide a thorough induction to Candidate 1 in line with the draft Risk Management and Internal Audit for local council in NSW Guidelines.

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

At 4:33 pm, Cr Robert Browning left the meeting.

18.2 SPORTING WALL OF FAME

MINUTE CO-384/2022

Moved: Cr John Clements Seconded: Cr Catherine Redding

- 1. That Council note the recommendation of the assessment panel and determine the recipients of the Sporting Wall of Fame Awards 2023 as per the four (4) eligibility criteria as:
 - (a) Lachlan Wright.
 - (b) Emily Rose Grellman.
 - (c) Frank Fish.
 - (d) Makayla Jane Elford.
 - (e) Josie Wilson.
 - (f) Charlie North.
 - (g) Andrew Wilson.

<u>In Favour:</u> Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, John Clements, Brett Dickinson, Greg

Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 8/0

Item - 18.3 Contract 2022-23/09 — Supply and Delivery of 7MM Precoated Aggregate, DGB20, Crusher Dust and Bedding Sand for Road Maintenance Works - has been moved to another part of the document after Item 17.4.

At 4:35 pm, Cr Robert Browning returned to the meeting.

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MINUTE CO- 385/2022

Moved: Cr John Clements Seconded: Cr Darrell Tiemens

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

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett

Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

The Council resumed open Council, the time being 4:36 pm.

11 MEETING CLOSED

The Meeting closed at 4:36pm.

The minutes of this meeting are scheduled to be confirmed at the Ordinary Council Meeting to be held on 20 December 2022.

•••••

CHAIRPERSON

9 MATTERS OF GREAT URGENCY

Nil reports.

10 QUESTIONS WITH NOTICE

Nil reports.

11 MAYORAL MINUTE

Nil reports.

12 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

12.1 **NOTICE OF MOTION - COMMUNITY GRANT FUND**

Attachments:

Narrabri Shire Community Grants and Sponsorship Policy 🗓 🕍 1.



I, Councillor Lisa Richardson, give notice that at the next Ordinary Meeting of Council be held on 20 December 2022, I intend to move the following motion:-

MOTION

- That Council increases the community grant fund from \$13,000 annually to \$30,000 1. annually. The financial difference of \$17,000 difference coming from council reserves.
- 2. That the proposed \$30,000 be divided into $3 \times 10,000$ components:
 - 2 x \$10,000 community grant funding rounds offered biannually (January/July or (a) March/September starting 2023), each grant limited to \$2,000 with a 50/50 split co-contribution between council and applicant. If successful, the applicant cannot apply again for the next 12 months (2 rounds).
 - 1 x \$10,000 put in reserve, which is available for ad hoc requests that come to (b) council throughout the year outside of the community grants fund.
 - (i) This \$10,000 component will also be limited to \$2,000 per applicant with a no co-contribution or 50/50 co-contribution option.
 - (ii) If successful for a no co-contribution, the applicant cannot apply again for 2 years.
 - To be eligible for the no co-contribution, the applicant must supply financial evidence of minimal funds (such as a their most current bank statement with under \$5,000 of funds available) and/or a profit and loss statement, with a profit not exceeding \$5,000 per annum.
 - If successful with a 50/50 co-contribution, council will also note to the applicant, in the future, the ad hoc option will no longer be available to the applicant and refer them to apply via the community grant funding rounds, in which they can apply for in 12 months' time.

RATIONALE

Council to help community events and organisations that require additional funding. Having the increased budget allows more applicants to receive financial aid. Having the community grant fund open bi-annually will allow those events that were unknown to be occurring during the current community grant fund process, to now have the opportunity to apply. As seen previously, there is also a need to have funds available for ad hoc applications and an option for those who are not financial (generally needing the funds the most) to have access to financial aid. The "not applying again" for 12 month/2 years allows all applicants/organisations to have a chance in receiving the grant, not just the same applicant applying.

I commend this Notice of Motion to Council.

EXECUTIVE MANAGEMENT COMMENT

Part 2(a) and 2(b) of this Notice of Motion relates to Council's Community Grants and Sponsorship Policy, which was adopted by Council at the November 2022 Ordinary Council Meeting. A copy of the Policy can be found at **Attachment 1** of this report.

This Motion, if passed, would reflect a change in policy position from the Policy, both in the frequency of grant/sponsorship rounds and the conditions of grant/sponsorships (namely introducing a limit on amount per grant, reintroducing a requirement for co-contributions, and introducing a time-bar on reapplication).





COMMUNITY GRANTS AND SPONSORSHIP POLICY

Responsible Department: Planning and Sustainability
Responsible Section: Economic Development

Responsible Officer: Manager Economic Development

Objective

This policy aims to:

- Outline Council's policy position on the provision of grants and sponsorships under section 356 of the Local Government Act 1993 (NSW) (the Act).
- Provide clear and transparent guidance on eligibility, criteria, and accountability by which community
 grants and sponsorship applications will be assessed and determined, provided, and acquitted.

Introduction

Section 356(1) of the Act enables Council to resolve to contribute money or other financial assistance to persons for the purpose of exercising Council's functions. Community grants and sponsorships are a vital means for Council to carry out its function as regulator and service provider in the community.

Community grants and sponsorships provide support to community focused projects, events, and programs that directly benefit the community and address the community's objectives as set out in the current endorsed Community Strategic Plan.

Policy

1. Definitions

Term	Meaning
Community Grants	Monetary payments or in-kind provision for a project on terms and conditions set out in a grant agreement.
Community Sponsorship	Monetary payments or in-kind provision for an event or program on terms and conditions set out in a sponsorship agreement.
Eligible Applications	Applications that meet the eligibility criteria set out in this policy.
Eligible Activity	An event or program that is eligible for a Community Sponsorship or a project that is eligible for a Community Grant to assist in its funding.
Event	A one-off function, occasion, or other activity, which can last from a matter of hours to a matter of days, but is not ongoing.
General Running Costs	The expenditure required to maintain the day-to-day operations of an entity.
Program	An ongoing or regular series of events designed to achieve an aim or outcome.
Project	The acquisition, construction, or installation capital assets or equipment.

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2. Community Grants

- 2.1. Council will, at its discretion and subject to this policy, provide community grants annually.
- 2.2. Council will, at its discretion, resolve a budget for community grants annually.
- 2.3. Community Grants will be awarded for projects.
- 2.4. Eligible entities that want a community grant must apply to Council in accordance with this policy.
- 2.5. Community grants must only be awarded for eligible applications.

3. Community Sponsorship

- 3.1. Council will, at its discretion and subject to this policy, provide sponsorships.
- 3.2. Council will, at its discretion, resolve a budget for sponsorships annually.
- 3.3. Community sponsorships will be awarded for events or programs or both.
- 3.4. Eligible entities that want a sponsorship from Council must apply to Council in accordance with this policy.
- 3.5. Sponsorships must only be awarded for eligible applications.

4. Eligibility

Entity Type

- 4.1. In order to be eligible for a community grant or sponsorship, entities must be:
 - (a) A registered not-for-profit organisation;
 - (b) An incorporated community group;
 - (c) A registered sporting club;
 - (d) A school P&C Committee;
 - (e) A not-for-profit Childcare Facility; or
 - (f) A registered charity.

Number of Grants and Sponsorships

- 4.2. Entities are only eligible for one community grant in any financial year.
- 4.3. Entities are only eligible for one community sponsorship in any financial year.
- 4.4. Entities may receive both a community grant and a community sponsorship in any financial year.

Subject Matter Type

- 4.5. Community grants must be for a project.
- 4.6. Community sponsorships must be for an event or program.

Time for expenditure

4.7. Community grants and sponsorships must be expended in the financial year for which they are awarded.

Additional Eligibility Requirements

- 4.8. In addition to the above, the Eligible Activity for which the grant or sponsorship is sought must:
 - (a) Occur within the Narrabri Shire Local Government Area;
 - (b) Address at least one of the strategic objectives outlined in Council's Community Strategic Plan; and
 - (c) Benefit a significant number of Narrabri Shire residents; or
 - (d) Provide a significant public interest benefit to the Narrabri Shire Community.
- 4.9. Despite clause 4.8(a), an eligible entity may be awarded a community sponsorship to attend an event outside of the Narrabri Shire Local Government Area for the purpose of representing Narrabri Shire (including representation of individual townships, localities, or groups therewithin).

Restrictions on Eligibility

- 4.10. Grants and sponsorships cannot be retrospective.
- 4.11. Grants and sponsorships cannot be awarded for specific events, projects, or programs that that were funded in the previous financial year and continue into the new financial year. However, grants and

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sponsorships may be awarded for a new instance of an event or program that does not traverse years (that is an annually occurring event or program).

- 4.12. The following are ineligible to receive community grants and/or sponsorships:
 - (a) Individuals;
 - (b) Unincorporated groups, other than those set out above;
 - (c) Profit-making entities; and
 - (d) Government departments.
- 4.13. Grants and sponsorships will not be awarded for general running costs.

5. Selection Criteria

Core Selection Criteria

- 5.1. Applications will be selected based on the below criteria:
 - (a) The event occurs within the Narrabri Shire Local Government Area;
 - (b) The extent of alignment to the strategic objectives outlined in Council's Community Strategic Plan;
 - (c) The benefit to the Narrabri Shire community; and
 - (d) The public interest benefit to the Narrabri Shire community.

Additional Selection Criteria

- 5.2. Applications that meet the below will receive higher priority:
 - (a) Entities that commit to contributing 50% or more towards the cost of the eligible activities;
 - (b) Eligible Activities that demonstrate a partnership between community groups and/or organisations;
 - (c) Eligible Activities that have a high level of community support;
 - (d) Eligible Activities that show benefit to a broad cross section of the Narrabri Shire Community;
 - (e) Projects and programs that can demonstrate they will be sustainable after the period of funding has ended; and
 - (f) Eligible Activities that promote or support social, cultural, and/or economic equity in the community.

Points Based Weighting

5.3. There shall be a points-based system against which applications will be assessed. Each selection criteria shall receive points weighting.

6. Applications

- 6.1. Applications for community grants or sponsorships (or both) must be made using the form prescribed by Council. The prescribed form is located at Appendix 1 to this policy.
- 6.2. The General Manager may authorise the amendment of the prescribed form at any time as required.

Supporting Documentation

- 6.3. Applications must include the following in order to be considered eligible:
 - (a) Details of the organisation or entity applying;
 - (b) Proof of organisation or entity type;
 - (c) A description of the Eligible Activity;
 - (d) An explanation of how the Eligible Activity will meet the eligibility and selection criteria;
 - (e) A budget for the Eligible Activity in accordance with this policy;
 - (f) A copy of a bank statement for the entity's bank account that they will nominate for the funds to be paid into;
 - (g) A valid and current certificate of currency for public liability insurance;
 - (h) Evidence of authority from relevant landowners, if the applicant does not own the land upon which the Eligible Activity is to take place;
 - (i) Evidence of contributions from other entities; and
 - (j) Any other document requested by Council.

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Budgets

- 6.4. Budgets must include:
 - (a) A statement of all proposed funding sources, income, and costs for the eligible activity, taking into account the requested grant or sponsorship contribution;
 - (b) A copy of quotes, dated within ninety (90) days of the application submission, for all costs associated with the Eligible Activity.
- 6.5. Budgets must be including GST.
- 6.6. Quotes must indicate whether GST has been included or excluded.

Timing of Applications

- 6.7. Applications for grants and sponsorships must be submitted by 23:59 on 30 April of the financial year before the grant is sought.
- 6.8. Applications may be submitted and considered out of time only in extenuating circumstances.
- 6.9. Where an out of time application is submitted and extenuating circumstances exist, a report will be brought to Council regarding the application for decision.

7. Assessment and Determination of Applications

Assessment

- 7.1. The General Manager will appoint a panel to assess applications.
- 7.2. The assessment panel will meet, review applications, and make recommendations regarding eligibility and scoring of applications.
- 7.3. Assessment shall be merit-based in accordance with this policy.
- 7.4. Applications will be scored using the scoring system against which all applications are assessed.
- 7.5. Applications with higher scores shall be given preference unless exceptional circumstances apply.

Determination

- 7.6. Following assessment, a report shall be submitted to the June Ordinary Council Meeting of the financial year in which the grants or sponsorships are to be awarded.
- 7.7. Council will consider the report and pass a resolution regarding the awarding of community grants and sponsorships.

Awarding Ceremony

7.8. There shall be a ceremony, held in the Council Chambers, at which successful applicants will be presented their grants or sponsorships, or both.

8. Provision of Funding

Transfer of Funds

- 8.1. Payment of grants and sponsorships will be:
 - (a) made in advance to successful applicants;
 - (b) transferred within fourteen (14) days of the execution of the funding deed; and
 - (c) transferred to the successful applicant's nominated bank account.
- 8.2. Following payment of the grants and sponsorships, the recipient must confirm receipt of the funds in writing.

9. Obligations of Successful Applicants

General

- 9.1. Successful candidates must:
 - (a) Participate in a meeting with the General Manager or their delegate to review and sign a grant or sponsorship agreement that sets out the terms and conditions associated with the grant or sponsorship;
 - (b) Provide documentation as required by Council upon request;

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- (c) Provide a delegate to attend the presentation ceremony;
- (d) Acknowledge Council's contribution in any advertising for the Eligible Activity. Infrastructure projects will be required, at Council's discretion, to have a sign on display for a minimum of 12 months from the date of the approved project acquittal highlighting Council's support. Council will supply such a sign;
- (e) Invite a representative of Narrabri Shire Council to attend any opening or presentation relating to the Eligible Activity;
- (f) Invite at least one (1) representative of Narrabri Shire Council to attend any Eligible Activity;
- (g) Provide acquittal documentation as required by the grant agreement;
- (h) Seek approval prior to alteration of the proposed Eligible Activity, objectives, timeframes, or budgets;
- (i) Complete all documentation and meet all timeframes required by Council.
- 9.2. Funds provided for grants and sponsorships must only be used for the Eligible Activity for which it was applied and granted.
- 9.3. If a recipient, without reasonable excuse, fails to comply with the general obligations above, they will be ineligible for community grants or sponsorships in the following financial year.

Insurance

9.4. Recipients must hold and maintain public liability insurance of at least \$10,000,000 for the duration of the Eligible Activity.

Withdrawal of Funding

9.5. Council reserves the right to withdraw funding from applicants or representatives of applicants who have acted in a manner which may be considered illegal, unethical, may bring Council into disrepute, or which would be against Council's strategic objectives.

Acquittal Process Obligations

- 9.6. Awardees must lodge a project acquittal prior to 30 June in the year that the grant or sponsorship was awarded.
- 9.7. Project acquittals must be in the form prescribed by Council, set out in the grant or sponsorship agreement.
- 9.8. Unless an extension is granted by Council in writing, failure to lodge an acquittal by the due date will result in:
 - (a) Allocated grant or sponsorship funding will be forfeited, and any funds already paid by Council will become a debt owed to Council by the applicant; and
 - (b) Future applications being deemed ineligible until an acquittal is lodged.

10.Review

- 10.1. This policy will be reviewed within twelve (12) months of an Ordinary Council Election.
- 10.2. This policy may be reviewed at any other time when required.

References

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

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History

Minute Number	Meeting Date	Description of Change
114/2016	April 5, 2016	Adopted
164/2017	August 15, 2017	Reviewed
275/2019	November 26, 2019	Adopted
	December 24, 2019	Rebranded
336/2022	October 18, 2022	Endorsed for Public Exhibition
362/2022	November 22, 2022	Adopted

12.2 INFRASTRUCTURE DELIVERY STATUS REPORT - NOVEMBER 2022

Responsible Officer: Eloise Chaplain, Director Infrastructure Delivery

Author: Eloise Chaplain, Director Infrastructure Delivery

Attachments: 1. Status Report | November 🗓 🖺

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

RECOMMENDATION

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

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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Infrastructure Delivery Status Report – November

Roads Maintenance

Please see below Maintenance activities completed in November and plan for December.

	Grading
	Plan Next Month
SR007 Courada Road	SR007 Couradda Road
MR329 Cypress Way	SR047 Middle Route Road
SR016 Browns Lane	SR022 Braymont Road
SR111 Appletrees Lane	SR269 Brigalow Lane
SR054 Stoney Creek Road	SR001 Millie Road
SR103 Roma Lane	SR018 Wavehill Road
SR216 Werah Creek Road	SR135 Timor Mountain Road
SR179 Glenwood Lane	SR204 Gardens Road
SR035 CSIRO Lane	SR203 Cudgewa Road
SR249 McHutcheons Road	
SR108 Logans Lane	
SR009 Bald Hill Road	
SR042 McDowells Lane	
SR043 Merimborough Lane	
SR232 Cotton Lane	
SR053 Mulgate Creek Road	
SR015 Theribri Road	
SR001 Millie Road	
SR064 Tulladunna Lane	
SR044 Trindalls Lane	
SR107 Waiwera Lane	
SR018 Wavehill Road	
SR135 Timor Mountain Road	



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

Flooding

Council's Road Services team have been working tirelessly to address the road damage. At this stage the team is concentrating on making roads safe and trafficable through short term repairs. Priorities are evolving as road conditions change; however, Council's prioritisation methodology has consistently been that larger damages on higher trafficked roads, (including bus routes) and roads with serious safety concerns, have the highest priority. If a damaged road is not being repaired, it is only because staff are working on higher priority damages. If a member of the public has any concerns, please contact Council and lodge a customer service request.

Council has activated its Business Continuity Plan which means regular meetings are held twice each week to ensure priorities, actions and communications are aligned and being completed in a timely manner.

Parks and Open Space Maintenance

Slashing				
Completed This Month	Plan Next Month			
Painting of town clock	Continuing flood clean up on outdoor spaces			
Town mowing programs	Christmas decorations			
Narrabri Pool Shade Sail installation	Towns and villages mowing			
Continuing flood clean up on outdoor spaces				
Highway and town entries – vegetation control				
Town streets vegetation control				

Other matters arising:

- Repairs to vandalism at Dangar Park Wee Waa
- Replacement of expansion joints Wee Waa Pool
- Repairs to pump 50m pool Narrabri

Water/ Sewer Maintenance

Completed This Month	Plan Next Month
Water	Water
 Maintaining flushing programs for all schemes Meeting with contractor to further scope Ice Pigging 	 Maintaining flushing programs for all schemes Meeting with contractor to further scope Ice
Rectifying zero reads for smart meters Begin scoping of remote chlorine monitors Pilliga and Gwabegar	Pigging • Engaging contractor to rectify 0 reads for Smart Meters
 Contractor to check leak in Baan Baa reservoir Operational inspection at Bellata reservoir site Organise for conditioning of Pilliga bore site Sewer	 Working with contractor to get quotes for remote chlorine monitors in Pilliga and Gwabegar Organising contractor to fix leak in Baan Baa reservoir
Development of Sewer Assessment and Improvement Plan	Commissioning booked in for Pilliga bore site

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- Contractor to attend site defect works for Wee Waa and Boggabri STP's
- Formalise the pumping rescheme for Doctors Creek and Masons SPS with new pump in Masons pump station
- Conduct electrical maintenance on grinder pumps in Wee Waa pump stations
- Begin sampling for new conditions for Narrabri STP environmental licence
- Conduct maintenance on the sedimentation tank at Narrabri STP
- Updating flood response procedure to represent the recent flood event
- Begin investigations for replacement inlet screen at Narrabri STP

Sewer

- Undertaking Sewer Assessment and Improvement Plan
- Defects rectified for Boggabri and Wee Waa
 STP's
- Finalise electric works on grinder pumps in Wee Waa pump stations
- Fix flow meter and finalise environmental monitoring procedures for Federation Farm
- Obtain quotes for maintenance at the Narrabri STP for mechanical treatment processes
- Obtaining quotes for replacement inlet screen at Narrabri STP
- Installing circuit breakers on Narrabri pump stations
- Finalise flood clean-up activities throughout network

Other matters arising:

- Continued recruitment for Water Service Operation staff
- IWCM issues paper feedback for final report given
- Finalising draft DWMS 2021/2022 Financial Year annual report
- Council's talking to State Government town water leak reduction program staff to obtain assistance managing leaks throughout network
- Council finalising internal SCADA review



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. Costs shown for financial year 2022/23.

Roads				
Project	Budget	Actual Cost	This Month	Next Month
Flood Event Feb 2020	\$3,700,000	\$204,302.00	Delayed due to current flood event	
Flood Event March 2021	\$1,000,000	\$21,294.00	Waiting on REPA claim approval	
Flood Event Nov 2021	\$1,000,000	\$53,570.00	Waiting on REPA claim approval	Waiting on REPA claim approval
Flood Event Sept 2022	\$	\$372,700.61	Emergency Works various locations	Emergency works, centring around providing safe access for residents, bus routes and collector roads
21/22 R CW Boggabri New Boston St Bridge	\$3,200,000	\$407,267.60	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	\$811,945.00	Continuation of Stage 1 Delays due to weather	Completion of Stage 1
21/22 West Precinct Old Newell Hwy Rehab	\$3,000,000	\$1,417.50	Waiting on approval for construction from UGL. Tender documentation finalised.	Once approval given tender to be advertised
21/22 R CW Tibbereena Ped Crossing	\$70,000	\$47639.03	Works to recommence and blister work to continue.	Works to be finalised
22/23 Pilliga Road (two-year project ROSI)	\$2,980,000	\$0	Federal Government approved funding Planning work for commencement Delays due to flooding	Planning ready for commencement



Parks & Open Spaces				
Project	Budget	Actual Cost	This Month	Next Month
20/21 P&OS CW Narrabri Tennis	\$310,852	\$5407.06	Fence completion	Reviewing designs for accessibility access
Courts Upgrade				
21/22 Collins Park Scoreboard	\$2,540	\$0	Frame construction	Electrical infrastructure installs
21/22 NOS CW Tourism Hub	\$2,400,000	\$5,132	Delays with flooding	Tourism Hub toilet procurement
21/22 OS Town Clock Toilets Refurb	\$50,000	\$23,800.00	Complete town clock painting installed new signage	New systems and fittings to be installed
22/23 Wee Waa Cemetery Amenities	\$90,000	\$1,100.00	Procurement of toilet blocks ordered	Finalise quotations for concrete slab and utilities
22/23 Pool Projects	\$130,000	\$57,794.00	Scope of works for accessibility	Scope of works for accessibility. Installation
				of BBQ in Wee Waa
Fleet				
Project	Budget	Actual Cost	This Month	Next Month
Replacement Program	\$2,472,991	0	Mini Excavator for water	Park tipper assessments
			Plant Trailer	Excavator assessments
			Tipping Body Truck for Parks & Open Spaces	Light Vehicles for Roads and Design
			Ute to replace written off Asset 0598 –	
			Grader Operator ute	
Water/Sewer				
Project	Budget	Actual Cost	This Month	Next Month

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21/22 S CW Boggabri Sew Treat Reuse Pond	\$550,000	\$0	Surveyor engaged and surveying pending free weather to complete.	Surveyor engaged and surveying pending free weather to complete.
22/23 Water mains replacement – Fitzroy St Narrabri	\$350,000	\$0	Quote obtained and seeking clarification on quote.	Quote obtained and seeking clarification on quote.
22/23 Wat CW Bo Water Main Renewal Wee Waa St Boggabri	\$100,450	\$0	Design drafted	Design drafted and finalised
22/23 Watermains Renewal - Boolcarrol Rd Wee Waa	\$100,000	\$0	Quote obtained; Council design team engaged	Design team completing design
22/23 Sewer mains replacement – Narrabri Rising Mains	\$60,000	\$0	Scope reassessed in favour of the Sewer Assessment Program	Compile list of assets for camera works to be undertaken and develop RFQ.
22/23 Environmental improvements at Narrabri STP	\$260,000	\$4,147.00	Submissions for RFT received and initiated assessment process.	Assessment of submissions and finalisation of procurement.



Waste						
Project	Budget	Actual Cost	This Month	Next Month		
21/22 SW CW NLF New Cell 1	\$1,800,000	\$1,746,543	Completion of leachate system and	Completion of project		
			construction of access ramp			

12.3 INVESTMENT REPORT - NOVEMBER 2022

Responsible Officer: Gian Rimbaud, Chief Financial Officer

Author: Kathleen Wales, Finance Coordinator

Attachments: Nil

DELIVERY PROGRAM ALIGNMENT

4 Civic Leadership - Council as strong leaders for the Community

Objective 4.3 A resilient and sustainable Council

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

EXECUTIVE SUMMARY

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

During the month:

- Five (5) investments matured, totalling \$8 million.
- Five (5) new investments were placed, totalling \$9 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 November 2022.

BACKGROUND

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

CURRENT SITUATION

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

Investments maturing during the month:

•	02/11/22	AMP	\$2,000,000	364 days @ 1.00%
•	16/11/22	BOQ	\$1,000,000	273 days @ 0.70%
•	16/11/22	Judo Bank	\$1,000,000	182 days @ 2.25%
•	23/11/22	NAB	\$2,000,000	273 days @ 0.72%
•	30/11/22	My State Bank	\$2,000,000	181 days @ 2.60%

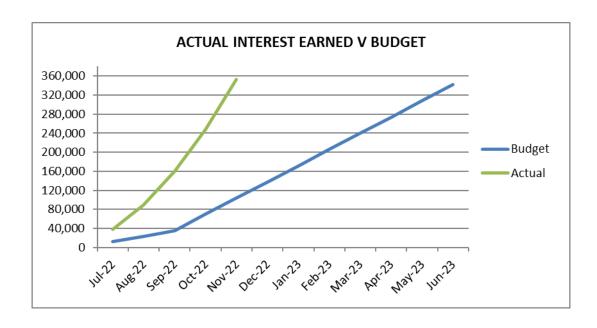
New Investment secured during the month:

•	02/11/22	AMP	\$2,000,000	238 days @ 4.60%
•	17/11/22	Beyond Bank	\$2,000,000	237 days @ 4.30%
•	23/11/22	NAB	\$2,000,000	245 days @ 4.11%
•	23/11/22	NAB	\$1,000,000	364 days @ 4.20%
•	30/11/22	My State Bank	\$2,000,000	273 days @ 4.40%

	Market Value (\$)	Term (days)	Rate	Maturity Date	% of Portfolio
Short Term Deposits (<1 yr)	37,000,000.00				87.51%
NAB	1,000,000.00	273	0.88%	07/12/22	2.37%
MyStateBank	1,000,000.00	189	2.80%	14/12/22	2.37%
NAB	2,000,000.00	147	3.20%	21/12/22	4.73%
NAB	1,000,000.00	273	1.43%	04/01/23	2.37%
ME Bank	3,000,000.00	273	1.48%	11/01/23	7.10%
NAB	1,000,000.00	154	3.18%	18/01/23	2.37%
BOQ	2,000,000.00	182	3.38%	01/02/23	4.73%
NAB	2,000,000.00	147	3.83%	22/02/23	4.73%
BOQ	2,000,000.00	182	3.58%	01/03/23	4.73%
MyStateBank	2,000,000.00	182	3.70%	08/03/23	4.73%
AMP	1,000,000.00	182	4.00%	15/03/23	2.37%
NAB	1,000,000.00	182	3.78%	12/04/23	2.37%
MyStateBank	2,000,000.00	210	4.20%	26/04/23	4.73%
AMP	3,000,000.00	196	4.45%	10/05/23	7.10%
NAB	2,000,000.00	210	3.90%	17/05/23	4.73%
AMP	2,000,000.00	273	3.90%	31/05/23	4.73%
AMP	2,000,000.00	238	4.60%	28/06/23	4.73%
Beyond	2,000,000.00	237	4.30%	12/07/23	4.73%
NAB	2,000,000.00	245	4.11%	26/07/23	4.73%
MyStateBank	2,000,000.00	273	4.40%	30/08/23	4.73%
NAB	1,000,000.00	364	4.20%	22/11/23	2.37%
Cash Deposits	5,283,198.99				12.49%
NAB At Call A/c	2,000,000.00	At Call	0.09%	n/a	4.73%
NAB Working A/c	3,283,198.99	At Call	0.01%	n/a	7.76%
Total Cash & Investments	42,283,198.99				100.00%

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

Cash Book balance at 31 October 2022	1,893,521.57
Plus Receipts	1,242,334.21
Plus Investments Matured	8,000,000.00
Less Payments	476,473.02
Less Investments Placed	-9,000,000.00
Cash Book balance at 30 November 2022	2,612,328.80
Unmatched statement items	-28,392.99
Unmatched ledger book items	699,263.18
Reconciliation Balance as at 31 October 2022	3,283,198.99



Investment Rate Summary for November 2022

Average Interest Rate on Investments:	3.34%
Weighted Average Interest Rate on Investments	3.40%
Council's Benchmarks	
Bank Bill Swap Rate (BBSW) 90-day index (30/11/2022) ¹	3.08%
Average 11am Cash Rate	2.85%

FINANCIAL IMPLICATIONS

Interest income for the month was \$104,450.17. This is ahead of budget and is reflective of increasing interest rates. The budget has been adjusted with another review planned for December.

The net movement in the total value of deposits held each month is determined by the immediate cashflow requirement to service creditors. Council's largest creditor payments for the month were in relation to Council's Waste Cell and Road projects.

STATUTORY AND POLICY IMPLICATIONS

Clause 212 of the *Local Government (General) Regulation 2021* (NSW) 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* (NSW).

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.

¹ Source: www.asx.com.au

CONSULTATION

External Consultation

Nil.

Internal Consultation

• Responsible Accounting Officer.

12.4 PLANNING AND DEVELOPMENT MONTHLY STATUS REPORT - NOVEMBER 2022

Responsible Officer: Donna Ausling, Director Planning and Sustainability

Author: Michelle Henry, Manager Planning and Development

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

2. Planning and Development Statistics - November 2022 🗓 🖺

DELIVERY PROGRAM ALIGNMENT

4 Civic Leadership - Council as strong leaders for the Community

Objective 4.1 A transparent and accountable Council

Strategy 4.1.3 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 carried out by the Planning and Development Services unit for the month of November 2022.

RECOMMENDATION

1. That Council receive and note the Planning and Development Services Report for the month of November 2022.

BACKGROUND

This report is divided in three sections, Building, 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

Building:

- Four (4) Construction Certificates were determined during the month. The average processing time for the month (once all relevant information was received) was 16 days.
- A total of six (6) new Construction Certificate applications were lodged during the month with a value of estimated work of \$1,617,073.00

Statutory Planning:

- Seven (7) Development Applications with a capital investment value of \$5,540,738.00 were determined during the month.
- The average processing time for Development Applications is currently 55 days.
- A total of eight (8) new development applications, with a total capital investment value of \$1,253,956.00 were lodged during the month of November.

 Of interest this month was the lodging of a new development application for the redevelopment of a local hotel's drive through bottle shop with a capital investment value of \$527,000.00

Building Compliance and Investigations matters:

- The National Vehicle Heavy Regulator (NHVR) Compliance & Enforcement Unit is now assisting Council officers with a rolling enforcement program, targeting oversize and overweight vehicles using roads within the Narrabri Shire.
- Ongoing investigations are being undertaken into a major fire that destroyed a residential premise. Council officers are examining available options for the demolition and clearance of the premises, with avenues of recouping costs, which have been quoted at approximately \$120,000. The Development Control Order requiring demolition and clearance remains in force.
- A previous outstanding regulatory compliance matter regarding overgrowth and waste at a residential premise has now been filed for court proceedings with a listing date in January 2023.
- Construction of an unauthorised and unapproved side track across the flooded Maules Creek
 causeway was investigated in late October/early November, investigations are also ongoing
 into the damage sustained to the riparian zones at Horse Arm Creek and Maules Creek
 Causeway. Penalty infringement notices for offences relating to the unauthorised works
 have been issued to the responsible party. A mandatory report has also been submitted by
 Council to the NSW Natural Resources Access Regulator in relation to this issue, who have
 since initiated their own investigation.
- Council have issued a penalty infringement notice for *Burning in the open and not preventing air pollution* following a complaint from Fire & Rescue NSW concerning an unauthorised burn at a residential premises in Narrabri.
- An Emergency Development Control Order was issued against a business proprietor (and a registered landowner) in relation to the illegal relocation of approximately 250 motor vehicle bodies, motor vehicle wrecks and machinery to a large lot residential property on the outskirts of Narrabri. As the orders were not complied with, prosecution action has been commenced by Council against these persons for identified offences. Police have also notified Council that they are conducting investigations in relation to the transport of the motor vehicles and motor vehicle wrecks.

Regulatory Services:

- One (1) Penalty Infringement Notice (PIN) issued for a Companion Animals (dog) matter.
- Six (6) inspections carried out for abandoned vehicle complaints.
- Eight (8) inspections carried out for Overgrown/Waste on Property complaints.
- Annual inspections for Hairdressers and Beauty Salons/Skin penetration premises commenced.
- Twenty-nine (29) companion animals were rehomed during the month of November, this number included 15 dogs and 14 cats.

FINANCIAL IMPLICATIONS

Detailed in body of report

STATUTORY AND POLICY IMPLICATIONS

Nil.

CONSULTATION

External Consultation

- NSW Police
- Natural Resources Access Regulator

Internal Consultation

- Investigations Coordinator
- Planning and Development Section.
- Regulatory Services Section.

Planning and Development – Status Report – November 2022

Development and Planning

Development Applications (DA)							
Development Applications	Development Applications lodged and determined						
	Number YTD Value \$ Nov-22 Nov-22 Average days Applications YTD						
Applications lodged	45	\$19,118,674	\$1,253,956	8			
Applications determined	42	\$10,227,606	\$5,540,738	7	55		
Applications awaiting determination	15	\$9,738,156			55		

Development Applications lodged by type					
	November	November 2022	Year-to-date	Year-to-date	
	2022	Value \$	Total	Value \$	
	Total				
Dwellings/Dual Occupancy	1	\$600,000	9	\$6,713,151.60	
Sheds	1	\$24,555	18	\$2,014,560	
Commercial	2	\$532,101.10	5	\$2,782,101.10	
Industrial	1	\$10,656	1	\$10,656	
Subdivision	0		3	\$220,000	
Tourism Development	0		1	\$2,956,204	
Modifications	0		5	\$705,600	
Others	3	\$86,644	8	\$4,626,752	
Infrastructure/Solar/Pond	0				
Total	8	\$1,253,956.10		\$20,029,024.70	

Year to Date Figures DA Determined by Council						
Month	Deterr	Determined		Lodged		
	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	4	\$167,000	9	\$7,504,718	27	
Average Q1						
October	9	\$2,706,934	6	\$1,846,750	30	
November	7	\$5,540,738.27	8	\$1,253,956	16	
December						
Average Q2						
January						
February						
March						
Average Q3						
April						
May						
June						
Average Q4						
Total						

Average Employee Cost Per Application Determined – Development Applications		
	YEAR TO DATE	
Planning Budget	\$93,885.92	
Number of employees	3	
Total number of applications decided to date (Total applications determined to date)	42	
Average employee cost per application determined	\$2,235.38	

Construction Certificates (CC)					
Construction Certificates lodged and determined Number YTD Value \$ November November Average days Certificates 2022 2022 determination YTD Value \$ No. of CC					
Council lodged	28	\$4,289,094	8	\$3,026,486	10
Council determined	22	\$2,734,321	4	\$1,125,486	33
Construction Certificates awaiting determination	12	\$1,669,000			

Year to Date Figures CC Determined by Council						
Month	Determined		Lodged	Lodged		
	Number of CC	Value of CC \$	Number of CC	Value of CC		
July	6	\$1,380,486	6	\$819,200	30	
August	8	\$1,317,835	5	\$513,680	23	
September	1	\$36,000	4	\$577,000	7	
Average Q1	5	\$911,440	5	\$636,627	20	
October	3	\$255,000	5	\$172,000	18	
November	4	\$1,125,486	8	\$3,026,486	33	
December						
Average Q2	4	\$690,243	7	\$1,599,243	26	
January						
February						
March						
Average Q3						
April						
May						
June						
Average Q4						
Total	22	\$11,017,237	28	\$5,108,366	23	

Average Employee Cost Per Application Determined – Construction Certificate		
	YEAR TO DATE	
Building employee cost	\$41,541.00	
Number of employees	1	
Total number of applications decided to date (Total applications determined to date)	22	
Average employee cost per application determined	\$1,888.23	

Inspections		
Type of Inspections	Number	
Footing	6	
Framing	0	

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Inspections				
Type of Inspections	Number			
Final	2			
Wet area	2			
Stormwater	0			
External Drainage	0			
Internal Drainage	1			
Site Inspections	1			
Swimming Pool	7			
Other	1			
Total	20			

Occupation Certificates					
Lodged Issued					
Council	2	5			
Private Certifiers 1 1					
Total 3 6					

Swimming Pool Compliance Inspections									
Application Number	Date Lodged Inspected NOI/Direction Non- Certificate (including re- Issued Compliance Compliance inspections) On Issued Issued								
SPCC2023/0008	09/11/2022	15/11/2022	17/11/2022	Yes	N/A				
SPCC2023/0009	11/11/2022	14/11/2022	N/A	N/A	15/11/2022				
SPCC2023/0010	23/11/2022	24/11/2022	No	No	No				
SPCC2023/0011	29/11/2022	29/11/2022	N/A	N/A	30/11/2022				

	Building Unit								
Application ID	Status	Primary Property	Full Details	Value \$	Date Lodged	Decision Date	Number of Days		
CC2023/0005	Current	144 Barwan Street, NARRABRI	Single Storey Commercial Shed	\$130,000	25/07/2022				
CC2023/0007	Current	162 Stoltenbergs Road, NARRABRI	Single Storey Dwelling	\$450,000	16/09/2022				
CC2023/0017	Current	20 Fitzroy Street, NARRABRI	Alterations & Additions	\$148,577	24/08/2022				
CC2023/0018	Current	7 Namoi Street, NARRABRI NSW 2390	Retail & Warehousing complex	\$251,560	24/08/2022				
CC2023/0021	Current	326 Kaputar Road, NARRABRI	Shed	\$22,000	17/09/2022				
CC2023/0022	Current	14 Thurlagoona Avenue, NARRABRI	Steel Framed Shed	\$13,000	14/10/2022				
CC2023/0023	Current	300 Kaputar Road, NARRABRI	Swimming Pool & Hut	\$40,000	28/10/2022				
CC2023/0024	Past	14 Millicent Drive, NARRABRI	Shed	\$19,000	28/10/2022	29/11/2022	32		
CC2023/0026	Current	4 Old Newell Highway, NARRABRI	Extending existing shed by 2 additional bays	\$150,000	10/11/2022				
CC2023/0027	Current	29 Millie Road, BELLATA	Industrial - Alterations and Additions to freight transport facility	\$600,000	15/11/2022				
CC2023/0030	Current	163 Gibbons Street, NARRABRI	10.5m x 6m garage with open carport	\$16,000	21/11/2022				
CC2023/0005	Current	144 Barwan Street, NARRABRI	Single Storey Commercial Shed	\$130,000	25/07/2022				
CC2023/0007	Current	162 Stoltenbergs Road, NARRABRI	Single Storey Dwelling	\$450,000	16/09/2022				

Planning Unit									
Application ID	Status	s Primary Property Full Details Value \$		Value \$	Date Lodged	Decision Date	Number of Days		
DA2023/0001	Current	12169 Newell Highway, NARRABRI	Shed	\$1,137,200	05/07/2022				
DA2023/0012	Past	28 Mooloobar Street, NARRABRI	23 room motel	\$2,956,204	10/08/2022	22/11/2022	104		
DA2023/0006	Current	14 Regent Street, NARRABRI	4 Separate Townhouses	\$1,250,000	28/07/2022				
ModDA2023/0002	Current	29 Millie Road, BELLATA NSW 2397	4.55(1A) - Minimal environmental impact	\$0	17/08/2022				
DA2023/0022	Current	32 Cowper Street, WEE WAA	Demo existing & replace with school	\$4,386,000	16/09/2022				
DA2023/0018	Current	91 Maitland Street, NARRABRI	Change of use to from Retail to Aesthetics premise	\$50,000	25/08/2022				
DA2023/0028	Current	60 Rose Street, WEE WAA	Childcare Facility	\$1,200,000	07/10/2022				
DA2023/0032	Current	53 Jacks Creek Road, NARRABRI	Dwelling Shed	\$547,000	17/08/2022				
DA2023/0033	Past	125 McKenzie Street, NARRABRI	Double Carport	\$4,750	28/10/2022	25/11/2022	29		
DA2023/0011	Current	119 Wee Waa Street, BOGGABRI	Demolish & build dual occupancy	\$564,000	18/10/2022				
DA2023/0023	Past	69 Coppleson Drive, NARRABRI	Single Storey Dwelling & Shed	\$673,785	16/09/2022	29/11/2022	74		
DA2023/0029	Current	117 Barwan Street, NARRABRI	Boundary adjustment between lots		11/10/2022				
DA2023/0036	Current	85-91 Francis Street, NARRABRI	Construction of an Industrial Shed	\$10,656	09/11/2022				
DA2023/0038	Current	111 Caloola Road, BOGGABRI	Enclosed Shed	\$24,555	17/11/2022				
DA2023/0039	Current	45 Maitland Street, NARRABRI	Drive-through bottle shop & signage	\$526,901	16/11/2022				
DA2023/0040	Current	41 Riverside Drive, NARRABRI	Change of use to multiple dwelling housing	\$0	22/11/2022				

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Issue	Status
Multiple complaints from residents concerning the use of Wave Hill Road by heavy vehicles. Significant degradation of the condition of Wave Hill Road appears consistent with the use by overweight vehicles.	The National Vehicle Heavy Regulator (NHVR) Compliance & Enforcement Unit is now assisting Council officers with a rolling enforcement program, targeting oversize and overweight vehicles using roads within the Narrabri Shire.
Investigations are ongoing into a major fire which engulfed and destroyed a residential premises. The premises was left with significant quantities of friable asbestos post the fire.	Council officers are examining available options for the demolition and clearance of the premises, with avenues of recouping costs, which have been quoted at approximately \$120,000. The Development Control Order requiring demolition and clearance remains in force.
Ongoing Overgrowth & Waste matter at a residential premises	NSC has filed for court proceedings, with a listing in January 2023.
Unauthorised side track constructed across the flooded Maules Creek Causeway.	This matter was investigated in late October/early November, investigations are also ongoing into the damage sustained to the riparian zones at Horse Arm Creek and Maules Creek Causeway. Penalty infringement notices for offences relating to the unauthorised works have been issued to the responsible party. A mandatory report has also been submitted by Council to the NSW Natural Resources Access Regulator in relation to this issue, who have since initiated their own investigation.
Lighting fires/burning in town without requred permit	Council have issued a penalty infringement notice for <i>Burning in the open and not preventing air pollution</i> following a complaint from Fire & Rescue NSW concerning an unauthorised burn at a residential premises in Narrabri.
Illegal relocation of approximately two hundred and fifty motor vehicle bodies, motor vehicle wrecks and machinery to land at Kaputar Road, Narrabri.	An Emergency Development Control Order was issued against a business proprietor (and a registered landowner) in relation to the illegal relocation of the motor vehicle bodies, motor vehicle wrecks and machinery to a large lot residential property on the outskirts of Narrabri. As the orders were not complied with, prosecution action has been commenced by Council against these persons for identified offences. Police have also notified Council that they are conducting investigations in relation to the transport of the motor vehicles and motor vehicle wrecks.

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	Heritage Matters
Matter	Description

Nil Heritage matters in November

Regulatory Compliance

Environmental Reporting	NOV -22
Illegal Dumping Complaints Received	
Illegal Dumping – Average Time to Respond	
Illegal Dumping – Initial Inspection	
Illegal Dumping – Clean Up Orders Issue	
Construction Complaints	
Construction Complaints – Initial Inspection	
Construction Complaints – Stop Work Orders Issued	
Illegal Camping Complaints	
Illegal Camping Complaints – Move Alongs Issued	
Abandoned Vehicles	
Abandoned Vehicles – Initial Inspection/NOI	6
Abandoned Vehicles – Follow Up Inspection	6
Abandoned Vehicles – Vehicles Towed to Holding Yard	
Abandoned Vehicles – Disposed/Tendered	
Overgrown/Waste on Property Complaints Received	8
Overgrown/Waste on Property Complaints – Inspections Completed	8
Overgrown/Waste on Property Complaints – Average Time to Respond (Days)	
Overgrown/Waste on Property Complaints – Initial Inspections	8
Overgrown/Waste on Property Complaints – Initial Courtesy Call/Letter	
Overgrown/Waste on Property Complaints – Follow Up Inspection	8
Overgrown/Waste on Property Complaints – NOI Sent	8
Overgrown/Waste on Property Complaints – Order 21 Issued	1
Order 11 Issued	
Order 22A Issued	
Order 12 issued	1
Order 27 Issued	
Burning Permits	
Burning Permits – Requests Received	
Burning Permits – Inspections	
Section 68 Applications	
s 68 - Septic Inspections Completed	2
s 68 - Septic Approvals to Install Issued	2
Approval to Operate Issued	2
s 68 - Septic Quarterly Reports Registered	69
Commissioning Certificate	
Parking Complaints	1
Noise Complaints	1
Food Inspections - Annual Inspections	3
Food Complaints - Complaints	1
Food Complaints - Inspections	
Food Complaints - Average time to Respond (days)	
Underground Petroleum Inspections Completed (6-monthly)	

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Companion Animals Reporting	NOV -2022
Number of Companion Animals Impounded	42
Dogs	21
Cats	21
Number of Companion Animals Registered	11
Dogs	9
Cats	2
Number of Companion Animals Rehomed	Nov-22
Dogs	15
Cats	14
Number of Companion Animals Released to Owner	4
Dogs	3
Cats	1
Number of Companion Animals Euthanised	4
Dogs	3
Cats	1
Number of Feral Animals Euthanised	5
Dogs	
Cats	5
Method of Canine Impoundment	21
Patrolling	1
Surrenders	6
Handed in to Council (Pre-caught prior to impoundment)	12
Seized	2
Method of Feline Impoundment	21
Council Trapping Operations	
Handed in to Council (Stray - Privately caught/trapped)	15
Handed in to Council (Feral - Privately trapped)	6
Surrenders	
Complaints Received by Council	60
Dogs	46
Cats	14
Average Time to Respond (in Days) - Companion Animal Complaints	0
Dogs	
Cats	
Number of Animals Microchipped by Council	19
Dogs	11
Cats	8
Animals Rehomed through Council	21
Dogs	
Cats	
Cats Trapped by Council	0
Stray	

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Feral	
Owned	
Number of Dog Attacks Reported to Council	1
Orders Issued	11
Number of Nuisance Dog Orders Issued	
Number of Menacing Dog Orders Issued	
Number of Dangerous Dog Orders Issued	1

PIN Issued	November 2022
Parking	
Companion Animals	1
Impounded Vehicles	
Impounded Livestock	
Litter	
Illegal Dumping	
Land Contamination and Pollution	
Overgrown Premises	
Public Health Related	
Food Safety	
Swimming Pools	
Development	

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* Year to Date = Financial Year

Development Applications (DAs)

Development Applications Lodged and Determined - Year to Date*								
	November Value (\$)		November (DAs)	Year to date Value (\$)		Year to date Total (DAs)		
Applications Lodged	ć	1,253,956	(DA3) 8	Ś	19,118,674	45		
<u>''</u>	ې							
Applications Determined	\$	5,540,738	7	\$	10,227,606.27	42		
Yet to be Determined	\$	9,738,156	15	\$	9,738,156	15		
Avg days for determination				55				

Development Applications lodged and determined - Year to Date*								
	November		November		Year to date	Year to date		
	V	/alue (\$)	(DAs)		Value (\$)	Total (DAs)		
Dwellings / Dual Occupancy	\$	600,000	1	\$	6,713,152	9		
Sheds	\$	24,555	1	\$	2,014,560	18		
Commercial	\$	532,101	2	\$	2,782,101	5		
Industrial	\$	10,656	1	\$	10,656	1		
Subdivision	\$	-	0	\$	220,000	3		
Tourism development	\$	-	0	\$	2,956,204	1		
Modifications	\$	-	0	\$	705,600	5		
Others	\$	86,644	3	\$	4,626,752	8		
Infrastructure / Solar / Pond	\$	-	0	\$	-	0		
Total	\$	1,253,956	8	\$	20,029,025	50		

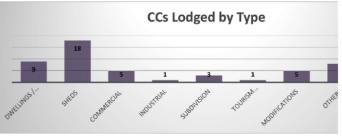
Construction Certificates (CCs)

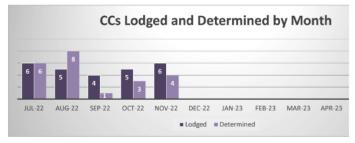
Construction Certificates Lodged and Determined - Year to Date*									
		November	November		Year to date	Year to date			
		Value (\$)	(CCs)		Value (\$)	(CCs)			
Applications Lodged	\$	1,617,073	6	\$	2,879,681	26			
Council Determined	\$	54,000.00	2	\$	345,000	22			
Private Certifier Determined	\$	1,171,486	2	\$	1,171,486	2			
Yet to be Determined	\$	1,669,000.00	12	\$	3,683,000	30			
Avg days for determination				16	5				

	N	ovember	November	Year to date		Year to date
	V	alue (\$)	(CCs)		Value (\$)	(CCs)
Dwelling	\$	-	0	\$	2,346,258	5
Shed / Garage	\$	255,000	4	\$	569,500	13
Commercial	\$	-	0	\$	267,000	1
Industrial	\$	1,362,073	2	\$	1,517,073	3
Alteration	\$	-	0	\$	-	0
Swimming Pool	\$	-	0	\$	76,180	2
Total	\$	1,617,073	6	\$	4,776,011	24











12.5 LOG OF AUTO-ARCHIVE ACCESS

Responsible Officer: Andrew Brown, Director Corporate and Commercial 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 014/2022

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 16 November 2022 to 9 December 2022 the auto archive email system was accessed by staff on one (1) occasion, being for:

1. To locate documents relating to contract negotiation from staff who were involved in the negotiation but are no longer employed by Council.

The only person with access to the auto archives email system is the IT Coordinator.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY AND POLICY IMPLICATIONS

Nil.

CONSULTATION

External Consultation

Nil.

Internal Consultation

Nil.

12.6 RESOLUTIONS REGISTER - NOVEMBER TO DECEMBER 2022

Responsible Officer: Andrew Brown, Director Corporate and Commercial Services

Author: Alice Gemmell-Smith, Governance Coordinator

Attachments: 1. Outstanding Resolutions Register as at 14 December 2022 🗓 🖺

2. Completed Resolution Register as at 14 December 2022 U

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 Wednesday 14 December 2022, is therefore presented to Council.

RECOMMENDATION

- 1. That Council receive and note the outstanding Resolutions Register as at 14 December 2022.
- 2. That Council receive and note the completed Resolutions Register as at 14 December 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 outstanding register has been updated as at Wednesday 14 December 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 completed register shows all actions completed. When all of the actions from a resolution are completed, it will be moved to the completed register.

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: 14 December 2022 10:47 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	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 Sustainability	15/11/2017	31/03/2023	13 Dec 2022 - 8:43 AM - Director Planning and Sustainability Revised Target Date changed by: Director Planning and Sustainability From: 30 Sep 2022 To: 31 Mar 2023 Reason: For review as part of Policy review process. Delivery timeframe adjusted due to competing project demands.
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	15/11/2023	25 Oct 2022 - 4:22 PM - Manager Parks and Open Spaces Revised Target Date changed by: Manager Parks and Open Spaces From: 31 Dec 2022 To: 15 Nov 2023 Reason: The review has been included in the grant funded consultation plan for Resources for Region this will allow time for further public consultation and the NSW Crematoria licencing Act to commence.
3	25/09/2018	224/2018	Acquisition of Land for Expansion for Narrabri Landfill	 MINUTE 224/2018 That Council: 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. 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. Make all necessary arrangements to: 	Manager Property Services	09/10/2018	01/06/2023	Investigations regarding an acquisition for this purpose are ongoing there is currently a PCG in place and it is anticipated that a larger acquisition area will be required, this project will be guided by the Director of Infrastructure and the Manager of Waste.
4	30/10/2018	240/2018	Road Network Condition Assessment	 MINUTE 240/2018 That Council note the condition and assessment report with no changes to the existing proposed road services 2018/2019 budgets. That Council undertaken community consultation to determine the levels of services and risk that are acceptable to road users within Narrabri Shire. 	Manager Road Services	13/11/2018	30/06/2023	8 Dec 2022 - 10:20 AM - Director Infrastructure Delivery Roads Hierarchy drafted, first stage of process followed by condition assessment (tender to be released Feb 2022)

Narrabri Shire Council



Resolution Register

(Outstanding)

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

Council

Printed: 14 December 2022 10:47 AM

No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
5	26/02/2019	025/2019	Single Property – Amendment to Local Government Boundary	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	30/06/2023	9 Dec 2022 - 11:22 AM - Governance Coordinator Revised Target Date changed by: Governance Coordinator From: 30 Sep 2022 To: 30 Jun 2023 Reason: Awaiting for the Local Government Boundary Commission to gazette the boundary change between MPSC and NSC.
6	23/02/2021	038/2021	Provision Of New Doctors Residence in Boggabri	 MINUTE 038/2021 That Council provide a suitable prefabricated home on vacant Council land at 37 Dalton Street Boggabri, at an estimated cost of \$274,800. That the provision of the home be funded from the Maules Creek Coal Voluntary Planning Agreement (VPA) for Boggabri Community projects. 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. 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. That Council approve the use of the Council Seal for all relevant documents to enact this resolution. 	Manager Property Services	09/03/2021	01/07/2023	8 Nov 2022 - 3:21 PM - Manager Property Services Quotations continue to sought for potential construction, however updated report proposed to be provided to the December ordinary Council meeting in relation to this matter.

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Resolution Register

(Outstanding)

Criteria
Directorate(s):
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Date From:
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Printed: 14 December 2022 10:47 AM

No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
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 Doctors Creek bank erosion be examined in conjunction with the proposed solution to the erosion issues.	Director Infrastructure Delivery	26/08/2021	31/03/2023	8 Dec 2022 – 12:25 PM – Director Infrastructure Delivery Further information requested from Resilience NSW to clarify responsibilities, following receiving info a report will be written to Council
8	15/02/2022	014/2022	Notice of Motion - Use of iPad Technology by Councillors	THAT (i) That the General Manager provide a report to the 22 nd 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.	Manager Governance and Risk	17/03/2022	20/12/2022	13 Dec 2022 - 5:27 PM - Manager Governance and Risk Revised Target Date changed by: Manager Governance and Risk From: 22 Nov 2022 To: 20 Dec 2022 Reason: Next report being brought to 20 December 2022 Council Meeting

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(Outstanding)

Criteria
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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
9	22/03/2022	062/2022	Notice of Motion – Urgent Works on Melburra Road (Off Killarney Gap Road)	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 Road Services	21/04/2022	31/03/2023	8 Dec 2022 - 12:23 PM - Director Infrastructure Delivery Revised Target Date changed by: Director Infrastructure Delivery From: 31 Oct 2022 To: 31 Mar 2023 Reason: Flooding has delayed stakeholder meeting
10	22/03/2022	070/2022	Council Committees	That Council hold a workshop to consider the formation of Council standing committees.	Manager Governance and Risk	21/04/2022	30/06/2023	9 Dec 2022 - 9:59 AM - Manager Governance and Risk Revised Target Date changed by: Manager Governance and Risk From: 6 Dec 2022 To: 30 Jun 2023 Reason: On advice from GM that matter is currently under discussion.
11	26/04/2022	CO- 001/2022	Narrabri Underground Voluntary Planning Agreement (VPA) Update	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	28/02/2023	9 Dec 2022 - 11:45 AM - Manager Planning and Development Revised Target Date changed by: Manager Planning and Development From: 30 Nov 2022 To: 28 Feb 2023 Reason: Follow up with LTL in relation to the explanatory note and to allow time for further review from Whitehaven

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(Outstanding)

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12	26/07/2022	238/2022	Accounting	MINUTE 238/2022		Director	25/08/2022	25/08/2022	10 Aug 2022 - 3:40 PM - Manager Financial Services
			Treatment of Rural Fire Service Assets (Red Fleet)	MP, the Treasurer the Hor Emergency Services and I	Matt Kean MP, Minister for Resilience the Hon Stephanie	Corporate and Commercial Services			Action reassigned to Director Corporate and Commercial Services by: Manager Financial Services for the reason: Advocacy letter best to come fro senior staff
					's objection to the NSW nination on ownership of Rural				
					ct of the Government's position of this accounting treatment;				
					cil will not record RFS assets in cil's financial statements;				
				action to permane inconsistencies arou Rural Fire Service (I that rural firefighting	Sovernment to take immediate intly clear up inequities and and the accounting treatment of RFS) assets by acknowledging equipment is vested in, under a property of the RFS; and				
					Rural Fires Act 1997 so that the ear that RFS assets are not the	he el y ul n s d d			
				Mookhey MLC, the Shad Services Jihad Dib MP, th Government Greg Warren for Local Government Jam of the Shooters, Fishers and	e Shadow Treasurer Daniel ow Minister for Emergency e Shadow Minister for Local MP, the Greens Spokesperson e Parker MP and the leaders d Farmers, Animal Justice and t Borsak MLC, Emma Hurst C:				
				position, including	of Narrabri Shire Council's g providing copies of SW Government Ministers; and				
					commitments to support NSW and the Rural Fires Act 1997 as lence.				
				advising that notwithstand qualified audits, it will not Shire Council's financial sta Government's own Local G of Practice and Financial R	writes to the Auditor General ding any overtures of future record RFS assets in Narrabri tements, noting that the State overnment Accounting Code eporting provides for councils of they record the RFS assets				

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(Outstanding)

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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
				 That Council promotes these messages via its digital and social media channels and via its networks. 				
				5. That Council re-affirms its complete support of and commitment to local RFS brigades noting that Narrabri Shire Council's action is entirely directed towards the NSW Government's nonsensical position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which councils consider to be a cynical financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities.				
				 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. 				
13	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	31/03/2023	26 Oct 2022 - 8:19 AM - Manager Property Services Revised Target Date changed by: Manager Property Services From: 22 Sep 2022 To: 31 Mar 2023 Reason: Council's solicitor preparing section 30 agreement. Further surveying required for the finalisation of this matter.

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(Outstanding)

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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
14	27/09/2022	293/2022	Notice of Motion - Roads	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. 2. That Council fully supports and recognises the efforts of staff in this area.	Director Infrastructure Delivery	27/10/2022	28/02/2023	8 Dec 2022 - 12:24 PM - Director Infrastructure Delivery Proposal emailed to Councillors, report to be written for Feb meeting 2023
15	27/09/2022	322/2022	Proposed Leases to Namoi Aero Club	 MINUTE 316/2022 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. 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. That Council delegate authority to the General Manager to enter into the lease agreements and execute relevant documentation. 	Manager Property Services	27/10/2022	31/12/2022	12 Dec 2022 - 9:32 AM - Manager Property Services Revised Target Date changed by: Manager Property Services From: 27 Oct 2022 To: 31 Dec 2022 Reason: Execution of leases was waiting on comfirmation from Aero Club regarding commencement date dependent on plans to submit DA). Received comfirmation from Aero Club on 7 December 2022 with requests to commence 1 January2023. Draft lease documens provided to Aero Club for review.
16	18/10/2022	328/2022	Appointment of Councillor Delegates to the RFS Service Level Committee	 MINUTE 328/2022 That Council appoint Crs Darrell Tiemens and Brett Dickinson to the RFS Service Level Agreement Liaison Committee. That the appointments expire at the September 2023 Ordinary Council Meeting. 	Governance Coordinator	17/11/2022	17/11/2022	12 Dec 2022 - 9:00 AM - Director Corporate and Commercial Services Action reassigned to Governance Coordinator by: Director Corporate and Commercial Services for the reason: Reallocation to correct officer

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Resolution Register

(Outstanding)

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

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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
17	18/10/2022	339/2022	Rural Banking Options- Wee Waa	 MINUTE 339/2022 That Council note that no party currently in Commonwealth Parliament has adopted the proposed Commonwealth Postal Savings Bank Bill and rescind all outstanding actions from minute 131/2021. That Council writes to the responsible Federal Minister to support the Commonwealth investigating the issue and the intent of the Bill. 	Manager Governance and Risk	17/11/2022	31/01/2023	12 Dec 2022 - 9:25 AM - Manager Governance and Risk Revised Target Date changed by: Manager Governance and Risk From: 31 Jan 2023 To: 31 Jan 2023 Reason: Letter drafted and with Management for sign-off.
18	18/10/2022	340/2022	Proposed Lease of Narrabri Big Sky Caravan Park to Southern Cross Parks	 MINUTE 340/2022 That Council enter into a lease agreement with Southern Cross Parks for a period of two (2) years for Lot 17 DP1060622. That the lease agreement include the option of a further thirteen (13) year term, subject to the satisfactory completion of the capital works schedule provided in Attachment 1, which subsequently forms part the updated Master Plan in Attachment 2. That Council delegate authority to the General Manager to enter into the lease agreements and execute relevant documentation. 	Manager Property Services	17/11/2022	20/12/2022	12 Dec 2022 - 8:14 AM - Manager Property Services Lease provided to lessee for review. Lessee advised at meeting on 7/12 that they expect to progress with the matter during the week commencing 12 December 2022.
19	18/10/2022	CO- 348/2022	Northern NSW Inland Port (N2IP) - Draft Funding Deed	 MINUTE CO-348/2022 That the progress report in relation to the finalisation of the N2IP Funding Deed be received and noted. That Council, on the advice of staff, authorise the General Manager to execute the funding deed attached to this report following completion of the draft Deed review process by Department of Regional NSW. 	Director Planning and Sustainability	17/11/2022	30/12/2022	13 Dec 2022 – 9:11 AM – Director Planning and Sustainability Revised Target Date changed by: Director Planning and Sustainability From: 17 Nov 2022 To: 30 Dec 2022 Reason: Draft Deed pending finalisation (under review)
20	22/11/2022	351/2022	Mayoral Minute – Letter requesting Declaration of a Statewide Road Emergency	MINUTE 351/2022 1. That Council joins with Local Government NSW and Country Mayors Association of NSW in declaring a Statewide Road Emergency.	Executive Assistant	22/12/2022	22/12/2022	14 Dec 2022 – 9:36 AM – Manager Governance and Risk Underway

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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
21	22/11/2022	358/2022	2021/2022 Draft Annual Financial Statements	 That Council formally adopt the draft Annual Financial Statements for the year ended 30 June 2022 as presented, for referral to audit. The Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer be authorised to sign the Statements by Councillors and Management on the preparation of the General Purpose and Special Purpose Financial Statements for the year ended 30 June 2022. The General Manager be delegated the authority to issue the audited Annual Financial Statements upon receipt of the auditors' reports, subject to there being no material audit changes or audit issues. That Council present the audited Annual Financial Statements and Auditors Reports to the public at a meeting to be held in conjunction with its next available Ordinary Council meeting. 	Chief Financial Officer	22/12/2022	28/02/2023	14 Dec 2022 - 9:44 AM - Manager Governance and Risk Revised Target Date changed by: Manager Governance and Risk From: 22 Dec 2022 To: 28 Feb 2023 Reason: Audit currently underway. To be finalised by end of February.
22	22/11/2022	360/2022	Quarterly Budget Review Statement - September 2022	MINUTE 360/2022 1. That Council adopt the Quarterly Budget Review Statement for the period ended 30 September 2022 as the revised Budget estimates for the year ended 30 June 2023 and the Operational Plan and Capital Works Plan be amended accordingly.	Chief Financial Officer	22/12/2022	22/12/2022	14 Dec 2022 - 9:46 AM - Manager Governance and Risk Budget and plans being amended accordingly
23	22/11/2022	363/2022	Procedures for Administering Code of Conduct	 MINUTE 363/2022 That Council adopt the Model Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW, as attached to this report. That the General Manager or their delegate amend the Model Procedures adopted at 1 above to: (a) Remove prefatory material from pages 1 and 2 of the document; and (b) Reformat the document to be in accordance with Council's standard document styling. That pages 48 to 77 (inclusive) of the Code of Conduct 2022, save for the document history table, be repealed and replaced with the Procedures document adopted at 1 above. That the Code of Conduct 2022 otherwise remain unchanged. 	Governance Coordinator	22/12/2022	16/12/2022	13 Dec 2022 - 5:20 PM - Manager Governance and Risk Revised Target Date changed by: Manager Governance and Risk From: 22 Dec 2022 To: 16 Dec 2022 Reason: Document in process of update and rebranding

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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
24	22/11/2022	370/2022	Licence for Charging Stations for Electric Vehicles	 That Council enter into a licence agreement with National Roads and Motorists' Association Limited for part Lot 20 DP758755 known as 89 Barwan Street Narrabri, as indicatively identified in Attachment 1. That the licence agreement be for a term of 5 years, with the option of renewal for a further term of 5 years. That the licence fee for the term of the licence (including any option for renewal) is set at \$1 per annum plus GST. That Council delegate authority to the General Manager to enter into the licence agreement and execute relevant documentation. 	Manager Property Services	22/12/2022	31/01/2023	13 Dec 2022 – 5:20 PM – Manager Governance and Risk Revised Target Date changed by: Manager Governance and Risk From: 22 Dec 2022 To: 31 Jan 2023 Reason: Licence agreement with exec for signature.
25	22/11/2022	373/2022	Notice of Motion – Wee Waa Lagoon Bridge Extension	 That Narrabri Shire Council seek funding under the NSW Betterment fund or similar State or Commonwealth resilience fund for the following purposes: (a) To fully investigate and develop costed plans (not engineering) to extend the Wee Waa lagoon bridge south past Harris Lane. This being to remove the isolation caused to residents and businesses by the inundation of this section of road; (b) To fully investigate whether with a Lagoon creek bridge extension, an increase in the road height at Bohena Creek would be justified; (c) To fully investigate and develop costed plans (not engineering) to raise the road height by bridge or culvert on the Kamilaroi highway east of Wee Waa at Glencoe channel road crossing, Glenarvon floodway; (d) That investigations include assessment of the reduction in isolation and financial and other impacts on individual and business due to isolation caused by flood waters; (e) That a local reference committee be set up at the appropriate time to utilise local knowledge. 	Director Infrastructure Delivery	22/12/2022	22/12/2022	12 Dec 2022 - 9:22 AM - Governance Coordinator Action reassigned to Director Infrastructure Delivery by: Governance Coordinator for the reason: Please action as required.

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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
26	22/11/2022	374/2022	Notice of Motion - Development of Gately Field Soccer Facilities	 MINUTE 374/2022 That Narrabri Shire Council confirms its support for development of the Gately Field soccer facilities. That this include development of a facility plan in conjunction with representatives from the club. That Council details its interaction with Northern Inland Football and its attempts to provide grant money for the upgrade of change rooms, canteen, and toilets. 	Grants Officer	22/12/2022	22/12/2022	12 Dec 2022 - 9:20 AM - Governance Coordinator Action reassigned to Grants Officer by: Governance Coordinator for the reason: Please action as required.
27	22/11/2022	CO- 383/2022	Appointment of Audit, Risk and Improvement Committee Member	1. That Council appoint Candidate 1 to the Audit, Risk and Improvement Committee as an independent member. 2. That Council provide an official letter of appointment signed by the mayor to Candidate 1 to confirm the terms and condition of the appointment in line with the draft Risk Management and Internal Audit for local council in NSW Guidelines. 3. That the ARIC Chairperson provide a thorough induction to Candidate 1 in line with the draft Risk Management and Internal Audit for local council in NSW Guidelines.	Manager Governance and Risk	22/12/2022	22/12/2022	12 Dec 2022 - 9:25 AM - Manager Governance and Risk Member attended first meeting on 05 December 2022. Letter of Appointment being finalised for signature by Mayor. On track for completion by the due date.

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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
1	22/11/2022	350/2022	Mayoral Minute - Mayoral Appointments for October/November 2022	 MINUTE 350/2022 That Council note the Mayoral appointments for the period 13 October 2022 to 11 November 2022. 	Executive Assistant	22/12/2022	22/12/2022	12 Dec 2022 - 9:32 AM - Executive Assistant Action completed by: Governance Coordinator No further action required.
2	22/11/2022	354/2022	Mayoral Minute - Flooding Emergeny	 MINUTE 354/2022 Moved: Cr Ron Campbell That Council declare the Narrabri Shire Council as being under a flooding emergency situation. That Council establish a Flood Recovery Council Advisory Committee in accordance with the proposed Terms of Reference attached to this Minute. That the General Manager present a report to the first Flood Recovery Council Advisory Committee Meeting on potential funding sources for any Council at risk funds that may be used to combat the flood emergency. 	Executive Assistant	22/12/2022	22/12/2022	12 Dec 2022 – 9:31 AM – Executive Assistant Action completed by: Governance Coordinator Committee established, and first meeting held 08/12/2022
3	22/11/2022	355/2022	Resolutions Register - October to November 2022	 MINUTE 355/2022 That Council receive and note the outstanding Resolutions Register as at 14 November 2022. That Council receive and note the completed Resolutions Register as at 14 November 2022. 	Director Corporate and Commercial Services	22/12/2022	22/12/2022	12 Dec 2022 – 9:30 AM – Director Corporate and Commercial Services Action completed by: Governance Coordinator No further action required.
4	22/11/2022	356/2022	Log of Auto-Archive access	MINUTE 356/2022 1. That Council note the Log of Auto-Archive report.	Director Corporate and Commercial Services	22/12/2022	22/12/2022	12 Dec 2022 - 9:30 AM - Director Corporate and Commercial Services Action completed by: Governance Coordinator No further action required.
5	22/11/2022	357/2022	Investment Report - October 2022	MINUTE 357/2022 1. That Council note the Investment Report for October 2022.	Director Corporate and Commercial Services	22/12/2022	22/12/2022	12 Dec 2022 - 9:29 AM - Director Corporate and Commercial Services Action completed by: Governance Coordinator No further action required.

Narrabri Shire Council



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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
6	22/11/2022	359/2022	2021/2022 Annual Report	 MINUTE 359/2022 That Council adopt the 2021/2022 Annual Report, noting that the financials included are draft unaudited and are subject to change following the finalisation of Council's Audited Financial Statements for the financial year ending 30 June 2022. That Council's 2021/2022 Annual Report include a watermark on the document to explicitly show that all financial figures included in the document are draft unaudited financial figures. That Council present the 2021/2022 Annual Report with the audited Annual Financial Statements and Auditors Reports, once finalised, to the public at the next available Ordinary Council meeting. 	Director Corporate and Commercial Services	22/12/2022	22/12/2022	12 Dec 2022 - 9:29 AM - Director Corporate and Commercial Services Action completed by: Governance Coordinator Report on Council's website and notification sent to OLG and Department of Communities and Justice.
7	22/11/2022	361/2022	Operational and Service Plan Quarterly Report - 1 July 2022 to 30 September 2022	MINUTE 361/2022 1. That Council adopt the Quarter 12022/2023 Quarterly Operational and Service Plan Progress Report, as attached, detailing Council's progress in meeting its actions, capital works and key performance measures for the period of 1 July 2022 to 30 September 2022.	Director Corporate and Commercial Services	22/12/2022	22/12/2022	12 Dec 2022 - 9:28 AM - Director Corporate and Commercial Services Action completed by: Governance Coordinator No further action required.
8	22/11/2022	362/2022	Policy Review	 MINUTE 362/2022 That Council adopt the policies listed in table 1 of this report. That Council repeal the policies listed in table 2 of this report on the basis that they have been subsumed into a new policy in table 1 of this report. 	Director Corporate and Commercial Services	22/12/2022	22/12/2022	12 Dec 2022 - 9:27 AM - Director Corporate and Commercial Services Action completed by: Governance Coordinator Website and Council's record management system updated.
9	22/11/2022	364/2022	Acceptance of Tenders Under Delegation - October 2022	MINUTE 364/2022 That Council note the determination of tenders under delegation for the period to October 2022.	Director Infrastructure Delivery	22/12/2022	22/12/2022	14 Dec 2022 - 9:40 AM - Director Infrastructure Delivery Action completed by: Manager Governance and Risk No Action Required.
10	22/11/2022	365/2022	Submission on the Independent Review of the Delivery of the Inland Rail Program	MINUTE 365/2022 That Council receive and note the submission on the Independent Review of the Delivery of the Inland Rail Program.	Director Planning and Sustainability	22/12/2022	22/12/2022	13 Dec 2022 - 9:06 AM - Director Planning and Sustainability Action completed by: Director Planning and Sustainability Task completed.
11	22/11/2022	366/2022	Planning and Development Montlhy Status Report - October 2022	MINUTE 366/2022 That Council receive and note the Planning and Development Services Report for the month of October 2022.	Director Planning and Sustainability	22/12/2022	22/12/2022	12 Dec 2022 - 9:24 AM - Director Planning and Sustainability Action completed by: Governance Coordinator No further action required.

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No.	Start Date	Minute	Report Title	Resolution	Responsible	Original	Revised	Current Status
					Officer	Target Date	Target Date	
12	22/11/2022	367/2022	Infrastructure Delivery Status Report – November 2022	MINUTE 367/2022 1. That Council receive and note the Infrastructure Delivery Status Report – November 2022.	Director Infrastructure Delivery			12 Dec 2022 - 9:23 AM - Director Infrastructure Delivery Action completed by: Governance Coordinator No further action required.
13	22/11/2022	368/2022	Draft Public Art Policy	 MINUTE 368/2022 That Council endorse the draft "Public Art Policy" for the purposes of public exhibition. That Council place on public exhibition the "Public Art Policy" for a period of at least 28 days, during the exhibition period call for and accept submissions from the public on the draft Policy. 	Manager Tourism and Cultural Services	22/12/2022	22/12/2022	13 Dec 2022 - 9:02 AM - Manager Tourism and Cultural Services Action completed by: Director Planning and Sustainability Draft Policy placed on public exhibition.
14	22/11/2022	369/2022	Road Crossing Floodway Upgrades	 MINUTE 369/2022 That Council endorse the four (4) priority floodway upgrades. That Council endorse the completion of a floodway audit. 	Director Infrastructure Delivery	22/12/2022	22/12/2022	14 Dec 2022 - 9:41 AM - Director Infrastructure Delivery Action completed by: Manager Governance and Risk No Action Required at this stage. Endorsement of audit noted.
15	22/11/2022	371/2022	Resignation as Crown Land Manager	 MINUTE 371/2022 That Council provide written consent to resign as Crown Land Manager over the land immediately surrounding Lot 214 DP39796, as shown in green shading and outline in Attachment 1. That Council delegate authority to the General Manager to provide the written consent of resignation. 	Manager Property Services	22/12/2022	22/12/2022	12 Dec 2022 - 9:28 AM - Manager Property Services Action completed by: Manager Property Services Written resignation as CLM set to Crown Lands on 6 December 2022
16	22/11/2022	372/2022	Reconciliation Action Plan Update	 MINUTE 372/2022 That Council note the progress on the Innovate Reconciliation Action Plan 2023-2025. That Council endorse the draft Reconciliation Action Plan (RAP) Advisory Committee Terms of Reference acknowledging that the Terms of Reference may need amended following discussions and engagement with key stakeholders including the Local Aboriginal Land Councils. 	Director Planning and Sustainability	22/12/2022	22/12/2022	13 Dec 2022 - 8:52 AM - Director Planning and Sustainability Action completed by: Director Planning and Sustainability Task complete.
17	22/11/2022	377/2022	Delegate's Report - SWITCH 2022 Annual Conference of the New South Wales Public Libraries Association (NSWPLA)	MINUTE 377/2022 1. That Council note Councillor Redding's Delegate Report on the 2022 Annual Conference of the New South Wales Public Libraries Association (NSWPLA) meeting held on 8 November 2022 to 11 November 2022.	Executive Assistant	22/12/2022	22/12/2022	12 Dec 2022 - 9:20 AM - Executive Assistant Action completed by: Governance Coordinator No further action required.

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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
18	22/11/2022	378/2022	DA2023/0012 – Construction of a Motel Accommodation (23 Rooms), 28 & 30 Mooloobar Street, Narrabri NSW 2390	MINUTE 378/2022 1. That Council determine DA 2023/0012 pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979 by the granting of consent subject to conditions, as detailed in Appendix A 'Conditions of Development Consent – DA 2023/0012'.	Director Planning and Sustainability	22/12/2022	22/12/2022	13 Dec 2022 - 8:56 AM - Director Planning and Sustainability Action completed by: Director Planning and Sustainability Notice of Determination (NoD) issued.
19	22/11/2022	379/2022	Request for Suspension of Alcohol Free Zone – Namoi Hotel	1. That Council: (a) Suspend the Alcohol Free Zone on Maitland Street and Bowen Street within the proposed area in front of the Namoi Hotel, for a period of 12 months (Starting 22 November 2022 and Ending 22 November 2023). The remaining section of Maitland Street and Bowen Street outside of the fenced area will remain an Alcohol Free Zone. (b) Reserves the right to revoke this suspension of the Alcohol Free Zone.	Director Planning and Sustainability	22/12/2022	22/12/2022	13 Dec 2022 - 8:57 AM - Director Planning and Sustainability Action completed by: Director Planning and Sustainability Task complete. Formal approval issued.
20	22/11/2022	380/2022	Request for Suspension of Alcohol Free Zone (AFZ) - Tourist Hotel	1. That Council suspend the Alcohol Free Zone on Maitland Street and Doyle Street within the proposed area in front of the Tourist Hotel, between the hours of 5:00PM to 10:00PM on Friday 16 December 2022, during the annual Narrabri Chamber of Commerce's Christmas Carnival Event. The remaining section of Maitland Street and Doyle Street outside of the fenced area will remain an Alcohol Free Zone, for the Narrabri Chamber of Commerce's Christmas Carnival event.	Director Planning and Sustainability	22/12/2022	22/12/2022	13 Dec 2022 - 8:59 AM - Director Planning and Sustainability Action completed by: Director Planning and Sustainability Task completed. Formal approval issued.

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No.	Start Date	Minute	Report Title	Resolution	Responsible Officer	Original Target Date	Revised Target Date	Current Status
21	22/11/2022	CO- 384/2022	Sporting Wall of Fame	MINUTE CO-384/2022 1. That Council note the recommendation of the assessment panel and determine the recipients of the Sporting Wall of Fame Awards 2023 as per the four (4) eligibility criteria as: (a) Lachlan Wright. (b) Emily Rose Grellman. (c) Frank Fish. (d) Makayla Jane Elford. (e) Josie Wilson. (f) Charlie North. (g) Andrew Wilson.	Manager Tourism and Cultural Services	22/12/2022	22/12/2022	13 Dec 2022 - 9:23 AM - Manager Tourism and Cultural Services Action completed by: Manager Tourism and Cultural Services Report adopted in November Council meeting. Council will now inform the recipients and organise the award ceremony

Narrabri Shire Council

12.7 REVIEW OF AUDIT, RISK AND IMPROVEMENT COMMITTEE TERMS OF REFERENCE

Responsible Officer: Andrew Brown, Director Corporate and Commercial Services

Author: Maree Bales, Risk Coordinator

Attachments: 1. Audit, Risk and Improvement Committee - Terms of Reference (under

separate cover) 🖺

DELIVERY PROGRAM ALIGNMENT

4 Leadership

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

and reporting

Strategy 4.4.2 Ensure effective and sound local governance practice

EXECUTIVE SUMMARY

The Audit, Risk and Improvement Committee (ARIC) Terms of Reference (ToR) have been updated to include the decisions made by Council at the June Ordinary Council Meeting as per Minute 182/2022 in relation to the remuneration payable to the Independent Voting Chair and Independent Voting Members and the information Council receives from the ARIC.

RECOMMENDATION

1. That Council adopt the amended Audit, Risk and Improvement Committee Terms of Reference attached to this report.

BACKGROUND

At the June Ordinary Council Meeting, Council by resolution 182/2022 made decisions that were to be included in the ARIC ToR.

CURRENT SITUATION

The amended ARIC ToR is attached to this report with the following changes made:

"2.2. Remuneration

The sitting fees for the Committee were set by Council at the June Ordinary Council Meeting as per Minute 182/2022.

- a) Independent Voting Chair \$2,000 per meeting (including travel)
- b) Independent Voting Member \$800 per meeting (including travel)"

and

"4. Reporting

Council will receive copies of all Committee Business Papers, Minutes and other reports in closed Council under Confidential Cover as recommended within the Draft and as per Council Resolution 182/2022."

The ARIC endorsed the amended ToR at its meeting held on Monday, 5 December 2022. The ToR is provided to Council to adopt.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY AND POLICY IMPLICATIONS

Section 428A Local Government Act 1993 (NSW)

CONSULTATION

External Consultation

• Audit, Risk and Improvement Committee.

Internal Consultation

• Governance and Risk Section.

12.8 **POLICY REVIEW**

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

Author: Alice Gemmell-Smith, Governance Coordinator

Attachments: Table 1 - Policies for Adoption (under separate cover) 1.

DELIVERY PROGRAM ALIGNMENT

4 Civic Leadership - Council as strong leaders for the Community

Objective 4.1 A transparent and accountable Council

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

EXECUTIVE SUMMARY

Council is required to undertake a review of Council Policies within twelve months of an Ordinary Council Election. At its October 2022 Ordinary Council Meeting, Council endorsed a number of policies for public exhibition. The public exhibition period has now expired, and those policies are ready for adoption.

RECOMMENDATION

1. That Council adopt the policies listed in table 1 of this report.

BACKGROUND

Council Policies are high level, publicly facing documents that set out Council's strategic position on matters. They set parameters and objectives for the way Council operates and interacts with the community. In Council's Policy Framework, Policies are the highest level of Council specific documents. Beneath them, where required, are Operational Protocols issued by the General Manager or their delegate(s). Policies tend to set what Council's position on matters is, and what it intends to do. Operational Protocols detail how Council will go about doing them.

Council is required to review its policies within twelve months of the 2021 Ordinary Council Election. In other words, Council Policies must be reviewed by 23 December 2022.

At its Ordinary Council Meeting on 18 October 2022, Council endorsed a number of policies to be placed on public exhibition for 28 days. Council is required to accept submissions on these publicly exhibited Local Orders and Approvals Policies for a period of 42 days 18 October 2022. That period expired at 5:00pm on Wednesday, 30 November 2022, and the documents are ready for adoption by Council.

CURRENT SITUATION

While on public exhibition, Council received no submissions in relation to the policies.

Table 1 - Draft policies recommended for adoption following public exhibition

Policy	Summary of changes
Local Approvals Policy	Re-drafted for clarity. Further requirements were included to meet best practice standards.
Local Orders Policy	Re-drafted and re-structured for clarity. Further requirements were included to meet best practice standards.

FINANCIAL IMPLICATIONS

Nil

STATUTORY AND POLICY IMPLICATIONS

Local Government Act 1993 (NSW).

Council's Policy Suite.

This policy review will:

- Ensure Council's compliance with legislated post-election requirements;
- Ensure up to date compliance with best practice and legislated requirements; and
- Provide clearer, more precise, more enforceable, and more accessible policies.

CONSULTATION

External Consultation

- Office of Local Government.
- Independent Commission Against Corruption.

Internal Consultation

- Executive Management.
- Senior Management.
- Governance and Risk Section.
- Subject Matter Experts.

12.9 COUNCIL-RELATED DEVELOPMENT POLICY

Responsible Officer: Donna Ausling, Director Planning and Sustainability

Author: Michelle Henry, Manager Planning and Development

Attachments: 1. Draft Council-Related Development Policy 🗓 🖺

DELIVERY PROGRAM ALIGNMENT

4 Civic Leadership - Council as strong leaders for the Community

Objective 4.1 A transparent and accountable Council

Strategy 4.1.4 Ensures transparent and accountable decision making for our community

EXECUTIVE SUMMARY

Councils are development regulators and as such requirements have been introduced into the *Environmental Planning and Assessment Regulation 2021* (NSW) (the Regulation) to address conflicts of interest in council related development. A draft Council-Related Development Policy has been prepared to address the requirements.

RECOMMENDATION

 That Council endorse the draft Council-Related Development Policy for the purposes of public exhibition for a period of at least 28 days and call for submissions from the public on the draft Policy.

BACKGROUND

Councils are development regulators. But they also can be the developer, landowner or hold a commercial interest in the land they regulate. Where councils have this dual role, an inherent conflict can arise between their interests in the development and their duty as regulator.

Identifying these conflicts of interest early and finding ways to address them is crucial to good governance and allows councils to strengthen their relationship with communities and build and enhance trust.

The following requirements have been introduced into the *Environmental Planning and Assessment Regulation 2021* (NSW) (the Regulation) to address conflicts of interest in council related development:

- Councils must adopt and have a policy that specifies how conflicts of interest in connection with council-related development applications will be handled. The policy must comply with the requirements in these Guidelines (section 66A).
- Council-related development applications must now be accompanied by either a management strategy statement, which explains how the council will manage potential conflicts of interest, or a statement that the council has no management strategy for the application (section 36A).

- Councils must record conflicts of interest in connection with each council-related development application, and the measures taken to manage the conflicts, in their existing DA register (section 242A).
- Council-related development applications must be exhibited for a minimum of 28 days to ensure transparency during the assessment process (*Environmental Planning and Assessment Act 1979*, schedule 1, clause 9B).

While the updates in the *Regulation* do not mandate the use of the framework once a development consent is issued, it is best practice for councils to also address conflicts that may occur after development consent has been granted. This could be as simple as stating in the policy that Council will seek to enter a shared services arrangement with a neighbouring council about this phase of the development process, for any development that is the subject of the policy.

CURRENT SITUATION

A draft Policy has been developed (**Attachment 1**), based on the sample policy developed by the NSW Department of Planning and Environment to address the above requirements.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY AND POLICY IMPLICATIONS

- Environmental Planning and Assessment Act 1979 (NSW).
- Environmental Planning and Assessment Regulation 2021 (NSW).
- Local Government Act 1993 (NSW).
- Local Government (General) Regulation 2021 (NSW).

CONSULTATION

External Consultation

NSW Department of Planning and Environment.

Internal Consultation

- Governance and Risk Section.
- Planning and Development Section.





Council-Related Development Policy

Responsible Department: Corporate and Commercial Services

Responsible Section: Governance and Risk

Responsible Officer: Manager Governance and Risk

Objective

This policy aims to manage potential conflicts of interest and increase transparency at all stages of the development process for Council-related development and approvals sought by Council in circumstances where Council is also the approval authority.

Introduction

This policy applies to development applications relating to Council land or where Council is the applicant.

This policy outlines Council's position on managing conflicts of interest that may arise when Council is acting as the Authority on applications submitted by the Council.

Policy

1. Definitions

Term	Meaning		
Application	Means:		
	 (a) an application for consent under Part 4 of the Environment Planning and Assessment Act 1979 (NSW) to carry out development and includes an application to modify a development consent it does not include an application for a complying development certificate; or (b) an application for consent under section 138 of the Roads Act 1993 (NSW) to carry our any works or activities in a public reserve, public road way or footpath (nature strip or verge). 		
Council-	Means development for which Council is the applicant developer (whether lodged by or on		
Related behalf of council), landowner, or has a commercial interest in the land the subject			
Development application, where it will also be the regulator or consent authority.			
Development	Means application, assessment, determination, and enforcement		
Process			

2. Identifying Potential Conflicts of Interest

- 2.1. Development applications lodged with Council that are Council-related development are to be referred to the General Manager, or their delegate, for a conflict-of-interest risk assessment.
- 2.2. The General Manager, or their delegate, is to:
 - (a) assess whether the application is one in which a potential conflict of interest exists;

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- (b) identify the phase(s) of the development process at which the identified conflict of interest arises;
- (c) assess the level of risk involved at each phase of the development process;
- (d) determine what (if any) management controls should be implemented to address the identified conflict of interest (in each phase of the development process if necessary) having regard to any controls and strategies outlined in clause 5 of the policy and the outcome of the General Manager or their delegate's assessment of the level of risk involved as set out clause 6(2)(c) of the policy; and
- (e) document the proposed management approach for the proposal in a statement that is published on the NSW Planning Portal.

3. Process for identifying and managing potential conflicts of interest

- 3.1. The following management controls are applicable to:
 - (a) Applications on Council land, or where Council is the applicant, are to be referred to the General Manager, or their delegate, for determination on whether external consultants should be used for the development process, to manage potential conflict of interest and increase transparency.
 - (b) Where objections are received to applications on Council land, or where Council is the applicant, the General Manager, or their delegate, is to determine as to whether external consultants should be used to report on the application. Factors relevant to determining the use of external consultants include:
 - (i) The number and nature of the objections, including allegations of a conflict of interest;
 - (ii) Whether the application concerns a community use or work or a "for profit" development;
 - (iii) Whether Council has an interest in the outcome of the development application due to a potential sale of the land; and
 - (iv) The significance of any potential impacts of the development.
- 3.2. All applications on Council land, or where Council is the applicant, where objections have been received must be considered by Council for determination.
 - (a) The exception to the above process will be development applications that are required to be determined by the NSW Minister, The Independent Planning Commission, or the Joint Regional Planning Panel.
- 3.3. The General Manager, or their delegate, is responsible for reporting applications to Council that are on Council Property or where Council is the applicant.
- 3.4. No management controls need to be applied for the following application types:
 - (a) commercial fit outs and minor changes to the building façade;
 - (b) internal alterations or additions to buildings that are not a heritage item;
 - (c) advertising signage;

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- (d) minor building structures projecting from a building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes, and services); and
- (e) development where Council might receive a small fee for the use of their land.

Table 1: Risk Assessment by Assessment Type (using Council's Risk Matrix)

Application Type	Risk Category	Consequence	Likelihood	Risk Rating
Non- controversial	Strategic: Potential minor negative impact on strategic objectives	Minor	Unlikely	Low
small-scale development	Operational: Potential minor negligible impact on Council operations	Minor	Unlikely	Low
	Project: Potential insignificant impact on project or program	Insignificant	Unlikely	Low
	Environmental: Potential insignificant transient environmental release, no environmental harm	Insignificant	Unlikely	Low
	Compliance: Potential insignificant regulatory breach no warning, no penalty	Insignificant	Unlikely	Low
	Reputation: Potential local negative publicity/ short term effect	Moderate	Possible	High
Development of a certain	Strategic: Potential moderate adjustment to resource allocation and service required to achieve strategy	Moderate	Possible	High
value (at least \$500,000)	Operational: Potential minor negligible impact on Council operations	Minor	Unlikely	Low
without a commercial	Project: Potential minor impact on project or program	Minor	Possible	Medium
interest	Environment: Potential significant long term environmental harm	Major	Unlikely	Medium
	Compliance: Potential serious breach with fines and public exposure	Major	Rare	Medium
	Reputation: Potential negative publicity having long term effect on public confidence in Council	Major	Possible	High
Development of a certain	Strategic: Potential moderate adjustment to resource allocation and service required to achieve strategy	Moderate	Possible	High
value (at least \$250,000) with	Operational: Potential minor negligible impact on Council operations	Minor	Unlikely	Low
a commercial interest	Project: Potential minor impact on project or program	Minor	Possible	Medium
	Environment: Potential significant long term environmental harm	Major	Unlikely	Medium
	Compliance: Potential serious breach with fines and public exposure	Major	Rare	Medium
	Reputation: Potential local negative publicity/ short term effect	Moderate	Possible	High
Controversial development	Strategic: Potential moderate adjustment to resource allocation and service required to achieve strategy	Moderate	Likely	High

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Application Type	Risk Category	Consequence	Likelihood	Risk Rating
	Operational: Potential minor negligible impact on Council operations	Minor	Unlikely	Low
	Project: Potential minor impact on project or program	Minor	Possible	Medium
	Environmental: Potential moderate short term environmental harm	Moderate	Unlikely	Medium
	Compliance: Potential serious breach with fines and public exposure	Major	Rare	Medium
	Reputation: Potential negative publicity having long term effect on public confidence in Council	Major	Unlikely	Medium

- 3.5. One of the management controls outlined in clauses 3.6 and 3.7 should be applied to Council-Related Development where the risk rating exceeds "Medium" to reduce the risk to within Council's Risk Appetite as per Council's Risk Management Policy.
- 3.6. Assessment and determination controls:
 - (a) The assessment and/or determination of an application are to be undertaken by council staff under delegation – where the proposal is considered to be a low-level risk or non-controversial. For controversial projects, where submissions are received, the application will be referred to Council for determination:
 - (b) The application may also be referred for external assessment and/or determination to either:
 - (i) Another council;
 - (ii) A regional planning panel (RPP) (Note: RPPs are not required to accept referrals); or
 - (iii) An external consultant who is suitably qualified to assess the application.
- 3.7. Regulation and enforcement controls:
 - (a) Engagement of a private certifier;
 - (b) Publication of certificates issued under Part 6 of the *Environment Planning and Assessment Act* 1979 (NSW) on the NSW Planning Portal;
 - (c) Peer review by a neighbouring council or for Council to enter into a shared services arrangement with a neighbouring council; or
 - (d) Reporting of key milestones to the full council.
- 3.8. The involvement of an external third party might be appropriate for development where council has a commercial interest in the land, or the development is seen to be a political priority for the council.

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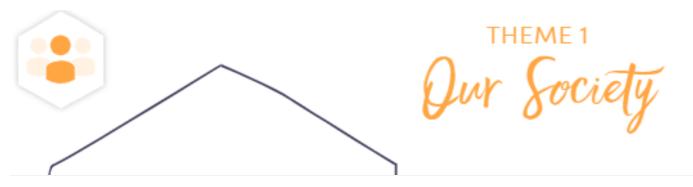
References

- Local Government Act 1993 (NSW)
- Local Government (General) Regulation 2021 (NSW).
- Environment Planning and Assessment Act 1979 (NSW).
- Environment Planning and Assessment Regulation 2021 (NSW).
- Roads Act 1993 (NSW).
- Code of Conduct
- Customer Service Policy
- Record Management Policy
- Privacy Management Policy

History

Minute Number	Meeting Date	Description of Change	
		Adopted	

13 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

13.1 RESPONSE TO NOTICE OF MOTION - DEVELOPMENT OF GATELY FIELD SOCCER FACILITIES

Responsible Officer: Donna Ausling, Director Planning and Sustainability

Author: Catherine Davis, Grants Officer

Attachments: Nil

DELIVERY PROGRAM ALIGNMENT

1 Society - An empowered, inclusive and connected community

Objective 1.3 A resilient and strong community

Strategy 1.3.4 Increase public amenity across all townships

EXECUTIVE SUMMARY

Cr John Clements lodged a Notice of Motion - Development of Gately Field Soccer Facilities at Council meeting on 22 November 2022.

RECOMMENDATION

1. That Council notes the report "Response to Notice of Motion – Development of Gately Field Soccer Facilities".

BACKGROUND

Narrabri Junior Soccer Club has been working with Ross Hicks from Northern NSW Football Association to lodge a grant for the installation of lights at Gately Field. The Soccer Club is seeking Landowners Consent and Support letter from Council to accompany the grant.

CURRENT SITUATION

Council's Manager Economic Development and the Grants Officer met with members of the Soccer Committee on 18 November 2022 and explained how a Plan of Management is being developed for the Shire's Parks and Open Spaces, what's involved in this process, and the value of this document in applying for future grants.

The Plan of Management will provide the holistic overview of all sporting infrastructure and assets across the Shire. As part of the Plan of Management process, all sporting bodies will be invited to provide input.

At the time of the meeting on 18 November 2022, Council could not issue a letter of support as there was not enough information available about the Northern NSW Football Association grant application for the installation of lights to provide Landowner's consent.

The Manager of Parks and Gardens and the Grants Officer will meet with the Narrabri Junior Soccer Club and assist them to develop a Business Case that will feed into the Plan of Management, making it easier to adopt a staged project plan and future grant applications.

FINANCIAL IMPLICATIONS

Nil

STATUTORY AND POLICY IMPLICATIONS

CONSULTATION

External Consultation

• Initial meeting held with representatives from Narrabri Junior Soccer on 18/11/2022. Further meeting scheduled for 15/12/2022 on site at Gately Field.

Internal Consultation

• Economic Development Section.

13.2 APPLICATION FOR CONCESSIONAL USE OF THE CROSSING THEATRE - ADFAS

Responsible Officer: Andrew Brown, Director Corporate and Commercial Services

Author: Ricky Mason, Venue Manager

Attachments: 1. Application from ADFAS Narrabri and North West Inc (including proof

of being a Registered Charity) 🗓 🖺

2. Original Quoation for Hire of TCT (without discount applied) 4 2

3. The Crossing Theatre Concessional Use Policy 🗓 🖫

DELIVERY PROGRAM ALIGNMENT

1 Society - An empowered, inclusive and connected community

Objective 1.2 A vibrant and connected community

Strategy 1.2.4 Enhance access to arts and culture across the Shire

EXECUTIVE SUMMARY

Pursuant to section 356(1) of the *Local Government Act 1993* (NSW) a Council may, in accordance with a resolution of the Council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

RECOMMENDATION

- 1. That Council approve the concessional use of The Crossing Theatre to Australian Decorative and Fine Arts Society Narrabri North West District Inc in accordance with their application and Council Policy.
- 2. That the concessional rate of 50% be applied.

BACKGROUND

At the October 2022 Ordinary Council Meeting Council adopted The Crossing Theatre Concessional Use Policy in accordance with section 356(1) of the *Local Government Act 1993* (NSW).

CURRENT SITUATION

On 6 November 2022, Council received an application for concessional use of The Crossing Theatre from Australian Decorative and Fine Arts Society Narrabri North West District Inc (ADFAS). ADFAS are a not-for-profit organisation run by volunteers, providing informative and entertaining lecture presentations on many diverse topics relating to the arts.

It should be noted that ADFAS has applied for the hire of a Cinema and cinema projector, which, pursuant to Council's adopted Fees and Charges is \$566 (inc GST) per booking. Council staff are currently liaising with ADFAS to determine if a less costly room is suitable to save the ADFAS further costs.

Assessment Criteria in Accordance with The Crossing Theatre Concessional Use Policy

Entity: Australian Decorative and Fine Arts Society Narrabri North West

District Inc

ABN: 17901195053

Type of Organisation: Not-for-profit, registered charity

(ACNC registration included in Attachment 1)

Date of Application: 6 November 2022

Date(s) of Event or Activity: 6am-9pm on the following Mondays:

1. 13 March 2023 5. 10 July 2023

2. 3 April 2023 6. 14 August 2023

3. 15 May 2023 7. 11 September 2023

4. 12 June 2023 8. 16 October 2023

Event or Activity: A series of eight (8) lectures on educational arts discussions,

featuring lecturers from UK, Europe, and Australia.

CSP Alignment: • Strategy 1.2.4: Enhance access to arts and culture across

• Strategy 3.1.4: Advocate for and support diverse education and personal development opportunities to ensure

available skills meet local demand

 Strategy 4.2.2: Work cooperatively and appropriately with external parties to advocate for the community's best

interests

the Shire

Additional Eligibility: The events are likely to provide a significant public interest benefit

to the Narrabri Shire community through making access to arts and cultural education more accessible to those in the Shire.

ADFAS are anticipating 40 people to attend these lectures.

FINANCIAL IMPLICATIONS

The full quotation from The Crossing Theatre, developed pursuant to Council's adopted 2022/2023 Fees and Charges is attached (Attachment 2).

Cost Summary Excluding Concessional Discount		
Fee Type	Cost per session (inc GST)	
Room Hire	\$206.00	
Cinema Projector Hire	\$360.00	
Additional Equipment	\$135.00	
Total Hire Costs	\$701.00	
Catering	\$600.00	
Staffing	\$247.50	
Total Quoted	\$1,548.50	
Cost for 8 Lectures	\$12,388.00	

Cost Summary Including Concessional Discount			
Fee Type	Cost per session (inc GST)		
Room Hire	\$206.00		
Cinema Projector Hire	\$360.00		
Additional Equipment	\$135.00		
Total Hire Costs	\$701.00		
Concessional Discount	-\$350.50		
Catering	\$600.00		
Staffing	\$247.50		
Total Quoted	\$1,198.00		
Cost for 8 Lectures	\$9,584.00		

Total Cost to Council if Concessional Rate is Applied: \$2,549.09

STATUTORY AND POLICY IMPLICATIONS

Local Government Act 1993 (NSW).

The Crossing Theatre Concessional Use Policy (Attachment 3)

CONSULTATION

Internal Consultation

- Governance Section.
- The Crossing Theatre Events Section.



Morrobel Shire Council P. (02) 6799 6856 46-48 Mailland Street PO Rox 261, Narrabri NSW 2390 E. council@narrabri.nsw.gov.au

F. (02) 6795 6888



APPLICATION FOR CONCESSIONAL USE OF THE CROSSING THEATRE

IMPORTANT: The information provided by you on this form will be used to assist Narrabri Shire Council in determining the suitability of the volunteer for the task. The provision of this information is voluntary, however, if

the information can be access	ation, Council may not be able to process your application. Once collected by Council, sed by you in accordance with Council's Privacy Management Policy or in special inwealth legislation requires or where you give permission for third party access.
	Name of Applicant/Organisation responsible for the event/activity ADFAS Narrabri & North Wast District Contact Person ELizabeth Campbell Mailing Address: PO Box 69, Narrabri . 2890 Phone Number: Mobile Number:
	Date: 6 : 11 - 22
Organisation Composition	Registered Charity Not For Profit Organisation Registered Community Organisation Section 355 Committees of Council Schools within Narrabri Shire
Details of Event/ Project UK, European and Australian lecturers.	Please give a brief descirption of the event/project for which assistance is sought: 8 lectures scheduled for 2023. These are educational acts talks held in Cinama 1 with refreshments in the Grossing
Occument Set ID: 1971301 Tersion: 1, Version Date: 20/04/2022	Theatre cate. Bodings 6pm-9pm.

Cont. Details of	Date/s proposed for the event/project:
Event/Project	13 March, 3 April, 15 May, 12 June,
	Facilities required for the event/project: 10 July 14 Aug, 11 Sant
	and 16 Oct 2023
	thre of cinama 1.
	Cinemar Data Projector & Screen
	(continued below)
Office Use Only	Date Received:
Office use Only	
	Approved by: Date:
Continued	
Com Cea	Microphone Headset
	Ledern Ledern
	thire of Crossing Theathe cafe area and foyer entry
	and toyer entry
	Bar tab
	Catering
	Treatle tables for entry
	Bortables and stoods
	*
	setup
	Pade door
	Fuent staff outside of ordinary hours
	(Monday evenings, 3.5 hours)

Document Set ID: 1971301 Version: 1, Version Date: 20/04/2022

11/15/22, 7:59 AM

Aust Decorative And Fine Arts Society Narrabri Nth West District Inc

Charity is registered.

Charity reporting is up to date.

Charity details

ABN: 17901195053 Address: Po Box 69 Narrabri

NSW, 2390, Australia

Email: treasureradfasnarrabri@gmail.com

Address For Service email: nanwat26@gmail.com

Website: adfas.org.au 0427 967216 Phone:

Charity Size: Small

Youth - 15 to under 25 Who the charity helps: Date established: 1 January 1994 5 April 2022 Last reported: Next report due: 30 April 2023 Financial year end: 31/10

Summary of activities

We provide superbly illustrated, Informative and entertaining lectures presented by experts in their field. lectures cover a diverse range of topics relating to the arts. We also make an annual donation to a local Young Arts recipient supporting the delivery of various programs to young people: This year assisting Richard Morphew s visit to Narrabri

Charity programs

Young Arts Arts education

Where the charity operates

States: New South Wales

Using the information on the Register

Information on the Charity Register has been provided to the ACNC by charities. If information is not shown, this may be because it has not yet been provided. The ACNC may also approve information be withheld from the Charity Register in certain circumstances. Read more about information on the Charity Register.

People

Responsible people

The role of a 'Responsible Person' is an important one for registered charities. Generally, a charity's Responsible People are its board or committee members, or trustees.

Elizabeth Campbell

<u>Kay Durham</u>

https://www.acnc.gov.au/charity/charities/b2ec5724-39af-e811-a960-000d3ad24282/profile



Documents

Annual reporting

Title	Due date	Date received	Download
Annual Information Statement 2023	30 April 2024	Not yet submitted	_
Financial Report 2023	30 April 2024	Pending	_
Annual Information Statement 2022	30 April 2023	Not yet submitted	_
Financial Report 2022	30 April 2023	Pending	_
Annual Information Statement 2021	30 April 2022	5 April 2022	□ View AIS
Financial Report 2021	30 April 2022	5 April 2022	A Download
Annual Information Statement 2020	30 April 2021	17 May 2021	➡ View AIS
Financial Report 2020	30 April 2021	17 May 2021	A <u>Download</u>
Annual Information Statement 2019	30 April 2020	8 December 2019	🖹 <u>View AIS</u>
Financial Report 2019	30 April 2020	8 December 2019	Download
Annual Information Statement 2018	30 April 2019	25 November 2018	Diew AIS
Financial Report 2018	30 April 2019	25 November 2018	Download
Annual Information Statement 2017	30 April 2018	21 November 2017	🖺 <u>View AIS</u>
Financial Report 2017	No due date	21 November 2017	Download
Annual Information Statement 2016	30 April 2017	23 November 2016	🖹 <u>View AIS</u>
Financial Report 2016	No due date	23 November 2016	Download
Annual Information Statement 2015	30 April 2016	16 February 2016	🖺 View AIS
Financial Report 2015	No due date	16 February 2016	M <u>Download</u>
Annual Information Statement 2014	30 April 2015	16 February 2016	🖹 <u>View AIS</u>
Financial Report 2014	No due date	Not required	_
Annual Information Statement 2013	30 April 2014	10 November 2013	S View AIS
Financial Report 2013	No due date	Not required	_

Documents

Title	Date	Reporting year	Download
Annual Report	5 April 2022	2021	Download
Annual Report	9 December 2019	2019	X Download
Annual Report	25 November 2018	2018	Download
Governing Document	17 March 2016	_	Download

History

https://www.acnc.gov.au/charity/charities/b2ec5724-39af-e811-a960-000d3ad24282/profile

11/15/22, 7:59 AM

Aust Decorative And Fine Arts Society Narrabri Nth West District Inc | ACNC

The charity's subtype history

Purpose	Start date	End date
2012 Another purpose beneficial to the community	3 December 2012	31 December 2013

Registration status history

Effective date	Status
3 December 2012	Registered

Enforcement action history

Enforcement action refers to the exercise of powers under the ACNC Act.



117 Tibbereena St, Narrabri NSW 2390 (02) 6799 6740 www.crossingtheatre.com.au

Event Quote

ADFAS Lecture Series 2023

Event Name: ADFAS Lecture Series 2023

Event Status: TENTATIVE

 Client Name:
 ADFAS Narrabri & NW Inc.
 Sales Rep:
 McFetridge, Emily

 Client Code:
 Contact:
 Campbell, Elizabeth

Purchase Order: Office: Mobile: 0428 921 188

Address: 2 Balonne St, Narrabri, NSW 2390 Australia Direct: Fax:

Email Address: liznw@bigpond.com

2458

Monday, March 13, 2023

	CIR		
Location:	CIN	IΕN	ЛΑ

From - To	Description	Attendance	Status	Charge	Tax
Starts - Ends	Setup Type				
5:30 PM-9:30 PM	ADFAS Lecture Series 2023	60	TENTATIVE	\$206.00	G
5-30 PM_9-30 PM	Boardroom				

Booking #:

Contract #:

Audio Visual					
From - To	Description/Itinerary Item	Quantity	Charge	Total	Tax
5:30 PM-9:30 PM	Laptop	1	\$50.00	\$50.00	G
5:30 PM-9:30 PM	Cinema Data Projector & Screen	1	\$360.00	\$360.00	G
5:30 PM-9:30 PM	Microphone Headset	1	\$85.00	\$85.00	G
General					
From - To	Description/Itinerary Item	Quantity	Charge	Total	Tax
5-30 PM_9-30 PM	Lectern	1	\$0.00	\$0.00	G

		<u></u>			
5:30 PM-9:30 PM	Lectern	1	\$0.00	\$0.00	
Location: THE FO	YER/CAFE				

From - To	Description	Attendance	Status	Charge	Tax	
Starts - Ends	Setup Type					
5:30 PM-9:30 PM	ADFAS Lecture Series 2023	60	TENTATIVE	\$0.00	G	
5:30 PM-9:30 PM	Cocktail					
Catering Information						

From - To	Description / Itinerary		Quantity	Charge	Total	Tax
5:30 PM-9:30 PM	Mixed Sandwiches		60	\$10.00	\$600.00	G
Beverage Informa	tion					
From - To	Description / Itinerary	Charge Type	Quantity	Charge	Total	Tax

From - To Description / Itinerary Charge Type Quantity Charge Total Tax 5:30 PM-9:30 PM Bar Tab Host Bar Flat Charge 1 \$0.00 \$0.00 G

Charged on Consumption

House wine - \$28 per bottle Juice - \$7 per bottle

General						
From - To	Description/Itinerary Item		Quantity	Charge	Total	Tax
5:30 PM-9:30 PM	Trestle Table - Registration		2	\$0.00	\$0.00	G
5:30 PM-9:30 PM	Bar Tables and Stools		4	\$0.00	\$0.00	G
Operational						
From - To	Description/Itinerary Item	Hours	Quantity	Charge	Total	Tax
5:30 PM-9:30 PM	Setup	0.5	1	\$55.00	\$27.50	G
5:30 PM-9:30 PM	Pack Down	0.5	1	\$55.00	\$27.50	G
6:00 PM-9:30 PM	Event Staff - Outside of Ordinary Hours	3.5	1	\$55.00	\$192.50	G

Tuesday, 15 November 2022 9:40 AM Event Quote Page 1 of 2



Event Quote

ADFAS Lecture Series 2023

Location:	\$206.00
Location Total:	\$206.00
Catering:	\$600.00
Catering Total:	\$600.00
Audio Visual:	\$495.00
Setup Total:	\$495.00
Operational:	\$247.50
Staffing Total:	\$247.50
Subtotal:	\$1,548.50
GST:	\$139.42
Total:	\$1,548.50
Payments/Credits:	\$0.00
Balance:	\$1,548.50

Please ensure all requirements are listed and co	rrect. Thank you for choosing The Crossing Theatre.
Contact:	Approval:

Tuesday, 15 November 2022 9:40 AM Event Quote

Page 2 of 2





THE CROSSING THEATRE CONCESSIONAL USE POLICY

Responsible Department: Corporate and Community Services

Responsible Section: Cultural Facilities

Responsible Officer: Manager Cultural Facilities

Objective

• To establish a framework for the awarding of concessional use of The Crossing Theatre.

Introduction

Section 356 (1) of the Local Government Act, 1993 states that "A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions".

Section 356 (2) of the Local Government Act, 1993 states "A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this Section until at least 28 days public notice of Council's proposal has been given".

Public notice is not required under Section 356 (3) of the Local Government Act, 1993 if the assistance is given under a specific program. The specific program must have been included in Council's draft operational plan, must not exceed 5% of Council's proposed rating levy and must apply uniformly to all persons or a significant group of persons in Council's area.

Policy

1. Concessions

- 1.1. Council will provide concessions at The Crossing Theatre to eligible groups to conduct eligible events in accordance with this policy.
- 1.2. Entities seeking concessions must apply to Council in accordance with this policy.

2. Event Eligibility Criteria

- 2.1. Entities eligible for assistance are:
 - (a) A registered charity;
 - (b) Not for Profit Organisations;
 - (c) Incorporated Community Organisations;
 - (d) Section 355 Committees of Council; and
 - (e) Schools within Narrabri Shire.

Page 1 of 3



Additional Eligibility Requirements

- 2.2. In addition to the above, the event must:
 - (a) Address at least one of the strategic objectives outlined in Council's Community Strategic Plan;
 and
 - (b) Benefit a significant number of Narrabri Shire residents; or
 - (c) Provide a significant public interest benefit to the Narrabri Shire Community.
- 2.3. Events not eligible for assistance are:
 - (a) Where a full cost recovery charge is applied;
 - (b) Where events have a business focus or are for-profit.

Core Selection Criteria

- 2.4 Applications will be selected based on the below criteria:
 - (a) The eligible activity occurs within the Narrabri Shire Local Government Area;
 - (b) The extent of alignment to the strategic objectives outlined in Council's Community Strategic Plan:
 - (c) The benefit to the Narrabri Shire community;
 - (d) The public interest benefit to the Narrabri Shire community.

3. Application

- 3.1. Entities wishing to receive a concessional rate under this policy must make a request to Council under this policy.
- 3.2. A request must be made in the prescribed form.
- 3.3. Requests must be submitted at least three months before the first day of the event.

Supporting Documentation

- 3.4. Applications must include the following in order to be considered eligible:
 - (a) Details of the organisation or entity applying;
 - (b) Proof of organisation or entity type;
 - (c) A description of the event;
 - (d) An explanation of how the event will meet the eligibility and selection criteria;
 - (e) Any other document requested by Council.

4. Assessment and Determination of Applications

Assessment

- 4.1. The General Manager or their delegate will assess applications.
- 4.2. Assessment is to be merit based, and based on the extent to which the proposed event meets the selection criteria.

Determination

- 4.3. Following assessment the General Manager will ensure a report is brought to an Ordinary Council Meeting. The report should:
 - (a) Recommend that a concessional rate be offered;
 - (b) Recommend that a concessional rate not be offered; or
 - (c) Make no recommendation either way.
- 4.4. If the General Manager recommends that a concessional rate be offered, they should also recommend the proposed rate to offer.

Page 2 of 3



- 4.5. Council will consider the report and make a determination to either offer or not offer a concessional rate.
- 4.6. If Council offers a concessional rate, it will set an amount.

5. Other Fees

5.1. Other Council fees and charges are unaffected by this policy.

6. Review

6.1. This policy will be reviewed within 12 months of an Ordinary Council Election or from time-to-time on an as-needs basis.

References

• Local Government Act 1993 (NSW).

History

Minute Number	Meeting Date	Description of Change
853/2009	December 2009	Adopted
26/2012	February 21, 2012	Reviewed
607/2013	September 3, 2013	Reviewed
164/2017	August 15, 2017	Reviewed
336/2022	October 18, 2022	Adopted

13.3 REQUEST FOR SPONSORSHIP - COUNTRY EDUCATION FOUNDATION OF NAMOI

Responsible Officer: Donna Ausling, Director Planning and Sustainability

Author: Catherine Davis, Grants Officer

Attachments: 1. Country Education Foundation - Application 4

2. Country Education Foundation - Quotation from The Crossing

Theatre 🕹 🛣

DELIVERY PROGRAM ALIGNMENT

1 Society - An empowered, inclusive and connected community

Objective 1.3 A resilient and strong community

Strategy 1.3.4 Increase public amenity across all townships

EXECUTIVE SUMMARY

The Country Education Foundation of Namoi requests concessional use of The Crossing Theatre and sponsorship to enable them to host their Annual Presentation Night on 16 January 2023.

RECOMMENDATION

1. That Council determines the application by Country Education Foundation of Namoi for concessional use of The Crossing Theatre and sponsorship of their Annual Presentation event in January 2023 to the value of \$1,000.

BACKGROUND

The Country Education Foundation of the Namoi was established to provide financial assistance and support to local youth to help them achieve their post high school education, training, and vocation aspirations. Fundraising efforts and donations are sought from residents and businesses to provide financial grants to students who need an extra helping hand.

Previously, Country Education Foundation of the Namoi used the Council Chambers free of charge for the Annual Presentation Night but found the persistent issues with the air-conditioning and lock-up procedures and security a concern. In January 2022, the event was held at the Narrabri Country University Centre, but this area was not the best venue to host the Presentation.

CURRENT SITUATION

The Country Education Foundation of the Namoi have applied under that Community Grants and Sponsorship Policy to use The Crossing Theatre's Riverside Room as it has adequate carparking, accessibility, suitable layout, and equipment necessary to host the Annual Presentation event. It is expected that the event would consist of 50 people participating in the presentation and enjoying canapes and beverages.

In essence, the applicant is seeking a donation in-kind of the room hire and some other costs to hold the event at the Crossing Theatre.

Promotion of Council's support will be via social media, and an invitation is extended to Council's General Manager (or Councillor) to be the guest speaker for the evening and to present an award.

FINANCIAL IMPLICATIONS

There is no budgetary allocation remaining under 63151 – Donations Community Assistance Scheme for this sponsorship.

Entity name Country Education Foundation of the Namoi

ABN 38 946 249 432

Goods & Services Tax (GST) Not currently registered for GST

STATUTORY AND POLICY IMPLICATIONS

There are two Council policies this decision could be addressed through:

- The Crossing Theatre Concessional Use policy
- Council's Community Grants and Sponsorship policy

CONSULTATION

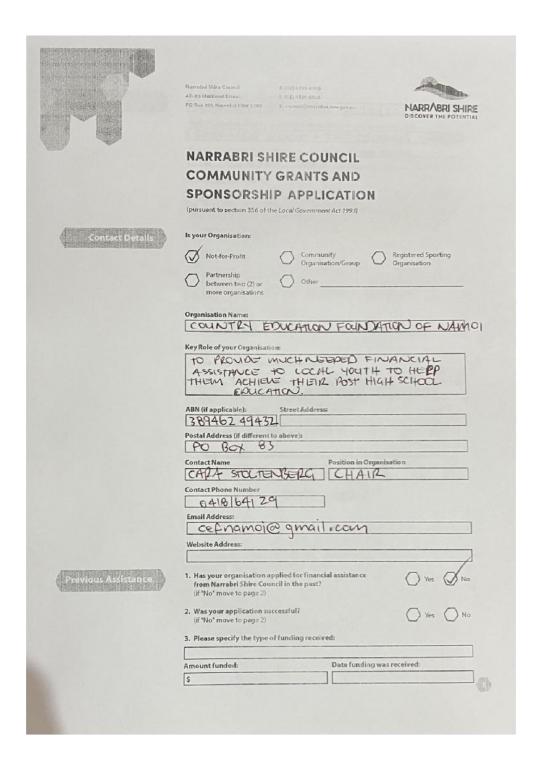
The Country Education Foundation of the Namoi approached The Crossing Theatre for a quote as attached.

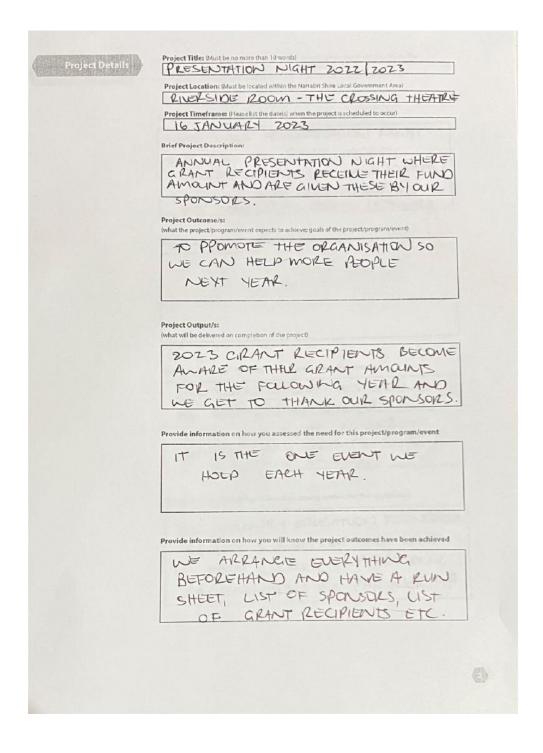
External Consultation

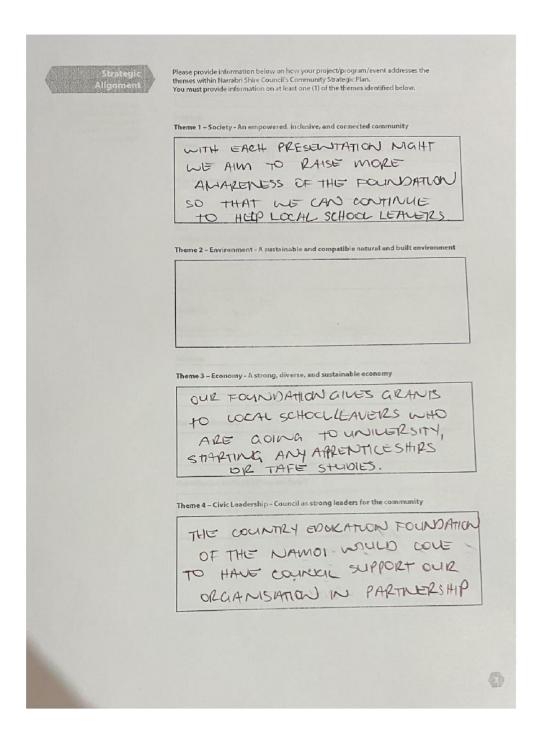
Nil

Internal Consultation

Manager Governance and Risk







Project Partner/s	Partner 1:				
AND THE PROPERTY OF THE PARTY O	Organisation Name:		Contact Name:		
(If your project/program/					
event has more than two (2) partners please attach	Address:	Address:			
a list to the back of this application form)					
	Phone:	Email:			
			/		
	Role in Partnership				
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	Role in Partnership				
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	Contribution to Project/Pro	gram/Event			
1					
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	Include clear descriptions	of each component of	ed or unconfirmed cash or in-kind the income and expenditure relat ture column must be an equal am	ted to the
	Please note that that stand	lard value of unskilled	volunteer labour is assumed to b	e \$20 per hour.
	Project Income	\$	Project Expenditure	\$
		0.00	RIVERSIDE ROOM	210.00
			HIRE	
			STAFF	400.00 TAPPED
			CANAPES x30	300.00
	Total	0.00	Total	910.00
	5/			
Application 1	All relevant section	ns of the application I	form have been completed	
Gheckise	An insurance Cert		s been attached to this application	on
Checklist	Supporting docu	oficate of Currency ha	s been attached to this application	on
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117 Tibbereena St, Narrabri NSW 2390 (02) 6799 6740 www.crossingtheatre.com.au

Event Quote

CEF Presentation Evening

Event Name: CEF Presentation Evening

TENTATIVE

Contract #:

Booking #:

Client Name: Country Education Foundation of the Namoi Sales Rep: McFetridge, Emily

Client Code: Purchase Order:

Address:

Event Status:

Contact:

Office: Mobile: Direct: Fax:

2478

Email Address:

Saturday, January 14, 2023

Location: RIVERSIDE ROOM

From - To Description Attendance Status Charge Tax Starts - Ends Setup Type 5:00 PM-10:00 PM CEF Presentation Evening 50 TENTATIVE \$260.00 G 5:00 PM-10:00 PM Cocktail

Catering Information

From - To Description / Itinerary Quantity Charge Total Tax 5:00 PM-10:00 PM \$46.00 \$2,300.00 G 2 Hr Canapes

Chef's Selection of 8 Canapes - 2 hours.

A minimum of 40pax applies.

Beverage Information

Audio Visual

From - To Description / Itinerary Charge Type Quantity Total Tax 5:00 PM-10:00 PM Host Bar Flat Charge Bar Tab \$0.00 \$0.00 G

Charged on consumption

Includes: House Wines

House Beers Soft Drink

From - To	Description/Itinerary Item	Quantity	Charge	Total	Tax
5:00 PM-10:00 PM	Data Projector & Screen	1	\$60.00	\$60.00	G
5:00 PM-10:00 PM	Laptop	1	\$50.00	\$50.00	G
5:00 PM-10:00 PM	Microphone Cordless	1	\$85.00	\$85.00	G
5:00 PM-10:00 PM	Lectern	1	\$0.00	\$0.00	G
General					
From - To	Description/Itinerary Item	Quantity	Charge	Total	Tax
5:00 PM-10:00 PM	Portable Stage Pieces	2	\$30.00	\$60.00	G
	charged per piece				

Operational						
From - To	Description/Itinerary Item	Hours	Quantity	Charge	Total	Tax
5:00 PM-10:00 PM	Setup	1.5	1	\$55.00	\$82.50	G
5:00 PM-10:00 PM	Pack Down	0.75	1	\$55.00	\$41.25	G
5:00 PM-10:00 PM	Waitstaff	5	1	\$55.00	\$275.00	G

Monday, 28 November 2022 4:42 PM

Event Quote

Page 1 of 2



Event Quote

CEF Presentation Evening

Location:	\$260.00
Location Total:	\$260.00
Catering:	\$2,300.00
Catering Total:	\$2,300.00
Audio Visual:	\$195.00
General:	\$60.00
Setup Total:	\$255.00
Operational:	\$398.75
Staffing Total:	\$398.75
Subtotal:	\$3,213.75
GST:	\$292.16
Total:	\$3,213.75
Payments/Credits:	\$0.00
Balance:	\$3,213.75

Please ensure all requirements are listed and correct. Thank you for choosing The Crossing Theatre.					
Contact:	Approval:				

Monday, 28 November 2022 4:42 PM Event Quote

Page 2 of 2

14 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

14.1 FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE ACTIVITY UPDATE - DECEMBER 2022

Responsible Officer: Donna Ausling, Director Planning and Sustainability

Author: Donna Ausling, Director Planning and Sustainability

Attachments: 1. NSW Infrastructure Betterment Fund Guidelines 🗓 🖺

2. Draft Unconfirmed Minutes Floodplain Risk Management Advisory

Committee - 23 November 2022 U

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

This Report provides an update on current Floodplain Risk Management Advisory Committee (FRMAC) project and corresponding advocacy activities,

RECOMMENDATION

- 1. That Council receive and note the update on the Floodplain Risk Management Advisory Committee December 2022 Update.
- 2. Advocate to the NSW Government to broaden the terms of reference to the NSW Infrastructure Betterment Fund

BACKGROUND

Council's Floodplain Risk Management Advisory Committee (FRMAC) is a proactive Committee. The FRMAC's function is to assist Council in the development and implementation of Floodplain Risk Management Plans for the Narrabri Shire Local Government Area (LGA). This Committee is established in accordance with the NSW Government's *Flood Prone Land Policy* and the *Floodplain Development Manual*.

CURRENT SITUATION

The FRMAC meets on an 'as needs' basis and a copy of the draft and unconfirmed minutes of the November FRMAC meeting held on 23 November 2022 are enclosed for the information of Council at **Attachment 2**. As detailed in the enclosed draft and unconfirmed minutes, current active projects and advocacy efforts are summarised as follows:

Draft Narrabri Floodplain Risk Management Study and Plan:

- On public exhibition until 28 November 2022;
- 86 submissions received (33 online submissions and 53 written submissions via letter or email).
- 168 people attended the community information workshop sessions.

• A Representations Report will now be prepared considering the issues raised during the exhibition period and will be tabled at a programmed Council Meeting early in 2023.

Boggabri Floodplain Risk Management Study and Plan:

• Following an extensive expression of interest (EoI) process, WRM Water and Environment have been appointed to prepare the draft Study.

Gwabegar Flood Study:

• Funding to the amount of \$59,502 has been obtained to complete a flood study for the community of Gwabegar.

Wee Waa Levee Upgrade:

- Performance management has been put in place with respect of the appointed Contractor (Stantec/Cardno).
- Constructive Solutions Pty Ltd have been engaged to conduct Project Management activities.
- A variation for the completion date has been sought through the funding authority.
- FRMAC (and Council) will continue to be routinely updated on project progress.

NSW Infrastructure Betterment Fund Advocacy:

In the face of climate change, the Australian and NSW Government have advised of their commitment to assisting regional communities become more resilient by investing in building better infrastructure. In this regard, an Infrastructure Betterment Fund has recently been announced to assist in achieving such an objective. Program Guidelines are enclosed for the information of Council at **Attachment 1**.

The program is the first of its kind in NSW with a focus on repairing and rebuilding public infrastructure to a more resilient standard. In its current format the Infrastructure Betterment Fund is designed not to replace a damaged asset in its entirety, it is designed to replace a damaged asset and futureproof it to prevent the asset from being damaged repeatedly in the case of another environmental event. The fund is heavily and evenly weighted on four key indicators as follows:

- **Resilience** reduce the risk of impact to an asset over its lifecycle to better withstand natural disasters, and improve the ability to respond, recover and adapt after asset disruption;
- **Productivity** maintain or improve the level of service and sustainable function that an asset provides;
- **Economic** achieve value benefit across the lifecycle that will determine the value proposition and the return on value of investment;
- **Social** maintain or improve a community's ability to function during and after a disruption to an asset.

Under the funding guidelines, Narrabri Shire Council is eligible to claim under two (2) natural disasters (Australian Government Registered Numbers) AGRN 871 – 19/20 FY Bushfires and AGRN 960 – March 2021 Flooding Event. To claim, the asset must be fixed and must have sustained damage during the event under the AGRN. In this instance, Narrabri Shire Council will be applying for funding under AGRN 960 (March 2021 Flood Event). The evidentiary requirements under the Fund are very stringent. Photographic evidence with metadata depicting time/date/place showing damaged assets is required and is currently being collated at the time of Report preparation. Funding available to Council is between \$100,000 and \$10,000,000 and applications close on 15 December 2022.

Under the current Guidelines there are five (5) categories of eligible assets, as follows:

- Transport roads and bridges;
- Tourism including signage, information assets, wastewater management assets, water supply and reticulation assets;
- **Telecommunications** for example, radio towers, cabling, relay stations, electricity substations that exclusively support telecommunications)
- Other schools, hospitals, justice and welfare infrastructure etc.

The application is a heavily evidence-based assessment, and acknowledges the interdependency between investing in betterment and disaster resilience for both community and infrastructure. Construction must commence in 2023 and the project be completed by May 2025.

During a recent Webinar conducted by Transport for NSW and as attended by the NSC Grants Team, local government has been encouraged to apply for robust projects. Council can apply for numerous projects, however, if one or two of these do not meet required evidentiary guidelines there is a risk that all projects will be considered ineligible and no funding will be available. On this basis, the evidentiary criteria will need to be carefully scrutinised prior to formal lodgement of the application. Mandatory evidence includes:

- Photographic evidence depicting time, date and place of the asset;
- Geospatial evidence including drone and aerial data alongside metadata;
- Engineering reports relevant to the damaged asset; and
- Maintenance records relevant to the damaged asset.

In the process of application lodgement, internal consultation was undertaken with Council staff and the FRMAC and a list of five (5) candidate projects was identified. These included:

- Violet Street Bridge;
- Floodway Upgrade Program;
- Waiwera Lane Upgrade (partial);
- Bald Hill Road Upgrade (partial); and
- Tarriaro Bridge approaches.

Other projects that were investigated, however, did not meet the guidelines included:

- Wee Waa Lagoon Road Upgrade;
- West Lake Pathways;
- Various advisory and warning signage (including use of remote sensing and telemetry);
- Wee Waa Levee Pump Upgrades;
- Replacement watertight ('Gatic') lids preventing stormwater inflow to the sewer network;
- Narrabri Pump Station Upgrade e.g. Doctors Creek; and
- Stormwater analysis and design for Narrabri, Wee Waa and Boggabri communities.

Following consideration of the above at the FRMAC meeting, the Committee recommended that issues surrounding narrow project eligibility be brought to the attention of Council. With the view of broadening program eligibility and improving community resilience, associated advocacy

activities with the NSW Government are recommended to inform future grant rounds. Key items include:

- The need for the NSW Infrastructure Betterment Fund to focus on 'building back better principles' not solely on replacing damaged assets;
- Narrow eligibility criteria with exclusion of a range of critical programs;
- Concessions on underpinning datasets and evidentiary information sources acknowledging the scope and location of damaged assets, challenges with access and the scope of ongoing adverse weather events;
- A need to focus on critical community safety elements including strategic placement of advisory and warning signage;
- Opportunities for strategic asset management and 'point in time' assessments for critical infrastructure assets;
- Recognition of the ongoing impacts of climate change and the high likelihood of adverse weather events; and
- Other matters of concern as detailed by Council's elected body.

FINANCIAL IMPLICATIONS

Detailed in the body of the Report.

STATUTORY AND POLICY IMPLICATIONS

Nil.

CONSULTATION

External Consultation

- NSW Department of Planning and Environment.
- WRM Water and Environment

Internal Consultation

- Narrabri Floodplain Risk Management Advisory Committee.
- Senior Management.



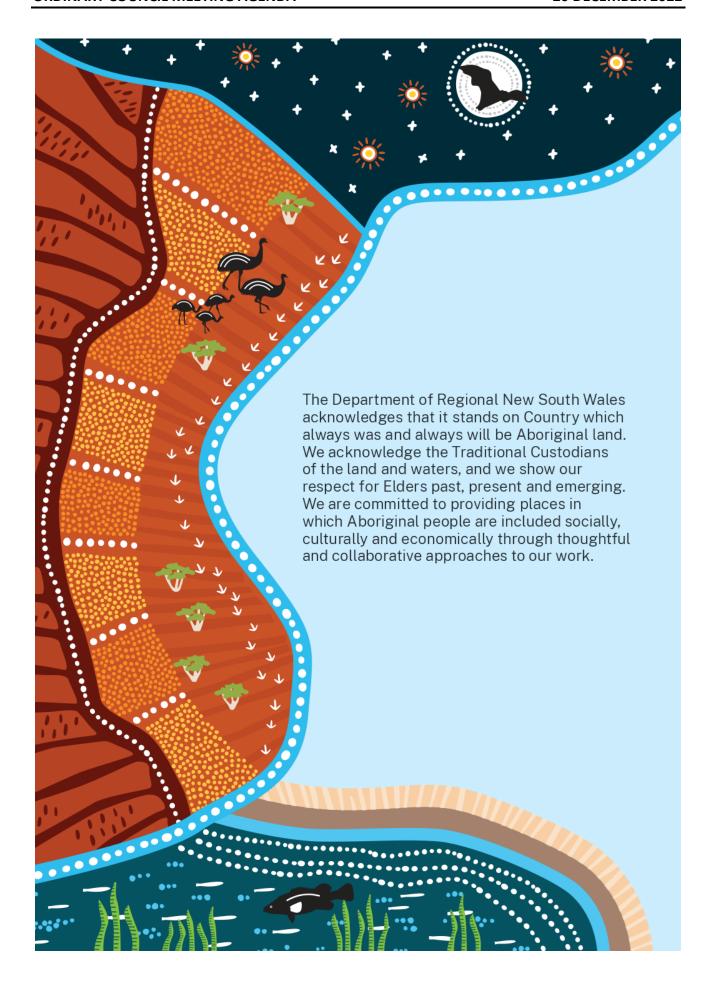
nsw.gov.au/betterment

Infrastructure Betterment Fund

Guidelines

Co-funded by the Australian and NSW Governments





Infrastructure Betterment Fund

Guidelines

3

Message from the NSW Deputy Premier



During the past three years NSW has endured floods, storms and bushfires, which have caused significant damage to essential public Infrastructure, put lives and livelihoods at risk and hampered recovery and rebuilding efforts.

In a state first, the Australian and NSW Governments are funding \$512.5 million in betterment programs to deliver a new approach to rebuilding disaster affected roads, bridges and other essential public infrastructure to ensure they are more resilient and better able to withstand future natural disasters.

Through this investment, two complementary betterment programs will be delivered: the \$200 million Infrastructure Betterment Fund and the \$312.5 million Regional Roads and Transport Recovery Package.

Betterment supports rebuilding infrastructure in a way that reduces vulnerability to future disasters, provides continuity of essential services and lowers the risk of economic impact due to a natural disaster.

For example, funding projects such as improved roads and bridges with better drainage so they can remain open for longer during rain events or are less likely to be impacted by fire.

The Infrastructure Betterment Fund will consider not only where but how essential public assets are being built. Better, stronger public assets mean the risks associated with future natural disasters can be minimised.

This investment is about future proofing infrastructure to ensure communities are better protected and can swiftly recover and return to everyday life.

Jam Toole

The Hon Paul Toole
Deputy Premier
Minister for Regional New South Wales,
Minister for Police

Guidelines

Contents

Cover image: A picturesque drive along the beautiful Sea Cliff Bridge, in Clifton.

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Guidelines 5

Background

The Australian and NSW Governments are committed to providing ongoing support for communities impacted by the 2019/20 NSW Bushfires (AGRN 871), February and March 2021 Storm and Floods (AGRN 954/AGRN 960) and February and March 2022 NSW Severe Weather and Flooding (AGRN 1012) events. A total of \$200 million, co-funded by the Australian and NSW Governments under the Disaster Recovery Funding Arrangements, has been committed to support the betterment of *Eligible Infrastructure* that was *Directly Damaged* from these natural disasters.

The complexity, intensity, and economic impact of natural disasters in NSW is increasing. Greater investment in prevention, preparedness and capability development initiatives is needed to decrease recovery costs. Well-targeted and sustained investment in resilience (referred to as betterment) will not only enable communities to mitigate and adapt to future risks but it will also save money in the longer term.

Betterment is repairing or building-back an asset that can better withstand future natural disasters while delivering benefits associated with improved resilience and generating productivity, economic and social outcomes.

Betterment promotes rebuilding infrastructure in a way that reduces vulnerability to future disasters, providing continuity of essential services and function of the asset for users, as well as lowering the risk of economic impact due to a natural disaster. Betterment also provides intangible social, economic and environmental benefits associated with having resilient infrastructure, including connected communities, continuity of essential services for individuals, continuity of business activity in impacted areas, and reduced environmental impact.

<u>The Betterment Vision</u> provides further context on the scope, corevalues benefits and anticipated outcomes of infrastructure betterment.

From left: Land slip on Waterfall Way. Cracks form along NSW roads after widespread flooding.





Infrastructure Betterment Fund

Guidelines

6

Complementary Programs



The Australian and NSW Governments are delivering two complementary betterment programs to support impacted communities. This investment totals \$512.5 million, which is staged across the \$200 million Infrastructure Betterment Fund (IBF) (subject of these Program Guidelines) and the \$312.5 million Regional Roads and Transport Recovery Package (RRTRP). Both programs will be delivered as a consistent, whole-of-government approach to betterment.

The Infrastructure Betterment Fund

The \$200 million IBF is administered by the Department of Regional NSW (the Department) and will provide funding for NSW government agencies and local government authorities to restore and rebuild Directly Damaged public assets to a more resilient standard. This includes Essential Public Assets as defined by the Disaster Recovery Funding Arrangements (DRFA), as well as other public assets not usually funded under the DRFA but damaged in the 2019/2020 NSW Bushfires (AGRN 871), February and March 2021 Storm and Floods (AGRN 960 and AGRN 954) or February and March 2022 Severe Weather and Flooding (AGRN 1012). These events and the eligible local government areas are defined in these Guidelines as Eligible Disaster Declaration Events detailed in Appendix A. Eligible Infrastructure is defined in Appendix B.

Betterment funding is available not for the reconstruction or repair of the damaged asset but for the resilience improvement activity (referred to as the betterment activity) that is additional to the reconstruction works.

Regional Roads and Transport Recovery Package

The \$312.5 million RRTRP is administered by Transport for NSW (TfNSW) and will provide funding to reinforce and upgrade the State and Local Government road network in northern NSW. This is to meet continuing impacts of natural disasters by planning, developing and delivering priority transport infrastructure resiliency works on eligible infrastructure *Directly Damaged* by February and March 2022 Severe Weather and Flooding (AGRN 1012).

Both the Department and TfNSW are working together to streamline application assessment processes for eligible applicants across both programs to maximise convenience for applicants.

The programs will be delivered in parallel through SmartyGrants to reduce administrative burden on applicants. Assessment of projects will be undertaken progressively and collaboratively across the Department and TfNSW. The progressive approach will allow for focussed support of applications and appropriately balance the need for immediate works while adequately scoping more complex projects. Both agencies will refer applications where a project best-suits one program over another. As such, applications will be assessed for either IBF or RRTRP funding –not both. Announcements of successful projects will be progressive across both programs.

Infrastructure Betterment Fund

Guidelines

-

Complementary Programs

\$512.5 million investment in infrastructure betterment Australian and NSW Government co-funded

\$200m

\$200 million Infrastructure Betterment Fund

Delivered by the Department of Regional NSW

\$312.5m

\$312.5 million Regional Roads and Transport Recovery Package

Delivered by Transport for NSW

Eligible Assets:

Transport, Tourism, Water and Sewerage, Telecommunication and other public infrastructure assets

Eligible Applicants:

Local Councils, Local Aboriginal Land Councils and NSW State agencies (the entities listed in the table on page 12)

Relevant disasters:

Direct Damage from AGRN 871, 954, 960 or 1012

Eligible impact area:

91 LGAs across NSW

Eligible Assets:

Transport infrastructure assets

Eligible Applicants:

Local Councils and TfNSW

Relevant disasters:

Direct Damage from AGRN 1012

Eligible impact area:

26 Northern NSW LGAs

Find out more: nsw.gov.au/betterment

A young family ride along the Tumbarumba to Rosewood Rail Trail.

Infrastructure Betterment Fund Guidelines Objective Purpose The purpose of these Guidelines is The objective of the IBF is to outline key objectives, eligibility to support the betterment criteria, assessment criteria, assessment of targeted NSW Eligible processes and timeframes for the IBF. Infrastructure that has been Directly Damaged by AGRN Successful applicants will be required to 871, 954, 960 or 1012 to enter into a legally binding funding deed with the Department. improve resilience, productivity and economic outcomes. These events are defined in these Guidelines as Eligible Disaster Declaration Events and detailed in Appendix A. Eligible Infrastructure is defined in Appendix B.



Probity and Governance

The IBF will be administered by the Department. The IBF will be subject to strict governance and probity with fair and transparent assessment processes. A Probity Plan has been developed to oversee delivery of the IBF. All decisions made under the IBF will be in accordance with IBF Guidelines and associated Assessment Criteria.

An independent probity advisor will provide guidance on issues concerning integrity, fairness and accountability that may arise throughout the submission, assessment and decision processes. This will help ensure decisions are made with integrity, fairness and accountability, while delivering value for money for NSW. A probity advisor will be present at all Assessment Panel meetings.

A Probity Report will be published by the Department at the completion of the IBF.



Monitoring and Evaluation

Evaluating government programs enables their success to be robustly assessed, provides confidence in integrity and informs future improvements. Funding recipients may be required to participate in the evaluation of the IBF and collect project specific data to support understanding of project outcomes. Monitoring and evaluation of the IBF will be undertaken in-line with best practice to determine effectiveness of the IBF including the NSW Government Program Evaluation Guidelines (2016) and the NSW Treasury TC18-03 Program Evaluation. Elements will be embedded into the IBF to assess effectiveness.

Theevaluation will assess:

- effectiveness of IBF design, implementation and delivery of the IBF objective(s)
- · progress towards achieving IBF outcomes
- alignment of delivered IBF objectives and outcomes.



Consultation

Betterment is a NSW first. The Department hasworked collaboratively across Australian and NSW Government agencies on the design of this program to ensure it is robust and responsive to the complexity of bettering infrastructure. This collaboration has included seeking lessons and feedback from Queensland Government Betterment programs and consulting with NSW agencies experienced in constructing and delivering infrastructure for the State, including TfNSW and Public Works.

The Department has conducted extensive analysis around *Direct Damage* to infrastructure experienced from the relevant natural disasters. This has been supported by direct engagement through state and regional recovery subcommittees and various NSW Government agencies.

The IBF complements existing support measures for *Essential Public Assets* in place under the NSW and Australian Government funded \$4.5 billion bushfire recovery package (AGRN 871), the \$790 million Storm and Flood Recovery Package (AGRN 960 and AGRN 954) and the \$3.5 billion 2022 Flood Recovery Package (AGRN 1012) and over \$3.5 billion committed to the 2022 Flood Recovery Package (AGRN 1012).



Funding allocations

The IBF is a \$200 million program. The funding is evenly split (50-50) as a notional allocation for local and state assets. A notional allocation model has been adopted to ensure local government is not competing with state government agencies for funding.

If applicationsdo not fulfil the notional allocation, the Assessment Panel mayconsider redistributing funding to other projects where there is demonstrated and direct need for funding beyond what has been notionally allocated. This redistribution is undertaken at the discretion and recommendation of the Assessment Panel and ensures that the unique recovery needs are met whilst maximising the eligible projects that can be delivered within the program budget.

The Assessment Panel may choose to recommend projects above funding notional allocations in theevent that significant meritorious projects are submitted and assessed. Funding projects above the allocation will be at the sole discretion of the Australian and NSW Governments.



Eligibility and Ineligibility

The IBF is open to Eligible Applicants that own or manage *Eligible Infrastructure* located within one or more of the LGAs disaster declared for the *Eligible Disaster Declaration Events* (refer to Appendix A and Appendix B).

Funding will be allocated towards local and state owned *Essential Public Assets* that areclassified as *Eligible Infrastructure* under these Guidelines. This includes transport, tourism, water and sewerage, telecommunications and/or other public service assets that are an integral part of NSW's economy and the typical functions that serve a community (refer to Eligible Project Examples).

Burnt road sign & bushland from the recent bushfires.



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Eligibility

Eligible Applicant Type

The following NSW entities:

- · NSW local government councils
- · County council that is not for the primary purpose of weed control
- Section 355 committees of council are eligible to apply for funding, but the council will be required to execute the funding deed should the project be successful
- · Local Aboriginal Land Councils (LALCs)
- A department or other agency of NSW Government including:
 - Public Service Agencies including but not limited to:
 - · Transport for NSW
 - · National Parks and Wildlife Service
 - · Crown Lands
 - Education
 - · Health
 - State Authorities including but not limited to:
 - · NSW Telco Authority
 - · NSW Police Force
 - · Fire NSW
 - NSW Statutory Bodies established or continued for a public purpose such as but not limited to:
 - · NSW Rural Fire Service
 - · NSW State Emergency Service
 - But does not include state owned corporations
- · For all of the above entities, they must also:
 - provide in the operation of the asset, services free of charge or at a rate that is 50 per cent or less of the cost to provide those services other than tourism operations and local council water assets, and
 - own and/or manage Eligible Infrastructure that was Directly Damaged by one of the Eligible Disaster Declaration Events (refer to Appendix A), and
 - are an incorporated legal entity, and
 - hold an Australian Business Number (ABN), and
 - be registered for GST, and
 - must have or be able and willing to purchase at least \$20 million in public liability insurance.

Refer to Appendix B for definitions.

Eligible Grant Amount

The Eligible Grant Amount is between \$100,000 and \$10 million

Projects will be required to include an economic benefits assessment

Cash and/or in-kind co-contributions are not required but will be viewed favourably during the assessment process.

Eligible Asset Type

Directly Damaged Eligible Infrastructure as follows:

- Transport asset
- · Tourism asset
- · Water and Sewerage asset
- · Telecommunication asset
- · Other public infrastructure asset.

Refer to Appendix B for definitions.

Continued on next page >

Eligible Project Type

Projects must:

- Meet the definition of Eligible Infrastructure and/or re-damaged Eligible Infrastructure as set out these Guidelines (refer to Appendix B)
- Be for the purpose of Betterment of Directly Damaged Eligible Infrastructure as a result of the Eligible Disaster Declaration Events (refer to Appendix A)
- Demonstrate an important role in providing resilience plus one or more core values:
 - Productivity Maintain or improve the level of service and sustainable function that an asset provides
 - Economic-Achievevalue net benefit across the lifecycle based on the betterment value proposition and provide a return on investment
- Align with relevant NSW Government policies and strategies for example the NSW State Infrastructure Strategy 2022-2042 and the NSW Critical Infrastructure Resilience Strategy 2018
- Have all physical works and expenditure completed by 30 May 2025
- Must be able to commence construction 12 months prior to final expenditure date of 30 May 2025.

Refer to eligible project examples on page 16 of these Guidelines.

Eligible Costs

Eligible Costs include:

- Works directly related to damage incurred as a direct result of the Eligible Disaster
 Declaration Events (refer to Appendix A) that have not already been covered
 through other government funding and/or insurance claims directly related to the
 betterment activity(s)
 - This does not exclude projects that have received Essential Public Asset Repair funding under the DRFA
- Retrospective works undertaken prior to receiving IBF funding. This will be in exceptional circumstances and at the discretion of the Department
- · Capital works costs directly related to the requested funding activities
- Project management and administration costs directly related to the requested funding activities. These costs are capped at 20 per cent of the total value of the requested funding amount
- Salary/wages and entitlements for new employees specifically engaged for the project(s)
- Design costs and planning approval costs including consultancy fees and legislative approval costs associated with the proposed works
- Contingency costs directly related to the project activities capped at no more than 20 per cent of the total value of the requested funding amount
- Costs related to buying or upgrading non-fixed equipment or supplies as a small component of a larger fixed project. In this instance a small component is considered as no more than 30 per cent of the overall project expenses and no one item is greater than \$80,000.

Ineligibility

Ineligible Applicant Type

Ineligible applicants are:

- Joint organisations of councils
- · County councils that are for the primary purpose of weed control
- · Community organisations
- · Not-for-profit organisations
- · Non-government organisations other than Local Aboriginal Land Councils
- · Incorporated companies or associations
- State owned corporations including:
 - Essential Energy
 - Hunter Water Corporation
 - Landcom
 - Newcastle Port Corporation
 - Water NSW
 - Sydney Water Corporation
 - Forestry Corporation
- Commonwealth authorities.

Ineligible Asset Type

- Assets that were not Directly Damaged as a result of the Eligible Disaster Declaration Events (refer to Appendix A)
- Assets that do not meet the definition of Eligible Infrastructure under these Guidelines
- Assets that are not associated with the function of Eligible Infrastructure under these Guidelines
- Public assets that are:
 - not listed as an eligible asset owned by State, local governments or Local Aboriginal Land Councils
 - not an integral part of the State's Eligible Infrastructure
 - funded through other government funding or insurance.

Ineligible Project Type

- Projects that have been funded through other government funding and/or insurance claims directly related to the betterment activity(s)
 - This does not exclude projects that have received Essential Public Asset Repair funding under the DRFA
- Projects that may be more appropriately resourced or funded under existing or future DRFA arrangements and/or complementary funding programs
- Projects for assets that were not Directly Damaged as a result of the Eligible
 Disaster Declaration Events and/or Eligible Infrastructure that have not undergone
 reconstruction works (refer to Appendix A and B)
- Projects located outside of the eligible LGAs (refer to Appendix A)
- · Projects that do not relate to betterment of damaged Eligible Infrastructure
- Projects that would fund the day-to-day operations and/or business as usual activities of the organisation

Continued on next page >

Ineligible Project Type continued

- Projects that are not aligned to the objective of the IBF
- Eligible Infrastructure that have commenced reconstruction works where the works undertaken are compromised/undermined by the betterment activity(s).

Ineligible Costs

- Estimated reconstruction costs for reconstruction works (note: under Category B, IBF funding is not for the reconstruction or repair of the damaged asset but for the resilience improvement activity (referred to as the betterment activity) that is additional to the reconstruction works)
- Costs that are not directly associated with the betterment activity(s) such as the
 costs associated with DRFA assistance measures including emergency works,
 immediate reconstruction works, and reconstruction works
- Ongoing operational and maintenance costs directly incurred by the project or for the asset life cycle after the project is completed
- Overhead administrative, operational and/or maintenance costs not directly incurred by the project
- Costs for the same betterment activity(s) that have been funded through other government funding, other DRFA measures and/or insurance
- · Repayment of existing debts or budget deficits
- · Improvements or repairs to residences privately owned
- · Business as usual and/or commercial activities
- Salary/wages and on-costs for existing, budgeted employees not specifically engaged for the project
- Costs related to buying or upgrading non-fixed equipment or supplies unless it
 is a small component of a larger fixed project. In this instance a small component
 is considered as no more than 30% of the overall project expenses are nonfixed equipment and no one item is greater than \$80,000. Ineligible non-fixed
 equipment includes vehicles and mobile items that could otherwise be affixed
 to the asset
- · Costs spent for assets not located in disaster-declared LGAs
- Costs that require recurrent or ongoing funding from the NSW Government including operational and/or maintenance costs.





From left: Repairs take place along a waterfront walkway. Broadwater Riverbank restoration, along the old Pacific Highway

Eligibile Project Examples

Asset Type

Betterment Project Examples

Transport

e.g. roads and bridges

- An increase in the function and/or capacity of an asset for example:
 - addition of a lane or increase in bridge span
 - changing the height of a road or bridge or adding pull-off areas/ stopping bays and/or an increase in drainage capacity
 - filtration devices and ground stabilisation such asdebristraps and scour protection near watercourses
 - realignment of road or bridge to reduce asset exposure to risk
- engineering re-design works to modify peak flows, drainage size and flow volume
- increase in storage capacity and improved flow control for detention basins or weirs
- Improvements for user hazard safety through an upgrade or addition of safety items for example:
 - accessibility improvements
 - hazard notification system installation
 - barrier systems, signage and other road furniture
 - line marking, and Audible Tactile Line Marking
- Improvements to the resilience of a bridge, road surface and associated structures (i.e. drainage) for example:
 - changes in material type that something is constructed from
 - relocation of a critical or high dependency asset beyond natural disaster high risk areas

Tourism

e.g. signage, information assets, attractions, walking tracks

- · Improvements to the resilience of a structure or facility for example:
 - changes in material type that something is constructed from
 - changes to a layout or improved way finding for improved evacuation
 - changes to protection devices such as increase water tank storage, sprinklers and hazard notification systems
- Improvements to the resilience of a tourism user asset for example:
 - ground stabilisation, and drainage works for a recreational area
 - changes in material type that an amenity is made from
 - change in the type or use of the attraction to better suit the natural disaster risk of the area
 - relocation of a critical or high dependency asset beyond natural disaster high risk areas

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Water and Sewerage e.g. stormwater management assets, wastewater management assets and water supply and reticulation assets

- · An increase in the function and/or capacity of an asset for example:
 - engineering re-design works to modify peak flows, drainage size and flow volume
 - ground stabilisation such as scour protection in and around drainage lines, intakes and discharge locations
 - increase in storage capacity and improved flow control
- · Improvements to the resilience of an asset for example:
 - relocation of a critical or high-dependency asset beyond natural disaster high risk areas
- · An enhancement to existing assets such as:
 - replacement of open collection/treatment ponds to tanked systems
 - installation of remote monitoring and control systems

Telecommunications e.g. radio towers, cabling, relay stations and electricity sub-stations that exclusively support telecommunications

- · An increase in the function and/or capacity of an asset
- Improvements to the resilience of the asset such as:
 - installation of protective shelters for equipment cabinets
 - relocation of a critical or high dependency asset beyond natural disaster high risk areas
- · An enhancement to existing assets such as:
 - access improvements e.g. drainage, sealing, realignment
 - installation of remote monitoring systems

Other public service infrastructure e.g. health, education, justice or welfare infrastructure

- Improvements to the resilience of a structure or facility against future natural disasters
- · An enhancement to existing assets such as:
 - accessibility improvements
 - changes to a layout for improved utility in an evacuation
 - hazard notification system installation
 - relocation of a critical or high dependency asset beyond natural disaster high risk areas





Concrete water and sewage pipes.

Application and Assessment



Application Support

Support from the Department and across the NSW Government will be made available to assist applicants in developing, planning and costing their applications. The Department has staff ready and available to answer questions from applicants. Refer to Find out More for contact details.

Assessment Process

The IBF application and Assessment Process will be delivered through a progressive, rolling approach. This approach aims to:

- Reduce burden on applicants through a singlestage application process that will be delivered across complementary betterment programs
- Allows for the prioritisation and assessment of projects over time, which will aim to minimise waiting periods to notify outcomes





From top: Telecommunications transmission tower in rural regions. Bushfire regrowth in the bushland of the South Coast.

Application, Assessment and Notification Process



Application Submission Rolling Application Review Rolling Panel Assessment and Recommendations

Approval of projects

Notification and Delivery

Applicants identify which complementary Program the application should be assessed under

Applicants submit applications online via SmartyGrants portal

Submission of applications will be confirmed via email.

The Department conducts a checkpoint review of all applications for eligibility, suitability and completeness

The Department may work with applicants to clarify information provided to support full project assessment

Application referral to other complementary program offered.

The Department undertakes a review of each application as per the Assessment Criteria

An Assessment
Panel, including
independent
members and with
advice from subject
matter experts, will
assesseach
application based
on the Assessment
Criteria in the
Guidelines.

Projects
recommended for
funding by the
Assessment Panel
are submitted to the
Deputy Premier for
consideration and
approval.

Successful projects will be announced by the Australian and NSW Governments.

Unsuccessful applicants will be notified and offered the option for feedback

Projects will be managed through a funding deed which will include requirements for successful applicants to participate in regular reporting and program evaluation.

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The progressive approach outlined in the diagram (page 19) is as follows:



Applicant identifies the most suitable fund for their application (either IBF or RRTP) and submits an application via the <u>SmartyGrants portal</u>. There is no limit to the number of applications that can be submitted by an applicant.

Applications close 2pm AEDT Thursday 15 December 2022

Applicants will receive email acknowledgment from the department confirming the application has been submitted.

2

Rolling application checkpoint review:

- The Department will undertake the checkpoint review wherein applications are assessed against the eligibility criteria set out in the Guidelines and reviewed for suitability and completeness
- The Department may work with applicants to clarify information provided to support full
 project assessment. The Department reserves the right to undertake this activity based on
 the completeness of the application submitted
- If it is considered that an application is more applicable to the other complementary program
 than has been indicated by the applicant, the applicant will be informed as to the reason for
 the recommendation and offered the option for the application to be considered under the
 other complementary program.

3

Once an application has been fully completed and has satisfied the requirements of the checkpoint review, the Department will undertake a review of all applications as per the Assessment Criteria (refer to Assessment Criteria below).

Once fully assessed, projects will be provided to the Assessment Panel for consideration.

As part of the assessment, the Panel may use broader assessment considerations (refer to Broader Assessment Considerations below) to consider and rationalise decision making for project funding recommendations.

The Panel will assess applications on a rolling basis. All fully completed applications will be considered by the Panel. During the assessment process:

- Applicants may be requested by the Panel to clarify or provide additional information to assist in the assessment process
- The Panel may obtain subject matter expert advice on the alignment of the applications with the Assessment Criteria

As a capped funding program, betterment funding may be prioritised to shovel ready projects based on: the vulnerability of the asset which may include prior natural disaster damage to the asset; criticality of the asset to the stakeholders/community it serves; and the project's impact on economic or social factors for the community or state.



After each Assessment Panel meeting, a summary of outcomes will be provided to the Deputy Premier for consideration and approval. This will include recommended projects for funding, the amount of grant funding awarded and any terms and conditions associated with the grant. This will also include applications deemed unsuccessful.

There will be no mechanisms to appeal or not approve a grant.

Continued on next page >

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Once approved, successful projects will be announced by both the Australian and NSW Governments and applicants will receive a letter of offer. The letter of offer may include conditions of funding that are required to be implemented by the successful applicant. This will be determined by the Assessment Panel and may include conditions on delivery, planning, project management or other factors.

Announcements of projects are likely to be rolling. Unsuccessful and ineligible applications will be notified of the outcome and offered the option for feedback and provided with details on potential support or other funding programs which may be suitable.



Concrete drainage pipe is laid along the roadside.

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Assessment Panel

The Panel will consist of senior representatives from the Department (Chair), Resilience NSW and an Independent Member. The National Emergency Management Agency (NEMA) will participate as an observer to the Panel.

The Assessment Panel may, at their discretion:

- assess a project as only partially eligible and could therefore recommend for part-funding
- recommend a project conditionally on the basis that an external, professional project management service with sufficient capability be engaged for the project to ensure the affordability and deliverability of recommended projects
- refer the project to other Australian or NSW Government funding programs for consideration
- defer assessment of an application until a later time in the assessment process
- obtain subject matter expert advice on the alignment of the betterment application with the Assessment Criteria.

In the event that the state or local asset notional allocation does not have sufficient eligible projects to claim the full notional allocation, the Panel, at their discretion and after consideration of all other submitted eligible applications, may seek to redistribute funding to other projects.









From top: Widespread debris and clean up, after recent flooding. Bushfire smoke rises over mountains in NSW. Maclaughlin River crossing and bridge, near Cooma.

Assessment Criteria



	Definition	Assessment Standards
Strategic 25%	A project's alignment with the IBF objective, betterment core values and relevant government strategies	 To what extent the project aligns with the IBF objective and betterment core values of resilience, productivity and economic To what extent the project aligns with Australian, NSW and/or local government strategies To what extent the project is significant for the region and community
Resilience 25%	The extent of current and future hazard(s) and risk mitigation expected with the additionality of the betterment activity	 A risk assessment detailing the hazard current risk(s) and any assumptions around data gaps and future risk To what extent the betterment activity will result in an increased capacity to avoid and/or mitigate those risks To what extent the betterment activity will improve one or more of the elements of infrastructure resilience Any value-add for resilience against other hazards
Viability 25%	The deliverability and affordability of the project	 Project costings and quotes, including appropriate contingency, escalation and project management budget line items Appropriate project designs and approvals required Applicant has demonstrated skills and capacity to deliver the project through past performance in delivering similar projects (for example, detailing managerial capability to carry out the project) Suitability of the staff or arrangements to deliver the project Confirmation of asset lifecycle management considerations
Economic 25%	The quantification and/ or qualification of the economic benefit(s) a project will deliver	 A cost estimate/budget must be submitted with each application An economic benefits assessment of the project(s) must be included and include an assessment of the benefits of undertaking the project and consequences of not undertaking the project (this template is built into the application form)

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Broader Assessment Considerations

Other factors summarised below may be considered by the Assessment Panel when making recommendations for successful projects.

This may include:

- applicability to the Regional Roads and Transport Recovery Package
- · deliverability timeframe of the project(s)
- · quantum of funding available
- project distribution by frequency of natural disaster and impact per LGA
- infrastructure type
- · variety of project size, scale, type and focus area
- level of support provided to the community (community impact and benefit), and/or priority of a project to the local and regional business/ industry sector and/or economy
- support that the project may provide for vulnerable sections of the community (i.e. such as youth, Aboriginal people and people with disabilities)
- suitability of projects for other government funding opportunities
- · broader community recovery context and outlook
- alignment with other existing NSW and/or Australian government policies and strategies
- market failure, market barriers and the role of government.

Key dates

IBF launch and applications open:

Thursday 6 October 2022

Applications close:

2pm Thursday 15 December 2022 (AEDT)

Rolling application checkpoint and assessment of applications:

November 2022 - April 2023

Rolling approval and announcement of successful projects:

From January 2023

Funding Deeds executed and works commenced:

From early 2023

Projects completed and funding expended:

By 31 May 2025

In extenuating circumstances, late applications may be accepted at the sole discretion of the Department.



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Successful Applicants



Both successful and unsuccessful applicants will be notified in writing of the application outcome. Successful applicants will be required to enter into a funding deed with the Department prior to receiving funds.

Successful applicants should note:

- recipients will be required to participate in regular reporting during delivery and at completion of the project(s) for grant acquittal
- recipients will be required to participate in a program evaluation after project commencement to determine the extent to which their projects have contributed to the objectives of the IBF. Funding recipients will be required to provide evidence of measurable benefits consistent with objectives of the IBF
- procurement of goods and services must be in accordance with the applicant's procurement policy. When procuring goods or services, local governments must act in accordance with the Local Government Act 1993 (NSW) and the Local Government (General) Regulation 20105 (NSW) and their own procurement policy. State government agencies must comply with the NSW Procurement Policy Framework
- the Australian and NSW
 Governments may choose to
 publicly announce grant funding
 of projects. Successful applicants
 may be requested to keep the
 grant confidential for a period of
 time if an announcement is to be
 made by the Australian and
 NSW Governments

- if successful, the Australian and NSW Governments reserve the right to use recipient and project information in media regarding the IBF. Information may be used in the form of press releases, case studies, promotional material and in response to media enquires
- under the funding deed recipients will be required to provide additional documentation including a copy of all relevant insurances to demonstrate the operation and maintenance of the projects post-IBF funding
- Section 355 committees of council if successful will require the local council to execute the funding deed
- successful applicants will be required to submit project progress reports to the NSW Government and auditing documentation as outlined in the funding deed
- grants will be paid via milestone payments set out in the funding deed and timing and requirements will vary depending on the scope and timelines of the project. All grantees will be required to provide evidence of prior expenditure and completed works in order to access subsequent milestone payments

- requests for variations or changes to the project will only be considered in limited circumstances
- successful applicants will be required to pay back unspent funds or those funds which have not been spent and/or cannot be evidenced as spent in accordance with the funding deed
- that any costs associated with project delivery cost overruns will be borne by the applicant
- the Department reserves the right to undertake an audit of grant funding within seven years.
 Funding recipients are required to keep appropriate records for audit and assurance purposes.

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Find Out More

nsw.gov.au/bettermentfund

Contact us

- E <u>infrastructure.betterment@</u> regional.nsw.gov.au
- T 1300 679 673

Getting support

Frequently asked questions and other resources to assist with applications are available at nsw.gov.au/betterment

If you require assistance or advice with your application, please contact infrastructure.betterment@regional.nsw.gov.au or 1300 679 673 for a referral to the appropriate team.

Complaints

Any concerns about the Fund or individual applications should be submitted in writing to regionalnsw. business@regional.nsw.gov.au. If you do not agree with the way the Department of Regional NSW handled the issue, you may wish to contact the NSW Ombudsman via ombo.nsw.gov.au

Ethical Conduct

Applicants must not participate in any anti-competitive conduct.

It is a condition of the grant program application process that no gifts, benefits or hospitality are to be made to any Department/Agency employee at any time. Any inducement in contravention of this condition may result in an applicant's proposal not being considered.

Public Acknowledgment

Under the Disaster Recovery
Funding Arrangements, all projects
under the IBF must appropriately
acknowledge and recognise that
it is jointly funded by the NSW
Government and the Australian
Government under the Disaster
Recovery Funding Arrangements.
The announcement of assistance
must be done jointly by the
Australian and NSW Governments,
unless otherwise agreed.

Prior agreement must be reached with the Australian Government on the nature and content of any subsequent events, announcements, promotional material or publicity relating to DRFA assistance measures. This includes but is not limited to media releases, events, social media, signage and advertising.

To obtain the required agreement, IBF grant recipients must contact the Department at infrastructure. betterment@regional.nsw.gov.au, and the Department will in turn liaise with Resilience NSW and Australian Government representatives regarding the events, announcements, promotional material or publicity.

Publications must include both the Australian and NSW Governments' logos and the following disclaimer: 'Although funding for this product has been provided by both the Australian and NSW Governments, the material contained herein does not necessarily represent the views of either governments.'

Recipients must follow the NSW Government Signage Requirements nsw.gov.au/branding/sponsorship-and-funding-acknowledgment-guidelines/signage-guidelines to acknowledge the funding source on project signage. All signage must include acknowledgement of the co-funded by the Australian and NSW Governments.

The Department will identify and inform Resilience NSW and the Australian Government of media opportunities relating to the IBF.

Conflicts of Interest

There may be a requirement for a conflict-of-interest declaration to be submitted with all proposals or in the application form.

Where a conflict-of-interest detrimental to the assessment process is identified, mitigation measures must be put in place, or an individual may be asked not to participate in the application, assessment or delivery stage of the process.

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Disclaimer

Before applying for funding under this Fund or making any decision, recipients should seek advice from their legal, business and financial advisers to determine their eligibility for, and the terms of the funding.

The Department does not guarantee or warrant, and accepts no legal liability whatsoever arising from or connected to, the accuracy, reliability, currency or completeness of any material contained in this publication. Information in this publication is provided as general information only and is not intended as a substitute for advice from a qualified professional.

The Department recommends that users exercise care and use their own skill and judgment in using information from this publication and that users carefully evaluate the accuracy, currency, completeness and relevance of such information. Users should take steps to independently verify the information in this publication and, where appropriate, seek professional advice.

The Guidelines are subject to change at any time at the discretion of the Department, in consultation with Resilience NSW and NEMA.

Costs for the administration, monitoring and evaluation of the Fund will be met from the total budget allocated for funding delivery under the IBF.

Government Information (Public Access) Act

Recipients should be aware that information submitted in applications and all related correspondence, attachments and other documents may be made publicly available under the Government Information (Public Access) Act 2009 (NSW). Information that is deemed to be commercially sensitive will be withheld. The Government Information (Public Access) Act 2009 (NSW) makes government information accessible to the public by:

- requiring government agencies to make certain sorts of information freely available
- encouraging government agencies to release as much other information as possible
- giving the public an enforceable right to make access applications for government information
- restricting access to information only when there is an overriding public interest against disclosure.

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Guidelines Version 01 dated 6 October 2022.

Appendix A:

Eligible Disaster Declaration Events

2019/20 NSW Bushfires Disaster Declaration

The NSW Government through Resilience NSW declared 50 LGAs as <u>disaster declared</u> with the Australian Government. These declarations are referenced as AGRN 871.

The following LGAs are eligible for IBF funding:

Armidale
Ballina
Bega Valley
Bellingen
Mid-Western
Muswellbrook
Nambucca Valley

Blue MountainsByronCentral CoastNarrabriOberonPenrith

Eurobodalla
Glen Innes Severn
Goulburn Mulwaree
Greater Hume
Gwydir
Hawkesbury
Inverell
Snowy Monaro
Snowy Valleys
Sutherland
Tamworth
Tenterfield
Tweed
Upper Hunter

InverellUpper HunterKempseyUpper LachlanKu-ring-gaiUralla

Lake MacquarieLismoreWalchaWingecarribee

Lithgow • Wollondilly

Appendix A:

Eligible Disaster Declaration Events

February and March 2021 Storm and Flood Disaster Declaration

The NSW Government through Resilience NSW declared 78 LGAs as <u>disaster declared</u> with the Australian Government. These declarations are referenced as AGRN 954 and AGRN 960.

The following LGAs are eligible for IBF funding:

•	Armidale

- BallinaBathurst
- Bega Valley
- Bellingen
- Blacktown
- · Blue Mountains
- Bogan
- Brewarrina
- Byron
- Cabonne
- Camden
- Campbelltown
- Canterbury-BankstownCentral Coast
- Central Darling
- C essnock
- O COSTIOCK
- Clarence Valley
- C obar
- C offs Harbour City
- Coonamble
- Cumberland
- · D ungog Shire
- E urobodalla
- F airfield
- Georges River
- Gilgandra

- · Gl en Innes Severn
- · Goulburn Mulwaree
- Greater Hume
- · Gunnedah
- G wydir
- Hawkesbury
- Hornsby
- Hunters Hill
- Inner West
- Inverell
- Kempsey
- K u-ring-gai
- Kyogle
- L achlan
- · Lake Macquarie City
- Lismore City
- · Lithgow
- Liverpool
- · Liverpool Plains
- Maitland City
- M id-Coast
- Moree Plains
- Muswellbrook
- Nambucca Valley
- Narrabri
- Narromine
- Newcastle City
- Northern Beaches

- Oberon
- Parramatta
- Penrith
- · Port Stephens
- P ort Macquarie-Hastings
- Queanbeyan-Palerang
- Richmond Valley
- Shoalhaven
- Singleton
- Snowy Monaro
- Sutherland
- Ta mworth
- Te mora
- T enterfield
- The Hills
- Tw eed
- Upper Lachlan
- Uralla
- Walcha
- Walgett
- Warren
- W ingecarribee
- Wollondilly

Appendix A:

Eligible Disaster Declaration Events

February and March 2022 Severe Weather and Flooding Declaration

The NSW Government through Resilience NSW declared 62 LGAs as <u>disaster declared</u> with the Australian Government. These declarations are referenced as AGRN 1012.

The following LGAs are eligible for IBF funding:

	Arr	mid	2	
•	AH	HIU	d	ιe

Ballina

• Bellingen

Byron

BaysideBega

• Blacktown

Blue Mountains

Camden

Campbelltown

Canterbury

Bankstown

Central Coast

Cessnock

Clarence ValleyCoffs Harbour

Cumberland

Dungog

Eurobodalla

Fairfield

· Georges River

· Glen Innes Severn

Goulburn Mulwaree

Hawkesbury

Hornsby

Inner West

Kempsey

Kiama

Ku-Ring-Gai

Kyogle

Lismore

· Lithgow City Council

Liverpool

Maitland

Mid-Coast

Mid-Western

Muswellbrook

Nambucca

Newcastle

Northern Beaches

Parramatta

Penrith

 Port Macquarie -Hastings

Port Stephens

Queanbeyan Palerang

Richmond Valley

Ryde

Shellharbour

Shoalhaven

Singleton

Snowy Monaro

Strathfield

Sutherland

Tenterfield

• The Hills

Tweed

· Upper Hunter

Waverley

Willoughby

Wingecarribee

Wollondilly

Wollongong

Appendix B: Definitions

Direct Damage / Directly Damaged – physical damage and/or loss of functionality as a direct result of the 2019/20 NSW bushfires (AGRN 871), the February and March 2021 flooding events (AGRN 954 and AGRN 960) and February and March 2022 NSW Severe Weather and Flooding (AGRN 1012) events.

Eligible Disaster Declaration Events – the disaster declared events listed in Appendix A of these Guidelines.

Eligible Infrastructure -

- Essential Public Assets that have or have not undergone reconstruction works defined as one of the following:
- Transport assets an asset that is an integral part of the State's and region's infrastructure and includes assets associated with roads, road infrastructure (including footpaths, bike lanes, and pedestrian bridges), bridges, tunnels and culverts, or
- Other Public infrastructure assets defined as an asset that is an integral part of the State's and region's infrastructure and is associated with health, education, justice or welfare. This includes: Public hospitals, public schools, public housing, prisons/ correctional facilities, police, fire and emergency services' stations, levees, State/territory or local government offices and stormwater infrastructure, or
- Tourism assets defined as an asset that is an integral part of the State's and region's tourism. This includes signage, information assets, attractions, walking tracks, or
- Water and Sewerage assets defined as an asset that is an integral part of the State's and region's stormwater, mains water and wastewater service provision. This includes weirs, detention basins, stormwater management assets and wastewater management assets, or
- Telecommunication assets defined as an asset that is an integral part of the State's and region's telecommunications service provision. This includes radio towers, cabling, relay stations and electricity sub-stations that exclusively support telecommunications.

Eligible undertaking – a body that is one of the following:

- a department or other agency of a NSW State government, or
- established by or under State legislation for public purposes (for example, a local government), and
- in the operation of the asset provides services free of charge or at a rate that is 50 per cent or less of the cost to provide those services.

Essential Public Asset – An asset which must be a transport or public infrastructure asset of an eligible undertaking which, the state considers, and the Department agrees, is an integral part of a State's infrastructure and normal functioning of a community.

Estimated reconstruction cost – The estimated cost of reconstruction of an Essential Public Asset damaged by an eligible disaster and calculated in accordance with the DRFA.

Reconstruction cost – The cost of reconstruction of an essential public asset damaged by an eligible disaster and calculated in accordance with the DRFA.

Reconstruction works – Reconstruction works on an Eligible Infrastructure Directly Damaged by an eligible disaster for which an estimated reconstruction cost has been developed. Being the like-for-like or repair to restore the infrastructure to its pre-disaster condition without enhancements other than restoration to current standards.

Re-damaged Eligible Infrastructure – An asset that suffers additional damage from one Eligible Disaster Declaration Events and a subsequent Eligible Disaster Declaration Events which occurs after the development of an estimated reconstruction cost for the preceding eligible disaster.

Re-damaged – an asset is considered to be redamaged if it is *Directly Damaged* by an eligible disaster and suffers further damage in the same location from a subsequent eligible disaster prior to the commencement or completion of eligible restoration or replacement activities in response to the first eligible disaster.

Resilience – reducing the risk of impact to an asset over its lifecycle to better withstand natural disasters, while simultaneously improving the ability to respond, recover and adapt after asset disruption.

Department of Regional NSW

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E infrastructure.betterment@regional.nsw.gov.au

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MINUTES OF NARRABRI SHIRE COUNCIL FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE MEETING HELD AT THE NARRABRI SHIRE COUNCIL CHAMBERS, 46-48 MAITLAND STREET, NARRABRI ON WEDNESDAY, 23 NOVEMBER 2022 AT 10.00

PRESENT: Community Members Delegate Jim Purcell (JP), Jono Phelps (JPH) and Bill

Foster (BF), Cr Brett Dickinson (BD), Cr Robert Browning (RB), Chairperson

John Clements (JC), SES Representative Anthony Battham (AB),

IN ATTENDANCE: Donna Ausling (Director, Planning & Sustainability), Michelle Henry (Manager

Planning & Development), Vincent O'Connor (Graduate Strategic Planner) Eloise Chaplain (Director Infrastructure and Delivery), Claire Schultz and

Michael Bloem (Constructive Solutions)

1 OPENING AND WELCOME

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 APOLOGIES/GRANTING OF LEAVE OF ABSENCES

Cr Ron Campbell, Cate McMahon

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the minutes of Floodplain Risk Management Advisory Committee Meeting of the Narrabri Shire Council held on 7 November 2022 as circularised be confirmed with amendments.

Anthony Battam advised that Amendment required for figures for Glencoe Channel 25mm not 25cm and the height was 6.47 – amended

MINUTE FMAC-025/2022

Moved: SES Representative Anthony Battham Seconded: Community Member Delegate Jim Purcell

That AMENDMENT REQUIRED FOR FIGURES FOR GLENCOE CHANNEL 25MM NOT 25CM AND THE HEIGHT WAS 6.47 – AMENDED.

CARRIED

5 REPORTS FOR INFORMATION

Cr Clements handed over to Donna Ausling.

Donna welcomed new member Mr William (Bill) Foster. An introduction from all members at the meeting took place which each attendee introduced themselves and their respective role. Mr Foster concluded by introducing himself.

Donna outlined the following projects that were currently on the table.

Narrabri Floodplain study - ongoing with submissions to close 28-11-2022

Boggabri Flood Plains study - currently undergoing.

Funding has just been approved (verbally) for Gwabegar Floodplains study (awaiting formal notification).

Wee Waa Levee upgrade – currently undergoing and to be discussed further as a specific item.

Cr Clements advised that the extraordinary meeting was called as a result of challenges encountered with the Wee Waa Levee consultants (Stantec/Cardno).

A brief explanation of the issues that have been encountered were given to ensure that the new member of the committee was across the issues to date.

5.1 WEE WAA LEVEE PROJECT UPDATE

Claire Schultz (CS) advised that Constructive Solutions have been having weekly meetings with Stantec/Cardno, the latest being on 18-11-2022. CS advised that the outstanding data will be submitted with phase E report.

Michael Bloem (MB) advised that the documentation from Stantec/Cardno was poor and had required comprehensive review and feedback to put back to Stantec/Cardno for them to respond to. MB advised that the timeframe for this was one month from initial feedback for phases D and E. MB advised at the last meeting the designer was present and the designer will be taking over the role as lead consultant from 14-12-22. MB states they were confident the designer would get the process back on track. MB advised that they were going to meet next week with operational staff (reschudeled from previous dates that were cancelled due to flooding) to ensure that all local issues that could be identified were included in the constructability process and any cost impacts would be known. This constructability would include safety in design as well as any safety related issues (ie. Overhead power lines, underground services etc). MB Explained that UGL were consulted and their needs have been met. As well a meeting has occurred in respect of Wee Waa High school drainage and any issues surrounding their needs and levee impacts have been resolved. The end result will be to identify any issues and design them out prior to moving forward

Committee Member Jim Purcell (JP) raised concerns that the one metre wide area identified in the current plan needs to be 98% proper compaction with a good machine and has concerns this may not occur.

Cr Clements (JC) suggested that they may have to overbuild and then cut back.

MB cited tamworth as an example – issues were designed out prior to build.

Cr Dickinson (BD) raised concerns re pipes, concrete, gates/blacksoil and suggested inspection prior to build.

MB advised operational staff will have input as they have the knowledge of key issues that can be tied into the levee operations manual – inspections after every flooding event. Every issue needs looking at. The next project meeting with Stantec/Cardno is 9-1-2023. The objective is to keep pushing moving forward. The last six months have been unprecedented with flooding events delaying the process.

BD asked when the meeting with operational staff will be.

MB explained that it is scheduled for next week (third attempt due to flooding). Moving forward the document should be completed by mid December and all other matters identified should be able to be included. Some of the issues that require further investigation are the borrow pits, vehicle movements, road maintenance in the construction process and ensuring that the roads are bought back to reasonable standards after the construction process. MB stated their mission and challenges have been how quickly the design is resolved.

JC stated it was in the interest of the Committee for the slippage to stop.

MB stated that they have reached a point now that Stantec/Cardno has been involved in the project and has moved too far to be removed from the process. MB believes that they are now heading in the right direction.

JP expressed a concern that gates, pipes etc may be damaged during construction, and how was that going to be addressed.

MB responded that inspections would be completed prior to construction and after construction and the contractor would be responsible to make good any damage. When referring to the Wee Waa High School MB stated it was the new school and the issues for this was the storm water drainage. With good communication happening this won't impact due to design discussion

between both parties. MB advised that a cost benefit analysis is expected mid February 2023.

While JC stated he would like to see it before March, MB advised he is putting pressure on Stantec/Cardno for a February result.

JP asked how the concrete pipes under existing pipes were going to be inspected.

MB advised that while he is unsure of the design the outcome may be to put cameras up pipes to identify any cracking and the remediation may include lining or replacing. This is to be further investigationed dependent on outcomes of inspections.

MOTION

Moved: Cr Brett Dickinson Seconded: Community Member Delegate Jonathon Phelps That the process currently undertaken by Constuctive Solutions continue.

5.2 BOGGABRI FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN - UPDATE

Michelle Henry (MH) advised that the grant has been successful and RFQ has been sent to eligible consultants. There has only been one applicant WRM. The next step was approval by department to award project. Project awarded. An inception meeting was held with a completion date target of March 2024

RECOMMENDATION

That the Committee be advised:

- 1. That the workplan for the Boggabri Floodplain Risk Management Study and Plan has been approved by Grants Unit.
- 2. The official letter awarding the project to WRM Water and Environment in accordance with the quotation received has been issued.

MOTION

Moved: Community Member Delegate Jim Purcell Seconded: Cr Brett Dickinson That the recommendations be accepted. carried

5.3 EOI - ANDREW WATSON

EOI was received from Mr Andrew Watson. EOI discussed by committee.

MOTION

The appointment of Andrew Watson was discussed and a motion to approve was called

Moved: Community Member Delegate Jonathon Phelps Seconded: Community Member Delegate Jim Purcell

That the expression of interest for committee membership by Andrew Watson be accepted.

5.4 INFRASTRUCTURE BETTERMENT FUND

DA advised that the grant has become available however the guidelines are very strict and are for damage only from 2020 Bushfires and 2021 Flooding event. If further damage has occurred in the next flooding event the initial damage is not eligible to be included.

EC outlined areas that would be eligible:

Violet street Bridge

Floodway upgrades

Waiwera Lane

Bald Hill Road

These areas are all in bad condition.

The grant is for \$10 million to spend and EC is open to other project ideas, currently ineligible under the NSW Infrastructure Betterment Fund, these may include permanent signage, levee pump upgrades, sewerage – waterproof lids.

BD suggested survelliance cameras Bingara road, Bohena Creek.

JP stated the Tariarro bridge requires attention.

EC advised that all damage is captured in the Reflect scheme.

JC felt that the grant was too restrictive and that a motion should be made to provide a request to Council to write to both the state government and the federal government to ask for a broader terms of reference

RECOMMENDATION

- 1. That the Committee
 - a. Receive and note the Report on the Infrastructure Betterment Fund.
 - b. Provide recommendations on prospective priority applications for the current round of the Betterment Fund.

MOTION

THAT THE COUNCIL WRITE TO BOTH THE STATE AND FEDERAL GOVERNMENTS TO ASK FOR A BROADER TERMS OF REFERENCE FOR THE INFRASTRUCTURE BETTERMENT FUND

Moved:	Cr Brett Dickinson	Seconded:	Community Member Delegate Jonathon Phelps

FLOOD 2022	PLAIN RISK MANAGEMENT ADVISORY COMMITTEE MEETING MINUTES 23	NOVEMBER
4 THIS M	ACTIONS – COUNCIL TO DRAFT LETTER AS ITEM 5.3 FOLLOWING CONSI ATTER AT A FUTURE COUNCIL MEETING	DERATION OI
5	NEXT MEETING – TO BE ADVISED	
6	MEETING CLOSED	
The Me	eeting closed at 10.46am.	
	inutes of this meeting were confirmed at the Floodplain Risk Managen ttee Meeting held on .	nent Advisory
		CHAIRPERSON

14.2 DRAFT NARRABRI FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN - UPDATE

Responsible Officer: Donna Ausling, Director Planning and Sustainability

Author: Michelle Henry, Manager Planning and Development

Attachments: 1. NFRMSP Consultation feedback report December 2022 (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

WRM Water + Environment were engaged by Narrabri Shire Council to prepare the Narrabri Floodplain Risk Management Study and Plan which has been completed and is in draft format. The draft Plan was placed on public exhibition for a period of sixty (60) days which concluded 28 November 2022. This report provides a brief update on the community consultation process and provides notice of proposed Councillor workshops in the New Year to further understand the study, explore its potential implications and discuss next steps.

RECOMMENDATION

1. That Council receive and note the update on the Draft Narrabri Floodplain Risk Management Study and Plan exhibition and consultation.

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 wherein 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 was undertaken in accordance with the Stakeholder Engagement Strategy (SES), and an extended public exhibition period of sixty (60) days was initiated. The documents were on public exhibition from Wednesday 28 September 2022 until Monday 28 November 2022.

The draft Study recommended a number of mitigation measures including infrastructure changes such as channel upgrades and new levees, voluntary house raising and voluntary house purchasing as well as planning controls related to potential changes in zoning and increased building and development controls.

Community information sessions were held from 18 October 2022 until 20 October 2022 with sessions held during the morning, lunch time and evening. The Narrabri community had the opportunity to participate in feedback surveys in person at the community information sessions, on-line, via email or post.

A total of 168 Narrabri stakeholders attended the community sessions and Council received 86 submissions from various stakeholders, including residents, business owners and property owners. 33 submissions were received online and 53 were written/e-mail submissions (see attached report for detailed analysis of submissions received).

The key findings from the public exhibition indicated that all suggested flood mitigation options had more than half the survey respondents in support of the recommendations. 71% of respondents were in support of the Voluntary House Raising and Voluntary House Purchasing program, 55% were in support of the proposed Planning Changes and 69% were in support of the proposed Channel Widening and Levee Scheme.

Of the 86 submissions 4 were against the Volunteer House Raising and Volunteer House Purchasing Program, 3 were against the proposed Planning Changes and there were no responses against the Channel Widening and Levee Scheme proposal.

Staff will hold Councillor workshops early in the New Year to further review and discuss the findings and implications of the Draft Narrabri Floodplain Risk Management Study and Plan with the elected body prior to a final report being presented.

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

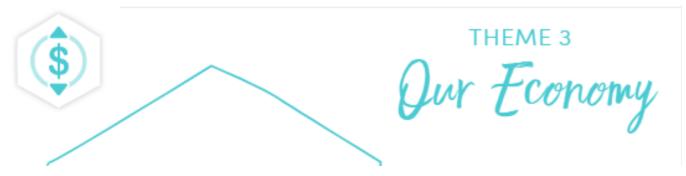
External Consultation

- 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 OUR ECONOMY



THEME 3: OUR ECONOMY

STRATEGIC DIRECTION 3: A STRONG, DIVERSE, AND SUSTAINABLE ECONOMY

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

COMMUNITY SERVICES

Current services provided within the Narrabri Shire community include:

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

COMMUNITY OBJECTIVES

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

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

KEY STAKEHOLDERS

- Narrabri Shire Council
- Narrabri Shire Community
- Destination NSW
- Visit NSW
- NSW Department of Education and Training
- Local Chambers of Commerce
- NSW Department of Planning and
 Environment
- Business NSW

- NSW Regional Growth and Development Corporation
- TAFE NSW
- Community College Northern Inland
- Local Businesses
- Regional Development Australia
- Regional Universities Network NSW members
- Country Universities Centre

15.1 REQUEST FOR FREE ENTRY TO NARRABRI SHIRE POOLS AS PART OF AUSTRALIA DAY 2023 FESTIVITIES

Responsible Officer: Donna Ausling, Director Planning and Sustainability

Author: Elodie Labonte, Community Development Officer

Attachments: Nil

DELIVERY PROGRAM ALIGNMENT

3 Economy - A strong, diverse and sustainable economy

Objective 3.2 A regionally renowned economy

Strategy 3.2.3 Develop and support a variety of events and tourism opportunities in the Shire

EXECUTIVE SUMMARY

Council has granted free entry to the pools in the Narrabri Shire on Australia Day in the previous years and may like to do so again in 2023 as part of Australia Day festivities.

RECOMMENDATION

- 1. That Council provides free entry to Narrabri Shire pools on Australia Day, 26 January 2023.
- 2. That Monster Island (activities for Kids) be organised in Boggabri, Narrabri, and Wee Waa for Australia Day 2023 (subject to staffing availability).

BACKGROUND

Council has previously approved free entry to Narrabri Shire Pools on Australia Day as a part of activities to celebrate the day.

CURRENT SITUATION

It is recommended that Council provide free entry across all pools within the Narrabri Shire as a good will gesture to the communities.

Narrabri Shire Pools would operate within normal public holiday opening hours from 12.00pm-6.00pm.

Boggabri community has requested that *Monster Island* be made available for their Australia Day event at the Boggabri Pool. Any approval to use Monster Island will be ultimately subject to pool staffing availability at that time in Boggabri, Wee Waa and Narrabri.

FINANCIAL IMPLICATIONS

Based on users of the Shire pools for Australia Day in 2022:

- There were 310 patrons attending the pools @ \$3.50 per patron amounts to \$1,200.
- Additional costs for staff apply on the public holiday.

STATUTORY AND POLICY IMPLICATIONS

Nil.

CONSULTATION

External Consultation

- Boggabri community.
- Wee Waa community.

Internal Consultation

- Manager Tourism and Cultural Services
- Manager Parks and Open Spaces.
- Community Development Coordinator.

15.2 MAULES CREEK COAL MINE VPA - BOGGABRI COMMUNITY PROJECTS (BOGGABRI SHOWGROUND PAVILLION)

Responsible Officer: Donna Ausling, Director Planning and Sustainability

Author: Michelle Henry, Manager Planning and Development

Attachments: 1. Copy Boggabri Showground Funding Deed 🖟 🖺

2. Draft Funding Deed 🗓 🖺

3. Invoice for Shed deposit $\sqrt[4]{2}$

DELIVERY PROGRAM ALIGNMENT

3 Economy - A strong, diverse and sustainable economy

Objective 3.2 A regionally renowned economy

Strategy 3.2.4 Capitalise on state significant development that occurs in the Shire for the benefit of

the community

EXECUTIVE SUMMARY

Narrabri Shire Council and Maules Creek Coal Voluntary Planning Agreement was executed in 2014 and included an \$800,000.00 allocation of funds to be distributed in consultation with Narrabri Shire Council and the Boggabri Community. These funds were to be utilised on projects within the Boggabri Community and its surrounds. Several projects were approved to be funded including the Boggabri Showground Pavilion project.

RECOMMENDATION

- 1. That Council approve the draft funding deed with an extended expiry date for the Boggabri Showground Pavilion project.
- 2. That Council approve payment of invoice for deposit on shed once the funding deed has been executed and a detailed project plan and project budget are submitted.

BACKGROUND

As part of the Voluntary Planning Agreement (VPA) for the Maules Creek Coal Mine, an allocation of \$800,000.00 was made to the Boggabri community. The funds were to be distributed in consultation with Narrabri Shire Council and the Boggabri Community, with Council approving several requests for use of VPA funds from various Boggabri Community Groups. One of these approved projects was/is the Boggabri Showground Pavilion.

The project involved the demolition of the existing (at the time) condemned pavilion and replacement with a new pavilion. The project was originally costed at \$210,000.00 however given the size of the proposed new building, Council permit fees, demolition and waste removal costs, possible fire safety and lighting requirements as well as upgrades to the carpark area for all accessibility, it was estimated at a total overall project cost of \$300,000. The showground is considered an important asset for the Boggabri Community and the project was approved for funding in the amount of \$300,000.00 at the Council meeting held 26 May 2020 (minute no:

082/2020). A funding deed was executed by Council and appropriate representatives of the Showground Trust and the Lions Club as joint project managers (copy attached to this report).

A Development application (DA2021/0056) was lodged in January 2021, and approved on 22 April 2021, for the new pavilion and following the provision of all required information the application for Construction Certificate (CC2021/0036) was determined on 13 October 2021. At this stage of the project an amount of \$20,215.59 had been expended which was made up of Council application fees, drafting fees and architectural plans for the project. No building work ever commenced, and the project stalled due to various reasons including supply shortages, COVID-19, and changes to the associated committees.

CURRENT SITUATION

In September 2022 Council staff received enquiries from various committee members of Lions Club and the Boggabri Showground Trust about changing the approved pavilion at the showground. Alterations included the shed company providing the pavilion itself, change of builder being used and also an amendment to the site location of the pavilion itself. Subsequently an application for a modification of DA consent was lodged with Council on 25 October 2022, this has also been approved.

As the existing funding deed for the project expired in December 2021, staff are requesting Council approve a new funding deed (draft attached to this report) to be entered into with an extension to the previous expiry date in order to assist the Boggabri Showground Trust/Boggabri Lions Club to move forward with the project and enable payment of the deposit required for the pavilion itself (copy invoice attached to this report). In line with accepted governance and probity requirements staff will require a detailed project plan and budget from the project managers to inform the completion of the new funding deed, however a proposed expiry date of 31 December 2024 is proposed as a reasonable extension.

FINANCIAL IMPLICATIONS

Outlined in the body of the report.

STATUTORY AND POLICY IMPLICATIONS

Nil.

CONSULTATION

External Consultation

Boggabri Showground Trust Boggabri Lions Club

LG Legal

Internal Consultation

Director Planning and Sustainability

Manager Governance and Risk

THIS AGREEMENT is made the 14th day of SEPTEMBE 2020

PARTIES:

NARRABRI SHIRE COUNCIL (ABN 95 717 801 656) of 46-48 Maitland Street, Narrabri NSW 2390 (the Council); and

BOGGABRI SHOWGROUND AND PUBLIC RECREATION LAND MANAGER (ABN 65 036 995 754) as trustee for the Boggabri Recreation and Showground Trust of Boggabri Showground, 2 Aerodrome Road, Boggabri NSW 2382 and LIONS CLUB OF BOGGABRI INC (ABN 74 397 345 279) of

RECITALS

A. The Council has obtained funding through the Maules Creek Mine Voluntary Planning Agreement (the VPA) dated 2 May 2014;

PO Box 1, Boggabri NSW 2382 (the Recipients).

- B. The Council has resolved at its meeting of 26 May 2020 to allocate the amount of \$300,000.00 (the Funding) to the Recipients to undertake the Project as outlined in clause 1 of this Agreement (the Agreement);
- C. The funding will be held by Council and distributed for expenses related to the project upon receipt of the documents as outlined in section 3 of this agreement;
- The Council wishes to engage the services of the Recipients as Project Managers to manage all aspects of the Project;
- E. The Recipients agree to manage the project to ensure they fulfil the requirements and their obligations as outlined in the Agreement and to achieve the Project outcomes;
- F. The parties agree that this Agreement includes all annexures and schedules.

NOW THE PARTIES AGREE as follows:

1. PROJECT OVERVIEW

1.1. The Funding Allocation is provided for the following Project (the Project):

Project overview		
Project name	Boggabri VPA Showground Pavilion Project	
Funding Source	Maules Creek Mine Voluntary Planning Agreement	
Funding total	\$300,000 incl. GST	
Start Date	The date of this Agreement.	
End Date	31 December 2021	
Project description	Boggabri Showground Pavilion Upgrade	

Project overview		
Works	Refer to Clauses: 5	
Location	Boggabri Showground, 2 Aerodrome Road, Boggabri NSW 2382	
Project Outcome	Delivery of a community project for the benefit of the local community.	

2. NOTICES

2.1. The Representative is responsible for liaising, issuing and accepting any written notices relating to this Agreement:

The Council	
Representative	Stewart Todd - General Manager
Postal address for notices	PO Box 261, Narrabri NSW 2390
Telephone	(02) 6799 6866
E-mail	council@narrabri.nsw.gov.au

The Recipients		
Boggabri Showground and Public Recreation Land Manager		
Representative	Kerry Thomson	
Postal address for notices	C/- Boggabri Showground and Public Recreation Land Manager P O Box 94, Boggabri 2382	
Telephone	0427 605 521	
E-mail	bnkthomson2@bigpond.com	

The Recipients	
Lions Club of Boggabri Inc.	
Representative	Jacqui McInerney
Postal address for notices	C/- Lions Club of Boggabri Inc. PO Box 1, Boggabri NSW 2382

The Recipients	
Lions Club of Boggabri	inc.
Telephone	0488 434 146
E-mail	Jacqui.mcinerney2@det.nsw.edu.au

2.2. In the event the Representative or the Representative's contact details change, notification must be immediately given to the other parties.

3. FUNDING PAYMENTS

- 3.1. The Funding will be held by the Council and paid in accordance with the provisions of clause 3.2.
- 3.2. Subject to clause 3.4, Funding will be paid to the Recipients within 7 business days of receipt of (Funding Payments):
 - 3.2.1. a tax invoice (the Invoice); and
 - 3.2.2 a Statutory Declaration with each Invoice stating that the Invoice is for the Project and to assist in the completion of the Project Works.
- 3.3. For the purposes of the Agreement, the Invoice must:
 - 3.3.1. be from the Recipient;
 - 3.3.2. be addressed to the Council;
 - 3.3.3. reference the Project;
 - 3.3.4. include a description of the Works and/or services and itemised costs;
 - 3.3.5. be dated;
 - 3.3.6. annexure the original invoices from the provider(s).
- 3.4. Funding payments are dependent on:
 - 3.4.1. the Invoice complying with the requirements of section 29.70 of the A New Tax System (Goods and Services Tax) Act 1999.
 - 3.4.2. the Recipients serving as Project Manager in accordance with clause 4;
 - 3.4.3. the Recipients complying with their obligations under this Agreement, including but not limited to clause 3.2.1, 0, 6.3.

4. PROJECT MANAGER

4.1. The Recipients must serve as Project Managers for the duration of the Project and until such time as the Council notifies the Recipients in writing that the Project is complete and all conditions of this Agreement have been satisfied.

- 4.2. The Recipients acknowledge and agree that the Council may provide direction to the Recipients in relation to the Project. Such directions will be actioned by the Recipients accordingly.
- 4.3. The Recipients in their capacities as Project Managers, must liaise with each other throughout the duration of the Project in order to provide updates of progress.

PROJECT WORKS

- 5.1. The Project will consist of the following Works:
 - 5.1.1. As per document annexed hereto and marked "A"
- 5.2, Within seven (7) business days of the Works being completed:
 - 5.2.1. the Recipients must provide a signed Project Completion Form to the Council in the form contained in Schedule 1;
 - 5.2.2. Within 21 business days of receiving the signed Project Completion Form from the Recipient, the Council will return a signed copy to the Recipients outlining that they accept the Works as being completed in full or detailing the Works that remain outstanding.
- 5.3. In the event the Council advises that Works remain outstanding, the Recipients must complete all outstanding Works within 21 business days or as otherwise agreed in writing between the parties.

6. OBLIGATIONS AND RESPONSIBILITIES

- 6.1. The Recipients agree:
 - 6.1.1. to provide Council with a copy of their certificates of incorporation in the event they are an incorporated entity;
 - 6.1.2. to provide Council with a copy of their deeds of establishment in the event they are a trust;
 - 6.1.3. to provide Council with proof of their bank account details;
 - 6.1.4. to allow the Council access to the Location to inspect the Project at all times;
 - 6.1.5. that the contribution of the Council will be acknowledged in all press releases, promotional material, all other relevant documents, openings and presentations in relation to the Project;
 - 6.1.6. to provide the Council with a minimum of 18 Business Days' notice of any proposed announcements, launches or public events relating to the Project;
 - 6.1.7. that the Council will be notified of and invited to attend all openings and presentations in relation to the Project;
 - 6.1.8. to utilise licensed and qualified contractors, tradespeople and other professionals to complete the Works;

- 6.1.9. to safeguard the Works against loss, damage and unauthorised use and promptly reinstate the Works if they suffer damage;
- 6.1.10. to maintain the assets created by the Project (the Assets);
- 6.1.11. that the noncompliance of any obligation under this Agreement will result in the Recipients forfeiting Funding; and
- 6.1.12. to not vary the Project or Works without the prior written approval of the Council; and
- 6.1.13. to ensure that the Project and Works are completed in a timely manner and prior to the End Date and that failure to do so will result in the Recipients forfeiting Funding.
- 6.2. The Recipients are responsible for:
 - engaging the services of appropriate contractors, tradespeople and other professionals;
 - 6.2.2. obtaining all necessary approvals and permits in order to undertake and complete the Works;
 - 6.2.3. the design of the Works;
 - 6.2.4. completion of the Works;
 - 6.2.5. ensuring that the Works are compliant with all regulatory requirements applicable;
 - 6.2.6. ensuring that the Works are undertaken at the Location with the skill and care of a prudent and competent professional; and
 - 6.2.7. ensuring that all requirements of the Work Health and Safety Regulation 2011 (NSW) and any other laws relating to work health and safety are met.
- 6.3. Where the Recipients are not the landowners of the Location, the Recipients must:
 - 6.3.1. obtain the written approval of the landowner to undertake the Project prior to the Start Date and provide Council with a copy of the written approval;
 - 6.3.2. indemnify the Council from and against any loss (including legal costs and expenses on a solicitor/own client basis) or liability incurred or suffered by, or made against, any of those indemnified arising directly or indirectly from any claim by the landowner as a result of or in connection with the Project.

7. INSURANCE

- 7.1. The Recipients must effect and maintain Public Liability Insurance in an amount of not less than \$10,000,000.00 for the duration of the Project and until such time as the Council considers the Project has been completed.
- 7.2. The Recipients must each provide certificates of currency for the Public Liability Insurance policy prior to the commencement of the Project.

8. INDEMNITY

- 8.1. The Recipients irrevocably and unconditionally releases and indemnifies the Council against all actions, claims and demands including but not limited to liability, loss, costs, and expenses of any kind resulting from any damage, loss, death, accident or injury occurring in or on the Location and/or relating to any and all Works associated with the Project.
- 8.2. Without limiting the generality of anything herein contained, the Recipients irrevocably and unconditionally indemnifies the Council from and against all actions, claims, demands, costs and expenses which may result from the following but are in no way limited to a breach or default of the Recipients of their obligations under this Agreement: breakages, maintenance, equipment failures, installation errors or incorrect equipment use, warranties, workers compensation, unfair dismissal, fair work practices, discrimination and harassment, or the failure to pay any of the following: wages, insurance, superannuation as relating to any and all Works associated with the Project.
- 8.3. Clause 8 does not come to an end at the completion of the Project or the expiry, for any reason, of this Agreement.

COSTS

 Each party will pay their own costs in relation to the preparation and signing of this Agreement.

10. GENERAL

- 10.1. All notices and consents required or permitted to be given under this Agreement must be in writing and served in accordance with Section 170 of the Conveyancing Act 1919.
- 10.2. This Agreement is governed by the laws of New South Wales and the parties submit to the jurisdiction of the courts of that State and the Commonwealth of Australia.
- 10.3. If any provision of the Agreement should be held to be invalid in any way or unenforceable, the remaining provisions must not in any way be affected or impaired.

EXECUTED as an Agreement.

SIGNED by the NARRABRI SHIRE)
COUNCIL by its authorised delegate)
pursuant to s377 of the Local Government)
Act 1993:

Signature of Authorised Delegate

Stowart TooD

Name of Authorised Delegate

I certify that I am an eligible witness and that the delegate signed in my presence:

Signature of Witness

DELECE HARTNETT JP127456

Full Name

46-48 MATTLAND STREET NARRABRI NSW 2390. Address

Executed by BOGGABRI SHOWGROUND AND PUBLIC RECREATION LAND MANAGER (ABN 65 036 995 754) as trustee for the Boggabri Recreation and Showground Trust in accordance with section 22(1) of the Associations Incorporation Act 2009

Position held

Signature of Authorised Person	Signature of Authorised Person
KERRY FAYE THOUSON Full name of Authorised Person	RARAY MIVILLE THURSON Full name of Authorised Person
SECRETARY Position held	Position held
Executed for and on behalf of the LIONS CLUB OF BOGGABRI INC (ABN 74 397 345 279) in accordance with section 22(1) of the Associations Incorporation Act 2009	
Signature of Authorised Person	Signature of Authorised Person
Jacquetine M'Inemey Full name of Authorised Person	Full name of Authorised Person
Lions member	Lion President

Position held

THIS AGREEMENT is made the

day of

20

PARTIES:

NARRABRI SHIRE COUNCIL (ABN 95717 801 656) of 46-48 Maitland Street, Narrabri NSW 2390 (the Council); and

BOGGABRI SHOWGROUND AND PUBLIC RECREATION LAND MANAGER (ABN 65 036 995 754) as trustee for the Boggabri Recreation and Showground Trust of Boggabri Showground, 2 Aerodrome Road, Boggabri NSW 2382 and LIONS CLUB OF BOGGABRI INC (ABN 74 397 345 279) of PO Box 1, Boggabri NSW 2382 (the Recipients).

RECITALS

- A. The Council has obtained funding through the Maules Creek Mine Voluntary Planning Agreement (the VPA) dated 2 May 2014;
- B. The Council has resolved at its meeting of 26 May 2020 to allocate the amount of \$300,000.00 (the Funding) to the Recipients to undertake the Project as outlined in clause 1 of this Agreement (the Agreement);
- C. The funding will be held by Council and distributed for expenses related to the project upon receipt of the documents as outlined in section 3 of this agreement;
- D. The Council wishes to engage the services of the Recipients as Project Managers to manage all aspects of the Project:
- E. The Recipients agree to manage the project to the ensure they fulfil the requirements and their obligations as outlined in the Agreement and to achieve the Project outcomes;
- F. The parties agree that this Agreement includes all annexures and schedules.

NOW THIS AGREEMENT WITNESSES that the parties hereto hereby mutually covenant and agree as follows:

1 DEFINITIONS AND INTERPRETATION

1.1 In this Agreement, unless the contrary position appears:

Agreement means this agreement between Council and the Recipients (including the Schedules and any attachments), as varied from time to time in accordance with its terms;

Attachment means an attachment to this Agreement;

Authorisation means any authorisation, approval, licence, permit, consent, determination, certificate, notice, requirement or permission from any Authority which must be obtained or satisfied (as the case may be) to undertake a Project;

Authority means any Commonwealth, State, Territory, local or foreign government or semi-governmental authority, court, administrative or other judicial body or tribunal, department, commission, public authority, agency, minister, statutory corporation or instrumentality or any other person having jurisdiction in connection with work required for a Project;

Business Day means a day that is not a Saturday, Sunday, public holiday or bank holiday in NSW;

Confidential Information means any information that is:

- (a) by its nature confidential;
- (b) is designated by a Party as being confidential; or
- (c) a Party knows or ought to know is confidential;

but does not include information which is or becomes public knowledge other than by breach of this Agreement or by an unlawful means;

Funds means the amount of \$300,000 (incl GST).

Instalments means payments of Funds made at the times and in the amounts as set out in **:

Law means any applicable statute, regulation, bylaw, ordinance, subordinate legislation or rule in force from time to time in Australia, whether made by a State, Territory, the Commonwealth, regulatory body, recognised stock exchange, or a local government, and includes the common law and rules of equity as applicable from time to time;

Party means a party to this Agreement;

Payment Date means the date due for payment of the relevant Instalment;

Project means the project set out and described in Clause 2;

Project Commencement Date means the [INSERT DATE]

Project Completion Date means the [INSERT DATE];

Project Costs means the total costs required to complete the Project;

Project Funding means the funds provided by Council pursuant to this Agreement;

Project Budget means the total budget (if any) for a Project referred to in the Project Overview;

Schedule means a schedule to this Agreement;

Term means the period of [INSERT] years from the Commencement Date or until the date on which this Agreement is terminated, whichever occurs first.

1.2 Interpretation

In this Agreement, except where the contrary intention is expressed:

(a) Words importing the singular number include the plural and vice versa. Any gender includes the other genders. Any reference to a person includes a reference to a corporation, firm, authority, government or governmental agency.

- (b) A reference to legislation or to a legislative provision includes all regulations, orders, proclamations, notices or other requirements under that legislation or legislative provision. It also includes any amendments, modifications or re-enactments of that legislation or legislative provision and any legislation or
- (c) legislative provision substituted for, and any statutory instrument issued under, that legislation or legislative provision.
- (d) The clause headings in, and index to, this Agreement are for reference purposes only and do not in any way influence or affect the meaning of this Agreement.
- (e) Where under or pursuant to this Agreement or anything done under this Agreement the day on or by which any act, matter or thing is to be done is not a Business Day such act, matter or thing must be done on the immediately preceding Business Day.
- (f) Where under or pursuant to this Agreement or anything done under this Agreement the day on or by which any act, matter or thing is to be done is the 29th, 30th or 31st day of any month in which such a day does not occur, such act, matter or thing must be done on the last day of that month.
- (g) References to clauses are references to clauses of this Agreement.
- (h) A reference to a document or instrument includes the document or instrument as novated, altered, supplemented or replaced from time to time;
- (i) A reference to a party is to a party to this Agreement, and a reference to a party to a document includes the party's executors, administrators, successors and permitted assignees and substitutes;
- (j) A rule of construction does not apply to the disadvantage of a party because the party was responsible for the preparation of this Agreement or any part of it:
- (k) A reference to an obligation includes a warranty or representation and a reference to a failure to comply with, or breach of, an obligation includes a breach of warranty or representation; and
- the meaning of general words is not limited by specific examples introduced by 'including', 'for example' or similar expressions.

2 PROJECT OVERVIEW

2.1 The Funding Allocation is provided for the following Project (the Project):

Project overview	
Project name	Boggabri VPA Showground Pavilion Project
Funding Source	Maules Creek Mine Voluntary Planning Agreement
Funding total	\$300,000 incl. GST

Start Date	The date of this Agreement
End Date	31 December 2024
Project description	Boggabri Showground Pavilion Upgrade
Project overview	
Works	Refer to Clauses: 5
Location	Boggabri Showground, 2 Aerodrome Road, Boggarbri NSW 2382
Project Outcome	Delivery of a community project for the benefit of the local community

3 FUNDING PAYMENTS

- 3.1 The Funding will be held by the Council and paid in accordance with the provisions of clause 3.2.
- 3.2 Subject to clause 3.4, Funding will be paid to the Recipients within 7 business days of receipt of (Funding Payments):
 - 3.1.1 a tax invoice (the Invoice); and
 - 3.1.2 a Statutory Declaration sworn by the representative nominated in this Agreement for the Recipients, with each invoice stating that the Invoice is for the Project and to assist in the completion of the Project Works and detailing how the invoice has assisted in the completion of the Project Works.
- 3.3 For the purposes of the Agreement, the Invoice must
 - 3.1.3 be from the Recipient;
 - 3.1.4 be addressed to the Council;
 - 3.1.5 reference the Project;
 - 3.1.6 include a description of the Works and/or services and itemised costs;
 - 3.1.7 be dated;
 - 3.1.8 annexure the original invoices from the provider(s).
- 3.4 Funding payments are dependent on:
 - 3.1.9 the Invoice complying with the requirements of section 29.70 of the A New Tax System (Goods and Services Tax) Act 1999.

- 3.1.10 the Recipients serving as Project Manager in accordance with clause 4:
- 3.1.11 the Recipients complying with their obligations under this Agreement, including but not limited to clause 3.2.1, 6.3.

4 FUNDING

Provision of Funding

- 4.1 During the Term Council shall provide the Recipients with funding as set out in Clause 3.
- 4.2 If each of the conditions in clause 3 has not been fully satisfied, the Council will not be under any obligation to make any funding available to the Recipients for the Project.
- 4.3 The Council is under no obligation to provide the Recipients with Funds or other financial assistance in excess of the total amount set out in clause 3 or provide funding beyond the expiration or termination of this Agreement.

5 PROJECT MANAGER

- 5.1 The Recipients must serve as Project Managers for the duration of the Project and until such time as the Council notifies the Recipients in writing that the Project is complete and all conditions of this Agreement have been satisfied.
- 5.2 The Recipients acknowledge and agree that the Council may provide direction to the Recipients in relation to the Project. Such directions will be actioned by the Recipients accordingly.
- 5.3 The Recipients in their capacities as Project Managers, must liaise with each other throughout the duration of the Project in order to provide updates of progress to Council.

6 PROJECT WORKS

- 6.1 The Project will consist of the following Works:
 - 6.1.1 As per document annexed hereto and marked "A";
- 6.2 Within seven (7) business days of the Works being completed:
 - 6.2.1 the Recipients must provide a signed Project Completion Form to the Council in the form contained in Schedule 1;
 - 6.2.2 Within 21 business days of receiving the signed Project Completion Form from Recipient, the Council will return a signed copy to the Recipients outlining that they accept the Works as being completed in full or detailing the Works that remain outstanding.
- 6.3 In the event the Council advises that Works remain outstanding, the Recipients must complete all outstanding Works within 21 business days or as otherwise agreed in writing between the parties.

7 OBLIGATIONS AND RESPONSIBILITIES

Commented [MC1]: Council to complete

Commented [MC2]: Council to complete

- 7.1 The Recipients agree:
 - 7.1.1 to provide Council with a copy of their certificates of incorporation in the event they are an incorporated entity;
 - 7.1.2 to provide Council with a copy of their deeds of establishment in the event they are a trust;
 - 7.1.3 to provide Council with proof of their bank account details;
 - 7.1.4 to allow the Council access to the Location to inspect the Project at any reasonable time:
 - 7.1.5 that the contribution of the Council will be acknowledged in all press releases, promotional material, all other relevant documents, openings and presentations in relation to the Project;
 - 7.1.6 to provide the Council with a minimum of 18 Business Days' notice of any proposed announcements, launches or public events relating to the Project;
 - 7.1.7 that the Council will be notified of and invited to attend all openings and presentations in relation to the Project;
 - 7.1.8 to utilise licensed and qualified contractors, tradespeople and other professionals to complete the Works;
 - 7.1.9 to safeguard the Works against loss, damage and unauthorised use and promptly reinstate the Works if they suffer damage;
 - 7.1.10 to maintain the assets created by the Project (the assets);
 - 7.1.11 that the noncompliance of any obligation under this Agreement will result in the Recipients forfeiting Funding; and
 - 7.1.12 to not vary the Project or Works without the prior written approval of the Council; and
 - 7.1.13 to ensure that the Project and Works are completed in a timely manner and prior to the End Date and that failure to do so will result in the Recipients forfeiting Funding.
 - 7.1.14 to keep full and accurate accounts and records regarding the expenditure of Funds so that:
 - (a) all accounting and financial transactions, including receipts and payments relating to the Funds, are clearly separate and identified from the Organisation's other financial and operational accounts and records.
 - (b) financial statements must be prepared in accordance with Australian Accounting Standards;
 - (c) if required by Law or the Council, the accounts and records must be audited in accordance with Australian Auditing Standards;

- (d) proper operations records to verify the Organisation's carrying out or performance of its obligations under this Agreement; and
- (e) any Asset Register is maintained in accordance with the requirements of Council from time to time.
- 7.1.15 to keep its account and records referred to in clause 7.1.14;
 - (a) in accordance with applicable Laws and usual book keeping practices;
 - (b) throughout the Terms and for seven (7) years after the expiry or termination of this Agreement; and
 - (c) in such a way to allow the records to be easily accessed, retrieved and used by the Council or its representative.
- 7.1.16 to provide to the Council the information and reports at the times and in the format specified by the Council from time to time and to be of a standard and provided in a way reasonably acceptable to the Council.
- 7.1.17 to prepare its reports in accordance with:
 - (a) if required by Council, application Council policy or guidelines; and
 - (b) if required by Law or the Council, Australian Accounting Standards.
- 7.1.18 in addition to any requirements to provide information or reports to the Council, agrees to provide the Council with any information, records or reports in relation to the expenditure of the Funds or the obligations under this Agreement when requested to do so by the Council.
- 7.2 The Recipients are responsible for:
 - 7.2.1 engaging the services of appropriate contractors, tradespeople and other professionals;
 - 7.2.2 obtaining all necessary approvals and permits in order to undertake and complete the Works;
 - 7.2.3 the design of the Works;
 - 7.2.4 completion of the Works;
 - 7.2.5 ensuring that the Works are compliant with all regulatory requirements applicable;
 - 7.2.6 ensuring that the Works are undertaken at the Location with the skill and care of a prudent and competent professional; and
 - 7.2.7 ensuring that all requirements of the Work Health and Safety Regulation 2011 (NSW) and any other laws relating to work health and safety are met
- 7.3 Where the Recipients are not the landowners of the Location, the Recipients must:

- 7.3.1 obtain the written approval of the landowner to undertake the Project prior to the Start Date and provide Council with a copy of the written approval;
- 7.3.2 indemnify the Council from and against any loss (including legal costs and expenses on a solicitor/own client basis) or liability incurred or suffered by, or made against, any of those indemnified arising directly or indirectly from any claim by the landowner as a result of or in connection with the Project.

8 AUDIT

- 8.1 An audit of any aspect of the Projects or of the Recipient's compliance with this Agreement may be conducted at any time by the Council or any person authorised by the Council.
- 8.2 The Recipient's must co-operate fully with an audit, including:
 - 8.2.1 granting the person conducting the audit reasonable access to the Recipient's premises, the Recipient's records and all materials relevant to the Projects and the performance of this Agreement;
 - 8.2.2 permitting the person conducting the audit to inspect and make copies of the Recipient's records and materials relevant to the Project and the performance of this Agreement; and
 - 8.2.3 making available on request at no additional cost to the person conducting the audit reasonable facilities to enable a legible reproduction to be created of the Recipient's records and materials stored on a medium other than in writing.
- 8.3 The Council must give the Recipient's reasonable notice of its requirements in relation to an audit and use its reasonable endeavours to minimise disruption and interference to the Recipient's performance of its obligations under this Agreement arising from an audit.
- 8.4 Except where otherwise determined by the Council, the Recipient's are responsible for its own costs of participating in an audit and such costs are not to be paid out of the Funds.
- 8.5 The Recipient's must promptly take any reasonable action required by the Council to rectify any error, non-compliance or inaccuracy identified in an audit in relation to the Projects or the Recipient's performance of this Agreement.
- 8.6 The Recipient's are not entitled to any delay costs or other costs or expenses of whatever nature relating in any way to an audit.

9 INSURANCE

- 9.1 The Recipients must effect and maintain Public Liability Insurance in an amount of not less than \$10,000,000.00 for the duration of the Project and until such time as the Council considers the Project has been completed.
- 9.2 The Recipients must each provide certificates of currency for the Public Liability Insurance policy prior to the commencement of the Project

10 INDEMNITY

- 10.1 The Recipients irrevocably and unconditionally releases and indemnifies the Council against all actions, claims and demands including but not limited to liability, loss, costs and expenses of any kind resulting from any damage, loss, death accident or injury occurring in or on the Location and/or relating to any and all Works associated with the Project.
- 10.2 Without limiting the generality of anything herein contained, the Recipients irrevocably and unconditionally indemnifies the Council from and against all actions, claims, demands, costs and expenses which may result from the following but are in no way limited to a breach or default of the Recipients or their obligations under this Agreement: breakages, maintenance, equipment failures, installation errors or incorrect equipment use, warranties, workers compensation, unfair dismissal, fair work practices, discrimination and harassment, or the failure to pay any of the following: wages, insurance, superannuation as relating to any and all Works associated with the Project.
- 10.3 Clause 10 does not come to an end at the completion of the Project or the expiry, for any reason, of this Agreement.

11 COSTS

11.1 Each party will pay their own costs in relation to the preparation and signing of this Agreement.

12 NOTICES

12.1 The Representative is responsible for liaising, issuing and accepting any written notices relating to this Agreement:

The Council	
Representative	Rob Williams – General Manager
Postal address for notices	PO Box 261, Narrabri NSW 2390
Telephone	02 6799 6866
E-mail	council@narrabri.nsw.gov.au

The Recipients	
Boggabri Showground and Public Recreation Land Manager	
Representative	xxxx
Postal address for notice	C/- Boggabri Showground and Public Recreation Land Manager PO Box 94, Boggabri 2382
Telephone	

E-mail	
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The Recipients	
Lions Club of Boggabri Inc.	
Representative	
Postal address for notices	C/- Lions Club of Boggabri Inc. PO Box 1, Boggabri NSW,2382
The Recipients	
Lions Club of Boggabri Inc.	
Telephone	
E-mail	

12.2 In the event the Representative or the Representative's contact details change, notification must be immediately given to the other parties.

Receipt

- 12.3 Without limiting any other means by which a party may be able to prove that a notice has been received by another party, a notice will be deemed to be duly received:
 - (a) if sent by hand when left at the address of the recipient; or
 - (b) if sent by email, on the day and at the time it is sent (as recorded on the sender's equipment), unless the sender receives an automated message that the email has not been delivered, or the intended recipient of the notice notifies the sender within 1 Business Day that the email has not been delivered, but if the delivery or transmission is not on a Business Day or is after 5.00pm on a Business Day, the notice is deemed to be received at 9.00am on the next Business Day.

13 DISPUTE RESOLUTION

13.1 Method of Dispute Resolution

The Parties agree that any dispute arising under this Agreement will be dealt with as follows:

- (a) A Party claiming that a dispute has arisen must give written notice of the dispute to the other Party.
- (b) The Parties will seek to resolve the dispute.

- (c) If the dispute is not resolved within a fourteen (14) day period (or within such further period as the Parties agree in writing) then the dispute is to be referred to the Australian Commercial Dispute Centre (ACDC) for mediation.
- (d) The mediation is to be conducted in accordance with the ACDC Mediation Guidelines which set out the procedures to be adopted, the process of selection of the mediator and the costs involved.
- (e) If the dispute is not settled within 28 days (or such other period as agreed to in writing between the parties) after appointment of the mediator, or if no mediator is appointed within 28 days of the referral of the dispute to mediation, the parties may pursue any other procedure available at law for the resolution of the dispute.

13.2 Obligation to continue performance

The Parties must continue performing their obligations under this Agreement while the dispute is being resolved, to the extent practicable to do so.

13.3 No Court proceedings

A Party must attempt to settle any dispute in relation to this Agreement in accordance with this clause 13 (Dispute Resolution) before resorting to court proceedings or other dispute resolution process.

(a) Nothing in this clause 13 (Dispute Resolution) will prevent either party from seeking urgent interlocutory relief.

14 CONFIDENTIALITY

14.1 Obligation to keep confidential

The Council and the Organisation must keep confidential and not allow, make or cause any disclosure of or in relation to Confidential Information without the prior written consent of the other Party.

14.2 Limited Disclosure

The obligations on the Parties under clause 14.1 will not be taken to have been breached to the extent that Confidential Information:

- (a) is disclosed by a Party to its legal and other professional advisers, auditors, contractors, consultants or employees in order to comply with obligations, or to exercise rights, under this Agreement;
- (b) is disclosed to a Party's internal management personnel to enable effective management or auditing of contract-related Activities;
- (c) is disclosed by the Council to a Minister of the Crown in right of the State of New South Wales;
- (d) is disclosed by the Council in response to a resolution of a House of the Parliament of New South Wales calling for the production of the Confidential information:

- (e) is shared by the Council with an agency or instrumentality of the State of New South Wales, where reasonably necessary for the exercise of public official functions of that agency or instrumentality;
- (f) is authorised or required by law (including under this Agreement) to be disclosed; or
- (g) is in the public domain otherwise than due to a breach of clause 14.1.

14.3 Obligations on disclosure

Where a Party discloses Confidential Information to another person pursuant to clauses 14.2 (a), (b) or (e), the disclosing Party must:

- (a) notify the receiving person that the information is Confidential Information;
- (b) not provide the information unless the receiving person agrees to keep the information confidential; or
- (c) pursuant to clauses 14.2 (c) and (d), the disclosing party must notify the receiving party that the information is Confidential Information.

14.4 Additional confidential information

The Parties may agree in writing after the date of this Agreement that certain additional information is to constitute Confidential Information for the purposes of this Agreement.

Where the Parties agree in writing after the date of this Agreement that certain additional information is to constitute Confidential Information for the purposes of this Agreement, this documentation is incorporated into, and becomes part of this Agreement, on the date by which both Parties have signed this documentation.

14.5 Period of confidentiality

The obligations under clause 14.3 continue, notwithstanding the expiry or termination of this Agreement for such period as may be or agreed by the Parties in writing.

15 ASSIGNMENT

The Organisation must not assign, charge or otherwise deal with the benefit of this Agreement, without the prior written consent of the Council.

16 GST

Unless otherwise provided in this Agreement, any moneys payable under this Agreement have been calculated without regard to GST. $\frac{1}{2} \left(\frac{1}{2} \right) = \frac{1}{2} \left(\frac{1}{2} \right) \left(\frac{1$

Any amount which is payable on account of GST as a consequence of any supply made under this Agreement is to be paid to the party making the supply at the same time as payment is made for the relevant supply.

17 CONSENTS

- 17.1 Where this Agreement contemplates that the Council may agree or consent to something (however it is described), the Council may:
 - (a) agree or consent, or not agree or consent, in its absolute discretion; and
 - (b) agree or consent subject to conditions,
 - (c) unless this Agreement expressly contemplates otherwise.

18 ENTIRE AGREEMENT

- 18.1 This Agreement contains the entire agreement between the Parties about its subject matter. Any previous understanding, agreement, representation or warranty relating to that subject matter is replaced by this Agreement and has no further effect
- 18.2 Any right that a person may have under this Agreement is in addition to, and does not replace or limit, any other right that the person may have.
- 18.3 Any provision of this Agreement which is unenforceable or partly unenforceable is, where possible, to be severed to the extent necessary to make this Agreement enforceable, unless this would materially change the intended effect of this Agreement.

19 NON-WAIVER

- 19.1 No failure or delay by the Council in exercising any right power or remedy under this Agreement and no course of dealing or grant by the Council to the Organisation of any time or other consideration, will operate as a waiver of the breach or a default by the Organisation.
- 19.2 Any waiver by the Council of a breach of this Agreement will not be construed as a waiver of any further breach of the same or any other provision.

20 NO FETTER

- 20.1 Nothing in this Agreement fetters the discretions, powers or functions of Council under legislation, including without limitation:
 - (a) as consent authority under the Environmental Planning and Assessment Act 1979 (NSW);
 - (b) as the appropriate regulatory authority under the Protection of the Environment Operations Act 1997 (NSW); or
 - (c) as a roads authority under the Roads Act 1993 (NSW).

21 RELATIONSHIP OF PARTIES

- 21.1 Nothing in this Agreement is intended to create a partnership, joint venture or agency relationship between the parties.
- 21.2 The Organisation shall not hold the Organisation itself out to be an employee, partner, agent or representative of the Council.

21.3 All work performed by the Organisation and all contracts made by the Organisation to carry out each Project shall be performed and made by the Organisation as principal and not as agent for the Council. In all dealings in relation to each Project the Organisation shall act solely on the Organisation own account.

22 REPRESENTATIVES

- 22.1 The parties agree to each appoint a Representative for the purposes of this Agreement
- 22.2 A Party's Representative will be a senior member of management of the Party or, in the case of the Organisation, a board member authorised to act on behalf of the Organisation.
- 22.3 The Parties may each appoint administrative officers for day-to-day administration of this Agreement.

23 INCONSISTENCY

In the event of an inconsistency between the terms of this Agreement, for the purpose only of resolving the inconsistency, the documents that comprise this Agreement are to be considered in the following order of decreasing priority:

- 23.1 the operative provisions of this Agreement;
- 23.2 the Schedules; and
- 23.3 the Relevant Project Plan.

24 GENERAL

- 24.1 All notices and consents required or permitted to be given under this Agreement must be in writing and served in accordance with Section 170 of the Conveyancing Act 1919.
- 24.2 This Agreement is governed by the laws of New South Wales and the parties submit to the jurisdiction of the courts of that State and the Commonwealth of Australia.
- 24.3 If any provision of the Agreement should be held to be invalid in any way or unenforceable, the remaining provisions must not in any way be affected or impaired.

EXECUTED as an Agreement.

SIGNED by the NARRABRI SHIR	ξE)
COUNCIL (ABN 95 717 801 656))	
authorised delegate pursuant to s	377 of the)
Local Government Act 1993:		
)	Signature of Authorised Delegate
certify that I am an eligible witness and that		Name of Authorised Delegate
he delegate signed in my presend	ce:	
Diameters of Williams		
Signature of Witness		
Full Name		
Address		

Executed by BOGGABRI SHOWGROUN	ID)	
AND PUBLIC RELATION LAND)	
MANAGER (ABN 65 036 995 754) as)	
trustee for the Boggabri Recreation and)	
Showground Trust in accordance with)	
section 22(1) of the Associations)	
Incorporation Act 2009)	
Signature of Authorised Person		Signature of Authorised Person
Full name of Authorised Person		Full name of Authorised Person
Position held		Position held
Executed for and on behalf of the LIONS)	
CLUB OF BOGGABRI INC)	
(ABN 74 397 345 279) in accordance)	
with section 22(1) of the Associations)	
Incorporation Act 2009)	
Signature of Authorised Person		Signature of Authorised Person
		Full name of Authorised Person
Full name of Authorised Person		Tall Harrie of Additionage Forces

TAX INVOICE

Narrabri Shire Council (Boggabri Pavilion) Attention: Narrabri Shire Council Boggabri showground pavilion VPA BOGGABRI NSW 2382 AUSTRALIA Invoice Date 26 May 2022

Invoice Number INV-0164

Reference Pavillion

ABN 89 139 790 408 Sanloma pty ltd 1069 Caloola Rd Boggabri. NSW 2382 AUSTRALIA

Description	Quantity	Unit Price	GST	Amount AUD
30x 15m barn style shed	1.00	68,300.00	10%	68,300.00
			Subtotal	68,300.00
		TOTA	L GST 10%	6,830.00
		,	TOTAL AUD	75,130.00

Due Date: 27 May 2022

Direct Deposit: Sanloma Pty Ltd. BSB-015 884 Ac-180553955 ANZ Payment by Cheque: Cheques should be made payable to Sanloma Pty Ltd If you have any questions concerning this invoice, contact Mob 0429111852 or Email Stuartbeckett55@gmail.com

PAYMENT ADVICE

To: Sanloma pty ltd 1069 Caloola Rd Boggabri. NSW 238

Boggabri. NSW 2382 AUSTRALIA

Customer	Narrabri Shire Council (Boggabri Pavilion)
Invoice Number	INV-0164
Amount Due	75,130.00
Due Date	27 May 2022
Amount Enclosed	
	Enter the amount you are paying above

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16 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:

16.1 Australia Day 2023 Award Nominations

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).

16.2 Business Paper and Unconfirmed Minutes of the Audit, Risk and Improvement Committee

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

16.3 Provision of Doctors Residence in Boggabri

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

RECOMMENDATION

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

17 MEETING CLOSED