

# AGENDA

All mobile phones are to be turned **off** at commencement and for the duration of the meeting.

This request also applies to all audio and visual recording devices, unless prior approval has been sought from the General Manager.

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MEETING CLOSED

### **3 ACKNOWLEDGEMENT OF COUNTRY**

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Council would like to begin by acknowledging the Traditional Owners of the land on which we meet today. Council would also like to pay our respects to Elders past and present.

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

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Nil.

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

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

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

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

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

<b>COUNCILLOR</b>	<b>ITEM NUMBER</b>	<b>PECUNIARY/ NON-PECUNIARY</b>	<b>REASON</b>

### **6 GENERAL MANAGER'S REPORT OF ITEMS TO BE CONSIDERED IN THE CLOSED (PUBLIC EXCLUDED) MEETING**

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Nil.

### **7 PUBLIC FORUM AND PRESENTATIONS**

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Public Forum received to date – Nil.

Presentations received to date:

1. Ms Mariam Chizari - NBN Co.

## 8 CONFIRMATION OF MINUTES

### 8.1 MINUTES OF THE ORDINARY MEETING OF THE NARRABRI SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS 46-48 MAITLAND STREET, NARRABRI, ON TUESDAY, 27 JUNE 2017.

**PRESENT:** Mayor CC Redding, Cr C Staines, Cr M Booby, Cr R Campbell, Cr R Campey, Cr L Finlay, Cr R Kneale and Cr A Loder.

General Manager (Mr S Todd), Director Corporate Services (Mr L Mason), Director Development and Economic Growth (Mr T Meppem), Director Infrastructure Delivery Services (Mr D Raeck) and Council's PA to Mayor & General Manager (Mrs D Hartnett) were also in attendance.

**PROCEEDINGS OF THE MEETING COMMENCED AT 1.04PM.**

#### 2 OPENING PRAYER

Members and officers were upstanding for the opening prayer by Father James Poovathinkal from St Francis Xavier's Parish, Narrabri, in association with the Narrabri Ministers Fraternal.

#### 3 ACKNOWLEDGEMENT TO COUNTRY

The Mayor performed the Acknowledgement to Country, showing respect to the traditional owners.

#### 4 APOLOGIES

##### **MINUTE 92/2017**

Moved: Cr Staines

Second: Cr Campey

That the apologies for Cr A McMahon be received and noted.

CARRIED

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

COUNCILLOR	ITEM NUMBER	PECUNIARY/ NON-PECUNIARY	REASON
Cr Staines	12.3	Non-Pecuniary, Non-Significant	Member of the Narrabri Chamber of Commerce
Mayor Redding	14.8	Non-Pecuniary Significant	Board Member – Narrabri District Community Aid Service

## 6 ITEMS TO BE CONSIDERED IN THE CLOSED (PUBLIC EXCLUDED) MEETING OF COUNCIL

### MINUTE 93/2017

Moved: Cr Finlay

Second: Cr Booby

That the following matters be considered in the Closed (Public Excluded) Meeting, the reasons being that:

- The matters and information are:
  - the personal hardship of any resident or ratepayer;
  - Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
  - 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,

Thus in compliance with Sections 10A(2)(b), 10A(2)(c) and 10A(2)(d) of the Local Government Act, 1993 Council is required to deal with this matter in Closed Council because in accordance with Sections 10A(2)(b), 10A(2)(c) and 10A(2)(d) the matters to be considered are:

- Contract 2016-17/22 – Drilling of Replacement Groundwater Supply Bores at Narrabri, Bellata, Gwabegar And Pilliga.
- Contract 2017-18/03 – Bitumen Sealing.
- Supply & Delivery of two (2) CCF Class 15 Motor Graders.
- Lease – Narrabri Airport Hangar.

CARRIED

## 7 PUBLIC FORUM AND PRESENTATIONS

Public Forum:

SPEAKER'S NAMES	ITEM
Ms Robyn Faber	<b>Item 14.1,</b> 'Draft Integrated Planning And Reporting Documents'
Mr Rohan Boehm	<b>Item 14.1,</b> 'Draft Integrated Planning And Reporting Documents'
Mr Andrew Bell	<b>Item 14.3</b> 'DA 69/2017 – Development of Animal Boarding or Training Establishment, 1 Oakham Street Boggabri, Lot 1 DP 735293'

Presentation by the following:

1. Canadian Solar - Mr Shane Melotte, presenting a briefing on proposed Narrabri South Solar Farm.

**MINUTE 94/2017**

Moved: Cr Staines

Second: Cr Finlay

That Council bring item 14.1 'Draft Integrated Planning and Reporting Documents' forward in the June Ordinary Council Meeting to this time for discussion.

CARRIED

**14.1 DRAFT INTEGRATED PLANNING AND REPORTING DOCUMENTS****MINUTE 95/2017**

Moved: Cr Campbell

Second: Cr Staines

1. That Council adopt the full suite of draft strategic documents as exhibited; incorporating the amendments identified in attachments to this report:

- a. Draft 2017-2018 Fees and Charges Amendments,
- b. Draft 2017-2018 Budget Amendments,
- c. Draft 2017-2018 Capital Works Program Amendments; and
- d. Draft 2017–2021 Delivery Program & Draft 2017–2018 Operational Plan Amendments,

The adoption of the full suite of strategic documents sets a new strategic direction for Council for the 2017 – 2021 period.

2. That Council adopt the 1.5% annual maximum allowable increase in ordinary rates as approved by IPART and make and levy the following Ordinary rates for the 2017-2018 financial year:

## Farmland Category

Levied on all property that complies with the definition of farmland contained in section 515 of the *Local Government Act 1993*:

	Base Rate	Ad Valorem Rate	Estimated Yield
Farmland	\$270.00	\$0.0040398	\$6,209,721
<b>TOTAL FARMLAND RATE YIELD ESTIMATE</b>			<b>\$6,209,721</b>

## Residential Category

Levied on all property that complies with the definition of residential contained in section 516 of the *Local Government Act 1993*:

	Base Rate	Ad Valorem Rate	Estimated Yield
Residential – Boggabri	\$270.00	\$0.0053650	\$280,246
Residential – Narrabri	\$270.00	\$0.0092189	\$2,721,631
Residential – Rural	\$270.00	\$0.0047394	\$640,633
Residential – Wee Waa	\$270.00	\$0.0302030	\$681,376
<b>TOTAL RESIDENTIAL RATE YIELD ESTIMATE</b>			<b>\$4,323,886</b>

## Mining

Levied on all property that complies with the definition of mining contained in section 517 of the *Local Government Act 1993*:

	Base Rate	Ad Valorem Rate	Estimated Yield
Mining	\$23,000	\$0.0265225	\$954,331
TOTAL MINING RATE YIELD ESTIMATE			\$954,331

## Business Category

Levied on all property that complies with the definition of business contained in section 518 of the *Local Government Act 1993*:

	Base Rate	Ad Valorem Rate	Estimated Yield
Business – Boggabri	\$320.00	\$0.0070101	\$43,416
Business – Narrabri	\$320.00	\$0.0147372	\$1,000,486
Business – Rural	\$320.00	\$0.0083561	\$96,014
Business – Wee Waa	\$320.00	\$0.0386009	\$174,921
TOTAL BUSINESS RATE YIELD ESTIMATE			\$1,314,837

## Special Rate – Tourism Promotion

This Special Rate is set to assist in funding of Council's promotional allocation. The rate is levied on all properties classified Business within the Shire area.

	Ad Valorem Rate	Estimated Yield
Tourism	\$0.0009148	\$70,194
TOTAL TOURISM LEVY YIELD ESTIMATE		\$70,194

3. That Council in relation to water supply charges make and levy the following charges for Water Supply Services for the 2017-2018 financial year:

	Service Charge	Estimated Yield
Baan Baa		
20/25mm Service	\$706	\$28,240
ESTIMATED ACCESS CHARGE YIELD		\$28,240
ESTIMATED USAGE CHARGE YIELD	\$3.33	\$24,300
Bellata		
20/25mm Service	\$537	\$58,533
32mm Service	\$788	\$788
40mm Service	\$1,227	\$2,454
Unconnected Service	\$560	\$560
ESTIMATED ACCESS CHARGE YIELD		\$62,335
ESTIMATED USAGE CHARGE YIELD	\$1.28	\$32,883

Boggabri		
20/25mm Service	\$378	\$196,938
32mm Service	\$651	\$4,557
40mm Service	\$921	\$3,684
50mm Service	\$1,441	\$11,528
100mm Service	\$5,748	\$10,956
Unconnected Service	\$361	\$4,693
ESTIMATED ACCESS CHARGE YIELD		\$232,356
ESTIMATED USAGE CHARGE YIELD	\$1.09	\$288,236
Gwabegar		
20/25mm Service	\$613	\$37,393
40mm Service	\$800	\$800
Unconnected Service	\$331	\$662
ESTIMATED ACCESS CHARGE YIELD		\$38,855
ESTIMATED USAGE CHARGE	\$1.28	\$16,558
Narrabri – Metered		
20/25mm Service	\$353	\$895,561
32mm Service	\$385	\$26,180
40mm Service	\$409	\$40,082
50mm Service	\$644	\$15,456
90mm Service	\$2,012	\$0
100mm Service	\$2,554	\$12,770
Unconnected	\$165	\$2,475
ESTIMATED ACCESS CHARGE YIELD		\$992,524
ESTIMATED USAGE CHARGE YIELD	\$0.97	\$1,233,497
Narrabri – Unmetered		
20/25mm Service	\$516	\$26,316
32mm Service	\$800	\$800
40mm Service	\$1,283	\$1,283
50mm Service	\$1,755	\$0
90m Service	\$5,661	\$0
100mm Service	\$7,663	\$7,663
Unoccupied	\$165	\$13,530
ESTIMATED ACCESS CHARGE		\$49,592
Pilliga		
20/25mm Service	\$574	\$59,696
40mm Service	\$764	\$764
50mm Service	\$1,226	\$0
Unconnected	\$339	\$678



ESTIMATED ACCESS CHARGE YIELD		\$61,138						
ESTIMATED USAGE CHARGE YIELD	\$1.28	\$25,177						
Wee Waa								
20/25mm Service	\$347	\$273,089						
32mm Service	\$372	\$3,348						
40mm Service	\$423	\$6,768						
50mm Service	\$645	\$3,870						
80mm Service	\$1,642	\$3,284						
100mm Service	\$2,559	\$5,118						
Unconnected Service	\$174	\$696						
ESTIMATED ACCESS CHARGE YIELD		\$296,173						
ESTIMATED USAGE CHARGE YIELD	\$0.96	\$474,079						
Benefit index to be applied to all adopted 25mm service size base charges for the 2017/2018 financial year:								
Service Size (mm)	20/25	32	40	50	65	80	90	100
Benefit Index	1.00	1.64	2.56	4.01	6.76	10.24	12.96	16.00
4. That Council in relation to sewerage service charges Council make and levy the following charges for Sewerage Services for the 2017-2018 financial year:								
	Service Charge	Estimated Yield						
Sewerage Charges – Boggabri								
Occupied	\$595	\$256,445						
Unoccupied	\$294	\$11,200						
Pedestal Charges – Per Cistern/>6W.C	\$93	\$930						
Pedestal Charges – Water Closets (1-6)	\$93	\$465						
TOTAL BOGGABRI SEWER CHARGES YIELD		\$269,040						
Sewerage Charges – Narrabri								
Occupied	\$740	\$1,864,060						
Unoccupied	\$379	\$53,439						
Pedestal Charges – Per Cistern/>6W.C	\$114	\$3,648						
Pedestal Charges – Water Closets (1-6)	\$114	\$4,788						
TOTAL NARRABRI SEWER SERVICES		\$1,925,935						
Sewerage Charges – Wee Waa								
Occupied	\$772	\$582,088						
Unoccupied	\$386	\$14,282						
Pedestal Charges – Per Cistern/>6W.C	\$114	\$1,332						
Pedestal Charges – Water Closets (1-6)	\$114	\$1,554						
TOTAL WEE WAA SEWER SERVICES		\$599,256						

## Onsite Wastewater Management Fee

Any/All assessments not connected to town sewer Which have an onsite wastewater system (OSWM)	\$32	\$69,344
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TOTAL ONSITE WASTEWATER MANAGEMENT FEE		\$69,344
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5. That Council in relation to waste management charges make and levy the following annual charges for Waste Management Services for the 2017-2018 financial year:

## Domestic Waste Management (DWM) Charges

	Service Type	Service Charge	Estimated Yield
DWM Availability Fee	All Urban Assessments	\$140	
DWM MSW/Recycling/Organics (Serviced Assessments Only)	Per 1x140 Litre 1x240 Litre Recycling Bin (Yellow) & 1x240 Litre Organics Recycling Bin (Green)	\$315	
Additional/Upsize Residential Service	Additional MGB (per Annum fee) Upsize existing Recycling bin to 360 Litres (one off fee)	\$125 \$57	
TOTAL DOMESTIC WASTE MANAGEMENT ESTIMATED YIELD			\$1,285,475

## Other Waste Management Services (Non-Domestic) Charges

	Service Type	Service Charge	Estimated Yield
Business Waste Management Fee	All Urban Assessments	\$140	
Business – MSW/Recycling/Organics (Serviced Assessments Only)	Per 1x240 Litre MSW & 1x240 Litre Recycling Bin (Yellow)	\$350	
Additional/Upsize Residential Service	Additional MGB (per Annum fee) Upsize existing Recycling bin to 360 Litres (one of fee)	\$155 \$57	
Rural Waste Management Fee		\$140	
Rural Waste Management Charge Unoccupied		\$52	
TOTAL OTHER WASTE MANAGEMENT ESTIMATED YIELD			\$1,180,490

NB: MSW – Mixed Solid Waste

6. That Council in relation to interest on overdue rates and charges make and impose the maximum charge for interest of 7.5% as determined by the Minister for Local Government.
7. That Council note all submissions received and formally advise those parties, who made written submissions on the full suite of draft strategic documents, of Council's decision on the matter.

UNANIMOUSLY CARRIED

**MINUTE 96/2017**

Moved: Cr Booby

Second: Cr Finlay

That Council bring item 14.3 'DA 69/2017 – Development of Animal Boarding or Training Establishment at 1 Oakham Street Boggabri, Lot 1 DP 735293' forward in the June Ordinary Council Meeting to this time for discussion.

CARRIED

**14.3 DA 69/2017 – DEVELOPMENT OF ANIMAL BOARDING OR TRAINING ESTABLISHMENT AT 1 OAKHAM STREET BOGGABRI, LOT 1 DP 735293**

**MINUTE 97/2017**

Moved: Cr Booby

Second: Cr Kneale

That Council:

1. Refuse to grant development consent to DA 69/2017 involving the development of an animal boarding or training establishment at Lot 1 DP 735293, 1 Oakham Street Boggabri for the following reasons:
  - a) Pursuant to section 79(1)(a)(i) of the Environmental Planning and Assessment Act 1979 development of an animal boarding or training establishment on land within the R1 General Residential land use zone is contrary to the provisions of an environmental planning instrument, namely the Narrabri Local Environmental Plan 2012.
  - b) Pursuant to section 79(1)(b) of the Environmental Planning and Assessment Act 1979 the information submitted to accompany the development application does not demonstrate, to the satisfaction of the consent authority, that noise emissions associated with the proposed development would not have a significant adverse impact on the environmental qualities of the locality and the amenity of neighbouring properties.
2. Not commence enforcement action for a period of 12 months whilst the applicant takes appropriate alternative action.

CARRIED

**DIVISION**

NAME	FOR	OPPOSED
Cr Staines	X	
Cr Finlay	X	
Cr Campbell	X	
Cr Kneale	X	
Cr Booby	X	
Cr McMahan	ABSENT	
Cr Campey	X	
Cr Loder	X	
Cr Redding	X	

**8 CONFIRMATION OF ORDINARY MEETING MINUTES****8.1 MINUTES OF THE ORDINARY MEETING OF THE NARRABRI SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS 46-48 MAITLAND STREET, NARRABRI, ON TUESDAY, 16 MAY 2017****MINUTE 98/2017**

Moved: Cr Booby

Second: Cr Kneale

That the Minutes of the Ordinary Meeting of the Narrabri Shire Council held on Tuesday, 16 May 2017 comprising Minute No's 82/2017 to 91/2017 as circularised be confirmed and signed as a correct record by the Mayor and General Manager.

CARRIED

CR STAINES LEFT THE MEETING AT 2.22PM

**9 MAYORAL MINUTE****9.1 MAYORAL APPOINTMENTS****MINUTE 99/2017**

Moved: Cr Redding

That Council note Mayoral appointments for May/June 2017.

CARRIED

CR STAINES RETURNED TO THE MEETING AT 2.24PM.

**9.2 2016-2017 GENERAL MANAGER'S PERFORMANCE REVIEW PANEL****MINUTE 100/2017**

Moved: Cr Redding

That Council:

1. Determine the composition of the General Manager's Performance Review Panel for the 2016-2017 period to consist of the Mayor, Deputy Mayor, one (1) Councillor nominated by Council and one (1) Councillor nominated by the General Manager.
2. Appoint Councillor Maxine Booby as the Councillor nominated by the Council to the General Manager's Performance Review Panel for the 2016-2017 period.
3. Delegate to the General Manager's Performance Review Panel:
  - a. The process of performance management, including discussions about performance and performance reviews for the 2016-2017 period.
  - b. The reporting to Council of findings and review for the 2016-2017 period.
  - c. The determination of any new performance agreement for the period 2017-2018.

CARRIED

CR FINLAY LEFT THE MEETING AT 2.36PM

**10 NOTICES OF MOTION**

Nil.

**11 DELEGATES REPORTS****11.1 ATTENDANCE AT THE CENTRAL NORTHERN LIBRARIES ORDINARY MEETING, 7 JUNE 2017, TAMWORTH****MINUTE 101/2017**

Moved: Cr Redding

Second: Cr Campbell

That Council note Mayor Reddings' Delegates Report on the attendance at the CNRL Ordinary Meeting in Tamworth on 7 June 2017.

CARRIED

**11.2 ATTENDANCE AT THE PLNSW NE ZONE MEETING HELD AT INVERELL, 11 MAY 2017****MINUTE 102/2017**

Moved: Cr Redding

Second: Cr Campbell

That Council note Mayor Reddings' Delegates report from the attendance at the PLNSW NE Zone Meeting held at Inverell, 11 May 2017.

CARRIED

**12 GENERAL MANAGER'S REPORTS****12.1 INTERNAL AUDIT AND RISK COMMITTEE TERMS OF REFERENCE****MINUTE 103/2017**

Moved: Cr Campbell

Second: Cr Booby

That Council:

1. Adopt the Internal Audit and Risk Committee Terms of Reference, as attached to this report.
2. Appoint Councillor Cameron Staines to the Internal Audit and Risk Committee.
3. Advertise for suitably qualified and experienced independent members for the Internal Audit and Risk Committee.

CARRIED

CR FINLAY RETURNED TO THE MEETING AT 2.42PM.

**12.2 INITIAL LOCAL GOVERNMENT PERFORMANCE AUDITS****MINUTE 104/2017**

Moved: Cr Booby

Second: Cr Kneale

That Council note the correspondence from the Auditor General concerning initial Local Government performance audits.

CARRIED

**12.3 COMMUNITY GRANTS FUND 2017/2018**

Cr Staines, Cr Campbell and Cr Booby all declared a non-pecuniary, non-significant interest in Item 12.3.

COUNCILLOR	ITEM NUMBER	PECUNIARY/ NON-PECUNIARY	REASON
Cr Staines	12.3	Non-Pecuniary, Non-Significant	Member of the Narrabri Chamber of Commerce
Cr Campbell	12.3	Non-Pecuniary, Non-Significant	Member of the Narrabri Chamber of Commerce
Cr Booby	12.3	Non-Pecuniary, Non-Significant	Employee at Wee Waa High School

**MINUTE 105/2017**

Moved: Cr Booby

Second: Cr Staines

That Council provide the following organisations be funded from Council's 2017/2018 Community Grants Fund:

Baan Baa Hall Committee Inc.	\$5,000.00
Boggabri Home and Community Care Inc.	\$1,455.00
Sacred Heart Primary School Boggabri	\$2,000.00
Gwabegar Parents & Citizens Association	\$1,750.00
ADFAS Narrabri & North West	\$4,000.00
Galloping Gully Polocrosse Club Inc.	\$2,000.00
HealthWISE New England North West	\$2,880.00
Killarney Bike Classic	\$1,000.00
Narrabri & District Chamber of Commerce Inc.	\$2,500.00
Narrabri & District Chamber of Commerce Inc.	\$1,000.00
Narrabri Art & Craft Society Inc.	\$4,300.00
Narrabri District Cricket Association	\$2,000.00
Narrabri Little Athletics Club Inc.	\$1,200.00
Nosh Narrabri Inc.	\$2,500.00
St Francis Xavier's P&F Association	\$2,000.00
The Lord Taverners Northern NSW Inc.	\$2,500.00
Australian Cotton Fibre Expo	\$4,140.00
Cubbaroo Polocrosse Club	\$2,000.00
Wee Waa High School	\$3,000.00
Wee Waa High School	\$1,000.00
Wee Waa Public School P&C Association	\$2,000.00
Wee Waa Public School P&C Association	\$2,000.00
<b>TOTAL</b>	<b>\$52,225.00</b>

CARRIED

**12.4 COMMUNITY MEMBER APPOINTMENT TO COUNCIL COMMITTEES****MINUTE 106/2017**

Moved: Cr Kneale

Second: Cr Campbell

That Council adopt the Community Member Appointment to Council Committees Procedure, as attached to this report.

CARRIED

**MINUTE 107/2017**

Moved: Cr Finlay Second: Cr Booby

That standing orders be suspended at 3.07pm.

CARRIED

**MINUTE 108/2017**

Moved: Cr Kneale Second: Cr Finlay

That standing orders resume at 3.30pm.

CARRIED

**13 DIRECTOR CORPORATE SERVICES REPORTS**

**13.1 INVESTMENT REPORT – MAY 2017**

**MINUTE 109/2017**

Moved: Cr Kneale Second: Cr Campey

That Council note the Investment Report – May 2017.

CARRIED

**13.2 SETTING OF COUNCILLOR FEES 2017/2018**

**MINUTE 110/2017**

Moved: Cr Kneale Second: Cr Booby

That Council adopt the maximum fee payable under the Local Government Remuneration Tribunal determination in accordance with section 241 of the Local Government Act 1993.

CARRIED

**13.3 DONATION OF ORDINARY RATE 2017**

Cr Kneale declared a non-pecuniary, non-significant interest in Item 13.3, but elected to stay within the Council Meeting during this time.

COUNCILLOR	ITEM NUMBER	PECUNIARY/ NON-PECUNIARY	REASON
Cr Kneale	13.3	Non-Pecuniary, Non-Significant	Member of the Narrabri Pistol Club

CR LODER LEFT THE MEETING AT 3.36PM.

**MINUTE 111/2017**

Moved: Cr Staines Second: Cr Booby

That Council authorise the individual amounts totalling \$30,939.77 to be donated to community organisations in accordance with the Contributions and Donations Policy.

CARRIED

**13.4 RELATED PARTY DISCLOSURES POLICY****MINUTE 112/2017**

Moved: Cr Booby

Second: Cr Kneale

That Council adopt the Related Party Disclosures Policy, as attached to this report.

CARRIED

CR LODER RETURNED TO THE MEETING AT 3.38PM

**13.5 RECOGNITION OF ASSETS POLICY****MINUTE 113/2017**

Moved: Cr Booby

Second: Cr Campey

That Council:

1. Adopt for the purposes of exhibition the draft Recognition of Assets Policy.
2. Place on exhibition the draft Recognition of Assets Policy for a period of 28 days, during the exhibition period call for and accept submissions from the public on the draft Policy.

CARRIED

**14 DIRECTOR DEVELOPMENT & ECONOMIC GROWTH REPORT****14.2 DRAFT DISABILITY INCLUSION ACTION PLAN****MINUTE 114/2017**

Moved: Cr Kneale

Second: Cr Finlay

That Council adopt the Draft Disability Inclusion Action Plan as attached and note the integration of the plan into Council's draft Delivery Program and Operational Plan.

CARRIED

**14.4 PLANNING PROPOSAL 2/2016****MINUTE 115/2017**

Moved: Cr Kneale

Second: Cr Booby

That Council permit its Director of Development and Economic Growth to exercise the plan making powers delegated by the Minister for Planning and Environment to finalise the amendment of the Narrabri Local Environmental Plan 2012 to include 'heavy industry' as a land use permitted with development consent on part of Lot 1 DP 1145592 (1216 Braymont Road, Boggabri) in Schedule 1 – Additional Permitted Uses.

CARRIED

**14.5 EXEMPTION FROM TENDERING – GATELY FIELD AMENITIES STORM DAMAGE REPAIRS**

Cr Loder declared a non-pecuniary, non-significant interest in Item 14.5.

COUNCILLOR	ITEM NUMBER	PECUNIARY/ NON-PECUNIARY	REASON
Cr Loder	14.5	Non-Pecuniary, Non-Significant	Family members play soccer.



**MINUTE 116/2017**

Moved: Cr Kneale

Second Cr Campbell

That Council:

1. Authorise the General Manager to enter into a contract by accepting the quotation provided by John Lyng Group Pty Ltd for one hundred and sixty-nine thousand, seven hundred and fifty-six dollars and thirteen cents (\$169,756.13) including GST to complete repairs on the Gately Field Amenities Building in accordance with the Scope of Works approved by JLT Australia.
2. Authorise entering into the contract under Section 55 (3) (i) of the Local Government Act NSW noting that tendering would not achieve a satisfactory result as it would delay the works unnecessarily for no material or community benefit.

CARRIED

**14.6 HOGAN AND LEITCH SPORTS FIELD LIGHTING****MINUTE 117/2017**

Moved: Cr Campbell

Second: Cr Staines

That Council approve reallocation of \$100,000 from Collins Park Replace Irrigation to Hogan and Leitch Lighting to allow replacement of lighting columns in addition to upgrading light fittings and carryover the total budget for inclusion in the 2017/2018 financial year.

CARRIED

**14.7 NARRABRI LAKE VEGETATION MANAGEMENT****MINUTE 118/2017**

Moved: Cr Booby

Second: Cr Campey

That Council:

1. Engage a suitably qualified person to develop a comprehensive Review of Environmental Factors (REF) that provides clear and unambiguous direction regarding management of the lake water body in compliance with relevant legislation and regulation, particularly aquatic vegetation removal and management at lake edges and in O'Brien's Creek between Cooma Road bridge and Wukawa Street culvert, and channels at the head of the lake.
2. Note that neither the current 2016/2017 operational budget nor the proposed 2017/2018 budget for Narrabri Parks includes an allocation for aquatic vegetation removal or intensive management at Narrabri Lake; therefore any cost implications of recommendations in the Review of Environmental Factors will require consideration of additional operational budget.

CARRIED

**14.8 INTERNATIONAL WOMEN'S DAY – DONATION TO THE NARRABRI WOMEN'S REFUGE**

Mayor Redding declared a non-pecuniary, significant interest in Item 14.8, vacated the chair and left the meeting at 4.12pm, Deputy Mayor, Cr Staines, assumed the chair.

**MINUTE 119/2017**

Moved: Cr Campbell

Second: Cr Booby

That Council in accordance with Section 356 of the Local Government Act 1993 approve the donation of \$1,114.42 to the Narrabri Women's Refuge.

CARRIED

Mayor Redding returned to the meeting at 4.14pm, and resumed the chair.

**14.9 2016/2017 COMMUNITY GRANTS FUND – NARRABRI PISTOL CLUB – REQUEST FOR EXTENSION****MINUTE 120/2017**

Moved: Cr Finlay

Second: Cr Campey

That Council approve an extension to 30 June 2018 to Narrabri Pistol Club Inc. for the expenditure of a community grant allocation of \$4,200 to complete the installation of two (2) rainwater tanks; should the works not be carried out by that time the grant will be forfeited.

CARRIED

**14.10 NARRABRI SHIRE LOGISTICS AND INDUSTRIAL HUB****MINUTE 121/2017**

Moved: Cr Staines

Second: Cr Campbell

That Council:

1. Commit \$10,000 to the completion of the Northern NSW Freight and Infrastructure Study to be completed by the CSIRO to provide baseline data to the Narrabri Shire Logistics and Industrial Hub business case.
2. Note the current situation in the development of the Narrabri Shire Logistics and Industrial Hub.

CARRIED

**15 DIRECTOR INFRASTRUCTURE DELIVERY REPORTS****15.1 YARRIE LAKE ROAD – BUS STOP INVESTIGATION****MINUTE 122/2017**

Moved: Cr Booby

Second: Cr Campbell

That Council note the results of the investigation into the proposed bus stop adjacent to Lot 2, DP1012567 Yarrie Lake Road, and take no further action.

CARRIED

**15.2 ALCOHOL FREE ZONES****MINUTE 123/2017**

Moved: Cr Kneale

Second: Cr Finlay

That Council initiate a public consultation process in accordance with section 644A of the Local Government Act 1993, in an effort to re-establish the following Alcohol Free Zones up until the 1 July 2020. Alcohol Free Zones (Narrabri CBD and surrounds) to include all the public roads and public car-parks within the area described by the following streets:

- Tibbereena Street - from Fitzroy Street to Killarney Street
- Maitland Street - from 100m south of RSL Club to Killarney Street
- Barwan Street - from Fitzroy Street to Killarney Street
- Fitzroy Street - from Tibbereena Street to Barwan Street
- Denison Street - from Tibbereena Street to Barwan Street
- Bowen Street - from Tibbereena Street to Barwan Street
- Dewhurst Street - from Tibbereena Street to Barwan Street
- Doyle Street - from Tibbereena Street to Barwan Street
- Lloyd Street - from Tibbereena Street to Barwan Street
- Killarney Street - from Tibbereena Street to Barwan Street
- Violet Street - from Tibbereena Street to Gibbons Street
- Gibbons Street - from Violet Street to Grace Street
- Selina Street - from the Newell Highway to the railway line
- Cameron Street - from the Newell Highway to Narrabri Hospital
- Buri Street - from Mooloobar Street to Goobar Street
- Goobar Street - from Buri Street to Burigal Street
- Narrabri Airport - Public Car Park and Airport Terminal

Alcohol Free Zones (Boggabri CBD and surrounds) to include all the public roads and public car parks within the area described by the following streets:

- Wee Waa Street - from Dalton Street to Caxton Street
- Merton Street - from Dalton Street to Caxton Street
- Laidlaw Street - from Dalton Street to Caxton Street
- Lynn Street - from Dalton Street to Caxton Street
- Caxton Street - from Wee Waa Street to Lynn Street
- Brent Street - from Wee Waa Street to Lynn Street
- Dalton Street - from Wee Waa Street to Lynn Street

Alcohol Free Zones (Wee Waa CBD and surrounds) to include all the public roads and public car parks within the area described by the following streets:

- Cowper Street - from Warrior Street to Rivers Street
- Rose Street - from Warrior Street to Rivers Street
- Alma Street - from Warrior Street to Rivers Street
- Rivers Street - from Cowper Street to Alma Street
- Nelson Street - from Cowper Street to Alma Street
- George Street - from Cowper Street to Alma Street
- Church Street - from Cowper Street to Alma Street
- Charles Street - from Cowper Street to Alma Street
- Warrior Street - from Cowper Street to Alma Street

CARRIED

**15.3 NOSH NARRABRI – REQUEST FOR SUSPENSION OF ALCOHOL FREE AREA****MINUTE 124/2017**

Moved: Cr Campbell

Second: Cr Campey

That Council suspend the Alcohol Free Area between the Narrabri Creek and the Crossing Theatre, Narrabri, between the hours of 12:00PM to 12:00AM Saturday 26 August 2017 and 11:30AM to 5:00PM Sunday 27 August 2017, for the Nosh Narrabri event and note that the adjacent public car park and road will remain an Alcohol Free Zone.

CARRIED

**15.4 REPORT OF THE LOCAL TRAFFIC COMMITTEE MEETING – 3 MAY 2017****MINUTE 125/2017**

Moved: Cr Booby

Second: Cr Campey

That Council note the Minutes of the Local Traffic Committee meeting held 3 May 2017.

CARRIED

**15.5 REMOVAL OF BAAN BAA WATER SUBSIDIES****MINUTE 126/2017**

Moved: Cr Campbell

Second: Cr Finlay

That Council:

1. Cease the \$200 water carting subsidy for Baan Baa Residents based on the introduction of a reticulated system, noting this resolution supersedes Council Resolution 37/2014.
2. Note that the fees and charges associated with Baan Baa Water Scheme are being considered at its June 2017 Ordinary Council Meeting.

CARRIED

**16 CLOSED (PUBLIC EXCLUDED) GENERAL MANAGER'S REPORT****MINUTE 127/2017**

Moved: Cr Staines

Seconded: Cr Booby

That at 4.42pm, 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:

- Contract 2016-17/22 – Drilling of Replacement Groundwater Supply Bores at Narrabri, Bellata, Gwabegar And Pilliga
- Contract 2017-18/03 – Bitumen Sealing
- Supply & Delivery of Two (2) CCF Class 15 Motor Graders
- Lease – Narrabri Airport Hangar

CARRIED

**16.1 CONTRACT 2016-17/22 – DRILLING OF REPLACEMENT GROUNDWATER SUPPLY BORES AT NARRABRI, BELLATA, GWABEGAR AND PILLIGA****MINUTE 128/2017**

Moved: Cr Staines

Second: Cr Kneale

That Council:

1. 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:
  - a. Council accept the tender from Impax Group Pty Ltd in the GST exclusive amount of \$1,064,833 for Contract No. 2016-17/22, Separable Portion 1, 2 and 3 – Drilling of Replacement Groundwater Supply Bores at Bellata, Gwabegar and Pilliga and
  - b. Council accept the tender from Mannion Water Drillers Pty Ltd in the GST exclusive amount of \$187,367 for Contract No. 2016-17/22, Separable Portion 4 – Drilling of Replacement Narrabri (Killarney Street).
2. Accept the tender from Impax Group Pty Ltd in the GST exclusive amount of \$1,064,833 for Contract No. 2016-17/22, Separable Portion 1, 2 and 3 – Drilling of Replacement Groundwater Supply Bores at Bellata, Gwabegar and Pilliga and authorise the Mayor and General Manager to sign the contract documents under the Common Seal of Council.
3. Accept the tender Mannion Water Drillers Pty Ltd in the GST exclusive amount of \$187,367 for Contract No. 2016-17/22, Separable Portion 4 – Drilling of Replacement Groundwater Supply Bore at Narrabri (Killarney Street) and authorise the Mayor and General Manager to sign the contract documents under the Common Seal of Council.
4. Approve a contingency of \$125,220 (10% of each bore / Contract Sum) to enable the completion of water bores under Contract conditions.
5. Maintain the confidentiality of the documents and considerations in respect of Contract No. 2016-17/22 – Drilling of Replacement Groundwater Supply Bores at Narrabri Bellata, Gwabegar and Pilliga (“the tender”).

CARRIED

**16.2 CONTRACT 2017-18/03 – BITUMEN SEALING****MINUTE 129/2017**

Moved: Cr Campey

Second: Cr Booby

That Council:

1. 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 the most advantageous tenders for Council to accept for Contract 2017-18/03 for Bitumen Sealing for the period from 1 July 2017 to 30 June 2018 are from Bitupave Limited T/A Boral Asphalt (subject to requested amendments to the General Conditions of Contract from Bitupave Limited T/A Boral Asphalt being approved), Colas NSW Pty Ltd, Fulton Hogan Industries Pty Ltd, NSW Spray Seal Pty Ltd, State Asphalt Services Pty Ltd
2. Accept the tenders from Bitupave Limited T/A Boral Asphalt (subject to requested amendments to the General Conditions of Contract from Bitupave Limited T/A Boral Asphalt being approved), Colas NSW Pty Ltd, Fulton Hogan Industries Pty Ltd, NSW Spray Seal Pty Ltd, State Asphalt Services Pty Ltd for Contract 2017-18/03 for Bitumen Sealing for the period from 1 July 2017 to 30 June 2018 and authorise the Mayor and General Manager to sign the contract documents under the seal of Council
3. Grant authority to the Mayor and General Manager to assess Contract 2017-18/03 for Bitumen Sealing prior to 30 June 2018 and 30 June 2019 and extend the term of the contract for a further one or two year period from 1 July 2018 until 30 June 2019 and from 1 July 2019 to 30 June 2020 subject to Council still requiring the service, the satisfactory performance of the Contractors, agreement by a sufficient number of Contractors and any requested annual variations in unit rates requested are considered reasonable and are based on quantifiable rise & fall in prices.

CARRIED

**16.3 SUPPLY & DELIVERY OF TWO (2) CCF CLASS 15 MOTOR GRADERS****MINUTE 130/2017**

Moved: Cr Kneale

Second: Cr Staines

That Council;

1. note that after assessing the tenders submitted (in accordance with the criteria specified in Local Government Heavy Plant & Equipment Contract No. 707) and having regard to all the circumstances, the Tender Panel recommends that the best value for money tender for the supply and delivery of two (2) CCF Class 15 Motor Graders is the tender from Westrac Pty Ltd in the total GST exclusive amount of \$824,181.81 for the supply and delivery of two (2) Caterpillar 12M Motor Graders.
2. in accordance with the Tender Panel Recommendation, Council accept the tender from Westrac Pty Ltd in the total GST exclusive amount of \$824.181.81 for the supply and delivery of two (2) Caterpillar 12M Motor Graders and authorise the General Manager to sign the purchase order.

CARRIED

**16.4 LEASE – NARRABRI AIRPORT HANGAR****MINUTE 131/2017**

Moved: Cr Campbell

Second: Cr Kneale

That Council:

1. Approve a one-year lease (1) plus optional extensions (subsequent years lease at discretion of General Manager) over the Council hangar at Narrabri Airport on Lot 533 of DP 800635 at 315 Airport Road, Narrabri NSW 2390 with Aerial Agriculture trading as Fleet Helicopters (Lessee).
2. Authorise the Mayor and General Manager to sign the Lease Agreement and any other relevant documentation.

CARRIED

The General Manager tabled a late report; 16.5 Revision of Incentives.

MAYOR REDDING RULED THAT THE LATE REPORT; 16.5 REVISION OF INCENTIVES, IS BUSINESS OF URGENCY AND THAT IT BE CONSIDERED BY COUNCIL.

**MINUTE 132/2017**

Moved: Cr Booby

Second: Cr Campbell

That Council consider the late report; 16.5 Revision of Incentives, within the Closed (Public Excluded) Meeting as tabled by the General Manager. The matter be considered in the Closed (Public Excluded) Meeting, the reasons being that:

- The matters and information are:
  - 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,

CARRIED

**16.5 LATE REPORT - REVISION OF INCENTIVES****MINUTE 133/2017**

Moved: Cr Staines

Second: Cr Campey

That Council:

1. Agree to the adjustment to the incentives available for the reinstatement of the Narrabri – Sydney RPT service, noting this resolution supersedes resolution 5/2015.
2. Note the disappointing allocation of slots for the ensuing slot period.

CARRIED

**MINUTE 134/2017**

Moved: Cr Staines

Second: Cr Campbell

That Council move out of Closed (Public Excluded) Meeting at 5.16pm and the Mayor read out the motions resolved in the Closed (Public Excluded) Meeting.

CARRIED

**MINUTE 135/2017**

Moved: Cr Booby

Second: Cr Finlay

That the Closed (Public Excluded) Council resolutions be adopted in open Council.

CARRIED

THE MAYOR THEN READ OUT THE MOTIONS RESOLVED IN CLOSED COUNCIL.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.17PM.

.....  
Cr CC Redding

**MAYOR**



## 9 MAYORAL MINUTE

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### 9.1 MAYORAL APPOINTMENTS

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**Subject:** MAYOR APPOINTMENTS

**Author:** Mayor – Councillor C Redding

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#### RECOMMENDATION

**That Council note Mayoral appointments for June/July 2017.**

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#### Mayoral Minute

For the information of Councillors, I provide details of my Mayoral appointments and attendances between the dates (onwards from last Council Meeting) as follows:

##### Thursday 22 June 2017

- Hosted Citizenship Ceremony for 4 x participants from within the Narrabri Shire.
- Attended evening meeting of Inland Rail Stakeholders Meeting in Council Chambers, inviting direct industry representatives to attend.

##### Monday 26 June 2017

- Attended St Xavier's Primary School NAIDOC Week Flag Raising Ceremony and Celebrations.
- Attended Wee Waa Rotary Club Changeover Dinner at Wee Waa Motel.

##### Tuesday 27 June 2017

- Held discussions with Ms Jocellin Jansson regarding Universities Centre proposal
- Chaired June 2017 Ordinary Council Meeting.
- Attended evening meeting of 'Dementia Friendly Town' Committee at the Narrabri District Health Service.

##### Wednesday 28 June 2017

- Travelled to Sydney with Director Corporate Services to attend 2-day forum 'LGNSW – Good Governance in Action'

##### Thursday 29 June 2017

- Attended second day of 2-day forum 'LGNSW – Good Governance in Action', travelled back to Narrabri same evening

##### Friday 30 June 2017

- Hosted half-yearly update briefing from Maules Creek Coal (Whitehaven Coal) General Manager Mr Peter Wilkinson, and External Relations Officer Mr Darren Swain with Directors and General Manager.

##### Saturday 1 July 2017

- Attended Narrabri Lions Club Changeover Dinner at Narrabri Golf Club.

**Monday 3 July 2017**

- Attended Narrabri Aboriginal Lands Council NAIDOC Week Flag Raising Ceremony and morning tea celebrations.

**Tuesday 4 July 2017**

- Chaired July Councillor Briefing/Workshop
- Travelled to Sydney this evening to attend 1-day training course tomorrow.

**Wednesday 5 July 2017**

- Attended full day training course at University of Sydney, travelled back to Narrabri same evening.

**Thursday 6 July 2017**

- Attended Narrabri Airport Official Opening, and Fly Corporate RPT announcement.

**Monday 10 July 2017**

- Attended the LGNSW Capability Framework Conference with Cr Booby and Cr Staines in Moree
- Attended Community Meeting at Baan Baa – (included was Council Site Tour of Baan Baa Storage and Treatment Plant for residents).

**Tuesday 11 July 2017**

- Travelled to Bourke with Director Corporate Services, Director Development & Economic Growth and Director Infrastructure Delivery for the 'Barwon Regional Growth Fund Briefing'. Attended Bourke community reception at the Bourke Shire Council on arrival evening.

**Wednesday 12 July 2017**

- Attended 'Barwon Regional Growth Fund Briefing' in addition to Hon John Barilaro, NSW Deputy Premier, discussing other future funding opportunities.
- Cr Booby attended as the Mayoral delegate to the Wee Waa NAIDOC Week Celebrations at Dangar Park Wee Waa for the day.

**Attachments**

Nil.

## 10 NOTICES OF MOTION

### 10.1 SCHOOL LEAVERS/SUITABLE YOUNG PERSONS EMPLOYMENT INTAKE (TRAINEESHIPS/APPRENTICESHIPS) PROGRAM

Cr Kneale has advised that at the next meeting of Council he intends moving the following Notice of Motion:

*“That a report be presented to Council following an investigation across all Council Departments as to its capacity to employ local school leavers or other suitable young persons under an appropriate Apprenticeship/Traineeship or subsidised internship scheme on an annual Council employment intake programme.”*

#### Support

As Council is a major employer within the Narrabri Shire, it is to Council’s (and the local community’s) advantage to provide employment opportunities to the youth of the district.

In Council developing a regular (annual) apprenticeship/traineeship intake, school leavers (and other suitable youth) are provided with employment options to remain within the shire community while gaining professional or trade qualifications. At the successful completion of their training they would be required to remain in Council’s employment for a determined period of time.

Cr Kneale  
**COUNCILLOR**

#### Management Comment

Council adopted at its June 2016 Ordinary Meeting a revised Workforce Management Plan that contains a number of actions related to the subject of this motion.

Support youth employment.	<ul style="list-style-type: none"> <li>• Explore options for expanding on Traineeships/Apprenticeships across Council targeting future critical shortages.</li> <li>• Explore opportunities for graduate roles across Council targeting future critical shortages by setting up programs with universities and colleges to recruit specific candidates and disciplines.</li> <li>• Continue to support but also encourage and invite work experience students.</li> <li>• Strengthen links with local high schools, universities and technical colleges, thereby promoting a career with Council.</li> </ul>
Consider cadetship program.	<ul style="list-style-type: none"> <li>• Investigate and report on viability of a cadetship program.</li> </ul>

Council is currently focusing heavily on filling vacant positions across the organisation. Considering the Workforce Management Plan actions and current human resources priorities, it would be likely that providing such a report to Council would be achievable in the vicinity of a 6 to 12 month period; primarily due to the consultation required across the entire Council organisation.

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# 11 MAYOR AND DELEGATES REPORT

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## 11.1 DELEGATES REPORT (CR:DH)

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**Subject:** COUNTRY MAYORS ASSOCIATION MEETING, 16 JUNE 2017

**Author:** Mayor, Cr Cathy Redding

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### RECOMMENDATION

That Council note the Delegate Report from Mayor, Cr Cathy Redding on the Country Mayors Association Meeting held in Sydney on Friday 16 June 2017.

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### Delivery Program Alignment

#### OUR CIVIC LEADERSHIP

- 4.1 We will proactively engage and partner with the community and government to achieve our strategic goals
- 4.1.3 Develop and build strong, productive partnerships with State and Federal Governments
- 4.1.3.4 Participate in Regional and State Forums.

### Delegates Report

I attended the Country Mayors Association Meeting held in Sydney on Friday 16 June 2017.

The Minutes from the meeting are attached.

### Attachments

Attachment 11.1.a: Country Mayors Association Meeting held in Sydney on Friday 16 June 2017.

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**11.2 DELEGATES REPORT (RK:DH)**

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**Subject: MINUTES OF THE BOGGABRI – TARRAWONGA – MAULES CREEK COMMUNITY CONSULTATIVE COMMITTEE**

**Author: Cr Robert Kneale**

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**RECOMMENDATION**

**That Council note the Delegate Report from Cr Robert Kneale on the Boggabri – Tarrawonga – Maules Creek Community Consultative Committee Meeting held in Boggabri on Thursday 18 May 2017.**

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**Delivery Program Alignment****OUR CIVIC LEADERSHIP**

- 4.1 We will proactively engage and partner with the community and government to achieve our strategic goals
- 4.1.3 Develop and build strong, productive partnerships with State and Federal Governments
- 4.1.3.4 Participate in Regional and State Forums.

**Delegates Report**

I attended the Boggabri – Tarrawonga – Maules Creek Community Consultative Committee Meeting held in Boggabri on Thursday 18 May 2017.

The Minutes from the meeting are attached.

**Attachments**

- Attachment 11.2.a: Boggabri – Tarrawonga – Maules Creek Community Consultative Committee Meeting Minutes held in Boggabri on Thursday 18 May 2017

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**11.3 DELEGATES REPORT (RK:DH)**

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**Subject:** MINUTES OF THE MAULES CREEK COAL COMMUNITY CONSULTATIVE COMMITTEE MEETING, WEDNESDAY 24 MAY 2017

**Author:** Cr Robert Kneale

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**RECOMMENDATION**

**That Council note the Delegate Report from Cr Robert Kneale on the Maules Creek Coal Community Consultative Committee Meeting held in Boggabri on Wednesday 24 May 2017.**

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**Delivery Program Alignment****OUR CIVIC LEADERSHIP**

- 4.1 We will proactively engage and partner with the Community and Government to achieve our Strategic Goals
- 4.1.3 Develop and build strong, productive partnerships with State and Federal Governments
- 4.1.3.4 Participate in Regional and State Forums.

**Delegates Report**

I attended the Maules Creek Coal Community Consultative Committee Meeting held in Boggabri on Wednesday 24 May 2017.

The Minutes from the meeting are attached.

**Attachments**

- Attachment 11.3.a: Maules Creek Coal Community Consultative Committee Meeting held in Boggabri on Wednesday 24 May 2017.

**11.4 DELEGATES REPORT (MB:DH)**

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**Subject: MARSDENS LAW CONFERENCE 2017**

**Author: Cr Maxine Booby**

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**RECOMMENDATION**

**That Council note the Delegate Report from Cr Maxine Booby on the Marsden's Law Conference held in Campbelltown on Friday 23 June 2017.**

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**Delivery Program Alignment****OUR CIVIC LEADERSHIP**

- 4.1 We will proactively engage and partner with the Community and Government to achieve our Strategic Goals
- 4.1.3 Develop and build strong, productive partnerships with State and Federal Governments
- 4.1.3.4 Participate in Regional and State Forums.

**Delegates Report**

I attended the Marsdens Law Conference held in Campbelltown on Friday 23 June 2017.

My notes from the conference are attached.

**Attachments**

Attachment 11.4.a: Marsden's Law Conference held in Campbelltown on Friday 23 June 2017.

**11.5 DELEGATES REPORT (AL:DH)**

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**Subject:** NARRABRI DISTRICT HEALTH SERVICE ADVISORY COMMITTEE MEETING,  
14 NOVEMBER 2016

**Author:** Cr Ann Loder

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**RECOMMENDATION**

**That Council note the Delegates Report from Cr Ann Loder on the Narrabri District Health Service Advisory Committee Meeting held on 14 November 2016.**

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**Delivery Program Alignment****OUR CIVIC LEADERSHIP**

- 4.1 We will proactively engage and partner with the Community and Government to achieve our Strategic Goals
- 4.1.3 Develop and build strong, productive partnerships with State and Federal Governments
- 4.1.3.4 Participate in Regional and State Forums.

**Delegates Report**

I attended the Narrabri District Health Service Advisory Committee Meeting held on 14 November 2016.

The Minutes from the meeting are attached.

**Attachments**

- Attachment 11.5.a: Narrabri District Health Service Advisory Committee Meeting Minutes – 14 November 2016.



**11.6 DELEGATES REPORT (AL:DH)**

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**Subject:** NARRABRI DISTRICT HEALTH SERVICE ADVISORY COMMITTEE MEETING,  
12 DECEMBER 2017

**Author:** Cr Ann Loder

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**RECOMMENDATION**

**That Council note the Delegate Report from Cr Ann Loder on the Narrabri District Health Service Advisory Committee Meeting held on 12 December 2016.**

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**Delivery Program Alignment****OUR CIVIC LEADERSHIP**

- 4.1 We will proactively engage and partner with the Community and Government to achieve our Strategic Goals
- 4.1.3 Develop and build strong, productive partnerships with State and Federal Governments
- 4.1.3.4 Participate in Regional and State Forums.

**Delegates Report**

I attended the Narrabri District Health Service Advisory Committee Meeting held on 12 December 2016.

The Minutes from the meeting are attached.

**Attachments**

- Attachment 11.6.a: Narrabri District Health Service Advisory Committee Meeting Minutes – 12 December 2016

**11.7 DELEGATES REPORT (CS:DH)**

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**Subject: NSW RFS JOINT SERVICE AGREEMENT LIAISON MEETING 21 JUNE 2017**

**Author: Deputy Mayor, Cr Cameron Staines**

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**RECOMMENDATION**

**That Council note the Delegates Report from the Deputy Mayor, Cr Cameron Staines on the NSW Rural Fire Service Joint Service Agreement Liaison Meeting held in Bingara on Wednesday 21 June 2017.**

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**Delivery Program Alignment****OUR CIVIC LEADERSHIP**

- 4.1 We will proactively engage and partner with the community and government to achieve our strategic goals
- 4.1.3 Develop and build strong, productive partnerships with State and Federal Governments
- 4.1.3.4 Participate in Regional and State Forums.

**Delegates Report**

I attended the NSW Rural Fire Service Joint Service Agreement Liaison Meeting held in Bingara on Wednesday 21 June 2017.

The Minutes from the meeting are attached.

**Attachments**

- Attachment 11.7.a: NSW Rural Fire Service Joint Service Agreement Liaison Meeting held in Bingara on Wednesday 21 June 2017.

## 12 GENERAL MANAGER REPORTS

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### 12.1 GENERAL MANAGER'S REPORT

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**Subject:** WESTERN SLOPES PIPELINE COMMUNITY CONSULTATIVE COMMITTEE

**Director:** General Manager – Stewart Todd

**Author:** PA to GM & Mayor – Delece Hartnett

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#### RECOMMENDATION

That Council:

1. Appoint a representative to the Western Slopes Pipeline Community Consultative Committee.
  2. Appoint an alternative representative to the Western Slopes Pipeline Community Consultative Committee.
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#### Delivery Program Alignment

##### OUR CIVIC LEADERSHIP

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

#### Background

Council recently received correspondence regarding the recent appointment by the NSW Department of Planning and Environment of Mr Michael J Silver (OAM) as the Independent Chair of the Western Slopes Pipeline Community Consultative Committee (CCC), which is primarily to assist in the support of community engagement and interaction with the preparation of the Environmental Impact Statement for the proposed construction and operation by APA Western Slopes Pipeline Pty Ltd, of approximately 450km of buried steel, gas transmission pipeline between the Narrabri Gas Project and the existing Moomba Sydney Pipeline.

#### Current Situation

The Western Slopes Pipeline CCC has been established in accordance with the Department's Community Consultative Committee Guidelines. Therefore, Council has been invited to nominate a representative to become a member of this Western Slopes Pipeline CCC. The Committee has proposed to meet approximately four (4) times per year, with the first meeting anticipated to take place early September 2017. A nominated representative from Council is asked to be forwarded no later than Friday 28 July 2017.

It is proposed that the Western Slopes Pipeline CCC will comprise two committees due to the length of the proposed pipeline, and to ensure a broad and effective representation of community interests. One committee will be based on the northern section of the proposed pipeline in the Narrabri and Coonamble region, whilst the southern committee will be focused on the Warren and Tottenham area.

Council is currently a member of the Narrabri Gas Project CCC, current Council officials of this CCC would have relevant background information and knowledge.

**Financial Implications**

Nil.

**Statutory and Policy Implications**

Nil.

**Consultation**

**External Consultation**

Nil.

**Internal Consultation**

Director Development & Economic Growth.

**Attachments**

Nil.

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## 12.2 GENERAL MANAGER'S REPORT

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**Subject:** LOCAL GOVERNMENT NSW (LGNSW) ANNUAL CONFERENCE 2017

**Director:** General Manager – Stewart Todd

**Author:** PA to General Manager and Mayor – Delece Hartnett

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### RECOMMENDATION

**That Council authorise the Mayor and Deputy Mayor to attend the 2017 Local Government NSW (LGNSW) Annual Conference, as voting delegates.**

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### Delivery Program Alignment

#### OUR CIVIC LEADERSHIP

- 4.1 We will proactively engage and partner with the community and government to achieve our strategic goals
- 4.1.3 Develop and build strong, productive partnerships with State and Federal Governments
- 4.1.3.4 Participate in Regional and State Forums.

### Background

The 2017 Local Government NSW (LGNSW) Annual Conference will be held in Sydney from Monday 4 December 2017 to Wednesday 6 December 2017. As previous Councillors will be aware, the Conference is usually held in early October every year, however, it is later than usual this year to accommodate local government elections in September, for those councils required to do so.

### Current Situation

#### **Conference Registration**

Registration for the 2017 Local Government NSW (LGNSW) Annual Conference opens in the coming month; however, at the time of writing details were not yet available on the LGNSW website.

#### **Motions to the Conference**

NSW councils are able to submit motions for consideration at the Conference. The LGNSW Board has resolved that motions will be included in the Business Paper for the conference where they:

1. Are consistent with the objects of the Association (see Rule 4 of the Association's rules).
2. Relate to Local Government NSW and/or across Australia.
3. Concern or are likely to concerns Local Government as a sector.
4. Seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association.
5. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws).

6. Are clearly worded and unambiguous in nature.
7. Do not express preference for one or several members over one or several other members.

A motion must also provide accompanying evidence of its support for the motion to be included. At the time of writing, the closing date for submitting motions for inclusion in the Business Paper is unknown.

### **Financial Implications**

An Early Bird rate will be available. At the time of writing, the closing date for the early bird rate is unknown. Council will be responsible for travel and accommodation for each delegate. Accommodation per person with breakfast per night will be approximately \$279.00.

With Council's Fit for the Future fiscally responsible agenda it is recommended that Council send only two (2) delegates in line with Council's voting rights to the LGNSW Conference.

Council is entitled to two (2) votes on matters at the Conference.

### **Statutory and Policy Implications**

The current Payment of Expenses and Provision of Facilities to Councillors Policy states the following:

#### *"9.2. Specific Expenses for Mayors and Councillors*

##### *9.2.1 Attendance at Seminars and Conferences*

*Council will meet the costs associated with Councillors attending conferences or seminars that have been authorised by a resolution of the Council or approved under delegates authority by the Mayor or General Manager, or the Councillor is, by resolution of Council, an elected Delegate of the committee or organisation, as follows:*

- *The payment of registration fees.*
- *Accommodation (see clause 9.2.2.5).*
- *Reasonable sustenance and incidental expenses (see clause 9.2.3).*
- *Travel (see clause 9.2.2).*

##### *Attendance at the Local Government New South Wales Annual Conference*

*That the General Manager, the Mayor and Deputy Mayor (and other Councillors as Council sees fit) be authorised to represent Council at the Annual Conference of Local Government NSW."*

### **Consultation**

#### **External Consultation**

Nil.

#### **Internal Consultation**

Nil.

**Attachments**

Nil.

## 13 CORPORATE SERVICES REPORTS

### 13.1 DIRECTOR CORPORATE SERVICES REPORT

**Subject:** INVESTMENT REPORT - JUNE 2017

**Director:** Director Corporate Services – Lindsay Mason

**Author:** Responsible Accounting Officer – Tim McClellan

#### RECOMMENDATION

That Council note the Investment Report – June 2017.

#### Delivery Program Alignment

##### OUR CIVIC LEADERSHIP

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

#### Background

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

#### Current Situation

The following is a summary of investment movements for June 2017:

Investments maturing during the month:

- 07/06/2017 NAB \$2,000,000 203 days @ 2.73%
- 27/06/2017 NAB \$2,000,000 272 days @ 2.69%

New investments secured during the month:

- 07/06/2017 NAB \$3,000,000 321 days @ 2.52%
- 09/06/2017 Bank of Australia \$3,000,000 250 days @ 2.82%
- 30/06/2017 Beyond Bank \$3,000,000 172 days @ 2.70%

The following details Council Investments as at 30 June 2017:

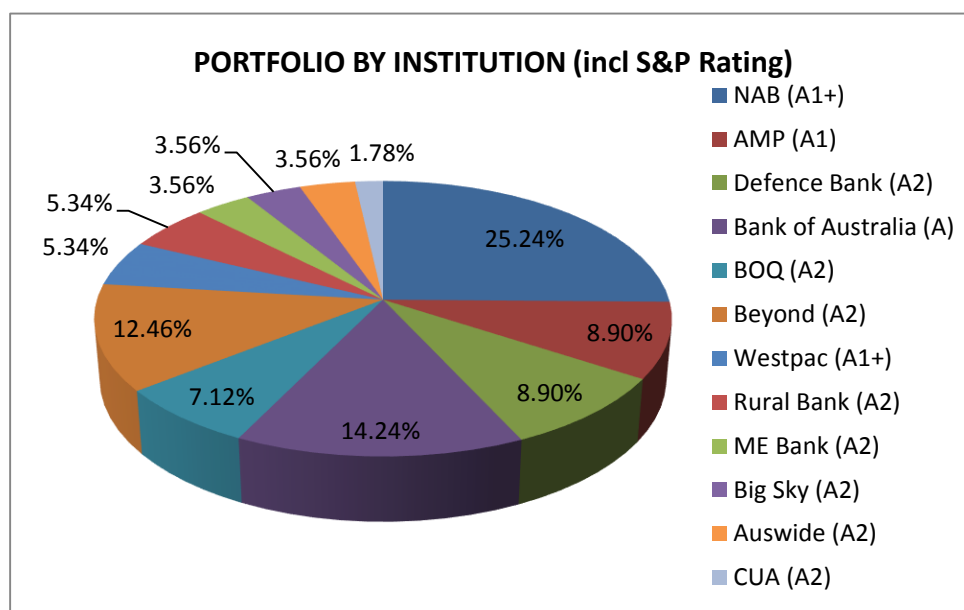
	Market Value (\$)	Term (days)	Rate	Maturity Date	% of Portfolio
<b>Short Term Deposits (&lt;1 yr)</b>	<b>53,000,000.00</b>				<b>94.34%</b>
NAB	2,000,000.00	224	2.76%	12/07/17	3.56%
NAB	1,000,000.00	49	2.14%	19/07/17	1.78%
AMP	1,000,000.00	175	2.75%	02/08/17	1.78%
Big Sky	2,000,000.00	196	2.70%	09/08/17	3.56%
NAB	3,000,000.00	365	2.66%	31/08/17	5.34%
Westpac	3,000,000.00	365	3.00%	09/09/17	5.34%

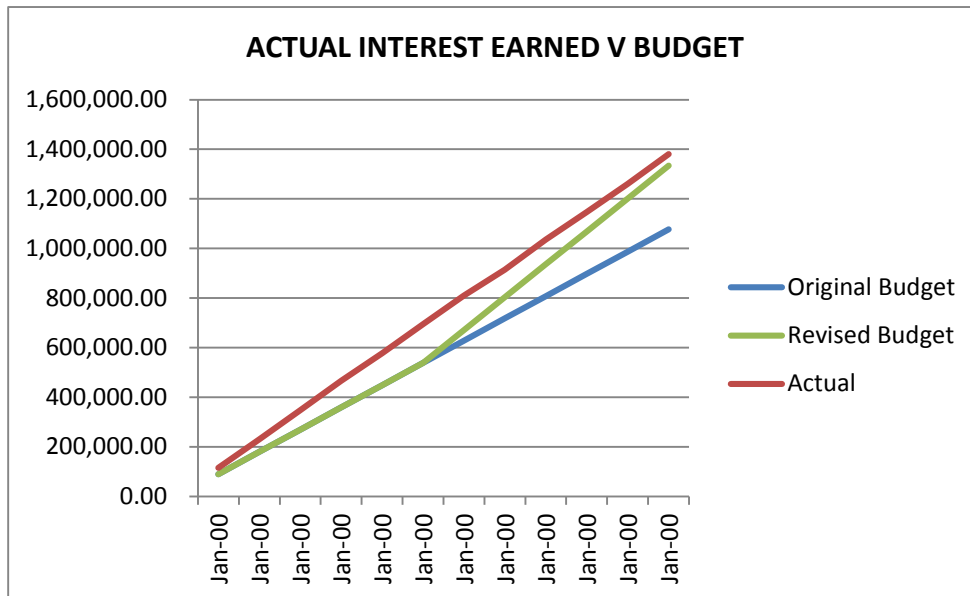


Credit Union Australia	1,000,000.00	215	2.70%	27/09/17	1.78%
BOQ	2,000,000.00	209	2.60%	11/10/17	3.56%
NAB	2,000,000.00	364	2.80%	25/10/17	3.56%
AMP	4,000,000.00	245	2.75%	15/11/17	7.12%
Defence Bank	1,000,000.00	285	2.70%	20/11/17	1.78%
Defence Bank	3,000,000.00	364	2.90%	06/12/17	5.34%
Beyond Bank	3,000,000.00	172	2.70%	19/12/17	5.34%
Rural Bank	3,000,000.00	294	2.70%	20/12/17	5.34%
BOQ	2,000,000.00	364	2.70%	10/01/18	3.56%
Beyond Bank	2,000,000.00	287	2.75%	24/01/18	3.56%
ME Bank	2,000,000.00	278	2.65%	07/02/18	3.56%
Bank of Australia	3,000,000.00	250	2.82%	14/02/18	5.34%
Bank of Australia	2,000,000.00	364	2.75%	21/02/18	3.56%
Beyond Bank	2,000,000.00	301	2.70%	07/03/18	3.56%
Bank of Australia	3,000,000.00	294	2.85%	21/03/18	5.34%
Auswide	2,000,000.00	364	2.80%	11/04/18	3.56%
NAB	3,000,000.00	321	2.52%	24/04/18	5.34%
Defence Bank	1,000,000.00	364	2.75%	23/05/18	1.78%
<b>Cash Deposits</b>	<b>3,182,715.46</b>				<b>5.66%</b>
NAB At Call A/c	3,000,000.00	At Call	1.65%	n/a	5.34%
NAB Working A/c	182,715.46	At Call	1.25%	n/a	0.33%
<b>Total Cash &amp; Investments</b>	<b>56,182,715.46</b>				<b>100.00%</b>

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

Cash Book balance at 31 May 2017	1,219,080.89
Plus Receipts	13,521,950.81
Less Payments	(14,593,832.71)
Cash Book balance at 30 June 2017	147,198.99
Less Outstanding Deposits	(19,848.00)
Plus Unpresented Cheques	55,364.47
Bank balance at 30 June 2017	182,715.46





### **Interest Rate Summary for June 2017**

Average Interest Rate on Investments:	2.68%
Weighted Average Interest Rate on Investments	2.68%

### **Council's Benchmarks**

Bank Bill Swap Rate (BBSW) 90 day index (30/06/2017) <sup>1</sup>	1.70%
Average 11am Cash Rate	1.50%

### **Financial Implications**

The interest income for the month:

General Fund	\$70,252
Water Fund	\$32,448
Sewer Fund	\$17,019
<b>Total Interest Income</b>	<b>\$119,719</b>

### **Statutory and Policy Implications**

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

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

- *Local Government Act 1993*.
- *Local Government (General) Regulation 2005*.
- Investment Order dated 12 January 2011.
- Council's Investment Policy 16 February 2016.

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

**Consultation****External Consultation**

Nil.

**Internal Consultation**

Nil.

**Attachments**

Nil.

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## 14 DEVELOPMENT & ECONOMIC GROWTH REPORTS

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### 14.1 DIRECTOR DEVELOPMENT & ECONOMIC GROWTH REPORT

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**Subject:** DRAFT NARRABRI SHIRE SPORT, RECREATION AND OPEN SPACE PLAN

**Director:** Director Development and Economic Growth – Tony Meppem

**Author:** Community Facilities Manager – Helen Carroll

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#### RECOMMENDATION

**That Council endorse the Draft Narrabri Shire Sport, Recreation and Open Space Plan 2017-2032 for public exhibition for a period of 28 days; during the exhibition period call for and accept submissions from the public on the draft Plan.**

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#### Delivery Program Alignment

##### OUR SOCIETY

- 1.1.1 Support and encourage health and wellbeing programs and services to improve resident lifestyles

#### Background

Narrabri Shire promotes participation in sport, many residents enjoy diverse outdoor activities such as fishing and camping, walkers are seen in the early mornings and evenings in the parks and streets of the towns, and tourism contributes to the local economy through visitors accessing surrounding natural features including waterways and state and national parks. In recognition of the community benefit that recreation and sport contributes to Shire residents and visitors, Council committed to the development of a strategic plan to guide investment in parks, recreation and open space management over the next fifteen years.

This report presents the Draft Narrabri Shire Sport, Recreation and Open Space Plan 2017-2032 and seeks endorsement for the plan to be placed on public exhibition seeking submissions from Shire residents for consideration by Council prior to proposed adoption and implementation of the Plan.

ROSS Planning Pty Ltd was commissioned in August 2016 to assist Council develop the plan and over the past 12 months' consultants have implemented a comprehensive methodology to inform the Plan including: gathering and analysing statistical data; reviewing existing relevant plans and documents; conducting comprehensive community consultation including surveys, interviews and group meetings; and comparing national and state trends with Narrabri trends.

The Plan will assist Council to accurately project relevant expenditure for the next 15 years, evaluate community requests for support and financial assistance within a strategic framework, and ensure 'shovel ready' projects to leverage external funding sources when they become available.

Implementation of the recommendations outlined in this Plan will require strong leadership, appropriate resources from Council and a commitment to making some difficult decisions.

## **Current Situation**

### **Draft Narrabri Shire Sport, Recreation and Open Space Plan**

The content of the draft Plan is comprehensive and explains the methodology clearly, critically analyses Council's current management and resourcing and articulates the recommended future strategic direction. A detailed Action Plan summarises recommendations for easy reference.

Three key values have been communicated by the community regarding provision and management of open space, recreation and sport:

- Appreciation of the natural setting;
- A place that appeals to all ages – where you can visit with family and friends and enjoy social interaction; and
- A place where one can participate in a variety of activities and experiences.

The fundamental directions recommended in the Plan aimed at achieving the strategic direction are:

- Open space and play:
  - Provide feature high quality recreation parks with a variety of play; experiences that cater for all ages by upgrading a number of existing local level facilities;
  - Play experiences should complement and embrace the surrounding natural environment;
  - Shared pathways connect the high quality recreation parks with residential areas and key destinations; and
  - Shade is provided in key activity areas.
- Informal recreation and physical activity:
  - Continue to develop (and upgrade) wheeled recreation device facilities (skate parks); and
  - Facilitate physical activity programs, community programs and community events across the open space network.
- Sport:
  - Sport parks are developed to a standard where players, officials and spectators can enjoy quality experiences at the facility; and
  - Close liaison between Council and sporting organisations is maintained.
- Outdoor recreation:
  - Recreation activities provided by natural areas and waterways are recognised as a fundamental component of the Shire's infrastructure network;
  - Further establish partnerships with National Parks managers to facilitate greater public access; and
  - Access to appropriate water-based and nature-based recreation opportunities is promoted.
- Community halls and activity spaces:
  - Activate community halls and activity spaces to ensure sustainable use.

## Community Engagement

Five key methods were used to engage the general community and sporting groups in development of the Plan:

- Community workshops held in Boggabri, Narrabri and Wee Waa;
- Sporting club workshop (held in Narrabri);
- Community survey online and hard copy distribution with 135 community surveys received, primarily from residents living in Narrabri and 80% below fifty years of age;
- Sporting club online survey and hard copy distribution with 10 received from local sporting groups. The sample was not representative of all sports operating in the Shire with only two responses from non-traditional sports;
- School visits to all primary and secondary schools in the Shire;
- Additional community engagement activities included intercept surveys (random surveys of people in parks, CBDs and public places) and school principal surveys; and
- Council engagement activities included small group and individual interviews with Council officers.

Key issues that arose from the community engagement process were:

- Popular places and activities

Walking, swimming (for recreation not club) and playing in the park were recorded as the most popular recreation activities with fishing and canoe/kayaking also popular.

- Natural settings are highly valued

People's favourite open space or park was related to places with natural features and included Narrabri Lake, Namoi River, Yarrie Lake and Cameron Park (and its link to the river).

- Variety

Youth felt there was a lack of variety of play opportunities with many parks only catering to toddlers.

- Shade

The lack of shade was a common theme throughout the engagement process and identified as a barrier to the use of parks and open spaces.

- Communication and resourcing

Residents expressed difficulty finding out about events and community information sessions. Sporting groups expressed difficulty requesting assistance with grants, funding and development.

- Supporting infrastructure

Additional walk/cycleways, bench seats and water bubblers along them were identified as barriers to increased use of parks and open spaces particularly by the ageing population. Sporting groups identified upgrades such as spectator areas, shade covers and bench seats improving their facilities.

## Open Space Classification Framework

The Shire's open spaces have been classified according to their function (classification) and role (hierarchy) within that function. A summary of the hierarchy is detailed in the table below.

Classification	Hierarchy
Recreation park	Local, town
Sports park	Local, town, specialised
Other open space	Undeveloped, private, utility, camping

Open space parcels can comprise of one or multiple functions (classifications) with the overall/final classification of the parcel being determined by its primary function. For example, Cooma sportsground in Narrabri includes sporting fields as well as a playground therefore its composition is 80% town sports park and 20% local recreation park. Its primary function is a town sports park, and a secondary function is a local recreation park. Alternatively, Vickery Park in Boggabri is composed of 80% town recreation park and 20% specialised sport. Its primary function is town recreation park and its secondary function is specialised sport.

The classification framework will assist Council ensure provision of different types of park spaces and experiences, and it will also assist more accurate financial reporting and service planning.

## Emerging Trends

The Plan includes recommendations to assist Council keep pace with changing participation patterns in recreation at a community level. Moves toward non-organised structured sport, increased use of technology and increased time pressures are all contributing to how people recreate. In response to some of these changes, open space planning is beginning to take a new direction with a growing trend towards more challenging and imaginative play for all age groups at the one location. The Shire's population is ageing with the impact on open space including the need for wider pathways, improved access for mobility impaired, more lighting, shaded seats for resting and increased use of mobility scooters. Increased application of technology in open spaces is becoming more apparent and expected including geocaching and use of QR codes on tracks and signage. This latter trend has also been highlighted in Council's Destination Management Plan (Tourism).

National participation rates in organised sport have been declining for a number of years as participants move toward more social sport and informal recreation. Other trends impacting on sport include the extending lengths of pre-season and season fixtures, making sharing of field space more difficult. The Plan recommends allocating preferred 'homes' for each sport across the Shire with the goal to share ancillary facilities (e.g. change rooms and canteens) rather than fields. Whilst the playing fields in the Shire were assessed as being in appropriate condition the Plan recommends a range of upgrades to field lighting and ancillary facilities.

All sport survey responses except one indicated that declining numbers of volunteers was a medium or high issue. The trend in many areas is toward amalgamations to form multi-sport clubs or sporting clubs aligning with licensed clubs that take over some or all of the volunteer administration roles.

## Recreation, Open Space and Sport Analysis

Part of the process of planning an open space network is the need to determine the desired standard of service (DSS) that the network will provide. There are three standards that contribute to the DSS: quantity standard identifies the provision of land/1000 population; access standard refers to the maximum distances between residential areas and open spaces; and level of embellishment indicates preferred facilities and activities within each open space type.

An alternative method to determining a DSS is to apply a needs-based approach. As Narrabri Shire is characterised by limited expectations of growth over the next 20 years, has small villages and towns distributed across the Shire and has generally larger residential block sizes, the Plan has applied the needs-based approach to planning the open space network.

For each planning area (town or village) the Plan considers the social, demographic and environmental characteristics of the area, the location, activities (or experiences) and embellishment of existing open space facilities and preferred outcomes for that planning area.

Of particular note is the recommendation to rationalise part of or entire parcels of open space land in each of the towns and villages in the Shire, except Edgeroi and Boggabri. It is important to recognise that the term rationalise may mean sale or transfer of ownership, not replacing current assets at the end of useful life or changing management of the land to reduce ongoing operational costs.

### **Draft Action Plan**

The recommendations of the Plan have been compiled in an Action Plan grouped by planning area with Shire-wide actions detailed first followed by each of the localities within the Shire. Actions have been identified as high (undertake as soon as resources allow), medium (in the next 5 years), and low priorities (5-20 years). Indicative costs have been provided however it is important to note that the cost of implementing the plan does not fall entirely with Council, and that reviewing existing funding sources, forming partnerships and attracting external funding will be instrumental to implementation of the Plan.

### **Financial Implications**

The Local Government Reform agenda being driven by the NSW State Government has resulted in increased scrutiny of long term financial sustainability. Council has been assessed as being financially sustainable based on its Fit for the Future Improvement Plan submitted to the NSW Government. To achieve long term sustainability, analysis of the services provided by existing assets compared with community needs and future services requires careful consideration. Sport, recreation and open space infrastructure, facilities and services need to reflect changes in the population and demographics of towns and villages that have occurred over the past 20+ years and provide for future users. The draft Plan identifies assets and land surplus to Council's requirements to provide sport and recreation opportunities to its residents now and in the future.

If adopted, actions and associated costs will need to be included in Council's 10 year financial plan. This will not preclude Council from pursuing external funding for projects, but will demonstrate to the community Council's commitment to implementing the Plan. It will be essential for Council to form partnerships and actively pursue external funding to achieve the Plan's strategic direction.

### **Statutory and Policy Implications**

The Plan outlines a number of additional policies to guide decision-making and Council processes. The new policies are aimed at assisting the community and user groups to navigate and obtain efficient responses from Council.

New policies recommended:

- Community Events – to guide and support community event organisers.
- Community Use of Council Land – to guide individuals and groups on issues such as: approval and building on Council land, donating structures/assets to Council, use by sporting bodies, welfare organisations, churches, commercial businesses etc.



- Lease and Licence of Council Land and Facilities – to guide formal tenure of Council land and facilities with regard to treatment of different groups, and to avoid negotiation on a case-by-case basis, provide clear direction on issues such as sub-letting etc.
- Public Art (in parks and open spaces) – to activate parks and open spaces via murals, light projects on water towers/buildings, sculptures etc.

Extension to two existing policies is also suggested:

- Community Grants Policy – ensure input for a range of operational areas during submission of assessments;
- Public Space Tree Policy - include the importance of suitable tree species as natural shade in and around play/picnic nodes.

## **Consultation**

### **External Consultation**

- Sport Organizations.
- Primary Schools.
- Secondary Schools.
- Community Organizations.
- Community Individuals.
- State Sporting Organizations.

### **Internal Consultation**

Tourism Manager.

Design Services Manager.

Property and Assets Manager.

Community Development Officer.

Aquatic Facilities Manager.

Parks and Open Space Coordinator, Narrabri.

Parks Overseer, Boggabri and Wee Waa.

Library Services Manager.

Venue Manager

## **Attachments**

Attachment 14.1.a: Draft Narrabri Shire Sport, Recreation and Open Space Plan 2017-2032

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**14.2 DIRECTOR DEVELOPMENT & ECONOMIC GROWTH REPORT**

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**Subject:** DA 116/2017 Community Facility (Animal Impound Facility)

**Director:** Director of Development and Economic Growth – Tony Meppem

**Author:** Town Planner – Hamish McTaggart

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**RECOMMENDATION**

**That Council approve DA 116/2017 subject to the recommended conditions of consent listed in attachment to the report.**

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**Delivery Program Alignment****OUR ENVIRONMENT**

- 2.1.4 Minimise the impacts of noxious weeds and feral and domestic animals on the environment.
- 2.2.4 Decision making will be informed by the principles of Ecologically Sustainable Development and the precautionary principle.

**OUR CIVIC LEADERSHIP**

- 4.4.2 Ensure effective and sound local governance practice.

**Background**

Council has lodged a development application for the construction of a new animal impound facility at Lot 242 DP 1120041, 73 Dump Road Narrabri.

The cost of the development was estimated to be in the order of \$250,000. In accordance with the provisions of the Environmental Planning and Assessment (EP&A) Act 1979 Council is the consent authority for development which it has an involvement with up to the value of \$5,000,000. Development applications by Council which exceed this value require determination by the Joint Regional Planning Panel.

To ensure appropriate levels of probity in the assessment of the development application and transparency in its determination Council Staff outsourced the assessment of the development application to Moree Plains Shire Council. Senior Planning Staff at Moree Plains Shire Council have completed an assessment of the development application in accordance with the provisions of Section 79C of the EP&A Act 1979. The assessment recommends Council issue development consent subject to a number of conditions.

**Current Situation**

As the consent authority for the development application Council is required to exercise its powers under the EP&A Act 1979. In accordance with section 80(1) of the EP&A Act 1979 Council may determine the application by either:

- (a) Granting consent to the application, either unconditionally or subject to conditions
- (b) Refusing consent to the application.

### **Financial Implications**

Moree Plains Shire Council has completed the assessment of the development application under a reciprocal arrangement, with Council Staff to undertake a future development assessment on the instruction of Moree Plains Shire Council.

Council has previously budgeted \$270,000 for the construction of the pound.

### **Statutory and Policy Implications**

Council is the consent authority for the development application, and is charged with its determination pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Should Council refuse to grant the development for the development application, the applicant (which in this instance is also Council), would have the right to appeal Council's Determination with the Land and Environment Court pursuant to section 97 of the *Environmental Planning and Assessment Act 1979*.

### **Consultation**

Pursuant to section 79A of the *Environmental Planning and Assessment Act 1979*, the development application was publicly notified as required by the provisions of the Notification Policy Development Control Plan.

In accordance with this development control plan a minimum of fourteen (14) days public notification for this development application was required. This notification was completed between 7 June 2017 and 23 June 2017. The notification included letters to property owners if, in the opinion of the Development and Economic Growth Department, the enjoyment of land adjoining the development may be detrimentally affected by the proposed development.

During the notification period three (3) submissions were received in relation to the proposed development.

The contents of these submissions have been considered through the assessment of the development application in accordance with section 79C of the EP&A Act 1979.

### **Attachments**

- Attachment 14.2.a: Proposed Plans
- Attachment 14.2.b: 79C Assessment, Authored by Moree Plains Shire Council.
- Attachment 14.2.c: Recommended Conditions of Consent, Authored by Moree Plains Shire Council
- Attachment 14.2.d: Public Submissions

**14.3 DIRECTOR DEVELOPMENT & ECONOMIC GROWTH REPORT**

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**Subject:** BIOSECURITY ACT 2015

**Director:** Director Development and Economic Growth– Tony Meppem

**Author:** Manager Environmental Services - Marcela Lopez

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**RECOMMENDATION**

**That Council note the commencement of the Biosecurity Act 2015.**

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**Delivery Program Alignment****OUR ENVIRONMENT**

2.1.4 Minimise the impacts of noxious weeds and feral and domestic animals on the environment.

**Background**

Prior to 1 July 2017 the following Acts applied:

- *Animal Diseases and Animal Pests.*
- *(Emergency Outbreaks) Act 1991.*
- *Apiaries Act 1985.*
- *Deer Act 2006.*
- *Fertilisers Act 1985.*
- *Non-Indigenous Animals Act 1987.*
- *Noxious Weeds Act 1993.*
- *Plant Diseases Act 1924.*
- *Stock (Chemical Residues) Act 1975.*
- *Stock Diseases Act 1923.*
- *Stock Foods Act 1940.*

From 1 July 2017 the above Acts were repealed with the *Biosecurity Act 2015* replacing them as the primary piece of legislation. The subordinate legislation that now applies are the Biosecurity Regulation 2017 and the National Livestock Identification System Regulation 2017.

**Current Situation**

*Biosecurity Act 2015* – Biosecurity protects the State primary industries and underpins the health and wellbeing of the environment and the community. It keeps waterways, state forests, parks and infrastructure free from serious pests and weeds, and it keeps animals free of serious disease.

The new *Biosecurity Act 2015* commenced in NSW on 1 July 2017. The Act allows for better management of biosecurity risks that impact on the NSW economy, environment and community.

The Biosecurity Act is the combination of all the above mentioned Acts and will include part of the *Fisheries Management Act 1994*, *Local Land Services Act 2013*, *Stock Medicines Act 1989* and the *Wild Dog Destruction Act 1921*.

The NSW Government's NSW Biosecurity Strategy 2013 – 2021 is based on the principle that biosecurity is a shared responsibility between governments, industries and individuals. The Strategy outlines how government, industry and the community need to work together to identify, prevent, eradicate, minimise, respond to and manage biosecurity risks.

The Biosecurity Act complements that principle, and provides for a range of tools and powers that can be used to support risk based management and allow for increasing efficiency and decreasing regulation. Council no longer need to wait before a pest or disease is listed before response action can be initiated.

The broad objectives for biosecurity in NSW are to manage biosecurity risks from animal and plant pests and diseases, weeds and contaminants by:

- Preventing their entry into NSW;
- Quickly finding, containing and eradicating any new entries; and
- Effectively minimising the impacts of those pests, diseases, weeds and contaminants that cannot be eradicated through robust management arrangements.

## **Changes Under the new Act**

### Weed Management

The Weed Action Program (WAP) funded by Department of Primary Industries (DPI) will still be in place and Council will be starting on year 3. The lead agency will no longer be New England Weeds Authority (NEWA) instead it will be North West Local Land Services (NWLLS).

Existing local control authorities continue to have functions in relation to weed control.

The DPI program of High Risk Inspections, Private Property Inspections, Re-inspections, High Risk Pathways, Road Inspections, Waterway Inspections, Control Program, writing Media Releases, attending Field Days, Shows/Expos, and Agquip will still be requirements under the new Biosecurity Act 2017. Liaising and working alongside the NWLLS Councils of Tamworth Regional Council, Liverpool Plains Shire Council, Gunnedah Shire Council, Moree Plains Shire Council, Gwydir Shire Council and Walgett Shire Council will still remain the same.

A State Weeds Committee with independent representation has been established to provide guidance to the NSW Government.

Local Land Services have established 11 Regional Weeds Committees to facilitate community input into weed planning. These Committees promote a landscape scale approach to managing weeds through various means including tenure neutrality and the general biosecurity duty.

Regional Strategic Weed Management Plans (RSWMP) have been developed in consultation with a range of stakeholders. These plans:

- Provide guidance on the outcomes needed to meet general biosecurity duty;
- Outline strategic actions for local weed management, resource allocation and investment;
- Prioritise weeds based on risk, impact and feasibility of control in local areas; and
- Explain clearly how you can meet expectations.

As part of the RSWMP, a regional weed prioritisation process was undertaken to establish the weed management actions. This was carried out using an expert regional panel on behalf of the North West Regional Weed Committee. The regional weed management categories were defined as:

Table 1. Weed Management Categories, taken from The North West Regional Strategy 2017-2022. (attachment 1)

Category	Objective	Characteristics of weeds in this category
<b>Prevention</b>	To prevent the weed species arriving and establishing in the Region.	These species are not known to be present in the region.  They have a high to very high weed risk (highly invasive and high threat) and have a high likelihood of arriving in the region due to potential distribution and/ or an existing high risk pathway.
<b>Eradication</b>	To permanently remove the species and its propagules from the Region <b>OR</b> to destroy infestations to reduce the extent of the weed in the region with the aim of local eradication.	These species are present in the region to a limited extent only and the risk of re-invasion is either minimal or can be easily managed.  They have a high to very high weed risk and high feasibility of coordinated control.
<b>Containment</b>	To prevent the ongoing spread of the species in all or part of the Region.	These species have a limited distribution in the region.  Regional containment strategies aim to prevent spread of the weed from an invaded part of the region (core infestation), and/or exclude the weed from an uninvaded part of the region (exclusion zone).
<b>Asset Protection</b>	To prevent the spread of weeds to key sites/assets of high economic, environmental and social value, or to reduce their impact on these sites if spread has already occurred.	These weed species are widespread and unlikely to be eradicated or contained within the wider regional context.  Effort is focussed on reducing weed threats to protect priority high value assets.

The regional prioritisation process culminated in the identification of the priority high risk weeds and the development of the regional priority weed list for the region.

The Act also include new biosecurity arrangements:

**General Biosecurity Duty:** Any land managers and users of land have a responsibility for managing weed biosecurity risks that they know about or could reasonably be expected to know about. It applies to all land within NSW and all waters within the limits of the State.

**Control Order:** Duty to notify the presence or suspected presence, certain movement controls and destruction requirements for some particular weeds.

**Mandatory Measures:** A person cannot import into the State, or sell, any plant listed in Schedule 3 of the Biosecurity Regulation.

**Biosecurity Zone:** Three zones established to manage high priority weeds - where a person must notify their local control authority within one working day of the presence or suspected presence of a new infestation of the weed; and take action to eradicate those weeds, or destroy as much as practicable and suppress its spread.

### **Saleyards**

The Biosecurity (National Livestock Identification System) Regulation 2017 has been made under the Biosecurity Act to give effect to the important national system for the identification and tracking of the movement of cattle, sheep, goats and pigs.

This regulation provides for the continuation of identification codes, information requirements, arrangements for registers, and some miscellaneous provisions including legislative support for the identification of stock that are chemically affected or posing a biosecurity risk. It also outlines revised stock identification districts to align more closely with the regional structure of the Local Land Services.

### **Financial Implications**

To be compliant with NSW DPI with mandatory reporting Council will need to invest in a Weeds Data Base and hardware to be able to record necessary information and sync directly to the DPI database. The approximate cost of the database and appropriate software is \$25,000.

### **Statutory and Policy Implications**

All legal documents that were associated with the Noxious Weeds Act will need to be changed and the new Biosecurity documents which DPI released on 1 July 2017 will need to be adopted.

### **Consultation**

#### **External Consultation**

The regulations, instruments, policies and procedures that underpin the *Biosecurity Act 2015* have been developed in consultation with industry, community and government partners to ensure the new framework would effectively respond to and manage biosecurity risks.

Consultation on the process of adapting to the new Biosecurity Act has been quite extensive with monthly meetings over the past 2 years on a regional level with DPI, NWLLS, surrounding Councils, Landcare, Crown Lands, ARTC, John Holland, Whitehaven Mine, National Parks and Wildlife representatives. Weed lists have been changed from Noxious Weed lists to prevention, eradication, containment and asset protection lists.

#### **Internal Consultation**

Nil.

### **Attachments**

Attachment 14.3.a: North West Regional Strategic Weed Management Plan 2017-2022

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**14.4 DIRECTOR DEVELOPMENT & ECONOMIC GROWTH REPORT**

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**Subject:** HERITAGE STRATEGY AND POLICY

**Director:** Director Development and Economic Growth – Tony Meppem

**Author:** Town Planner – Cara Stoltenberg

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**RECOMMENDATION**

**That Council adopt the two (2) draft documents for public exhibition for a period of 28 days; during the exhibition period call for and accept submissions from the public on the draft documents:**

- a) **Narrabri Shire Council Heritage Strategy 2017-2020.**
  - b) **Narrabri Shire Heritage Policy.**
- 

**Delivery Program Alignment****OUR SOCIETY**

- 1.2.1 Major towns have attractive and welcoming CBD areas that provide opportunities for social interaction.

**OUR ENVIRONMENT**

- 2.1.1 Conserve our aboriginal heritage through improved awareness.
- 2.1.2 Planning controls appropriately identify and conserve open spaces and natural environmental areas.

**Background**

Pursuant to the New South Wales (NSW) Heritage Office, a 'Heritage Policy' is a set of principles to guide future actions of an organisation. Similarly, a 'Heritage Strategy' is how those principles will be translated into achievable actions for a specific period of time.

For the Heritage strategy, that period of time aligns with the triennial programmes of the NSW Heritage Office, three (3) years. A heritage strategy contains short and longer term heritage goals for local government areas, and some which may require two (2) or three (3) trienniums to achieve and/or provide foundations and progressive building blocks for future strategies. A heritage strategy is, in effect, a series of actions that can be achieved within the three (3) year cycle, or if not completed, then they may be included in the next heritage strategy. Heritage strategies are now considered standard practice in most local government areas and can facilitate access to government funding for Council and private property owners.

A Heritage Strategy is a pre-requisite requirement of the NSW Heritage Branch to applying for grants for such local heritage services as; a local heritage advisor, establishment of a Heritage Working Group, and/or the establishment of a Local Heritage Fund which allows access to government funding for private property owners.



A Heritage Policy is a policy of a Council and also requires a resolution of a Council. The Heritage Policy can be tailored to suit the needs and complexities of a Local Government Area and its prevailing contexts.

### **Current Situation**

The last time Council completed a Heritage Strategy was in 2011. That Heritage Strategy was completed by Ian Kirk from 'INHERITage Heritage Advisors and Consultants' on 18 May 2011. No Heritage Strategies for Council have been completed since this time.

'INHERITage Heritage Advisors and Consultants' also completed the 'Heritage Study Report Of Narrabri Shire' in February 2011, which was used to establish the current list of local Heritage Items included in Schedule 5 of the *Narrabri Local Environmental Plan 2012*. The Local Items of Heritage Significance have also not been reviewed for over six (6) years.

Council at its Ordinary Meeting held on Tuesday 15 May 2012 resolved:

*"...that Council grant the request from the Narrabri Heritage Committee to be removed from the list of Council Committees authorised under section 355 of the Local Government Act 1993.*

Council then advised they would consider their suggestion of a new Shire-wide Committee which would operate under Council's appointed Heritage Officer. However, a Heritage Committee has not been established and is currently not in operation in the Shire.

Recently, as part of the shared-services arrangement currently in place with Moree Plains Shire Council, a heritage advisor (Sue Jackson-Stepowski, Principal Jackson-Stepowski Heritage Planning) currently contracted on a casual basis by Moree Plains Shire Council has provided services and advice to Council. Sue has identified the requirement for Council to have both a current and adopted Heritage Strategy and Heritage Policy to fulfil legal requirements of the NSW Heritage Office, and also to assist in applying for any grants related to any heritage management within the Shire.

The establishment of a Heritage Strategy and Heritage Policy will serve to maintain and preserve environmental heritage in the built form in the Narrabri Shire Local Government Area, and will serve to establish a Strategic Plan for Heritage Management for Council.

### **Financial Implications**

Council is responsible for the total cost of preparing the Heritage Strategy and Heritage Policy, being \$1,650.00 (including GST), and this amount has been paid in full within the 2016/2017 financial year from existing budget allocations.

### **Statutory and Policy Implications**

A Council Heritage Strategy is a Legal Requirement for applying for funding for any Heritage related proposals or a Heritage Advisor for Narrabri Shire Council by the NSW Heritage Office.

### **Consultation**

#### **External Consultation**

Sue Jackson-Stepowski, Principle, Jackson-Stepowski Heritage Planning

## Internal Consultation

- Senior Management.

## Attachments

Attachment 14.4.a: Narrabri Shire Council Heritage Strategy 2017-2020

Attachment 14.4.b: Narrabri Shire Heritage Policy

**14.5 DIRECTOR DEVELOPMENT & ECONOMIC GROWTH REPORT**

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**Subject:** REVIEW OF DOMESTIC ANIMAL POLICY

**Director:** Director Development and Economic Growth – Tony Meppem

**Author:** Manager Planning and Regulatory Services – Daniel Boyce

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**RECOMMENDATION****That Council:**

- 1. Rescind the Domestic Animal Policy.**
  - 2. Endorse the Draft Companion Animals Policy, as attached, for public exhibition for a period of 28 days; during the exhibition period call for and accept submissions.**
  - 3. Endorse the Draft Non-Companion Animals on Residential Premises Policy, as attached, for public exhibition for a period of 28 days; during the exhibition period call for and accept submissions.**
- 

**Delivery Program Alignment****OUR ENVIRONMENT**

- 2.1.4 Minimise the impacts of noxious weeds and feral and domestic animals on the environment.

**Background**

Council regulates the number of animals kept on premises in accordance with the *Local Government Act 1993* (the Act).

**Current Situation**

Council adopted the Domestic Animal Policy in 2008 with the aim of minimising the impacts that domestic animals pose to community amenity, as well as to eradicating mistreatment of animals. Recent experience with the application of the policy indicates that there is a need for two separate policies to address companion and non-companion animals as well as providing more flexibility in the number of animals kept on premises.

**Companion Animals**

Council's Domestic Animal Policy allows a maximum of two (2) dogs and two (2) cats on an allotment, regardless of its size. This is considered to be restrictive for owners of larger allotments. The draft Companion Animals Policy states as follows:

***12. Maximum Number of Companion Animals***

*To maintain the amenity of residential and urban areas and the health and safety of neighbourhoods, Council may restrict the number of companion animals per residential property to reasonable levels when it is considered that companion animals are impacting on residential amenity, e.g. continual barking dogs, odour issues associated with poor hygiene, or poor management of animal wastes.*

When this is demonstrated Council may restrict the number of companion animals over the age of six months per residential property. Whilst each situation will be assessed on its merits Council will use as a guide:

<b>Animal</b>	<b>Maximum number per 1000m<sup>2</sup></b>
Dog	2
Cat	2

Where there are continuing impacts on residential amenity from companion animals on a particular premise, Council may enforce a further reduction in the number of adult and juvenile companion animals.

- All dogs and cats must be registered in accordance with the Companion Animals Act.

To enforce this Council will utilise Order number 18 of section 124 of the Local Government Act 1993.

Utilising a guide for the maximum number of dogs and cats per area provides council officers with greater flexibility based on the allotment size and where it is evident that the dogs or cats are not causing a nuisance.

### Non-Companion Animals

Schedule 2 of the *Local Government (General) Regulation 2005* (the Regulation) provides enforceable standards for the keeping of animals. Council's Domestic Animal Policy has generally gone above the standards prescribed in the Regulation and permits:

#### Summary Table

<b>Block Size</b>	<b>Number of Animals Permitted for Keeping on the Block</b>				
	<b>0- &lt;1000sqm</b>	<b>1000- &lt;2000sqm</b>	<b>2000- &lt;5000sqm</b>	<b>0.5ha- &lt;1ha</b>	<b>1ha &amp; &gt;</b>
<b>Animal Species</b>					
<i>Poultry*</i>	6	6	8	10	20
<i>Horses</i>	0	0	0	1	4
<i>Hard Hoofed Animals</i>	0	0	0	0	0

\*Excludes roosters, ducks, geese, peacocks, and pheasants, which are not permitted on allotments less than one (1) hectare. Of these only five (5) individuals are permitted in total where the allotment is greater than one (1) hectare.

Council resolved at its February Ordinary Meeting to permit four (4) goats, twenty-two (22) chickens and twelve (12) ducks to be kept at a premises in Boggabri. This experience suggests that the current policy does not align with current community accepted standards for the keeping of non-companion animals on residential premises. The draft Companion Animals Policy states as follows:

#### 5. Maximum Number of Non-Companion Animals

To maintain the amenity of residential and urban areas and the health and safety of neighbourhoods, Council may restrict the number of non-companion animals per residential property to reasonable levels when it is considered that the animals are impacting on residential amenity, e.g. noise, odour issues associated with poor hygiene, or poor management of animal wastes.

When this is demonstrated Council may restrict the number of non-companion animals per residential property. Whilst each situation will be assessed on its merits Council will use as a guide:

<b>Animal</b>	<b>Recommended minimum distance from buildings</b>	<b>Recommended number in residential areas</b>	<b>Applicable regulations and other advisory matters</b>
Birds	4 m	20	Cages and aviaries must be of sufficient size and regularly cleaned. All birds to be kept in accordance with the "Code of Ethics" produced by the Associated Birdkeepers of Australia and printed by NSW Agriculture. All enclosures are to be maintained free of rodents and other vermin. All feed is to be stored in vermin-proof containers. A National Parks and Wildlife permit is required to keep many native birds. Exemptions include budgerigars, zebra finch, galah and sulphur crested cockatoo.
Pigeons	5 m	20	Nuisance due to noise and also free flight of pigeons is to be minimised. Lofts must be constructed on hard paving of a smooth surface, graded to drain. Lofts are to be kept clean at all times. Manure is to be cleaned up daily and disposed of correctly. Open lofts are not permitted.
Poultry	30 m	10	Local Government (Orders) Regulation 1993, Schedule 5 applies. Council may, by resolution, insist on greater distances than specified in particular cases. Roosters are not to be kept on residential premises (as crowing may cause offensive noise).
Horses and cattle	9 m	1 horse per 4000m <sup>2</sup> 0 other cattle	Local Government (Orders) Regulation 1993 - Schedule 5 applies. Council may, by resolution, insist on greater distances than specified in particular cases.
Rabbits	3 m	2	Permit may be required from NSW Agriculture. Must be a recognised domestic breed and kept in a rabbit-proof enclosure. The rabbits must not be vaccinated with the fibroma vaccine. Do not release into the environment. Restriction on number is imposed by the NSW Department of Agriculture under the Rural Lands Protection Act 1989.
Sheep and Goats	9 m	1 per 1000m <sup>2</sup>	Keeping goats and sheep on residential land is not encouraged. Sheep and goats are not to be slaughtered at the premises on which they are kept.
Pigs	N/A	0	Minimum land area for keeping pigs is 2 hectares. Local Government (Orders) Regulation 1993 - Schedule 5 applies. The keeping of pigs is not appropriate on residential properties.
Bees	As appropriate to ensure flight	4 hives	Each hive is required to be registered with the Department of Agriculture.

	<i>paths are a minimum of 2m above neighbouring properties</i>		<i>To be kept in accordance with the "Code of Practice for Beekeeping NSW".</i>
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*Where there are continuing impacts on residential amenity from companion animals on a particular premise, Council may enforce a further reduction in the number of animals.*

*To enforce this Council will utilise Order number 18 of section 124 of the Local Government Act 1993.*

Utilising a guide for the maximum numbers and distances from buildings aligns more closely with the Regulation and provides council officers with greater flexibility where it is evident that the animals are well maintained and not causing a nuisance.

### **Financial Implications**

Nil.

### **Statutory and Policy Implications**

Council should have a clear Policy framework to guide its regulation of the keeping of companion and non-companion animals within the local government area.

### **Consultation**

#### **External Consultation**

Nil.

#### **Internal Consultation**

Compliance & Investigations Officer.

Contract Ranger.

### **Attachments**

- Attachment 14.5.a: Current Domestic Animal Policy
- Attachment 14.5.b: Draft Non-Companion Animals Policy
- Attachment 14.5.c: Draft Companion Animals Policy

**14.6 DIRECTOR DEVELOPMENT & ECONOMIC GROWTH REPORT**

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**Subject:** REVIEW OF ENFORCEMENT POLICY FRAMEWORK

**Director:** Director Development and Economic Growth – Tony Meppem

**Author:** Manager Planning and Regulatory Services – Daniel Boyce

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**RECOMMENDATION****That Council:**

- 1. Rescind the Enforcement Policy.**
  - 2. Rescind the Township Amenity and Public Safety Policy.**
  - 3. Endorse the Draft Compliance and Enforcement Policy, as attached, for public exhibition for a period of 28 days; during the exhibition period call for and accept submissions.**
  - 4. Endorse the Draft Local Orders Policy, as attached, for public exhibition for a period of 28 days; during the exhibition period call for and accept submissions.**
  - 5. Note the need to develop an Enforcement of Parking Restrictions Policy and that a draft Policy will be imminently under review by the Local Traffic Committee, before coming to Council.**
- 

**Delivery Program Alignment****OUR SOCIETY**

- 1.2.1 Major towns have attractive and welcoming CBD areas that provide opportunities for social interaction.

**OUR ENVIRONMENT**

- 2.2.3 Ensure Council and government agencies have a robust compliance program to protect environmental assets.

**Background**

Council has statutory obligations as a regulatory authority under several different pieces of legislation including in the monitoring of food service venues, the structural safety of buildings and public areas, ensuring the safety of public roads and other public spaces, the effective control of pollution (including noise, water, air and visual pollution), unsafe or unhealthy conditions and compliance with development consents, approvals and permits.

**Current Situation**

Council currently has an Enforcement Policy and Township Amenity and Public Safety Policy which make up the Enforcement Policy framework currently in place. There is now a need to move toward an overarching Compliance and Enforcing Policy, a Local Orders Policy and an Enforcement of Parking Restrictions Policy to reflect contemporary best practice and emerging challenges facing council.

## **Compliance and Enforcement Policy**

Council adopted the Enforcement Policy (attachment X) in 2008 with the aim of providing for prompt, consistent and effective action by the Council in response to allegations of unlawful activity whilst ensuring that the principles of natural justice are respected. Since 2008 the current Enforcement Policy (attachment X) has provided a sound policy framework within which council officer have undertaken compliance and enforcement activities. In December 2015 the NSW Ombudsman released a Model Compliance and Enforcement Policy. The Model Compliance and Enforcement Policy represents current best practice for local government in ensuring that it complies with its obligation under Section 8 of the Local Government Act 1993 to ensure that its regulatory powers are applied in a consistent manner and without bias. In this regard it is consider appropriate that Council now move to a Model Compliance and Enforcement Policy that reflect contemporary approaches to this important council function.

### **Local Orders Policy**

Council adopted the Township Amenity and Public Safety Policy (attachment X) in 2007 with the aim of providing for fair regulation regarding various ongoing issues which cause a variety of problems affecting both Council and the residents of Narrabri Shire. The policy combines elements of a model enforcement policy and a local orders policy and is in need of refinement given the changes in the Enforcement Policy framework. The Local Orders Policy outlines the criteria which the council must take into consideration in determining whether or not to give an order under section 124 of the Local Government Act.

### **Enforcement of Parking Restrictions Policy**

In 2008, the Department of Local Government completed a review of parking enforcement by local Councils at the request of the then Minister for Local Government. The review identified a number of elements that are considered to be good practice. Council must enforce restrictions on parking within the Council area in a manner which is fair, impartial and transparent. In particular, no person, group, class or people or business or workplace shall be excluded from the enforcement of parking restriction requirements unless that exclusion is authorised by law or is in the public interest. There is currently a gap in council's policy framework which addresses the issues identified by the DLG in its review. In this regard a draft Enforcement of Parking Restrictions Policy has been prepared for internal consultation and review by the Local Traffic Facilities Committee.

### **Financial Implications**

Nil.

### **Statutory and Policy Implications**

Council should have a clear Policy framework to guide its enforcement activities.

### **Consultation**

#### **External Consultation**

Nil.

#### **Internal Consultation**

Compliance & Investigations Officer.

Contract Ranger.



**Attachments**

- Attachment 14.6.a: Current Enforcement Policy
- Attachment 14.6.b: Current Township Amenity and Public Safety Policy
- Attachment 14.6.c: Draft Compliance and Enforcement Policy
- Attachment 14.6.d: Draft Local Orders Policy
- Attachment 14.6.e: Draft Enforcement of Parking Restrictions Policy

**14.7 DIRECTOR DEVELOPMENT & ECONOMIC GROWTH REPORT**

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**Subject:** LOCAL APPROVALS POLICY

**Director:** Director Development and Economic Growth – Tony Meppem

**Author:** Manager Planning and Regulatory Services – Daniel Boyce

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**RECOMMENDATION**

**That Council endorse the Draft Local Approvals Policy, as attached, for public exhibition for a period of 42 days; during the exhibition period call for and accept submissions.**

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**Delivery Program Alignment****OUR ENVIRONMENT**

2.1.2 Planning controls appropriately identify and conserve open spaces and natural environmental areas.

**Background**

Section 68 of the *Local Government Act 1993* (the Act) lists those activities, which require approval under the Act. Section 158 of the Act enables Council to prepare a draft local approvals policy to outline those activities described in the Table to section 68 of the Act, which under certain circumstances, may be carried out without approval of Council. A draft local approvals policy is to consist of three parts.

- Part 1 is to specify the circumstances (if any) in which (if the policy were to be adopted) a person would be exempt from the necessity to obtain a particular approval of the council.
- Part 2 is to specify the criteria (if any) which (if the policy were to be adopted) the council must take into consideration in determining whether to give or refuse an approval of a particular kind.
- Part 3 is to specify other matters relating to approvals.

**Current Situation**

Council adopted the current local approvals policy in 1996 in order to provide concise, comprehensive guidelines which facilitate the expeditious assessment and determination of applications for Approvals under Section 68 of the Local Government Act, 1993. The content of the policy has become dated particularly with the introduction of many exemptions under the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005* and the *Local Government (General) Regulation 2005*.

**Draft local approvals policy****Part 1: Exemptions from the necessity to obtain an approval**

The focus of Part 1 of the draft local approvals policy has been to provide exemptions to those activities that are appropriately regulated by other mechanisms and / or where the need to make an application to Council provides an added layer of complexity or 'red tape' for no measurable benefit to the community. The table below provides some examples of exemptions under the draft policy.

<b>Part B – Water Supply, Sewerage and Stormwater Drainage Work</b>	
<b>Carry out water supply work</b>	
<b>Exemptions provided under the Policy</b>	
<i>Carry out water supply work</i>	<p><i>All plumbing and drainage work shall be carried out by a licensed plumber and drainer and to the requirements of AS/NZS 3500 and the National Construction Code (Plumbing Code of Australia).</i></p> <p><i>Prior to the commencement of plumbing and drainage works the responsible plumbing contractor is to submit to Council a “Notice of Works” under the Plumbing and Drainage Act 2011.</i></p> <p><i>Upon completion of works the responsible plumbing contractor is to submit to Council a copy of the Certificate of Compliance issued for the works.</i></p> <p><i>Upon completion of works the responsible plumbing contractor is to submit to Council a copy of the Sewer Service Diagram for the works. The Sewer Service Diagram is to be in accordance with the requirements of NSW Fair Trading.</i></p>
<i>Carry out sewerage work.</i>	<p><i>All plumbing and drainage work shall be carried out by a licensed plumber and drainer and to the requirements of AS/NZS 3500 and the National Construction Code (Plumbing Code of Australia).</i></p> <p><i>Prior to the commencement of plumbing and drainage works the responsible plumbing contractor is to submit to Council a “Notice of Works” under the Plumbing and Drainage Act 2011.</i></p> <p><i>Upon completion of works the responsible plumbing contractor is to submit to Council a copy of the Certificate of Compliance issued for the works.</i></p> <p><i>Upon completion of works the responsible plumbing contractor is to submit to Council a copy of the Sewer Service Diagram for the works. The Sewer Service Diagram is to be in accordance with the requirements of NSW Fair Trading.</i></p>
<i>Carry out stormwater drainage work.</i>	<p><i>All plumbing and drainage work shall be carried out to the requirements of AS/NZS 3500 and the National Construction Code (Plumbing Code of Australia).</i></p>
<i>Connect a private drain or sewer with a public drain or sewer under the control of a council or with a drain which connects with such a public drain or sewer.</i>	<p><i>All work is to be carried out under the supervision of a Council officer and all of the relevant fees, charges and security deposits listed in the list of fees and charges incorporated in Council's Revenue Policy shall be paid.</i></p> <p><i>All plumbing and drainage work shall be carried out by a licensed plumber and drainer and to the requirements of AS/NZS 3500 and the National Construction Code (Plumbing Code of Australia).</i></p> <p><i>Prior to the commencement of plumbing and drainage works the responsible plumbing contractor is to submit to Council a “Notice of Works” under the Plumbing and Drainage Act 2011.</i></p> <p><i>Upon completion of works the responsible plumbing contractor is to submit to Council a copy of the Certificate of Compliance issued for the works.</i></p> <p><i>Upon completion of works the responsible plumbing contractor is to submit to Council a copy of the Sewer Service Diagram for the works. The Sewer Service Diagram is to be in accordance with the requirements of NSW Fair Trading.</i></p>

<b>Part D – Community Land</b>	
<b>Engage in a trade or business</b>	
<b>Exemptions provided under the Policy</b>	
<i>Sporting event spectator fees</i>	<i>Sports clubs with prior approval from council for the use of the associated sporting facility may charge a spectator fee to cover its commitments to a sporting association.</i>
<i>Set up, operate or use a loudspeaker or sound amplifying device</i>	<i>The loudspeaker or sound amplifying device is set up, operated or used on community land if it is in accordance with a Notice on that land permitting the activity.</i>
<b>Part F – Other Activities</b>	
<b>Install a domestic oil or solid fuel heating appliance, other than a portable appliance.</b>	
<b>Exemptions provided under the Policy</b>	
<i>Install a domestic oil or solid fuel heating appliance, other than a portable appliance</i>	<p>(a) <i>The flue/chimney height is to be 1 metre above any other building within a 15 metre radius. The flue height is to be at least 4.6 metres above floor level.</i></p> <p>(b) <i>Installation is to be in accordance with:</i></p> <ul style="list-style-type: none"> <li>• <i>The National Construction Code (Building Code of Australia).</i></li> <li>• <i>AS 2918: Domestic Solid Fuel Burning Appliances and Installation.</i></li> <li>• <i>NSW Department of Environment and Conservation’s publication Environmental Guidelines for Selecting, Installing and Operating Domestic Solid Fuel Heaters.</i></li> </ul> <p>(c) <i>The heater must comply with the emission controls stated in AS 4013: Domestic Solid Fuel Burning Appliances - Methods for determination of flue gas emission.</i></p> <p><i>Must not cause a smoke or odour nuisance to adjoining or nearby properties.</i></p>

Part 2: The criteria the council must take into consideration in determining an approval

The focus of Part 2 of the draft local approvals policy has been to provide clear guidelines on how applications will be assessed. The table below provides some examples of matters for consideration under the draft policy.

<b>Part D – Community Land</b>
<b>Engage in a trade or business</b>
<b>Matters for consideration under the Policy</b>
<p><b>Generally</b></p> <p><i>When determining an application to engage in a trade or business on community land Council will take into consideration the following criteria:</i></p> <p>(a) <i>The provisions of the Local Government Act 1993 as amended, and in particular Section 89 of that Act;</i></p> <p>(b) <i>The provisions of the Local Government (General) Regulation 2005;</i></p> <p>(c) <i>Whether all of the information necessary for Council to properly determine the application has been submitted to Council;</i></p> <p>(d) <i>Whether all the relevant fees, charges and security deposits incorporated in Council's Revenue Policy have been paid;</i></p> <p>(e) <i>Whether, if the trade or business involves selling food to the public, the provisions of the NSW Food Authority– Guidelines for Mobile Food Vending Vehicles and the NSW Food Authority – Guidelines for Food Businesses at Temporary Events, will be complied with;</i></p> <p>(f) <i>The effect that the proposed trade or business will have on the enjoyment of the community land by members of the public;</i></p> <p>(g) <i>The safety of the public and the protection of property;</i></p>

- (h) Any Management Plan that Council has adopted in respect to the management of Community Land;
- (i) Whether any public liability insurance taken out in respect to the proposed trade or business is adequate to protect Council against claims for injuries to persons and damage to property; and
- (j) Any other matter that Council considers relevant in the particular case.

**Fundraising on Public Land or Public Roads**

In determining applications for fundraising, Council shall take into account the following considerations:

- (1) Fundraising may only be conducted by organisations which have been authorised by the Office of Liquor, Gaming & Racing
- (2) Council reserves the right to refuse bookings for fundraising where multiple applications exist for a similar area and time
- (3) The intended location, extent and duration of any fundraising activities will be assessed to minimize adverse public and commercial impacts

**Street Stalls on Public Land or Public Roads**

In determining applications for street stalls, Council shall take into account the following considerations:

- (1) Council will assess street stall and stationary vehicle applications with reference to the Local Government Act 1993, Roads Act 1993 and associated regulations.
- (2) Council will ensure that commercial businesses are not disadvantaged by the occupation of street stalls or stationary vehicle vendors.
- (3) Council will ensure equitable allocation of available sites between requesting organisations.
- (4) Council will ensure the safety and preservation of the amenity for all users of malls, roadways and commercial areas used for street stalls and will provide reasonable access in these areas to maintain public safety and an aesthetic appearance.
- (5) Street stalls and mall occupation is limited to temporary use at designated sites and attracting pedestrian traffic only.
- (6) This Policy will not deal with requests for permanent street stalls or larger scale markets that attract vehicle traffic and have a greater public safety risk
- (7) Street stalls in malls or on footpaths, except as permitted within Council's designated mall areas, may only be conducted by community based or not for profit organisations.
- (8) No site is booked exclusively by any particular group where there are other requests.
- (9) Stalls that intend to operate in vehicle rest areas require concurrent approval from Roads and Maritime Services (RMS). Evidence of approval from RMS needs to be presented before Council can determine any applications of this nature. Please consult the RMS Corporate Policy for Mobile Vending in Rest Areas for more information.
- (10) For stalls that intend to distribute food and / or beverages, the food-vending stall must have had a satisfactory food safety inspection carried out by the relevant council within the current financial year. The relevant council refers to the local government area in which the food vending business is based.

**Hiring of community land (park bookings)**

Council will assess applications for park bookings in accordance with:

- (1) The nature and scale of the activity or function being undertaken
- (2) Whether any amusement devices or marquees will be erected as part of the activity

**Part 3: Other matters relating to approvals**

The focus of Part 3 of the draft local approvals policy has been to provide clear guidelines on the information required with applications and any standard conditions of approval. The table below provides some examples under the draft policy.

<b>Part C – Management of Waste</b>
<b>Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility.</b>
<b>Information to accompany Applications</b>
Applications to install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility shall:
<p>(a) Be made by the owner, or by a person authorised in writing by the owner;</p> <p>(b) Be made on the appropriate application form, or by a letter which contains all of the information deemed necessary by Council to enable Council to properly determine the application;</p> <p>(c) Be accompanied by the relevant fees, charges and security deposits incorporated in Council's Revenue Policy;</p> <p>(d) Be accompanied by two sets of plans and specifications of the proposed installation or alteration which clearly indicate:</p> <ul style="list-style-type: none"> <li>• The fittings or appliances proposed to be connected to the Waste Treatment Device or Human Waste Storage Facility;</li> <li>• The size and type of the various components of the Waste Treatment Device or Human Waste Storage Facility, including septic tanks, collection or storage tanks, effluent disposal areas, pipes, fittings, pits, valves and other components, and the materials from which the aforementioned components will be constructed or made;</li> <li>• The proposed location of the Waste Treatment Device or Human Waste Storage Facility, the effluent disposal area, and all pipes, fittings, pits, valves and components; and</li> <li>• Any other matter which the Council, in the particular case, deems necessary to enable Council to properly consider the application; and</li> </ul> <p>(e) Be accompanied by a Certificate of Accreditation from the NSW Department of Health;</p> <p>(f) Be accompanied by a geo-technical study prepared by an experienced Geo-technical Engineering Consultant certifying that any proposed effluent disposal area is located in position and is of sufficient design and capacity to ensure that all effluent arising from the buildings on the land can be disposed of on the site without causing nuisances and/or pollution, both in the short and long term.</p>
<b>Part D – Community Land</b>
<b>Engage in a trade or business</b>
<b>Information to accompany Applications</b>
Applications for approval to engage in a trade or business on community land, shall:
<p>(a) Be made on the appropriate application form, or by a letter which contains all of the information required to enable Council to properly determine the application.</p> <p>(b) Be accompanied by the relevant fees, charges and security deposits incorporated in Council's Revenue Policy.</p> <p>(c) Where the activity involves selling food to the public, be accompanied by documentary evidence that the provisions of the NSW Food Authority – Guidelines for Mobile Food Vending Vehicles and the NSW Food Authority – Guidelines for Food Businesses at Temporary Events, will be complied with.</p> <p>(d) Be accompanied by a statement providing details of:</p> <ol style="list-style-type: none"> <li>i) The days and times during which it is proposed to engage in the trade or business;</li> <li>ii) Any public liability insurance designed to indemnify the applicant and Council against claims for injury to persons and damage to property while the trade or business is being conducted;</li> </ol> <p>(e) If considered necessary by Council in the particular case, be accompanied by plans and specifications showing the design, type and location of any structures, barricades, tables or articles proposed to be placed or left on the community land for the purpose of engaging in the trade or business; and</p> <p>(f) Be accompanied by any other information that Council considers relevant in the particular case.</p> <p>(g) Certificate of Currency for public liability insurance for \$20 million noting Council as an interested party in relation to personal injury and property damage.</p> <p>(h) Evidence of current fundraising license from the Office of Liquor, Gaming and Racing</p>

**Financial Implications**

Nil.

**Statutory and Policy Implications**

Council should have a clear Policy framework to outline those activities described in the Table to Section 68 of the Act, which under certain circumstances, may be carried out without approval of Council

The attached draft Local Approvals Policy has been prepared in accordance with section 158 of the Act. If Council endorses the policy public notice and exhibition of the policy must then be undertaken in accordance with section 160 of the Act which requires public exhibition of not less than 28 days and a period of not less than 42 days during which submissions may be made to the council.

The consent of the Chief Executive of the Office of Local Government is required to adopt the policy pursuant to section 162 of the Act.

**Consultation****External Consultation**

Nil.

**Internal Consultation**

Design Services Manager

Community Facilities Manager

Town Planner

Building Surveyor

**Attachments**

Attachment 14.7.a: Current Local Approvals Policy

Attachment 14.7.b: Updated Local Approvals Policy

**14.8 DIRECTOR DEVELOPMENT & ECONOMIC GROWTH REPORT**

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**Subject:** PROVISION OF RAINWATER STORAGE TANKS POLICY

**Provision** Director Development and Economic Growth – Tony Meppem

**Author:** Manager Planning and Regulatory Services – Daniel Boyce

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**RECOMMENDATION**

**That Council rescind the provision of rain water tanks storage policy.**

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**Delivery Program Alignment****OUR ENVIRONMENT**

**2.1.2** Planning controls appropriately identify and conserve open spaces and natural environmental areas.

**Background**

Council adopted the provision of rainwater storage tanks policy to ensure adequate water for domestic and firefighting purposes at the development application stage.

**Current Situation**

Council's current Development Control Plan includes controls requiring adequate water storage for domestic purposes and is considered the appropriate vehicle for such a control being a recognised planning guideline under the Environmental Planning and Assessment Act 1979.

Water Storage for firefighting purposes is effectively managed under NSW Planning for Bushfire Protection guidelines and this document is given significantly more statutory weight than a separate policy adopted by Council.

As a result, the provision of rainwater storage tanks policy has become redundant and should be rescinded.

**Financial Implications**

Nil.

**Statutory and Policy Implications**

The subject policy has become redundant and should be rescinded.

**Consultation****External Consultation**

Nil.



### **Internal Consultation**

Town Planner

Building Surveyor

### **Attachments**

Attachment 14.8.a: Current Provision of Rainwater Storage Tanks Policy

## 15 INFRASTRUCTURE DELIVERY REPORTS

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### 15.1 DIRECTOR INFRASTRUCTURE DELIVERY REPORT

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**Subject:** BRIDGE MEDICAL CENTRE – RESERVED PARKING REQUEST

**Director:** Director Infrastructure Delivery – Darren Raeck

**Author:** Design Services Manager – Anthony Smetanin

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#### RECOMMENDATION

That the Council:

1. Take no action regarding the request for reserved parking at the Bridge Medical Centre.
  2. Note the recommendation of the Local Traffic Facilities Committee:  
“Note the results of the investigation into parking at the Bridge Medical Centre and surrounds, and recommend to Council that the request for an additional ‘No Parking – Doctors Vehicles Excepted’ space be refused”.
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#### Delivery Program Alignment

##### ONE COMMUNITY

- 1.3 To deliver adequate main street parking.

#### Current Situation

At the Local Traffic Facilities Committee held Wednesday 5 July 2017, a report was tabled and the Local Traffic Facilities Committee unanimously agreed:

*“That the Local Traffic Facilities Committee note the results of the investigation into parking at the Bridge Medical Centre and surrounds, and recommend to Council that the request for an additional ‘No Parking – Doctors Vehicles Excepted’ space be refused.”*

A copy of this report to the Local Traffic Facilities Committee has been included as an attachment to this report.

#### Statutory and Policy Implications

Local Shire town streets are Public Roads owned and maintained by Narrabri Shire Council. Council has a ‘Duty of Care’ obligation to ensure the safety of pedestrians and motorists.

In accordance with the Roads and Maritime Services ‘Delegation to Councils for the Regulation of Traffic’ Council is required to seek the advice of the NSW Police and RMS via the Local Traffic Committee prior to exercising their delegated function.

## **Consultation**

### **External Consultation**

- Roads & Maritime Services (RMS)

### **Internal Consultation**

Nil.

## **Attachments**

Attachment 15.1.a: Local Traffic Facilities Committee report and associated attachments.