

DRAFT

MINUTES ORDINARY MEETING OF COUNCIL

held on

WEDNESDAY, 22 JUNE 2022

PRESENT

Councillors Craig Davies (Mayor and Chair), Dawn Collins (Deputy Mayor), Les Lambert, Lyn Jablonski (via audio/visual link), Lachlan Roberts, Casey Forrester, Adine Hoey, Diane Beaumont, Ewen Jones and Mrs Jane Redden (General Manager), Mr Phil Johnston (Director Community & Economic Development), Mr André Pretorius (Director Infrastructure & Engineering Services), Mr Barry Bonthuys (Director Finance & Corporate Strategy), Mrs Marion Truscott (Director Governance) and Mrs Sally McDonnell (Minute Taker).

WELCOME

The Chair welcomed those present and declared the meeting open at 5.30pm.

PRAYER

The Lord's Prayer was taken by those present.

ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was made by the Mayor.

APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil

CONFIRMATION OF MINUTES

RESOLVED Crs Collins/Jones that the Minutes of the Ordinary Meeting held on 4 May 2022 be adopted.

DISCLOSURES OF INTERESTS

Nil

MAYORAL MINUTE

1. MAYORAL DIARY

RESOLVED Crs Collins/Lambert that the information be noted.

2. DEPUTY MAYORAL DIARY

RESOLVED Crs Collins/Lambert that the information be noted.

3. ALLIANCE OF WESTERN COUNCILS

RESOLVED Crs Lambert/Jones that the information be noted.

4. MEETINGS CANBERRA

The Mayor advised he had also attended a further meeting with the New England Regional Renewable Energy Zone Group.

RESOLVED Crs Lamberts/Beaumont that the information be noted.

2022/093

2022/094

2022/095

REPORTS OF COMMITTEES

1. REPORT OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE

RESOLVED Crs Lambert/Jones that the recommendations from the minutes of the Local Emergency Management Committee Meeting held on 12 May 2022 be adopted.

2022/098

RESOLVED Crs Lambert/Hoey that item 6 of the Community and Economic Development Report – Development Application 2021/55 for Proposed Primitive Camp Ground at 568 Warren Road Narromine (Lot 351 DP1214687) be brought forward.

2022/099

REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT

6. DEVELOPMENT APPLICATION – DA 2021/55 FOR PROPOSED PRIMITIVE CAMP GROUND AT 568 WARREN ROAD NARROMINE (LOT 351 DP1214687)

RESOLVED Crs Lambert/Beaumont that Council:

- 1. Receive the report by the Manager Planning and Director Community and Economic Development on the DA 2021/55 for Proposed Primitive Camp Ground at 568 Warren Road Narromine (Lot 351 DP1214687) and the subsequent Modification to DA05/17 for Intensive Plant Agriculture pursuant to clause 67 of the Environmental Planning & Assessment Regulation 2021.
- 2. Approve DA2021/55 for Proposed Primitive Camp Ground at 568 Warren Road Narromine (Lot 351 DP1214687) subject to a deferred commencement, with the following conditions and statement of reasons:

Conditions of Consent

PART A - DEFERRED COMMENCEMENT CONDITIONS

The following conditions are required to be satisfied prior to the consent operating:

A1 – Council is to be satisfied that a dwelling associated with intensive agriculture on the land has been established and able to be legally occupied for the ancillary purpose as a Manager's Residence to the primitive campground. The following evidence is required to satisfy this condition:

- a) The development approval for the erection of a dwelling is to be obtained separately, without reducing the capacity for previously approved/commenced intensive agriculture and located to manage the campground.
- b) The Occupation Certificate has been issued for the dwelling, subject to such approval.

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- c) Evidence the conditions of DA2005/17 for the land use for 'intensive agriculture' are upheld for the dwelling, not limited to:
 - i. Evidence that at least 50% of the crop is established.
 - ii. Earthworks being crop development and irrigation works for half of the overall development are to be in place.
 - iii. Written proof of lawful and physical access to water in the correct usage category.

A2 - Water supply is to be made available via Work Approval (80WA726552) for a Basic Land Rights Bore.

a) The bore for the supply of water is to be installed and operational to provide a readily available supply of water.

Reason: To ensure the management measures proposed for the camp site can be fulfilled with the establishment of a legal permanent residence and essential services are available.

Note: These are deferred commencement conditions pursuant to s4.16(3) of the Environmental Planning & Assessment Act 1979.

CONDITIONS

PART B - ADMINISTRATIVE CONDITIONS

General

This consent relates to the **Primitive Campground** as illustrated on the plans, specifications and supporting documentation stamped with reference to this consent, as modified by the following conditions. The development shall be carried out in accordance with this consent.

Dwg	Title	Dated/Revision
Proposed Site Plan	Proposed Primitive Campground 568 Warren	REV D
Dwg 21020-DA02	Road Narromine, prepared by Doherty Smith	Dated
	and Associates Consulting Surveyors for Mr	19/05/2021
	Paul McAuliffe	

NOTES: Any alteration to the plans and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to modify the consent under s4.55 of the Act, or a fresh development application. No works, other than those approved under this consent, shall be carried out without the prior approval of Council.

Where there is an inconsistency between the documents lodged with this application and the following conditions, the conditions shall prevail to the extent of that inconsistency.

PART C - REQUIREMENTS PRIOR TO OPERATION OF THE CAMPGROUND

Section 68 Approvals

The operator is to obtain and maintain approval pursuant to section 68 of the Local Government Act 1993 for the Operation of a Primitive Campground. Prior to the issue of the s68 approval the following management plans are to be approved by Council:

- a) General Campground Management Plan, incorporating site rules;
- b) Emergency Evacuation Plan; and
- c) Biosecurity Management Plan.

Reason: Statutory requirement for the operation of a campground; and to ensure the proposed measures for management are adopted.

Under Section 68 of the Local Government Act 1993, separate Approval will need to be obtained from Council for the operation of the campground amenities facilities. In this regard, the applicant is to make a formal application to Council. The Section 68 application is to be submitted to, and approved by Council prior to operation.

Reason: Statutory requirement for the operation of an onsite sewage management system.

Note: The application may be made via the NSW Planning Portal.

Section 138 Roads Act

The driveway access into the property from Warren Road is to be upgraded to Council's standard, in consultation with Council's engineering department. Under Section 138 of the *Roads Act 1993*, should any work on the verge, footpath, or public road reserve be required, a separate Section 138 Roads Act Approval will need to be obtained from Council. In this regard, the applicant is to make a formal application to Council. The Section 138 application is to be submitted to, and approved by Council prior to works commencing in the road reserve.

Reason: Such application is to ensure the safety of road users.

Note: The application may be made via the NSW Planning Portal.

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PART D – REQUIREMENTS DURING OPERATION AND SITE PREPARATION

Uncovering relics or Aboriginal objects

While excavation and internal driveway construction work is being carried out, or at any time, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment. Works are not to recommence until such time as any required licenses or approvals are obtained.

In this condition:

• "relic" means any deposit, artefact, object or material evidence that:

(a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and

(b) is of State or local heritage significance; and

 "Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

Reason: To ensure the protection of objects of potential significance during works.

Soil and Water Management

All practical measures must be taken to ensure erosion and subsequent sediment movement off-site does not occur.

- In particular, a temporary silt fence or equivalent must be provided downhill from any cut and fill area (or any other disturbed area). The fence must be regularly inspected and cleaned out and/or repaired as necessary and all collected silt must be disposed of to the satisfaction of the Council.
- Unnecessary disturbance of the site (e.g. excessive vehicular access) must not occur.
- All cuts and fills or road work drainage must be stabilised or revegetated as soon as possible after the completion of site earthworks.

Reason: To protect the environment from erosion and sedimentation impacts.

Operating Requirements

The number of campers is limited to a maximum of 100 persons in the two nominated camp ground areas. No permanent campground occupants or relocatable homes are permitted.

Reason: Compliance with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

A register is to be maintained in accordance with Section 121 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021. At least 1 person who occupies a camp site must be registered. The register must include the following particulars for the registration of a person—

- a) the person's full name and address,
- b) the person's dates of arrival and departure,
- c) the site identification of the site occupied by the person,
- d) if the person occupies a caravan or campervan—the registration number, if any, of the moveable dwelling,
- e) the register must also specify the size of the group accompanying the registered person.

Reason: Compliance with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

The primitive campground is to be carried out:

- d) In accordance with the approved and adopted Management Plans; and
- e) So as to not interfere with the ongoing operations of intensive agriculture; and
- f) Without any new vehicular tracks or clearing of the riparian corridor; and
- g) So as to not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise.

Reason: To protect the amenity of the rural neighbourhood and natural environment.

Fire Fighting and Emergency Access provisions

The primitive campground is to be provided with adequate access and fire-fighting provisions at all times.

- h) A dedicated volume of water is to be maintained for the campground for firefighting and emergency purposes. A bushfire trailer is to be maintained as available at all times the campground is open (min. 1000L mobile tank).
- i) The vehicular access must be provided with clear road numbering at the gate access from the public road system (Warren Road) and must allow forward movement to both campgrounds, being an all-weather surface of min 6m width clear of any trees and over-hanging branches.

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Reason: To ensure adequate provisions are available for fires and emergencies. A Statutory requirement of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021. To ensure the development does not increase the risk of bushfire or risk of spread of fire to another property. To ensure emergency fire brigade access to assist with evacuation, and fight fire as well as other emergency services to access the campgrounds.

Waste Management

A suitable number of garbage receptacles must be provided at the campgrounds and must be maintained for the life of the development. The garbage receptacle must have a tight-fitting lid and be suitable for the reception of food scraps and papers.

Reason: To ensure waste is contained on-site.

Signage

One non-illuminated identification sign at the entrance is permitted. This should include a contact phone number for contact in emergencies.

Ongoing Requirements

All of the foregoing conditions are to be at the full cost of the developer and to be completed prior to the issuing of an S68 Operation of Primitive Campground Approval, unless stated otherwise. Renewal of the s68 approval is required at the end of the relevant period and Management Plans are to be reviewed.

Reason:

To ensure that the development is completed as per this consent and the approved plans, and relevant approvals are maintained for the life of the development.

2022/100

The Chair called for a division on the planning matter.

In favour of the motion was Cr Davies, Cr Collins, Cr Jones, Cr Lambert, Cr Forrester, Cr Hoey, Cr Beaumont, Cr Jablonski.

Against the motion was Cr Roberts.

RESOLVED Crs Lambert/Jones that item 2 of the Community and Economic Development Report – Development of Community Radio Station in Narromine be brought forward.

2022/101

2. DEVELOPMENT OF COMMUNITY RADIO STATION IN NARROMINE

RESOLVED Crs Lambert/Jones that Council continue to seek grant funding to enable the rebroadcast of a Community Radio station and further that Council enquires if it needs to register its interest in getting a frequency.

REPORTS TO COUNCIL - GENERAL MANAGER

1. INTEGRATED PLANNING AND REPORTING DOCUMENTS

RESOLVED Crs Collins/Lambert;

- 1. That Council adopt the attached draft Integrated Planning and Reporting documents as outlined in the report;
- 2. That Council endorses the Workforce Management Strategy 2022 2026;
- 3. That whereas Council has:
 - a. Prepared the draft Integrated Planning and Reporting Documents in accordance with Schedule 8 of the Local Government Act 1993 and has given public notice of the draft documents in accordance with Section 405 of that Act; and
 - b. Declared all rateable land in the area subject to the ordinary rate to be within one or the other of the categories specified in Section 514 of the Local Government Act 1993 and within sub-categories permitted within those categories and adopted by Council:

IT IS HEREBY RESOLVED:

- 1. That in accordance with Schedule 8 of the Local Government Act 1993, Council adopt the draft Integrated Planning and Reporting documents; including the 2022/2023 Fees and Charges and the Statement of Revenue Policy.
- 2. That the expenditure in the draft Operating Budget and the Capital Works Program, including the items within the draft Asset Management Plans for the year 2022/2023 be approved, and the necessary budget allocations to meet that expenditure be voted.
- 3. That the rate of interest on overdue rates and charges for the 2022/2023 financial year be set at 6.0% per annum for the period I July 2022 to 30 June 2023 (inclusive), being the maximum rate as set by the Office of Local Government.
- 4. That, in accordance with Section 535 of the Local Government Act 1993, Council make and levy an ordinary rate of the amounts specified in **Table 1** below on the land value of all rateable land in the area in the categories and sub-categories described respectively in the Schedule, for the year 2022/2023 and that the minimum amounts of the ordinary rate be specified in **Table 1** below, be levied in respect of each separate parcel.

ORDINARY MEETING MINUTES

1. INTEGRATED PLANNING AND REPORTING DOCUMENTS (Cont'd)

Table 1

Category	No of Assmts	Rateable Land Value	Minimum	Ad Valorem	Estimated Income
Farmland	825	1,127,115,790	316.79	0.309796	3,497,619.24
Residential	371	58,370,410	316.79	0.459882	273,457.13
Residential - Narromine	1437	81,487,333	499.29	1.34225	1,110,639.89
Residential – Trangie	376	6,533,470	406.95	3.60027	242,604.75
Residential - Tomingley	24	753,200	247.19	1.34051	10,225.67
Residential - Skypark	61	6,776,900	499.29	2.19618	148,832.98
Business – Narromine	134	8,180,607	1,131.21	3.67239	334,008.06
Business – Trangie	50	793,100	1,050.75	10.70859	95,774.32
Business	80	9,037,450	553.60	1.48272	148,487.49
Business – Industrial Estate	38	3,754,900	1,089.69	1.24805	52,243.44
Business – Aerodrome Business					
Park	22	704,960	569.04	1.24722	12,635.81
Mining	3	9,892,700	426.77	3.11044	307,706.50
TOTAL	3,421	1,313,400,820			6,234,235.28

- 5. That Council's service charges for 2022/2023 be set as per the draft Revenue Policy.
- 6. That Council adopt the draft Macquarie Regional Library Operational Plan 2022/2023.
- 7. That the Common Seal of Narromine Shire Council be duly affixed to the Loan Agreements in accordance with Councils Statement of Borrowings.

2022/103

2. LICENCE – RESERVE NO R43054

RESOLVED Crs Collins/Hoey that Reserve No R43054 be leased for grazing purposes for a further 1-year period at a rental of \$588.50 per annum (GST inclusive); and further that the licensee be responsible for the payment of rates for Reserve No R43054 if levied.

2022/104

3. LICENCE – RESERVE NO R120059

RESOLVED Crs Lambert/Roberts that Reserve No R120059 be leased for grazing purposes for a further 1-year period at a rental of \$588.50 per annum (GST inclusive); and further that the licensee be responsible for the payment of rates for Reserve No R120059 if levied.

4. LEASE FEE – SHED AT AERODROME

RESOLVED Crs Collins/Jones that a further 3-year lease agreement be entered into with the licensee for the lease of the shed on runway 04 at the Narromine Aerodrome at a rental of \$184.40 per month (GST Inclusive), with annual CPI increments applied thereafter.

2022/106

..... Mayor

REPORTS TO COUNCIL - GENERAL MANAGER (Cont'd)

5. LICENCE – RESERVE NO R120096

RESOLVED Crs Lambert/Forrester that Reserve No R120096 be leased for grazing purposes for a further 1-year period at a rental of \$588.50 per annum (GST inclusive); and further that the licensee be responsible for the payment of rates for Reserve No R120096 if levied.

6. LICENCE – RESERVE NO R82738

RESOLVED Crs Lambert/Roberts that Reserve No R82738 be leased for grazing purposes for a further 1-year period at a rental of \$605.69 per annum (GST inclusive); and further that the licensee be responsible for the payment of rates for Reserve No R82738 if levied.

2022/108

2022/107

7. LICENCE – RESERVE NO R87820

RESOLVED Crs Roberts/Forrester that Reserve No R87820 be leased for grazing purposes for a further 1-year period at a rental of \$588.50 per annum (GST inclusive); and further that the licensee be responsible for the payment of rates for Reserve No R87820 if levied.

2022/109

8. LICENCE AGREEMENT – NARROMINE SHOWGROUND

RESOLVED Crs Forrester/Hoey that Council consent to entering into a Licence Agreement with the Narromine Turf Club Inc for a 5-year period for the purpose of stabling horses.

2022/110

9. LEASE PART RESERVE 520094 AND PART LOT 2 SECTION 6 DP758993

RESOLVED Crs Collins/Lambert that Part Lot 7300 DP1140341, Part Lot 2 Section 6 DP758993 and Lot 7301 DP1140341 Trangie be leased for a further 12-month period at a rental of \$588.50 (including GST).

2022/111

10. TRANGIE PLAYGROUP INC – LEASE PART TRANGIE SHOWGROUND

RESOLVED Crs Collins/Hoey that the Trangie Playgroup Inc. be authorised to utilise the verandah and lawn area at the Trangie Showground once a week, in addition to storage of their equipment in the room under the Grandstand, for a further 12-month period, at rental of \$1.00 payable on demand.

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REPORTS TO COUNCIL - GENERAL MANAGER (Cont'd)

11. LOCAL GOVERNMENT REMUNERATION

RESOLVED Crs Lambert/Forrester that Council adopt the 2.0% increase determined by the Tribunal for the Mayoral and Councillor fees.

12. MODEL CODE OF MEETING PRACTICE

RESOLVED Crs Jones/Roberts that the Draft Code of Meeting Practice as attached to the report be adopted by Council.

13. DISABILITY INCLUSION ACTION PLAN (DIAP)

RESOLVED Crs Lambert/Roberts that the revised Disability Inclusion Action Plan 2022 – 2026 be placed on public exhibition for a period of 28 days.

2022/115

2022/113

2022/114

REPORTS TO COUNCIL – FINANCE AND CORPORATE STRATEGY

1. INVESTMENT REPORT AS AT 31 MAY 2022

RESOLVED Crs Roberts/Jones;

- 1. That the report regarding Council's Investment Portfolio be received and noted;
- 2. That the certification of the Responsible Accounting Officer is noted and the report adopted.

2022/116

2022/117

2. INVESTMENT POLICY

RESOLVED Crs Collins/Roberts that the amended Investment Policy as attached be adopted.

3. EXECUTION OF LOAN FACILITY

RESOLVED Crs Roberts/Hoey;

- 1. That the General Manager and Mayor execute the Loan Agreement between New South Wales Treasury Corporation and Narromine Shire Council for the facility limit of \$1,100,000 for the development of residential land in Dappo Road, Narromine.
- 2. That the Common Seal of Narromine Shire Council be duly affixed to the Loan Agreement.

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REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT

1. DEVELOPMENT APPROVALS

RESOLVED Crs Collins/Jones that the information be noted.

3. PROPOSED DISPOSAL OF LAND BURRIL STREET, TOMINGLEY

RESOLVED Crs Collins/Roberts;

- 1. That Council seek expressions of interest regarding the sale of 23B Burril Street, Lot 4 Section 20 DP 758983.
- 2. That a further report be made to Council once any expressions of interest have been received regarding the disposal of the property.

2022/120

2022/119

4. SUBDIVISION AND DEVELOPMENT OF DERRIBONG STREET PROPERTY

RESOLVED Crs Lambert/Collins;

- 1. That Council undertakes the development of the land of Lot 112 DP 755126 and Lot 152 DP 82458 as outlined in the report.
- 2. That the works be funded from land reserves.
- 3. That a further report be provided to Council outlining the recommended sale price of each of the newly created lots.

2022/121

5. PLANNING PROPOSAL – GENERAL LEP AMENDMENT

RESOLVED Crs Lambert/Forrester that Council:

- 1. Resolve to submit the Planning Proposal and any supporting information to the Department of Planning and Environment through the NSW Planning Portal.
- 2. Proceed with the advice of DPE, to make amendments pursuant to section 3.22 Expedited amendments of environmental planning instruments where possible.
- 3. Advise the Department of Planning and Environment that Council's General Manager (or delegate) will be the nominated Local Plan Making Authority for this proposed LEP amendment.

2022/122

The Chair called for a division on the planning matter. The vote was unanimous.

REPORTS TO COUNCIL - INFRASTRUCTURE & ENGINEERING SERVICES

1. WORKS REPORT

RESOLVED Crs Collins/Roberts that the information be noted.

REPORTS TO COUNCIL - INFRASTRUCTURE & ENGINEERING SERVICES (Cont'd)

2. SHORT TERM LEASE OF COUNCIL ROAD RESERVE

RESOLVED Crs Jones/Roberts;

- 1. That Council consider and adopt the proposed annual fee of \$588.50 (incl. GST) for the lease of the road reserve along Tomingley Road.
- 2. That the fee be reviewed annually.

3. LIQUID TRADE WASTE POLICY

RESOLVED Crs Lambert/Forrester;

- 1. That Council adopt the attached Liquid Trade Waste Policy.
- 2. That Council seeks consent from DPE- Water after Council adoption.

2022/125

2022/124

NOTICES OF MOTION REPORT

1. NAMING OF NEW GRANDSTAND AT CALE OVAL

It was moved Crs Davies/Lambert that Council considers a proposal to name the new grandstand at Cale Oval "The Bob Weir Grandstand".

An amendment was foreshadowed Crs Collins/Jones that Council invite the community to comment and put submissions in for the naming of the grandstand at Cale Oval.

The motion was subsequently withdrawn by the mover, with the consent of the seconder.

The foreshadowed amendment became the motion and was put to the vote and CARRIED.

2022/126

2. LEGENDS OF SPORT HONOUR ROLE

It was moved Crs Davies/Lambert that Council invites a community committee of local sporting identities under the independent Chair of the Hon Fiona Nash to identify candidates for a Legends of Sport honour role to be erected in a suitable location in Tom Perry park.

An amendment was foreshadowed Crs Collins/Beaumont that Council refer the selection of the legends of Sports Honour Role to the Narromine Shire sporting user groups and refer back to Council for endorsement.

The foreshadowed amendment became the motion and was put to the vote and CARRIED.

There being no further business the meeting closed at 6.27pm

The Minutes (pages 1 to 14) were confirmed at a meeting held on the
day of2022, and are a full and accurate record of
proceedings of the meeting held on 22 June 2022.

Chair