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**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 19 FEBRUARY 2025  
REPORTS TO COUNCIL – GENERAL MANAGER**

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**1. DELIVERY PROGRAM PROGRESS REPORT – 1 JULY 2024 TO 31 DECEMBER 2024**

**Author** Director Governance  
**Responsible Officer** General Manager  
**Link to Strategic Plans** CSP – 4.3.1 Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies  
DP – 4.3.1.1 – Implementation of the Delivery Program and Operational Plan including budget and Asset Management Plan on an annual basis

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**Executive Summary**

This report provides Council with information on the progress of Council's Delivery Program actions from 1 July 2024 to 31 December 2024. Council has achieved 49.19% of its goals for the 2023/2024 financial year.

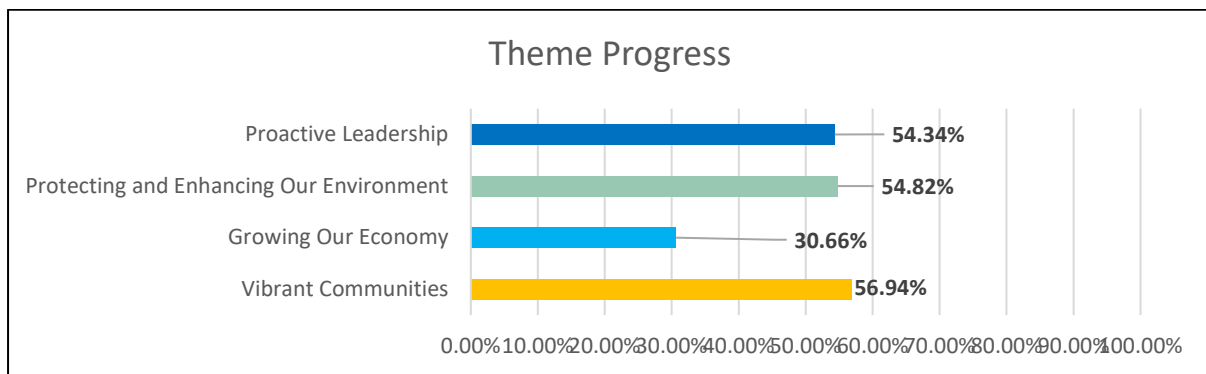
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**Report**

The General Manager must ensure that progress reports are provided to Council, with respect to the principal activities detailed in the Delivery Program, at least every six months.

The report (**See Attachment No. 1**) presents the progress on Council's achievements in implementing the 2022/23 – 2025/26 Delivery Program and the 2024/2025 Operational Plan to 31 December 2024. Each item in the Delivery Program is referenced to one of the key priorities in the Community Strategic Plan 2032 – Vibrant Communities; Growing Our Economy; Protecting and Enhancing Our Environment; Proactive Leadership.

Council's performance against each key priority is reflected in the graph below: -



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**1. DELIVERY PROGRAM PROGRESS REPORT – 1 JULY 2024 TO 31 DECEMBER 2024  
(Cont'd)**

Notable achievements for the 2024/2025 financial year to date include: -

- Donation of over \$24,695 to community groups
- Allocation of \$75,678 from the Tomingley Gold Community Fund to various community organisations
- Narromine pool shade replacement
- Trangie pool shade replacement and landscaping
- Light vehicle parking area upgrade Burraway Street, Narromine
- Successful grant funding applications include the following:
  - Department of Climate Change, Energy, Environment and Water – Floodplain Management Program - \$239,160
  - Transport for NSW – Towards Zero Safer Roads Program (Round 2) - \$1,932,000.
  - Regional NSW - Office of Regional Youth – Summer School Holidays Program 2025 - \$7,400
- Construction of the Dundas Park Toilets
- Partnering with community groups for Narromine Dolly Parton Festival
- Security upgrade at the Narromine Waste Depot, including cameras and new fencing
- Kerb and gutter on A'Beckett Street, Fourth Avenue and Mingelo Street, Narromine
- Concrete path and parallel parking at the Post Office corner Narromine
- Tomingley water tank and generator installed
- Tomingley smart meter receiver installed
- Nymagee Street booster pump station
- Water Quality Options paper endorsed by DCCEEW
- Automated gates installed at Trangie Depot
- Numerous flood damage road repairs
- Northern Zone Water Booster Project

Projects underway include: -

- Belgrove Street Subdivision Works – Trangie
- Narromine Northern Drainage Stormwater Pipe Installation
- Momo Road drainage
- Frecklington's Crossing drainage
- Lincoln's Lane drainage
- Baby grave improvements at Narromine Cemetery
- Roof replacement on the Narromine Council Chambers building
- Automatic gates, security improvements and new toilets at the Narromine Depot
- Rotary Park Stormwater Outlet Drainage Project
- Enmore Road upgrades
- Narromine and Trangie Library upgrades

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**1. DELIVERY PROGRAM PROGRESS REPORT – 1 JULY 2024 TO 31 DECEMBER 2024  
(Cont'd)**

***Financial Implications***

Operational Plan and Budget 2024/2025

***Legal and Regulatory Compliance***

Local Government Act 1993 – Section 404(5)

***Risk Management Issues***

Compliance with legislative requirements.

Council's Delivery Program must include a method of assessment to determine the effectiveness of each principal activity detailed in the Delivery Program in implementing the strategies and achieving the strategic objectives at which the principal activity is based.

***Internal/External Consultation***

Council's Delivery Program was placed on public exhibition prior to its adoption by Council.

Attachments

- Delivery Program Progress Report – 1 July 2024 to 31 December 2024  
**(Attachment No. 1)**

**RECOMMENDATION**

That the Delivery Program Progress Report from 1 July 2024 to 31 December 2024 be noted.

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**2. DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS RETURNS**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.2.8 Implement best practice governance standards, transparent decision making and a strong ethical culture

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**Executive Summary**

This report is presented to Council in accordance with legislative requirements.

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**Report**

Designated Persons are required to lodge a Pecuniary Interest and Other Matters Return with the General Manager within 3 months of becoming a Designated Person, and thereafter prior to 30 September each year.

## **2. DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS RETURNS (Cont'd)**

The General Manager must keep a register of returns required to be made and lodged. Returns required to be lodged with the General Manager must be tabled at the first meeting of the Council after the last day the return is required to be lodged.

Returns have been lodged by Crs Bohm, Howe, Leak and Smith. Updated returns have also been lodged by the General Manager and the Manager Infrastructure Delivery.

### ***Financial Implications***

Nil

### ***Legal and Regulatory Compliance***

Code of Conduct – Clause 4.21 and Schedule 2  
Government Information (Public Access) Act 2009 and Regulations

### ***Risk Management Issues***

Information contained in returns made and lodged is to be made publicly available in accordance with the requirements of the Government Information (Public Access) Act 2009, the Government Information (Public Access) Regulation 2018 and any guidelines issued by the Information Commissioner.

Designated Persons have an obligation to keep the information contained in their returns up to date. When becoming aware of a new interest that must be disclosed in the return, or an interest previously not disclosed, a Designated Person must submit an updated return within three months of becoming aware of the previously undisclosed interest.

### ***Internal/External Consultation***

Consultation with Designated Persons

### ***Attachments***

Nil

## **RECOMMENDATION**

That the information be noted.

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**NARROMINE SHIRE COUNCIL**  
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### 3. LEASE OF UNUSED ROADWAY

**Author** Director Governance  
**Responsible Officer** General Manager  
**Link to Strategic Plans** CSP – 4.3.3 Ensure Council's assets are monitored and well managed

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#### Executive Summary

This report is presented to Council to consider renewal of the lease of unused road in Trangie.

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#### Report

Council has for a number of years leased approximately 4 hectares of unused roadway adjoining Lots 74 and 79 DP 755126 in Trangie (see map below).



The current five-year lease expires on 27 April 2025. The lessee is responsible for the upkeep of the fences; leaving the roadway in the same condition as at the commencement of the lease; allowing unobstructed access to the roads authority for repairing, maintaining or laying of water/sewerage mains as necessary; complying with noxious weeds notices etc; and further indemnifying the roads authority against claims and other liabilities.

### **3. LEASE OF UNUSED ROADWAY (Cont'd)**

#### ***Financial Implications***

Current rental is \$317.82 per annum (including GST). It is proposed to increase the rental to \$324.11 (including GST).

#### ***Legal and Regulatory Compliance***

Section 154 of the Roads Act 1993 states that before granting of a lease, the roads authority must publish in a local newspaper a notice of the proposed lease. The notice must also be served on the owner of each parcel of land adjoining the length of the public road concerned. Any person is entitled to make a submission to the road authority with respect to the proposed lease.

#### ***Risk Management Issues***

The roadway is not required for Council purposes and it is therefore intended to renew the lease for a further 5-year period.

#### ***Internal/External Consultation***

Lessee  
Infrastructure and Engineering Services Department

#### **Attachments**

Nil

### **RECOMMENDATION**

That Council:

1. Renew the lease of unused roadway adjoining Lots 74 and 79 DP 755126 in Trangie for a further 5-year period at a commencing rental of \$324.11 (including GST) per annum, with annual CPI increments to be applied thereafter.
2. Advertise in a local newspaper the notice of intention to renew the lease and serve the notice on the owner of each parcel of land adjoining the length of the public road concerned.

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#### **4. LOCAL APPROVALS POLICY**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.3.1 Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies

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#### **Executive Summary**

This report is presented to Council to review Council's Local Approvals Policy.

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#### **Report**

Council's Local Approvals Policy applies to approvals for the following activities under Section 68 of the Local Government Act 1993 (the Act): -

- Structures or places of entertainment – install a manufactured home, moveable dwelling or associated structure on land.
- Water supply, sewerage and stormwater drainage work – carry out water supply work, draw water from a Council water supply or a standpipe, install or remove a meter, carry out sewerage work or stormwater drainage work or connect to a private drain or sewer etc.
- Management of waste – place waste in a public place, dispose of waste into a Council sewer, install a waste treatment devise, operate a sewage management system etc
- Community Land – engage in a trade or business, procure or direct entertainment for the public, set up a loudspeaker, deliver a public address etc
- Public Roads – swing or hoist goods, expose any article to hang over any part of road etc
- Other activities – operate a public car park, caravan park, camping ground, amusement devices, standing vehicle for selling articles etc.

In accordance with Section 158 of the Act, the policy is to consist of three parts being exemptions, criteria and other matters. The provisions of a local policy adopted under Section 164 of the Act cannot be more onerous than the Act or the regulations.

Section 165 of the Act determines that Council's local approvals policies are automatically revoked at the expiration of 12 months after the ordinary election unless readopted.

Accordingly, the attached Local Approvals Policy has been reviewed and suggested amendments have been marked for ease of reference (**See Attachment No. 2**). There are no substantive changes to the policy, with recommended changes generally reflecting legislative updates.

#### **4. LOCAL APPROVALS POLICY (Cont'd)**

##### ***Legal and Regulatory Compliance***

Local Government Act 1993  
Local Government (General) Regulation 2021

##### ***Financial Implications***

Operational Plan 2024/2025

##### ***Risk Management Issues***

Compliance with legislative requirements

The policy aims to provide an integrated framework for dealing with approvals, which ensures consistency and fairness in the way Council deals with applications.

##### ***Internal/External Consultation***

Section 161(2) of the Act provides that if Council decides to amend its draft local policy, it may publicly exhibit the amended draft local policy, or if the Council is of the opinion that the amendments are not substantial, it may adopt the amended draft local policy without public exhibition.

The proposed amendments are not considered to be substantial, with recommended changes generally reflecting legislative updates.

##### **Attachments**

- Local Approvals Policy (**Attachment No. 2**).

#### **RECOMMENDATION**

That the revised Local Approvals Policy be adopted.



## **5. KEEPING OF DOMESTIC ANIMALS POLICY**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	DP – 1.1.2.2 Reduce risks of nuisance and harm from companion animals CSP – 4.3.1 Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies

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### **Executive Summary**

This report is presented to Council to review Council's Keeping of Domestic Animals Policy.

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### **Report**

Council's Keeping of Domestic Animals Policy is an Orders Policy which aims to minimise the incidence of nuisance animals; protect the welfare and habitat of wildlife and safeguard the environment.

The Policy was last reviewed and adopted by Council on 9 November 2022.

In accordance with Section 165 of the Local Government Act (the Act), Council's local orders policies are automatically revoked at the expiration of 12 months after the declaration of the poll for that election unless readopted.

Accordingly, the Keeping of Domestic Animals Policy has been reviewed and suggested amendments have been marked for ease of reference (**See Attachment No. 3**).

Recommended changes to the policy include further information on barking dogs (page 21).

### **Legal and Regulatory Compliance**

Local Government Act 1993  
Local Government (General) Regulation 2021

### **Financial Implications**

Operational Plan 2024/2025

### **Risk Management Issues**

Compliance with legislative requirements.

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## **5. KEEPING OF DOMESTIC ANIMALS POLICY (Cont'd)**

It is not the intent of the policy to enforce the controls within the policy in the first instance, but to work with the owner/s of domestic animals to ensure that the keeping of the animals does not have an adverse impact on the adjoining premises. The policy provides guidance about the criteria Council will use when determining whether to issue an order when it becomes aware that animals are causing some form of undesirable impact on the community. It should be noted that Council will only act on complaint.

### ***Internal/External Consultation***

Section 161(2) of the Act provides that if Council decides to amend its draft local policy, it may publicly exhibit the amended draft local policy, or if the Council is of the opinion that the amendments are not substantial, it may adopt the amended draft local policy without public exhibition.

The proposed amendments are not considered to be substantial.

### **Attachments**

- Keeping of Domestic Animals Policy (**Attachment No. 3**)

## **RECOMMENDATION**

That the revised Keeping of Domestic Animals Policy be adopted.

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## **6. OVERGROWN AND UNSIGHTLY PROPERTY POLICY**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.3.1 Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies

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### **Executive Summary**

This report is presented to Council to review the Overgrown and Unsightly Property Policy.

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### **Report**

Council adopted its Overgrown and Unsightly Property Policy in 2020. The policy is now due for review.

Council receives numerous customer service requests regarding overgrown vegetation and untidy privately-owned properties within its local government area. The Local Government Act only allows Councils to take enforcement action (Order No 21) when overgrown vegetation creates unhealthy or unsafe conditions. The Act and related regulations used for enforcement of overgrown vegetation does not provide a definition or prescriptive requirements for this type of health and safety matter, which leads to inconsistencies.

## **6. OVERGROWN AND UNSIGHTLY PROPERTY POLICY (Cont'd)**

The policy therefore provides the accepted criterion for deeming overgrown vegetation and unsightly properties as unhealthy/unsafe (**See Attachment No. 4**). It enables authorised officers to assess conditions against the criteria outlined, and to ascertain whether enforcement action should be taken under Order No 21. The policy also ensures that native vegetation communities and waterways, including riparian corridors, are not negatively impacted by the removal of overgrown vegetation.

It is noted that hoarding can have significant impacts on people living in the affected home and on the neighbouring residents and properties. There can be a range of complex reasons for this behaviour and these issues often take a long time to resolve. Council may only take action if it determines there is a risk to public health.

Council will not respond to customer service requests in relation to potential fire risk of overgrown vegetation in rural areas. These requests need to be directed to the NSW Rural Fire Service.

### ***Financial Implications***

Council receives numerous customer service requests regarding overgrown vegetation and untidy privately owned properties and has limited resources for compliance activities. This policy serves to provide a responsive and proportionate framework for compliance and enforcement decisions in relation to overgrown and untidy properties within the Narromine Local Government Area.

If the owner of the property, or the responsible person, does not have a reasonable excuse and does not complete the work that is required in the Notice within the specified timeframe, Council or a Council contractor may be appointed to enter the property and complete the works to remove the public health risk. The cost incurred by Council in completing these works will be invoiced to the property owner or person responsible.

### ***Legal and Regulatory Compliance***

Under the Local Government Act, Council can only take enforcement action in relation to overgrown and untidy properties where it has become a public health or safety risk.

### ***Risk Management Issues***

Overgrown or unsightly properties can be a nuisance and a danger to neighbours and the community. All residents have a responsibility to keep their properties neat and tidy and to improve the appearance of our community, remove harbourage for vermin to breed and reduce health risks.

This policy provides the criterion to trigger enforcement actions.

## **6. OVERGROWN AND UNSIGHTLY PROPERTY POLICY (Cont'd)**

### ***Internal/External Consultation***

Section 161(2) of the Act provides that if Council decides to amend its draft local policy, it may publicly exhibit the amended draft local policy, or if the Council is of the opinion that the amendments are not substantial, it may adopt the amended draft local policy without public exhibition.

The proposed amendments are not considered to be substantial.

### **Attachments**

- Overgrown and Unsightly Property Policy

### **RECOMMENDATION**

That the revised Overgrown and Unsightly Property Policy be adopted.

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## **7. SWIMMING POOL BARRIER INSPECTION POLICY**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.3.1 Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies

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### **Executive Summary**

This report is provided to Council to consider the revised Swimming Pool Barrier Inspection Policy.

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### **Report**

Council adopted its Swimming Pool Barrier Inspection Policy on 14 September 2022 (**Resolution No 2022/208**).

The Swimming Pools Act 1992, Section 22B, requires councils to develop and adopt a program for the inspection of swimming pools in its area to ensure compliance with the requirements of Part 2 – access to swimming pools.

Council is also required to report annually on the number of pool inspections undertaken and the level of compliance with the requirements.

Pools associated with tourist and visitor accommodation should be inspected at three-year intervals.

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## **7. SWIMMING POOL BARRIER INSPECTION POLICY (Cont'd)**

Council will inspect pools prior to sale or lease if a Compliance Certificate application is submitted by the pool owner.

Council will issue Compliance Certificates after an inspection that finds a pool barrier is compliant with the requirements of the legislation. Compliance Certificates are valid for three years.

Council may inspect any swimming pool that is the subject of a complaint to Council. Council powers of entry will be consistent with the Local Government Act.

The policy has been reviewed. There are no substantial changes recommended.

### ***Financial Implications***

Section 19 of the Swimming Pool Regulations prescribes the fee for inspection.

### ***Legal and Regulatory Compliance***

Swimming Pool Act 1992  
Swimming Pool Regulations 2018

### ***Risk Management Issues***

Pool owners and councils have a shared legal responsibility to help protect the safety of children around properties with swimming pools. Council's commitment to safety is through its Swimming Pool Barrier Inspection Policy.

### ***Internal/External Consultation***

For the purposes of Section 22B of the Swimming Pools Act, Council must consult with the community for the development of its inspection program, including any review of such a program.

It is therefore recommended that this revised policy be placed on public exhibition for community comment prior to adoption.

### **Attachments**

- Swimming Pool Barrier Inspection Policy (***Attachment No. 5***)

## **RECOMMENDATION**

That Council endorses the revised Swimming Pool Barrier Inspection Policy to be placed on public exhibition for community comment.

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**NARROMINE SHIRE COUNCIL**  
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**8. USE OF PUBLIC FOOTPATH – OUTDOOR DINING POLICY**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.3.1 Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies

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**Executive Summary**

This report is presented to Council to consider the revised Use of Public Footpath – Outdoor Dining Policy

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**Report**

Council adopted the Use of Footpath – Outdoor Dining Policy on 18 September 2012, which was subsequently revised 11 July 2018 and 16 June 2021 respectively.

The policy aims to permit the establishment of business opportunities and to create a more vibrant and cosmopolitan atmosphere in the commercial centres of the Narromine Shire. It allows the approval of business use of footpath areas within the Shire adjacent to businesses where there is adequate footpath width for pedestrian circulation.

The policy is now due for further revision. Suggested amendments have been marked for ease of reference.

**Financial Implications**

Approved fees as per Council's adopted fees and charges.

**Legal and Regulatory Compliance**

Section 68 Approvals – Approval is required under section 68 of the Local Government Act 1993 to expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a show window or doorway abutting the road, or hang an article beneath an awning over the road, as well as use a standing vehicle or any article for the purpose of selling any article in a public place.

Section 125 of the Roads Act 1993 – a roads authority may grant an approval that allows a person who operates food or drink premises adjacent to a public road to use part of the public road for the purposes of the food or drink premises.

## **8. USE OF PUBLIC FOOTPATH – OUTDOOR DINING POLICY (Cont'd)**

### ***Risk Management Issues***

Approval requirements consider location/site suitability; public safety; amenity; function; and legal and compliance matters (noise, waste, operational conditions, Council inspections, Insurance etc).

### ***Internal/External Consultation***

Section 161(2) of the Act provides that if Council decides to amend its draft local policy, it may publicly exhibit the amended draft local policy, or if the Council is of the opinion that the amendments are not substantial, it may adopt the amended draft local policy without public exhibition.

The proposed amendments are not considered to be substantial.

### **Attachments**

- Revised Use of Footpath – Outdoor Dining Policy (**Attachment No. 6**)

## **RECOMMENDATION**

That the revised Use of Public Footpath – Outdoor Dining Policy be adopted.

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## **9. LEASE HANGAR SITE NO 16 NARROMINE AERODROME**

Author	Director Governance
Responsible Officer	General Manager
Link to Strategic Plans	CSP – 4.3.3 Ensure Council's assets are monitored and well managed

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### **Executive Summary**

This report is presented to Council to determine the lease fee for Hangar Site No 16 at the Narromine Aerodrome.

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### **Report**

Council has for many years leased the above site at the Narromine Aerodrome. The current lease is due to expire on 25 March 2025 and the lessee has requested renewal of the agreement for the above site for a 2-year term.

Current rental is \$187.64 per month (GST incl.)

Council has no immediate or short-term need for the site for its own purposes, therefore renewal of the lease with the existing lessee is recommended.

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**9. LEASE HANGAR SITE NO 16 NARROMINE AERODROME (Cont'd)**

***Financial Implications***

It is proposed that the current monthly rental of \$187.64 per month (GST incl.) be increased by the annual CPI rate to \$191.31 per month (GST Incl.).

***Legal and Regulatory Compliance***

Council will need to enter into a new lease agreement with the existing lessee.

Council cannot delegate the making of a charge under Section 377 of the Local Government Act.

***Risk Management Issues***

The lessee is required to hold public liability insurance coverage in the amount of \$20,000,000 for the areas leased from Council.

***Internal/External Consultation***

Consultation with the lessee

Attachments

Nil

**RECOMMENDATION**

That Council lease Hangar Site No 16 at the Narromine Aerodrome for a 2-year term, at the commencing rental of \$191.31 per month (GST inclusive), with annual CPI increments to be applied.

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**10. NARROMINE SHIRE YOUTH COUNCIL**

<b>Author</b>	Director Community and Economic Development
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 1.2.1 Share and celebrate our cultural and social diversity through local events, programs and projects CSP – 1.2.2 Encourage volunteering in the Shire and recognise the positive outcomes for both the community and volunteers. CSP – 4.1.3 Provide opportunities for community members to participate in Council's decision making processes

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**Executive Summary**

At the December 2024 Council Meeting it was resolved to establish a Youth Council for a trial two-year period. This report seeks to table a potential Charter for the Youth Council for adoption.



## **10. NARROMINE SHIRE YOUTH COUNCIL (Cont'd)**

### **Report**

The elected Council resolved at its Ordinary Council Meeting held on 10 December 2024 to establish a Youth Council for a 2-year trial period (Resolution No 2024/275).

Council staff have developed a draft Charter to be considered by Council which seeks to establish a Youth Council and set parameters for membership and functions.

The Charter has been developed utilising feedback from a concept discussion with a local Principal and the Deputy Mayor. There are also active Youth Council' in other Shires and some functions and membership ideas have been taken from other Charters.

The Charter has been developed to include:

- The opening up of the Youth Council to local Schools if they would like to participate.
- Seeking for member schools to nominate members to the Youth Council.
- Outlining the maximum number of Youth Council members to be 3 from each school.

The initial role of the Youth Council is outlined to:

- Provide a forum for young people to have a say on issues important to them
- Identify and initiate opportunities for participation and involvement of young people in community activity
- Provide comments and suggestions on local government policies and programs for youth
- Co-ordinate, plan and implement National Youth Week events
- Provide advice and assistance to Council on methods in which to enhance engagement of young people on issues relating to youth

The Charter as outlined is different to the suggestion that was initially discussed in that it proposed to cap membership to 18 members. The Charter also seeks those members to be nominated by their local School. This compromise is suggested to assist to make membership numbers more manageable and the endorsement by each of the schools involved may assist to be able to have meetings through the daytime.

The draft Charter also seeks to set a maximum age limit of 18 years where other Youth Council's accept members up to the age of 24. This is to ensure that members of the Youth Council are supported by their local School.

It is further suggested that the Charter be reviewed at the commencement of the 2026 year. Key items to be reviewed would be membership of the Youth Council and age limits.

Should the draft Charter be adopted the Councillor representative should also be resolved at this meeting.

**10. NARROMINE SHIRE YOUTH COUNCIL (Cont'd)**

***Financial Implications***

There are no financial implications for Council with the development of the Youth Council. The Facilitator's role will be undertaken with Council's existing structure.

***Legal and Regulatory Compliance***

Local Government Act 1993  
Child Protection (Working with Children) Act 2012

***Risk Management Issues***

Nil

***Internal/External Consultation***

Concept discussion

Attachments

- Draft Narromine Shire Youth Charter (***Attachment No. 7***)

**RECOMMENDATION**

That the Narromine Shire Youth Charter be adopted.

Jane Redden  
**General Manager**



# Delivery Program Progress Report

## 1 July 2024 – 31 December 2024

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# Narromine Shire Vision

The Narromine Shire is a friendly place to live with a strong sense of community that values our services, facilities and our natural rural environment.

We are a community that values the diversity of people, ideas, perspectives and experiences.

We work together to strive towards a vibrant, safe and engaged community that provides opportunities for all its members.

Our Council is a leader for our community, sharing the responsibility for growth, development and provision of services.



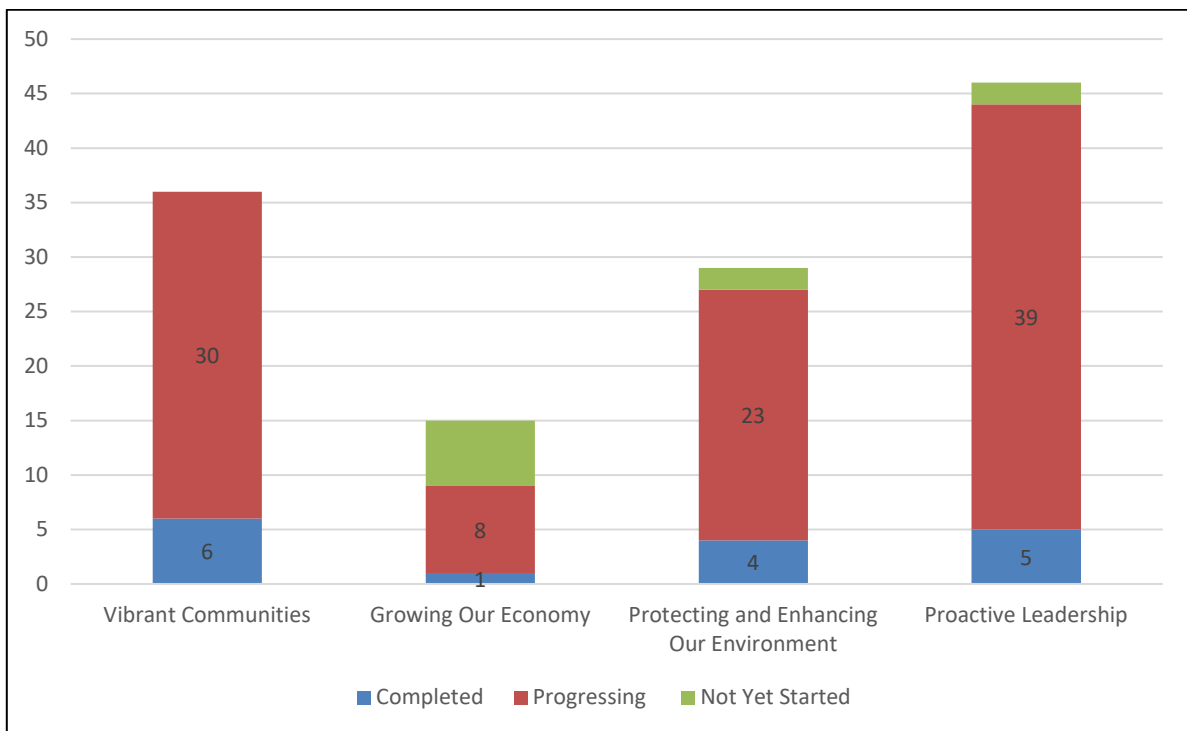
# Delivery Program

This is the plan where the community's strategic goals are translated into actions. These are the principal activities to be undertaken by Council to implement the objectives established by the Community Strategic Plan within the resources available under the Resourcing Strategy.

The Delivery Program is a statement of commitment to the community from each newly elected Council. It is designed as the single point of reference for all principal activities undertaken by Council during its term. All plans, projects, activities and funding allocations must be directly linked to this Program.

As Local Government is a division of State Government, it is appropriate that Council's goals are linked to the 32 goals developed by the State Government in their 2021 plan. These are referenced as 'SP number' for each Delivery Program goal.

Below is the summary of Council's overall performance for 1 July 2024 – 31 December 2024.







## VIBRANT COMMUNITIES

### **Our Goal:**

We want to create a safe, healthy and connected region that encourages participating and creates a strong sense of pride in our community and each other's well-being.

**A SAFE, ACTIVE AND HEALTHY COMMUNITY – SP Nos. 16, 23, 27**

Action Code	Action	Performance Measure	Action Progress	Comments
1.1.1.1	Liaise with Police and other community groups.	Liaise every six months with police advocating for crime minimisation	50%	Discussions are held with NSW Police representatives on local issues as required.
1.1.1.2	Review Alcohol Free Zones	Adoption of Alcohol-Free zones by Council every four (4) years.	10%	Alcohol Free Zones reviewed and endorsed by Council for a further 4-year period.
1.1.1.3	Undertake activities in the Crime Minimisation Strategy	Activities completed in accordance with Action Plan	50%	Additional CCTV completed. Undertake promotion/awareness activities.
1.1.2.1	Coordinate annual inspection of Council streetlights to ensure adequate operation.	Audit conducted annually.	100%	Council completed a drone audit of streetlights in October 2024 in addition to a drive through. Broken lights were reported to Essential Energy. A streetlight strategy is in progress to determine the best locations for additional street lighting.
1.1.2.2	Reduce risk of nuisance and harm from companion animals	Continue to provide ranger services in accordance with legislative provisions	50%	Council continues to provide ranger services include the seizing of straying animals, ensuring Microchipping and Registration compliance, rehoming of unclaimed animals, investigating and regulatory action taken in relation to dog attacks.
1.1.3.1	Develop and publicise a brochure on the facilities available in the Shire.	Review and update services/facilities brochure	50%	Council continues to supply the Visitors Information Centre and travel routes with visitor brochures.
1.1.3.2	Promote recreational opportunities for all ages through website, social media and other available networks.	Update information monthly	50%	Upcoming programs and activities at the Narromine Sports and Fitness Centre along with Active School Holiday Programs continue to be promoted online, via emails and through social media regularly.



## Attachment No. 1

Action Code	Action	Performance Measure	Action Progress	Comments
1.1.3.3	Participate in interagency meetings and provide Council assistance where appropriate.	75% attendance	50%	Council continues to attend meetings and participate with other agency partners to deliver and promote these opportunities. Attendance rate to date is in excess of 75%.
1.1.4.1	Upgrade recreational services booking system and streamline allocation process for all recreational facilities.	Promote booking system throughout the community.	50%	Online booking system implemented for Gym. Other recreation facilities booking systems remain. Gym and booking system promotion ongoing.
1.1.4.2	Implementation of the Sports and Recreational Masterplan.	Seek grant funding to implement actions	50%	Further development of the strategies within the plan is underway. Actions to be undertaken as funding allows. Seek out grant funding and apply as funding and budget allows.
1.1.4.3	Promote sporting opportunities for all ages through website, social media and other available networks.	Update information monthly as required	50%	Updates through social media, LED Digital Board, Narromine Region Events Calendar and Council Column.
1.1.4.4	Implement strategies in the Sports and Recreational Masterplan for the provision of cycleway routes in Narromine and Trangie.	Seek grant funding for construction of cycleway and walkway routes	50%	Belgrove St, Trangie underway. Grant funding applied for additional works.
1.1.5.1	Maintain health services provided within Council owned Narromine Shire Family Medical Health Centre and Trangie Doctor's surgery to meet the needs of users.	Continue to provide facilities for the provision of GP and allied health services in Narromine and Trangie	50%	Council continues to maintain facilities in the Shire as required. Continuation of dental services secured with new provider.
1.1.5.2	Strengthen relationships with key medical agencies within the Shire.	Meet biannually with Western NSW LHD Narromine and Trangie health providers	50%	Clinical Service Plan Meeting held in August 2024 with Western NSW Local Health District.  Proactive and positive relationships maintained with Western NSW Local Health District and Narromine Shire Family Health Care services.

## Attachment No. 1

Action Code	Action	Performance Measure	Action Progress	Comments
1.1.6.1	Upgrade club house at Narromine pool.	Attract funding to improve the facility.	50%	Funding not attained as yet for pool club house upgrade. Upgrade to shade shelters in Narromine completed. Increased shade in Trangie complete. Increased planting at Trangie.
1.1.6.2	Review operational costs of Narromine and Trangie pools and determine fees and charges annually.	Fees and charges reviewed and adopted by 30 June each year.	50%	Narromine and Trangie Pool fees and charges in review to be adopted prior to 30 June 2025.
1.1.8.3	Ensure adequate resources are allocated to the Sports Centre to maintain facilities in accordance with community usage.	Review fees and charges annually by 30 June.	50%	Sports Centre fees and charges in review to be adopted prior to 30 June 2025.
1.1.8.4	Investigate the security solutions for the Narromine Sports Centre	Attract funding if necessary to improve security	100%	A new security system and financial system has been installed at the Narromine Sports Centre, allowing members to gain access via a QR code scanner. The security has been significantly improved.
1.1.8.5	Undertake audit of gym equipment and replace redundant items of greater functionality	Audit gym equipment and procure suitable replacement equipment by 30 June 2025	50%	Audit of Gym equipment completed. Replacement/repairs of equipment completed. Continue to monitor for maintenance.
1.1.9.1	Convene and support bi-annual sports user group workshops in winter and summer.	100% meetings held with sports user groups.	50%	User group meeting held in December 2024. Ongoing interaction with all Clubs regarding bookings and grant opportunities.
1.1.9.2	Prepare Leases/Licenses or User Agreements for all Sporting Groups using Council's sporting fields.	Agreements prepared for all user groups.	50%	Leases and licences are prepared and entered into as required.
1.1.10.1	Continue to implement actions identified within Council's sport and recreational master plan with regard to the provision of increased shade in public parks and open spaces.	Items actioned as per Master Plan	50%	Development continues regarding the Master Plan, e.g. further works to Dundas and Peyton Oval (planning) and Trangie Oval precinct, with a focus on the provision of shade.

## A VIBRANT AND DIVERSE COMMUNITY THAT HAS A STRONG SENSE OF BELONGING AND WELLBEING – SP Nos. 13, 14, 24, 27

Action Code	Action	Performance Measure	Action Progress	Comments
1.2.1.1	In partnership with the community, continue to facilitate events that celebrate community values including all groups within the community and provide financial and in-kind assistance for community and private events.	Two major events held annually	100%	Council partnered with community committees and organisations to assist with successful events including Narromine Dolly Festival, Narromine Venetian Carnival, Christmas events in Trangie and Tomingley. Ongoing assistance provided to community groups as per Council policies.
1.2.2.1	Provide grants through the Donations, Sponsorships and Waiver of Fees & Charges Policy process to community groups, with an emphasis on sports, recreation, arts, cultural, leadership and development activities.	Submissions advertised and received by 30 September, and applicants advised by 30 November each year.	100%	Applications invited for grants from community and sporting organisations completed in first quarter. Applications were considered and approved by Council at its Ordinary meeting held in November 2024.
1.2.2.2	Continue to support the Local History Groups in Narromine and Trangie with a financial contribution to assist with their work.	Donation to both Local History Groups in the Annual Budget.	100%	Donation made with continued support provided to both Trangie and Narromine Local History Groups.
1.2.2.3	Give public recognition of volunteer service.	Hold annual volunteers' recognition morning tea.	100%	The annual volunteers' recognition morning tea was held in Council Chambers on 22 November 2024.
1.2.3.1	Liaise with Local Aboriginal Land Councils to enhance the opportunities for the Indigenous community.	Two meetings coordinated per year	50%	Meetings held with Chair of the Narromine Local Aboriginal Land Council to discuss the revised Aboriginal Engagement Strategy, MOU review process and upcoming review of the Community Strategic Plan.
1.2.3.2	Assist with NAIDOC Week, Reconciliation Day and other events of importance to the Aboriginal community.	Involvement at these events on an annual basis.	50%	Council participated in the September 2024 NAIDOC week celebrations, the NAIDOC Week Ball and Awards Night to present the Community Volunteer of the Year Award on behalf of Council.

Action Code	Action	Performance Measure	Action Progress	Comments
1.2.3.3	Implement Targets in the Aboriginal Community Memorandum of Understanding (MOU) Action Plan	Co-ordinate meeting every six (6) months to discuss targets in Action Plan	50%	Council continues to consult with the local Aboriginal community as per the MOU. Discussion regarding updating MOU commenced.
1.2.5.1	Continue to advocate for aged care facilities within our shire	Meet annually with Aged Care providers	50%	Council continues to work with Timbreebongie House. Work is progressing on aged unit development.

### A COMMUNITY THAT CAN ACCESS A RANGE OF FORMAL AND INFORMAL EDUCATION, INFORMATION AND OTHER SERVICES AND OPPORTUNITIES TO ENHANCE THEIR LIVES - SP No. 15

Action Code	Action	Performance Measure	Action Progress	Comments
1.3.1.1	Advocate where possible for the increased provision of childcare opportunities within the Shire.	Meet every six months with State and Federal Local Members ensuring the provision of childcare services in our Shire	50%	Meetings held with State and Federal Members in Quarter 2.
1.3.2.1	Macquarie Regional Library interact with both children and elderly.	Activities are held twice a year	50%	Council continues to support the ongoing community work of the Macquarie Regional Library. This includes the Summer Reading Challenge and Quizitich Trivia.
1.3.3.1	Advocate for industry specific training.	Meet with vocational trainers twice a year.	50%	Meetings held with CSU, RDA, Workforce Australia in regards training opportunities.
1.3.4.1	Work in conjunction with Macquarie Regional Library to facilitate local training opportunities for the community.	At least two local training sessions offered annually	50%	Council continues to work with Macquarie Regional Library on library related initiatives. This includes support for programs such as Storytime, Speechie Saturday, Book club, Crafty Kids and Lego Club.

## ACCESSIBLE FACILITIES AND SERVICES ARE AVAILABLE FOR PEOPLE WITH LIMITED MOBILITY - SP No. 14

Action Code	Action	Performance Measure	Action Progress	Comments
1.4.1.1	Review Council's Disability Action Improvement Plan (DIAP).	100% DIAP targets met.	50%	Actions include ongoing engagement with interagencies, promoting partnerships with DIAP and working with business seeking to improve mobility access and footpaths. New amenities to Dundas Park completed. Library upgrades underway.
1.4.2.1	Promote mobility friendly access in the Shire	Evidence of improvement for accessibility in our town centres	50%	Actions include continued improvements to footpaths in Trangie and Narromine. New public amenities to Dundas Park.







## GROWING OUR ECONOMY

### Our Goal:

We have a diverse economy with thriving businesses that offer a range of employment opportunities supported by skill development options.

## TO SUSTAIN AND GROW OUR LOCAL POPULATION - SP No. 3

Action Code	Action	Performance Measure	Action Progress	Comments
2.1.1.1	Review Council's Economic Development Strategy	Economic Development Strategy reviewed by 30 June 2024	0%	To be updated as part of Council's new Integrated Planning and Reporting documents.
2.1.1.2	Implement identified actions within Economic Development Strategy	Continue to implement action plan deliverables	50%	Ongoing actions with support for new business, grant applications and project development, including Inland Rail.
2.1.2.1	Continue to promote the Narromine Region to attract new residents.	Update information regularly Monitor website visits and performance of the Narromine Region website	50%	Information on the Narromine Region website, calendar and Council's website is updated regularly for marketing and promotion. Monitor the performance/ issues with the Narromine Region website.
2.1.2.2	Continue to host the annual 'new residents' night.	Host new resident night annually	0%	Event is planned for end of February 2025
2.1.2.3	Continue to work with local retailers to help promote the Narromine Region	Support retailers with two (2) promotions annually	100%	Council continued the Narromine Region Shop Local Campaign in December 2024. Council also assisted in developing the campaign during the Dolly Festival.
2.1.3.2	Seek grant funding and determine loan funding requirements for the flood levee construction project.	Obtain grant funding by 30 June 2025	0%	Council considered a report on the costings of the proposed levee in 2024 and resolved to finalise the design and take no further action.

## THE ONGOING DEVELOPMENT DIVERSIFICATION AND SUSTAINABILITY OF THE LOCAL BUSINESS AND INDUSTRY BASE - SP No. 4

Action Code	Action	Performance Measure	Action Progress	Comments
2.1.4.1	Review Land Use Strategies in line with results of Economic Development Strategy to ensure planned land releases to stimulate economy.	Review Council's Land Use Strategies following review of the Economic Development Strategy.	0%	Review of Economic Development Strategy to be undertaken in first instance.
2.1.4.2	Review Employment Lands Strategy	Review of strategy completed by 30 June 2024	0%	To be updated with other Economic Development strategies.
2.2.1.1	Support industry event specifically targeting agricultural value add opportunities.	Industry event held biennially	0%	Event to be held in 2025.
2.2.3.1	Identify appropriate sites, in accordance with Land Use Strategy, for value added agricultural related industries.	Work with Department of Planning and Environment to implement actions from Local Strategic Planning Statement (LSPS)	50%	Implementing the strategies with the LSPS ongoing. This includes continuing to maintain our open spaces and implementing the recommendations in the large lot residential strategy. There are a number of actions to be supported across 11 priority areas.
2.2.4.1	Promote services to highlight tourism events and points of interest in the Shire.	Increased online engagement by 10%	50%	Major promotions have included ongoing promotion in visitors guide, support for the Visitors Information Centre and Growing Narromine Region website.
2.2.4.2	In conjunction with other Orana Region councils undertake joint regional promotions and/or activities.	Annual promotion	50%	Great Western Plains promotion ongoing.



Attachment No. 1

Action Code	Action	Performance Measure	Action Progress	Comments
2.2.5.1	Carry out water and sewerage strategic planning.	Obtain and expend funding in provision of concept and detailed designs for Narromine Water.	10%	<p>Council continues to work with DCCEEW to progress the IWCM. The water quality options report was accepted and endorsed by DCCEEW in late 2024.</p> <p>In principle support has been granted by DCCEEW to fund the concept and detailed design.</p> <p>Design works are expected to begin in mid-2025.</p>
2.2.6.1	Encourage businesses to work with Council to support a business culture within our shire.	One business forum per year held by Council.	50%	<p>Business forum yet to be held in 24-25. Invitation to Renewable Energy Zones forum for local business involvement sent.</p>

TO ENCOURAGE INDUSTRY DEVELOPMENT - SP No.4

Action Code	Action	Performance Measure	Action Progress	Comments
2.3.1.1	Promote the Narromine region to attract further economic development and growth	Meet every six months with RDA Orana and relevant State agencies and partners	50%	<p>Meetings held with RDA Orana and Regional NSW.</p> <p>Ongoing updates regarding local information and identifying new opportunities.</p>



## PROTECTING & ENHANCING OUR ENVIRONMENT

### **Our Goal:**

We value our natural and built environment, our resources for the enjoyment of the community and visitors to our Shire.

## MANAGE OUR NATURAL ENVIRONMENTS FOR CURRENT AND FUTURE GENERATIONS - SP No. 22

Action Code	Action	Performance Measure	Action Progress	Comments
3.1.1.2	Facilitate the growth and sustainability of the community through planning policy.	Ensure relevant revisions of Council's strategic planning documentation to support the aims of the Local Environmental Plan	50%	Development Applications assessed in this regard. Considered as part of new planning proposals.
3.1.2.1	Maintain involvement with the Central West Councils Environment and Waterways Alliance and Macquarie Valley Weeds Committee and LLS Weeds group.	Representation and 90% attendance at meetings.	50%	Biosecurity Officers attended Weeds Committee Meetings in excess of 90%.
3.1.2.2	Continue the annual fingerling release into the waterways in conjunction with Macquarie Cotton Growers Association.	Apply for appropriate funding to allow fingerling releases annually.	90%	Annual fingerling release date scheduled for January 2025.
3.1.3.1	Encourage owners of heritage items to maintain their buildings and sites.	Facilitate the opportunities to promote heritage funding to the community.	50%	Considered as part of new developments. Ongoing queries from building owners.
3.1.4.1	Continue to provide biosecurity in line with Weeds Action Plan.	Determined by continuation of funding from LLS to support biosecurity measures throughout the Shire.	50%	Biosecurity Officers inspect and control invasive weed species in the LGA and on a Regional Level in conjunction with Local Land Services.
3.1.4.2	Maintain involvement with Macquarie Valley Weeds Committee.	Maintain involvement with Macquarie Valley Weeds Committee.	50%	Council continues to be an active member of the Committee attending meetings as required.
3.1.5.1	Implement actions from Narromine Shire Waste Management Strategy.	Ensure actions are completed in line with Strategy.	50%	Council continues to work through the waste management strategy recommendations.
3.1.5.3	Continue to be a member council of Net Waste, attending regional forums to address waste management issues at a regional level.	90% attendance at Net Waste meetings.	50%	Council is leveraging the Netwaste connection to support newer team members with knowledge and utilising the common contracts. Council participates in meetings and conferences.

## WE ARE A SUSTAINABLE, ENVIRONMENTAL COMMUNITY WITH A GREAT APPRECIATION OF OUR NATURAL ASSETS - SP No. 22

Action Code	Action	Performance Measure	Action Progress	Comments
3.2.1.1	Continue to promote community education campaigns through Net Waste and FOGO presenting the benefits of recycling and educating the community regarding which items can be recycled.	At least one community education program conducted annually.	100%	Council has participated in all Netwaste Community programs including a representative attending schools to promote the Get Grubby Program, as well as a FOGO information stall at the Narromine Show.
3.2.2.1	Partner with Local Land Services to support environmental programs within the Shire.	Participation in relevant grant funded programs.	0%	Relevant programs are supported in accordance with available resources and funding opportunities.
3.2.3.1	Encourage environmentally sustainable, safe and more economical utilisation of Council's fleet.	Install GPS tracking on larger plant.	50%	Council's GPS management provider changed in 2024 to reflect the shutting of the 3G network. The new GPS management tool allows for better tracking and vehicle maintenance. The system is still being implemented and is not 100% functional.
3.2.3.2	Promote and encourage environmentally sustainable practices to local business.	Annual promotional material to local businesses.	50%	Council continues to provide businesses within the LGA with educational material in latest environmentally sustainable practices. Information is made available on Council's website.

## A COMMUNITY THAT VALUES THE EFFICIENT USE OF UTILITIES, NATURAL RESOURCES AND ENERGY - SP. No. 33

Action Code	Action	Performance Measure	Action Progress	Comments
3.3.1.1	Promote efficiency programs.	Publicise two (2) efficiency programs and activities per year.	100%	Implemented sign up program for Aqalus NSC Mi Water smart metering app and leakage program. This was delivered with the first quarter water accounts. Numerous Facebook postings have been completed during quarter two.
3.3.2.1	Ensure all development approvals consider existing utilities infrastructure in their determination.	100% of approvals have had adequacy of existing utilities determined.	50%	Ongoing consideration when discussing and assessing all Development Applications.
3.3.2.2	Utilities performance audited annually through Triple Bottom Line (TBL) reporting.	Report submitted annually	100%	Report submitted in September 2024.
3.3.3.1	Advocate for a Shire-wide connectivity and affordable access to internet and communications technology	Reduce the areas of mobile/communication black spots within the Shire	50%	Council actively working with telcos and industry in the sector to obtain increased mobile coverage.

## ENSURE A RANGE OF HOUSING OPTIONS FOR THE COMMUNITY – SP No.20

Action Code	Action	Performance Measure	Action Progress	Comments
3.4.1.1	Identify aged care accommodation needs within the Shire with relevant providers	Advocate for the provision of aged care accommodation services	50%	Council continues to hold discussions with Timbrebongie House and others as required.
3.4.2.1	Monitor take-up of all land use zones vacant land. Identify short falls.	Review supply of vacant land six monthly.	50%	Council continues to work on rezoning plans/planning proposals. Jones Circuit property purchased to facilitate future development.

## OUR COMMUNITY IS WELL CONNECTED THROUGH OUR CYCLEWAYS, FOOTPATHS AND PUBLIC TRANSPORT SYSTEMS - SP No. 9

Action Code	Action	Performance Measure	Action Progress	Comments
3.5.1.1	Advocate to ensure that transport issues of our residents are adequately addressed.	Meet with State and Regional Local Members six monthly	50%	Meetings with both State and Federal Members held during the first half of the year.
3.5.2.1	Implement Aerodrome Strategic and Master Plan	Implement actions in the Master Plan	50%	Council is in the process of updating the Master Plan. Council continues to implement actions in the Master Plan as funding becomes available. Recent improvements include upgrades to the irrigation system.
3.5.2.2	Maintain the Narromine Aerodrome facility to meet reasonable user expectations and CASA requirements within the allocated budget.	Complete Obstacle Limitation Surface (OLS) annually by 30 November.	100%	OLS Survey completed as required.  Maintenance undertaken as required to meet CASA regulations.
3.5.2.3	Undertake inspections on operational areas.	Minimum 52 inspections per year.	50%	Inspections carried out weekly as per CASA guidelines.
3.5.2.4	Maintenance of glider grassed runways.	Slashing undertaken minimum 26 times per year.	50%	Slashing continues to be undertaken as per CASA requirements.  Slashing is dependant on climatic conditions.
3.5.3.1	Ensure priority measures implemented from the PAMP.	Annual inspections of footpaths and cycleways prior to finalising works program.	50%	Annual inspections of footpaths and cycleways have been completed.
		Annual works program identified by inspections and PAMP priorities and adopted annually.		Council adopted the revised PAMP and priority list on 14 August 2024.  Works will be completed in accordance with funding availability.



## OUR ROAD NETWORK IS SAFE, WELL MAINTAINED AND APPROPRIATELY FUNDED - SP No. 10

Action Code	Action	Performance Measure	Action Progress	Comments
3.6.1.1	Review and implement Council's ten-year roads Capital Works Program.	Ten Year Capital Works Program updated annually and adopted by 30 June.	50%	Ten Year Capital Works program to be adopted by Council prior to 30 June 2025.
		Works program completed within +/-5%		Council is working towards delivering a number of capital works programs in accordance with Council's Operational Plan.
3.6.1.2	Continue to maintain roadside slashing when grass impedes visibility.	Undertake slashing program annually.	50%	Maintenance slashing continues to occur across the Shire when conditions are favorable.
3.6.1.3	Apply for hazard reduction funding through Rural Fire Fighting Fund.	Apply for funding prior to 31 March annually.	0%	Funding applications open in March.
3.6.2.1	Meet with State and Federal Members and the Roads Minister on rural road funding issues.	Meet every six months with State and Federal members, and annual with NSW Minister for Roads	50%	Quarterly meetings held with State members and every six months with Federal members. Rural Road Funding issues discussed.
3.6.3.1	Meet with State and Federal Members and the Roads Minister on rural road funding issues and safety	Meet every six months with State and Federal members, and annually with NSW Minister for Roads	50%	Council continues to meet with the Minister for Regional Transport and Roads and Transport for NSW representatives to ensure Narromine LGA is receiving every possible funding for road maintenance and upgrades.



Councillor Ewen Jones  
**Mayor**



Councillor Stacey Bohm  
**Deputy Mayor**



Councillor Craig Davies



Councillor Adine Hoey



Councillor Peter Howe



Councillor Les Lambert



Councillor Brian Leak



Councillor Lachlan Roberts



Councillor Judy Smith

## PROACTIVE LEADERSHIP

### Our Goal:

We are an open and accountable local government that involves our community in the decision-making process, effectively manages our public resources through sound financial management and well-informed strategic planning for our Shire's future.



## PROVISION OF AN ACCOUNTABLE AND TRANSPARENT LEADERSHIP – SP Nos. 30, 31, 32

Action Code	Action	Performance Measure	Action Progress	Comments
4.1.1.1	Continue to gather feedback regarding community engagement strategies.	Annual review of community engagement strategy to Council by 30 November each year.	100%	Council's Community Engagement Strategy was reviewed and endorsed at the Ordinary Council Meeting held on 10 December 2024.
4.1.1.2	Promote the positive aspects of Narromine Shire Council. Provide important information to the community.	Provide updates to the community on Council activities through all means available within the communications strategy.	50%	Promotion and communication of Council activities through weekly Council Column, Press Releases and Social Media.
4.1.2.1	Councillors maintain strategic community focus through strong and visionary leadership	Positive media around Council's strategic approach.	50%	Councillors work to satisfy the targets and initiatives in the Community Strategic Plan.
4.1.3.2	Provide an opportunity for the public to address Council on relevant issues through the Public Forum Policy at Council Meetings.	Advise the public of the availability of the public forum	50%	Public Forum is made available prior to each Ordinary Council Meeting. Community members can register to speak on items to be considered by the governing body of council. The availability of Public Forum is published on Council's website and notification is also made through Council's social media page.
4.1.3.3	Continue to facilitate S355 Advisory Committees.	Annual review of Section 355 Committee Charters and annual appointment of delegates (September).	100%	Council conducted its annual review of Section 355 Committee Charters at an Extraordinary Council Meeting held on 23 October 2024. Councillor delegates were duly appointed.
4.1.4.1	Present a positive image of Council to the community.	Provide weekly communications via various means per the communication strategy.	50%	Council staff work to ensure positive communication with the community. Communication via weekly newspaper column, weekly Council column and social media.

## EFFECTIVE COUNCIL ORGANISATIONAL CAPABILITY AND CAPACITY - SP No. 30

Action Code	Action	Performance Measure	Action Progress	Comments
4.2.1.1	Encourage and reward innovative practices within Council's workforce.	One innovation introduced per directorate each year.	50%	Employee performance recognised and rewarded by Council at its function held in December 2024. Council continues to encourage innovative practices in all directorates, i.e. online timesheet pilot groups; WHS app for outdoor employees; implementation of a new traffic movement plan for the Narromine Depot to enhance overall safety of the site etc.
4.2.1.2	Foster a culture of continuous improvement through Council's Employee Reward and Recognition Program	Nominations received and awards presented	100%	Council presented long service awards, and employee recognition rewards at its function held in December 2024.
4.2.1.3	Effective use of Audit Risk and Improvement Committee	85% of identified recommendations actioned	50%	Council's Audit Risk and Improvement Committee met in October and December 2024. The Committee monitors the implementation of internal and external audit recommendations/corrective actions. As at 16 December 2024, there are 8 actions in progress.
4.2.2.1	Completion of annual training plans and delivery of identified development requirements	Annual training program (aligned to skills steps and performance reviews) established by 31 May.	80%	Annual Training Plan has been developed for the 2024/2025 financial year for staff. Skills development provided in accordance with priorities, budget and availability of providers.
4.2.2.3	Provide policies, programs and initiatives that support employee work/life balance.	Initiatives communicated to employees and employees leave balances kept within acceptable limits.	50%	Applicable policies are reviewed as required. Initiatives considered and communicated to employees.
4.2.2.4	Implement coaching and mentoring programs across the organisation to support leadership growth.	Leadership and management tools identified and made available.	70%	Council continues to promote its values and strategic direction to support leadership growth. A tailored leadership training program was delivered to outdoor leaders and emerging leaders from May – August 2024.

Action Code	Action	Performance Measure	Action Progress	Comments
4.2.2.5	Implementation of Councillor Training and Professional Development Program.	95% attendance by Councillors at scheduled training events.	30%	An induction program for newly elected and returning Councillors was delivered by LGNSW on 28 October 2024. 3 Councillors attended for the full day, with 1 Councillor attending for half of the day. Councillors were also encouraged to register and participate in the Office of Local Government's 'hit the ground running' online training. Cyber Security awareness training was provided with 5 Councillors attending.
4.2.3.1	Integrated Planning and Reporting documents reflect best practice.	All plans adopted by 30 June	0%	Drafting of Integrated Planning and Reporting Documents to commence in January 2025, to be adopted by Council prior to 30 June 2025.
4.2.4.2	Customer services standards.	Annual satisfaction survey.	50%	Resources are available on an ongoing basis to provide services that meet the standards set by Council and the expectation of the community.  Council uses the Customer Service Feedback Kiosk located in the Customer Service and Payment Centre to analyse customer service satisfaction.
4.2.4.3	Customer Requests responded to within time frames agreed in Customer Service Policy.	85% compliance with Customer Service Policy.	50%	Council monitors and reviews customer requests on an ongoing basis to ensure responses are provided in accordance with the requirements of Council's Customer Services Policy.
4.2.5.1	Promote future workforce development with options such as traineeships, apprenticeships and cadetships within each department.	Applicable positions assessed and filled	60%	Funding secured for 3 positions under the Fresh Start program, including Apprentice Groundskeeper, Cadet Engineer and Procurement Trainee with recruitment commencing in January 2025. Operational staff developed through mature age apprenticeships and training.

Action Code	Action	Performance Measure	Action Progress	Comments
4.2.5.3	Continue to implement best practice recruitment and selection practices, including strategies to fill gaps.	Vacancies filled within 90 business days	50%	Recruitment conducted in a timely manner. Vacancies are generally filled within 90 days. Training and development strategies have proven effective to fill gaps and improve employee retention.
4.2.6.1	Councillors to act positively at all times in the public eye.	Number of complaints received.	50%	Two Code of Conduct complaints received during the reporting period.
4.2.6.2	Councillors and staff act ethically and make informed, transparent and inclusive decisions in the interest of the whole community.	Number of complaints received.	50%	Council's Code of Conduct provides the foundation for ethical decision-making and appropriate conduct for all council officials. Code of Conduct complaints are considered in accordance with the adopted procedures for the administration of the Code of Conduct. Council received 2 complaints during the reporting period.

### A FINANCIALLY SOUND COUNCIL THAT IS RESPONSIBLE AND SUSTAINABLE - SP No. 30

Action Code	Action	Performance Measure	Action Progress	Comments
4.3.1.1	Implementation of the Delivery Program and Operational Plan including Budget and Asset Management Plan on an annual basis.	Plans and Budget documentation endorsed by Council by 30 June each year.	50%	Delivery program and Operational Plan for 2025-26 are in review to be adopted by Council prior to 30 June 2025.
4.3.1.2	Continue to prepare financially sustainable budgets for consideration by Council.	Council prepares annual balanced budget for adoption by Council.	50%	Annual budget for 2024-25 was completed and presented to Council for consideration. First quarter review for 2024/25 budget was presented to Council in November 2024. Second quarter review for 2023/24 budget to be presented to Council in February 2024. Budget is monitored and controlled on an ongoing basis to ensure income and expenditure are in line with the approved budget.

## Attachment No. 1

Action Code	Action	Performance Measure	Action Progress	Comments
4.3.1.3	Continue to develop revenue strategies that are equitable and contribute to a financially sustainable future.	Sustainable Statement of Revenue Policy endorsed by Council by 30 June each year.	50%	Council's Statement of Revenue Policy will be reviewed and endorsed by Council prior to 30 June 2025.
4.3.1.4	Levy and collect rates and charges in accordance with statutory requirements and Council policies.	No known breaches of policy.	50%	Rates, user fees and charges (water, sewer, refuse collection) and supplementary levies completed for the first and second quarters in accordance with statutory requirements, policies and operational plan.
4.3.1.5	Provide monthly cash balances and detailed quarterly financial reports to Council.	Reports prepared and accepted by Councillors and management.	50%	Reports are prepared and presented to Council monthly as required. Reports are presented to the Audit Risk and Improvement Committee at its quarterly meetings for review and comments.
4.3.1.6	Prepare Council's Annual Financial Accounts in accordance with relevant Acts and Regulations.	Unmodified audit report issued by 31 October each year.	100%	Council's 2023-24 annual financial statements were considered and adopted by Council in November 2024. Final audited statements were completed and lodged with OLG on 31 October 2024.
4.3.1.7	Ensure Council has adequate cash flow to meet their needs.	Maintain level of outstanding rates and charges at below 10% at year end.	50%	Cash flow is monitored on an ongoing basis to ensure sufficient cash is available to meet Council's needs. Budget is controlled and monitored on an ongoing basis to ensure expenditure is in line with budget.
4.3.1.8	Ensure Council's ongoing financial viability.	Maintain a debt service ratio below 10%.	50%	Expenditure is monitored on an ongoing basis to ensure expenses are within budget. Budget is reviewed quarterly and amended if required.

## Attachment No. 1

Action Code	Action	Performance Measure	Action Progress	Comments
4.3.1.9	Ensure accounting data is recorded accurately and returns are filed in accordance with legislative requirements.	Positive audit findings. Reduction in issues raised in management letter of medium consequence or higher.	50%	Financial system is monitored and maintained on an ongoing basis and updated as required. All returns have been completed and submitted. Council received a positive 2023/24 audit finding.
4.3.2.1	Maximise opportunities for utilising grants to supplement and support identified Council priorities and projects.	At least two successful grants received each year for projects within Council priority areas.	50%	Grant opportunities considered. Design and Upgrade of Tomingley Heavy Vehicle Rest Area; Narromine Flood Risk Management Study and Plan Review.
4.3.2.2	Identify projects suitable for grant applications.	At least five identified projects per year in the operational plan, subject to grant funds.	50%	Council continues to liaise with all levels of Government and within Council departments to identify grant opportunities.
4.3.3.3	Review asset management plans annually.	Asset management plans updated annually by 30 June.	0%	Asset Management Plans are scheduled for review in March with endorsement by Council prior to 30 June 2025.
4.3.3.4	Undertake monthly inspections of Regional Roads.	12 inspections of each Regional Road per year.	50%	With the new AI system inspections are undertaken monthly on regional roads and quarterly on rural roads.
4.3.3.5	Undertake annual inspections of Local Roads.	100% Local Roads inspected minimum of once per year.	50%	All roads were inspected in July 2024 with the new AI tool. Quarterly inspections are now targeted.

## Attachment No. 1

Action Code	Action	Performance Measure	Action Progress	Comments
4.3.3.6	Review and implement plant and fleet replacement strategy.	Strategy reviewed and implemented.	50%	Council is approximately 50% through the procurement of plant and fleet for the 24/25 FY. Council had a large program this year including 8 new ride-on mowers, tractors, a grader and multiple light-fleet vehicles. Council is currently in the process of a Plant and Fleet utilisation audit, which includes the review of the plant and fleet strategy.
4.3.3.7	Council's property strategy reviewed and actions implemented	85% of actions implemented	50%	Council continues to implement actions within the Strategy, including continuation of the industrial hub and freight exchange; implementation of the Northern Catchment stormwater project; and the Narromine Saleyards redevelopment.
4.3.3.8	Review IT strategic plan.	Implement actions.	60%	IT Strategic Plan is currently under review and will be updated and finalised by 31 March 2025.  Actions identified in the existing IT Strategic Plan were implemented in accordance with available resources.

## SOUND PARTNERSHIPS ARE ENCOURAGED AND FOSTERED - SP No. 32

Action Code	Action	Performance Measure	Action Progress	Comments
4.4.1.1	Active membership and representation on government, regional and other bodies.	Maintain membership of relevant government, regional and area bodies.	50%	Active member of Country Mayors Association and Alliance of Western Councils.
4.4.1.2	Prepare submissions as required.	One submission prepared per year.	100%	Most recent submissions include submission regarding Local Government Sustainability and submission to Productivity Commissioner regarding water reform.
4.4.1.3	Continue to participate in shared opportunities through Alliances.	Attendance and participation in all Alliances meetings and activities	50%	Active participation in HR and Payroll user groups, Orana Water Utilities Alliance and Alliance of Western Councils.
4.4.2.1	Represent the community's interests and lobbying topics of significant impact to the Shire.	One submission per quarter.	50%	Submissions completed as requested. Requests include to Minister for Regional Transport and Roads.  Further submissions will be made as required.
4.4.2.2	Advocate to other tiers of government for a better allocation of funding to support the delivery of services for which other levels of government have primary responsibility.	Meet every six months with State and Federal Local Members and relevant agencies	50%	Quarterly meetings held with State Member. Six monthly meeting held with Federal Member.
4.4.3.1	Build strong relationships with State and Federal members and State Government agency representatives and regional development organisations	Meet every six months with State and Federal Local Members and relevant agencies to ensure the development and delivery of community service and emerging business sectors.	50%	Six monthly meetings held with Federal Members, Quarterly meetings held with State Members,  Meetings have included Hon Rose Jackson, Minister for Water, Housing and Homeless - August, Hon David Littleproud, Hon Mark Coulton MP - October, Hon Jenny Aitchison, Minister for Regional Transport and Roads – October.

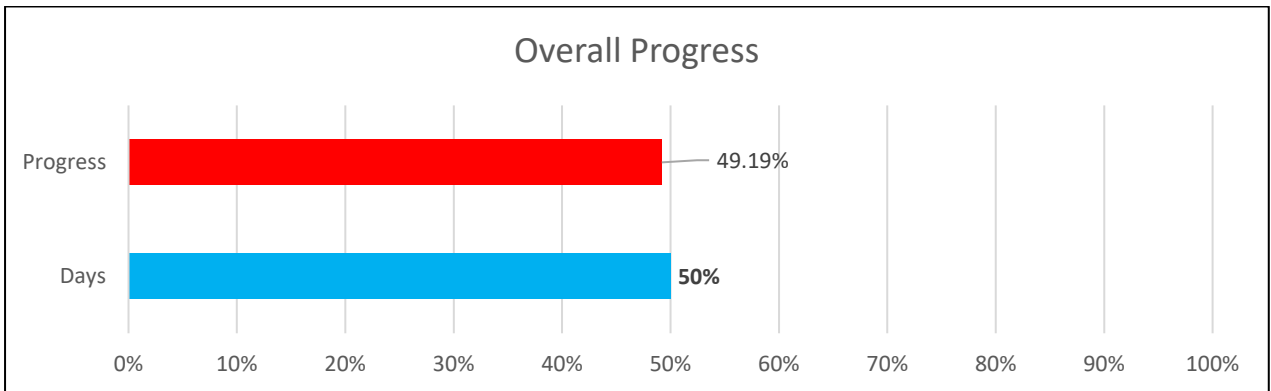
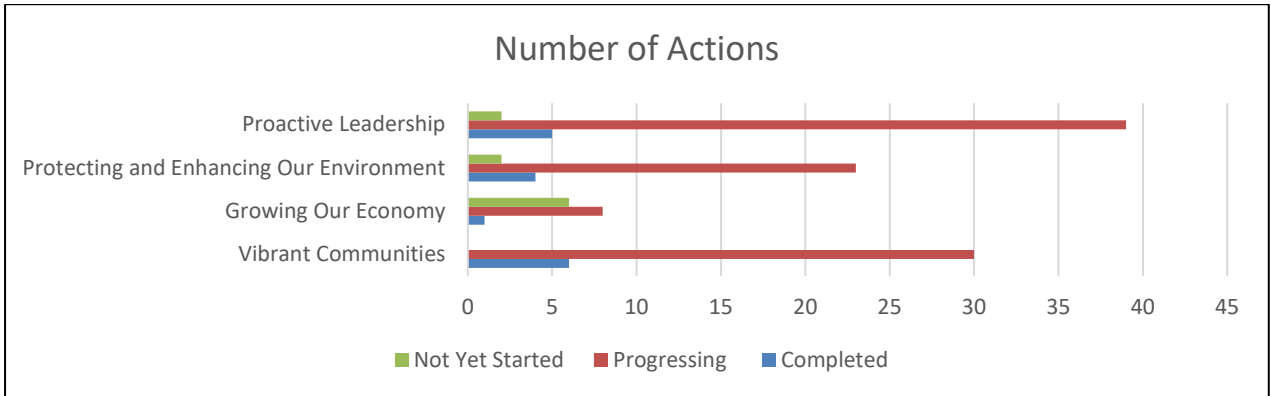
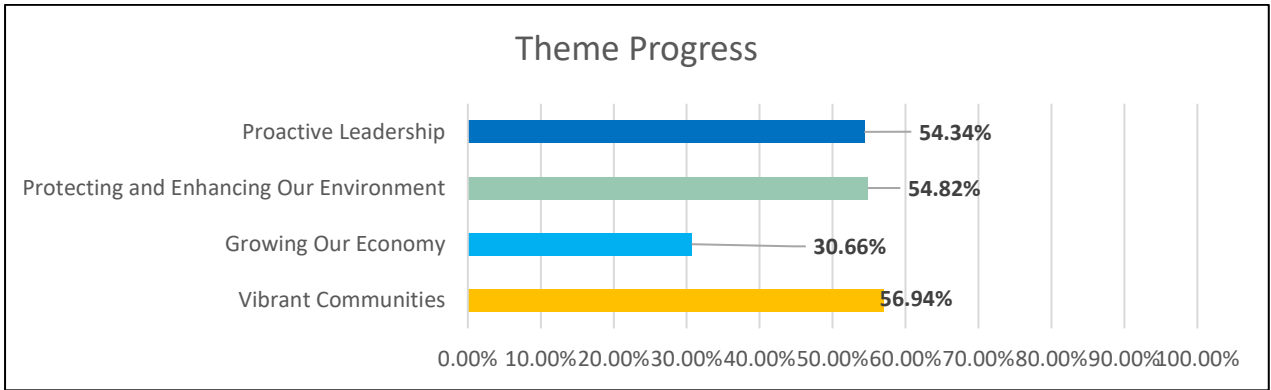


Attachment No. 1

Action Code	Action	Performance Measure	Action Progress	Comments
4.4.3.2	Review Council's Social Plan.	Implement actions in the Social Plan.	50%	Improvements to Trangie and Narromine libraries are now underway. New amenities to Dundas Park completed. Social Plan to be reviewed as CSP is updated.
4.4.4.1	Work collaboratively with community groups through representation at the Interagency Group.	Increase the representation of community groups within the Interagency Group annually.	50%	Continue to attend meetings as required. Council liaises with relevant agencies throughout the year.
4.4.5.2	Work collaboratively with the community through greater representation at the Trangie Action Group and Tomingley Advancement Association.	90% attendance by Councillor Representative.	50%	Ongoing and positive communications with Trangie Action Group and continued six monthly meetings with Tomingley Advancement Association. Councillor representative in attendance at both these meetings.



# Overall Progress







[Back to Report](#)

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# LOCAL APPROVALS POLICY

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Local Government Act 1993, Local Government (General) Regulations 2021  
and Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and  
Moveable Dwellings) Regulation 2021

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## INTRODUCTION

### What is the title of this Policy?

This policy ("the policy") is called the Narromine Shire Council Local Approvals Policy.

### What is the status of this Policy?

(1) The Policy is a local approvals policy prepared and adopted under Section 158 of the Local Government Act 1993 ("the Act").

### What are the General Aims of the Policy?

The Policy aims:

- (a) To have an integrated framework dealing with approvals
- (b) To ensure consistency and fairness in the manner in which Council deals with applications for approval;
- (c) To encourage and assist effective participation of local communities in decision-making.
- (d) To make Council's policies and requirements for approvals readily accessible to the public;
- (e) To assist Council to fully pursue its principles under Chapter 3 of the Act.
- (f) To apply common or consistent requirements and procedures to all types of approval.

### When will the Policy be revoked?

The Policy is automatically revoked at the expiration of 12 months after the declaration of the poll for that election, unless the Council revokes it sooner.

**NOTE:** Under Section 165(4) of the Act, automatic revocation of the policy (other than a local policy adopted since the last general election) occurs 12 months after the declaration of the poll for a Council election.

### Where does the Policy apply?

The Policy applies to all land within the Narromine Shire local government area.

### To what approvals does the Policy relate?

The Policy applies to approvals for the following activities which are listed in the Table to Section 68 of the Act. These activities require **approval** from Council.

### What definitions apply?

Expressions used in the Policy are defined in the Dictionary at the end of the Act (the "Act Dictionary"). A partial extract from that dictionary is included in Appendix A of this LAP.

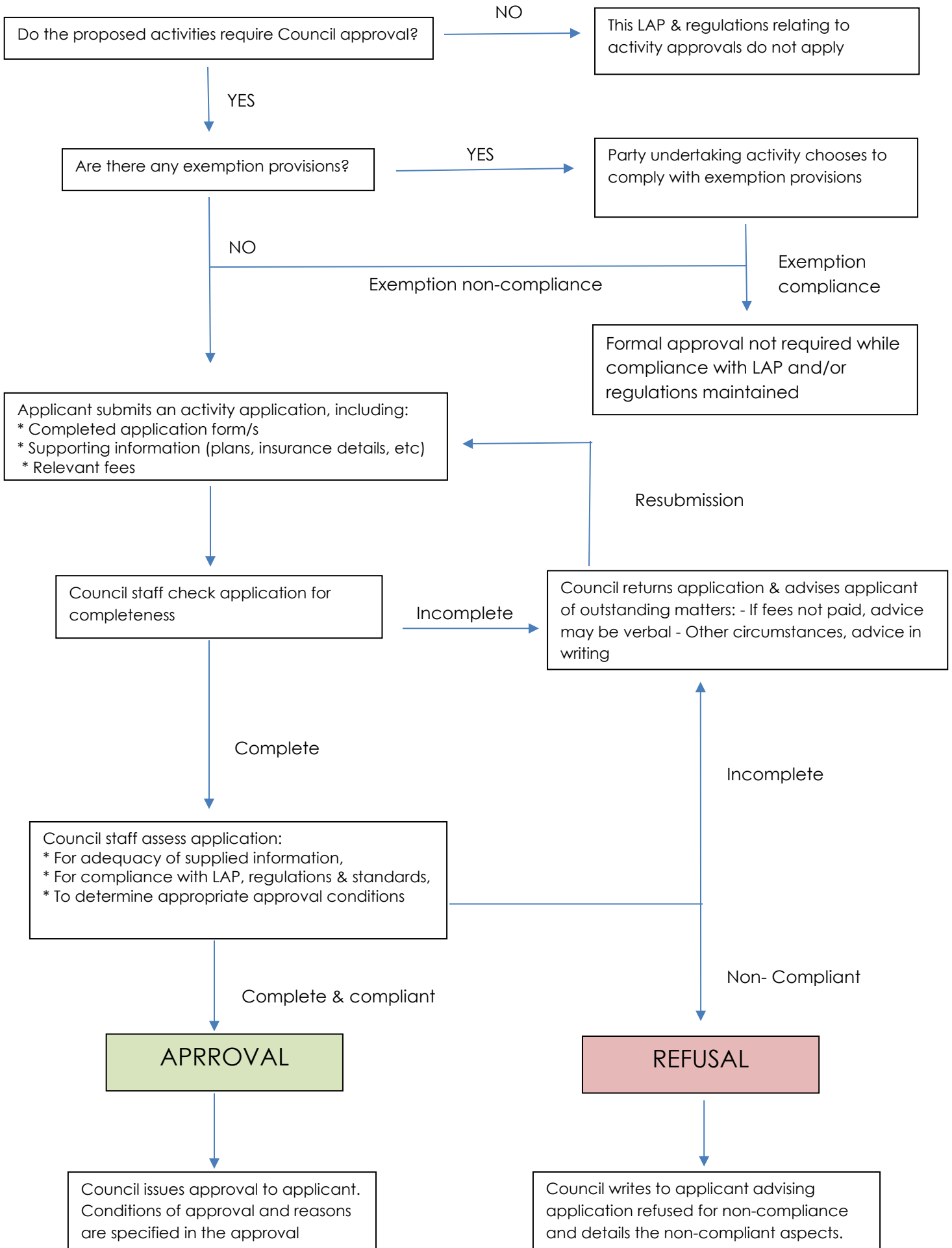
### What are the notes in the text?

Notes in the text are explanatory notes, and do not form part of the Policy. They are provided to assist understanding.

### How are applications processed?

The flow chart below summarises how activity applications are processed by Narromine Shire Council, and how this Local Approvals Policy (LAP) relates to such applications.





## What are other relevant documents?

The following documents are related, either directly or indirectly, to the Policy:

- a. Local Government Act 1993 – particularly Chapter 7.
- b. Local Government (General) Regulation 2021.
- c. Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

The policy is in three parts:

**Part 1: Exemptions** - outlines the circumstances in which a person is not required to obtain a particular approval.

**Part 2: Criteria** - is the criteria which must be considered when determining whether or not to grant approval to a particular activity.

**Part 3: Other matters** - includes information on the processing of an application and other relevant matters.

The exemptions outlined in this policy are given in the belief that those activities can function effectively without Council involvement provided that all appropriate guidelines are complied with by the operator. There are however other activities that require some degree of regulating and / or co-ordination. In these cases, an application and approval is required.

## SECTION 68 LOCAL GOVERNMENT ACT

A person may carry out an activity specified below only with the approval of Council, except so far as the Act or this policy allows the activity to be carried out without that approval

### Part A - Structures or places of entertainment

1. Install a manufactured home, moveable dwelling or associated structure on land.

### Part B - Water supply, sewerage & stormwater drainage work

1. Carry out water supply work
2. Draw water from a council water supply or a standpipe or sell water so drawn
3. Install, alter, disconnect or remove a meter connected to a service pipe
4. Carry out sewerage work
5. Carry out stormwater drainage work
6. Connect a private drain or sewer with a public drain or sewer under the control of a council or with a drain or sewer which connects with such a public drain or sewer.

### Part C - Management of waste

1. For fee or reward, transport waste over or under a public place
2. Place waste in a public place
3. Place a waste storage container in a public place
4. Dispose of waste into a sewer of the council
5. Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility
6. Operate a system of sewage management (within the meaning of s.68A).

### **Part D - Community land**

1. Engage in a trade or business
2. Direct or procure a theatrical, musical or other entertainment for the public
3. Construct a temporary enclosure for the purpose of entertainment
4. For fee or reward, play a musical instrument or sing
5. Set up, operate or use a loudspeaker or sound amplifying device
6. Deliver a public address or hold a religious service or public meeting.

### **Part E - Public roads**

1. Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway
2. Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.

### **Part F - Other activities**

1. Operate a public car park
2. Operate a caravan park or camping ground
3. Operate a manufactured home estate
4. Install a domestic oil or solid fuel heating appliance, other than a portable appliance
5. Install or operate amusement devices
6. Repealed
7. Use a standing vehicle or any article for the purpose of selling any article in a public place
- 8 & 9. Repealed
10. Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations.

**In some cases, consent may be required under the Local Government Act and the Roads Act. Where both Acts apply, a single approval will be issued.**

## EXEMPT WORKS AND ACTIVITIES

There are already some works and activities that you can do without the need to apply for approval provided that they meet certain criteria and standards. These works and activities are listed in a wide range of documents and include:

### 1. Environmental Planning & Assessment Act

The Environmental Planning & Assessment Act allows various exemptions. These include:

- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for building works and other activities on private land such as landscaping.
- State Environmental Planning Policy (Transport and Infrastructure) 2021 for works undertaken by public authorities such as the construction of school rooms through to the installation of street furniture, play ground equipment, etc.
- Council's Local Environmental Plan also provides exemptions for specified activities within certain zones that can be carried out without development consent such as bush regeneration.

### 2. Local Government Act

The Local Government (General) Regulation 2021 and the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 also specifies works or activities that are exempt.

This policy forms part of the exemptions under the Local Government Act. It lists further works and activities that may under certain circumstances be carried out without requiring the approval of Council.

### GENERAL AIMS

The policy applies to activities and works in the Narromine Shire Local Government Area

The general aims of the policy are:

- To provide an integrated framework for dealing with applications for approval with clear guidelines.
- To apply common and consistent requirements and procedures for the relevant types of approvals.
- To ensure consistency and fairness in the manner in which Council deals with applications for approval.
- To make Council's policies and requirements for approvals readily accessible and understandable to the community.

**NOTE:** Reference made to any Act, Regulation, planning instrument, standard or other document, or any authority, agency or the like, shall be taken to be a reference to any subsequent or replacement document or authority. Where there is an inconsistency between the Act or the Regulations and the Local Approvals Policy, the Act or the Regulations will prevail.

**In accordance with s.165 of the Local Government Act, this Local Approvals Policy (other than a policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election.**

# PART 1 – EXEMPTIONS

## Legislative Exemptions

The Local Government (General) Regulation 2021 and the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 lists some activities that are exempt from the need for Council approval.

The Regulations specify conditions applicable to exemptions and reference should be made to the relevant provisions before proceeding with the proposed activity.

### Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021

#### Conditional Exemptions

Clause 74 ~~Installation of a relocated house or associated structure on a dwelling site within a caravan parks and camping grounds, provided the structure is designed, constructed and installed in accordance with the relevant provisions of the Regulations, the site is not liable to flooding and the installation occurs with the consent of the holder of the approval to operate the caravan park or camping ground concerned.~~

(1) The approval of the council is not required for the installation of the following—

- (a) a relocatable home or associated structure on a dwelling site within a caravan park if it is designed, constructed and installed in accordance with Division 4,
- (b) a caravan, tent or annexe on a dwelling site within a caravan park if it is designed, constructed and installed in accordance with the Division 5,
- (c) a tent on a camp site within a camping ground,
- (d) a campervan—
  - (i) on a dwelling site within a caravan park, or
  - (ii) on a camp site within a camping ground,
- (e) a moveable dwelling or associated structure on a dwelling site within a caravan park or a camp site within a camping ground if—
  - (i) the manager of the caravan park or camping ground is reasonably satisfied the installation is necessary to accommodate a displaced person, and
  - (ii) the moveable dwelling or associated structure is designed, constructed and installed in accordance with Division 4 or 5.

(2) The installation of the relocatable home, annexe, associated structure, caravan, campervan or tent must be carried out by, or with the consent of, the holder of the approval to operate the caravan park or camping ground.

(3) This section does not apply to the installation of a relocatable home, rigid annexe or associated structure—

- (a) on flood liable land if the council has given written notice to the holder of the approval that the land is flood liable land, or  
(b) with more than 1 storey

Clause 77(a) Installation of not more than 2 caravans, campervans or tents on any land, so long as they are not occupied for more than 2 days at a time and are not occupied for more than 60 days (in total) in any single period of 12 months, or

Clause 77(b) Installation of not more than one caravan or campervan on land occupied by the owner of the caravan or campervan in connection with that owner's dwelling-house, so long as it is used for habitation only by the owner or by members of the owner's household and is maintained in a safe and healthy condition, or

Clause 77(c) Installation of a caravan or campervan on pastoral or agricultural land, so long as it is merely occupied seasonally by persons employed in pastoral or agricultural operations on the land.

Clause 77 (d) A moveable dwelling or associated structure on land to accommodate a person who has been displaced as a result of a natural disaster if the moveable dwelling or associated structure is—

- (i) maintained in a safe and healthy condition, and
- (ii) removed within—

(A) 2 years after it is installed, or

(B) if the relevant local approvals policy for the moveable dwelling or associated structure specifies a longer period—the longer period.

### Local Government (General) Regulation 2021

#### Exemptions – Transport waste (C1 activity)

Clause 48(a) The transporting of waste over or under a public place for fee or reward if:

- The activity is licensed under the Protection of the Environment Operations Act 1997, or
- ~~The activity is being carried out in the Sydney metropolitan area as defined in Part 3 (Interpretive provisions) of Schedule 1 of the Act, or~~
- The waste is being transported through the area of the Council and is not being collected or deposited in that area.

#### Exemptions – Place waste in a public place (C2 activity)

Clause 48(b) The placing of waste in a public place, if done in accordance with arrangements instituted by the Council. Refer to criteria outlined in Part 1: Local exemptions.

#### Exemptions – Install, construct or alter a waste treatment device (C5 activity)

Clause 48(e) The installation, construction or alteration of a waste treatment device, if that installation, construction or alteration is done:



- under the authority of a licence in force under the Protection of the Environment Operations Act 1997, or
- in a vessel used for navigation, or
- in a motor vehicle registered within the meaning of the Road Transport Act 2013 and is used primarily for road transport.

#### Exemptions – Operate a system of sewage management (C6 activity)

Clause 48(f) So much of the operation of a system of sewage management as is limited to an action carried out:

- under the authority of a licence in force under the Protection of the Environment Operations Act 1997, or
- in a vessel used for navigation, or
- in a motor vehicle registered within the meaning of the Road Transport Act 2013 and is used primarily for road transport.

Clause 47 [\(1\)](#) Despite the other provisions of this Regulation, a person who purchases (or otherwise acquires) land on which any sewage management facilities are installed or constructed may operate a system of sewage management without the approval required under s.68 of the Act for the period of 3 months after the date on which the land is transferred or otherwise conveyed to the person (whether or not an approval is in force, as at that date, in relation to the operation of a system of sewage management on that land).

[Clause 47 \(2\)](#) Further, if the person duly applies, within the period of 2 months after the date on which the land is transferred or otherwise conveyed to the person, for approval to operate the system of sewage management concerned, the person may continue to operate that system of sewage management without approval until the application is finally determined.

#### Exemptions – Use of a loudspeaker or amplifying device on community land (D5 activity)

Clause 49 A loudspeaker or sound amplifying device may be set up, operated or used on community land without the prior approval of the council if it is done in accordance with a notice erected on the land by the council or if it is done in the circumstances specified, in relation to the setting up, operation or use (as the case may be), in Part 1 of the Local Approvals Policy applying to the land. Refer to criteria outlined in Part 1: Local exemptions

#### Exemptions – Domestic oil or solid fuel heating appliance (F4 activity)

Clause 70 A domestic oil or solid fuel heating appliance (other than a portable appliance) may be installed without the prior approval of the council if details of the appliance are included in plans and specifications for the relevant building approved under Part ~~4A-6~~ of the Environmental Planning and Assessment Act 1979.

#### Exemptions – Operation of a public car park (F1 activity)

Clause 66 A public car park may be operated without the prior approval of the council if approval for its erection or operation has already been given by the council in connection with another approval or development consent and the car park complies with any applicable conditions of that approval or development consent.

#### Exemptions – Amusement devices (F5 activity)

Clause 71 Amusement devices not required to be registered under the Work Health and Safety Regulation ~~2011~~2017 may be installed or operated without the prior approval of the council.

Clause 75 A small amusement device may be installed or operated without the prior approval of the council if:

- the ground or other surface on which the device is to be or has been erected is sufficiently firm to sustain the device while it is in operation and is not dangerous because of its slope or irregularity or for any other reason, and
- the device is registered under the Work Health and Safety Regulation 2017, and
- the device is to be or has been erected and it is or is being operated in accordance with all conditions (if any) relating to its erection or operation set out in the current certificate of registration issued for the device under that Regulations,
- there exists for the device a current logbook within the meaning of Chapters of that Regulation, and
- in the case of a device that is to be or is installed in a building, fire egress is not obstructed, and
- there is in force a contract of insurance or indemnity for the device that complies with clause 74 (see below).

In the Regulation, small amusement device means an amusement device that is designed primarily for the use of children 12 years of age or under and includes such amusement devices as mini-Ferris wheels, battery operated cars and miniature railways but, in the case of rotating amusement devices, includes only those devices that have a maximum rotation of 14 revolutions per minute.

Clause 74 It is a condition of an approval to install or operate an amusement device that there must be in force a contract of insurance or indemnity that indemnifies to an unlimited extent (or up to an amount of not less than \$20,000,000 in respect of each accident) each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability.

### Local Exemptions

**In addition to the exemptions available under the Local Government (General) Regulation 2021 and by virtue of this Local Approvals Policy, the following activities under s.68 of the Local Government Act are exempt from the need to obtain a particular approval of the Council in the circumstances specified below.**

**s.68 Part B – Water supply, sewerage & stormwater****Stormwater work**

(s.68 Item B5) Stormwater work is exempt from the need for approval provided that it complies with the following criteria:

<b>Criteria</b>	<p>Only for work on a single lot associated with a single residential dwelling.</p> <p>For the repair or replacement of existing stormwater drainage lines including guttering and downpipes.</p> <p>Drainage lines must be connected to the street gutter, an approved inter allotment drainage system, an absorption trench (depending on the fall of the land) or an approved stormwater collection and disposal system.</p> <p>Absorption trenches (where used) shall be a minimum of 600mm wide x 600mm deep x 4 metres long and provided at the rate of one trench for each downpipe. Trenches shall be located at least 4 metres from any building and property boundary.</p> <p>The land surrounding any structure must be graded to divert surface water to the street or other stormwater disposal system, and clear of existing and proposed structures and adjoining premises.</p> <p>No construction is permitted over a drainage channel or drainage depression.</p> <p>Drainage work is to comply with AS/NZS 3500.3 - Stormwater Drainage.</p>
<b>Advice</b>	<p>Any variation to the above will require Council consent.</p> <p>Separate approval is required for the removal of any tree or for any works within the road reserve (such as opening the road for utility services).</p>

**s.68 Part C - Waste****Commercial waste**

(s.68 Item C2 & C3) In accordance with the exemption given in Clause 48(b) of the Local Government Regulation 2021, the placement of a commercial waste storage container in a public place is exempt from the need for approval provided that they comply with the following criteria:

<b>Criteria</b>	<p>Associated with business within B2 zones:</p> <p><del>Must relate to an existing approved and lawful use.</del></p> <p>Maximum of one 240 litre bin and only where the internal waste collection area is not accessible to the collection agency.</p>
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Must be placed immediately adjacent to the premises. If the bin is placed beyond the user's property, prior consent is required from the adjacent owner.

Must be located so as to not disturb traffic flow, impede or endanger pedestrian movement, restrict driver sight lines or vehicle access.

Must not be offensive nor contain hazardous, liquid or clinical waste.

May only be placed in a public place for the purposes of collection by a waste contractor and must be removed as soon as possible ~~after servicing to the internal storage~~ area. In the event of service disruption, containers must be brought inside until the service can be provided.

Waste oil drums are not permitted to be stored or placed in the public place at any time. Collection must be undertaken by a registered waste collection agency and occur from within the subject premises.

Commercial waste must be collected and disposed of by a commercial contractor. Waste cannot be removed from the premises to be disposed of in a street litter bin.

The area where the container is placed for collection must be kept cleaned.

All waste containers must be vermin proof and cleaned on a regular basis without causing stormwater pollution.

Uncontained waste for example plastic bags and loose cardboard boxes are not permitted to be placed next to or on top of containers in the public place.

**Advice**

Any variation to the above will require Council consent.

Individual commercial waste generators are responsible for the handling and storage of waste generated in their premises to meet public health, safety and environmental requirements. They are also responsible for the costs involved with approved collection and disposal procedures.

**Domestic waste**

(s.68 Item C2 & C3) In accordance with the exemption given in Clause 48(b) of the Local Government (General) Regulation 2021, the placement of a domestic waste storage container in a public place is exempt from the need for approval provided that they comply with the following criteria:

**Criteria****Garbage / recycling:**

Domestic waste must be contained in the Council's waste storage containers and only placed in a public place for the purposes of collection by the Council or agents acting on their behalf.

Uncontained waste for example plastics bags and loose cardboard boxes are not permitted to be placed next to or on top of containers in a public place.

Waste storage containers should be put out for collection the night before the scheduled collection and must be removed from the public place as soon as possible on the day of collection and stored on private property.

Waste storage containers must be placed immediately in front of resident's properties located at an approved service pick up point.

Lids of waste storage containers must remain closed, and the container surrounds be kept tidy at all times.

The resident is responsible for the cleanliness of their waste storage containers. They must be: free of stains, odours and debris; and in full working order with no cracks, missing wheels, lids or pins (Bin repairs should be reported to the Council).

**Bulky waste for household items:**

Only for general household items booked or scheduled for a clean-up with the Council can be placed in a public place two days before the collection is scheduled to take place as specified or directed by the Council.

General household items must be stored on the nature strip in a neat pile, not exceeding 1 cubic metre. The items must not block any road or footway and must not endanger pedestrian or vehicle traffic or the environment.

Items must be capable of being lifted by 2 people.

Loose items must be bagged or bundled together to prevent littering and hazards.

Bulky waste must be placed immediately in front of the resident's property and kept clear of paths and driveways.

Rejected general household items must be removed promptly by the resident.

Doors to refrigerators, freezers or the like are to be removed to prevent entrapment of children.

**Green waste:**

Can be placed in a public place two days before the collection is scheduled to take place as specified or directed by the Council.

Material must not be located in front of vacant blocks, reserves or non-residential properties.

Must only contain branches and these are to be stored on the nature strip in a neat pile, not exceeding 2 cubic metres. Keep cut ends of branches together.

Branches must be between 1 to 3 metres in length and a maximum diameter of 15cm.

The items must not block any road or footway and must not endanger pedestrian or vehicle traffic or the environment.

Green waste must be placed immediately in front of the resident's property.

Chipped material and/or rejected materials must be removed promptly by the resident.

**Advice**

Any variation to the above will require Council consent.

Reference should be made to the guides on waste management which detail types of materials collected. This information is available on [www.narromine.nsw.gov.au](http://www.narromine.nsw.gov.au)

**Bulk bin / skip**

(s.68 Item C3)

In accordance with the exemption given in Clause 48(b) of the Local Government (General) Regulation 2021, the placement of a bulk bin / skip bin container in a public place is exempt from the need for approval provided that it complies with the following criteria:

**Criteria**

Must be associated with a single residential dwelling development.

Can only be located on the road reserve where constraints are such that the container cannot be kept within the property boundary of the site.

Not on a classified road.

Maximum container size of 2.5 cubic metres.

Only one container can be stored at any one time at the property frontage.

Must be located so as to not disturb traffic flow, impede or endanger pedestrian movement, restrict driver sight lines or vehicle access or impede public utility access or drainage pits.



Must be in place for a period no more than 5 days and not more than 2 occasions in any one year.

Must not be used for putrescible waste, dangerous or hazardous waste.

Must be secured to prevent waste being dislodged by wind and other forces including animals.

~~Bulk bin must be: light in colour; have reflectors or warning lights on outer corners and covered outside working hours and during transport; bear legibly the name, address and all hours phone number of the owner/supplier.~~

All requirements of the Work Health and Safety Act 2011, as administered by SafeWork NSW must be met.

**Advice**

Any variation to the above will require Council consent.

This section does not apply to shipping containers. Shipping containers require approval.

Council reserves the right to order the removal of any waste container, if such container, or the activity associated with it in the opinion of Council, causes a nuisance. Specific arrangements are required for the removal and disposal of asbestos. Refer to [www.narromine.nsw.gov.au](http://www.narromine.nsw.gov.au)

**Approval to operate a pump to sewer system**

(s.68 Item C6)

Pump to sewer systems are exempt from the need for approval to operate provided that they comply with the following criteria:

**Criteria**

Only associated with systems serving a single residential dwelling on a single allotment of land pumping directly into the Narromine Shire reticulated sewerage system.

Septic systems and collection tanks are to be desludged at a minimum every 5 years\* with pumps serviced at the same time.

Septic systems and collection tanks must be safely constructed and secured to prevent a public hazard.

**Advice**

Any variation to the above will require Council consent.

\*Depending on the load / use septic tanks and pumps may require more frequent servicing.

**s.68 Part D – Community Land****Street stalls for political purposes**

(s.68 Item D1) Street stalls for political purposes are exempt from the need for approval provided that they comply with the following criteria:

<b>Criteria</b>	<p>Not within 5 metres of a bus stop, pedestrian crossing, taxi stand or intersection.</p> <p>Only one table 2 metres x 1 metre to be used.</p> <p>No more than three representatives to be in attendance at any one time.</p> <p>No fund-raising activities are to be carried out.</p> <p>If located outside any shop must have the permission of the shop owner.</p> <p>Not to include a public address system or the like nor cause offensive noise.</p> <p>The organisation conducting the stall must display a sign on the stall, not on the footpath, indicating its name. No other signage will be permitted.</p> <p>The stall must not obstruct or inconvenience pedestrian or vehicular traffic by maintaining a minimum accessible path of travel of 2.5 metres.</p>
<b>Advice</b>	<p>Any variation to the above will require Council consent.</p>

**Busking or street theatre**

(s.68 Item D2 & D4)

Busking or street theatre is exempt from the need for approval provided that it complies with the following criteria:

<b>Criteria</b>	<p>Only in B2 Zones: Local Centres.</p> <p>Not within 5 metres of a bus stop, pedestrian crossing, taxi stand or intersection.</p> <p>Must not occur in any area adjacent to an educational establishment or place of public worship or in any park or reserve.</p> <p>Must retain a minimum of 2.5 metres of footpath for public movement.</p> <p>The activity must not obstruct or hinder the passage of pedestrians or vehicles nor create any nuisance or offensive noise.</p>
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The performance must not involve the use of dangerous materials and implements nor include drawing or marking the footpath or affixing any matter or structure to the footpath paving.

If located outside any shop must have the permission of the shop owner.

Must not use a public address, sound system or amplified equipment.

Performers may receive voluntary donations from the audience but may not solicit funds.

Performers may only perform in one location for a maximum of 2 hours. Performers may subsequently relocate to another location that is at least 200 metres away.

Performers are not permitted when special events are in progress (unless approval [is](#) given as part of the event).

Performers must not advertise goods for sale or associate themselves with such advertising in conjunction with their performance, other than recordings consisting of the performers own work.

**Advice**

Any variation to the above will require Council consent.

Approval is required to sell their own works (see Part 2: Selling Articles in a Public Place).

**Use of loudspeaker or sound amplifying device**

(s.68 Item D5)

In accordance with the exemption given by Clause 49 of the Local Government (General) Regulation 2021 the use of a loudspeaker or sound amplifying device is exempt from the need for approval provided that it complies with the following criteria:

**Criteria**

Only for major events such as fairs / festivals or sports events that have the approval of the Council.

Must not create a nuisance or cause offensive noise.

**Advice**

Any variation to the above will require Council consent.

**Preaching and religious services**

(s.68 Item D6)

Preaching and religious services are exempt from the need for approval provided that they comply with the following criteria:

**Criteria**

Not within 5 metres of a bus stop, pedestrian crossing, taxi stand or intersection.

Must not occur in any park or reserve, tourist location or any area adjacent to residential premise.

Must not occur in any area adjacent to an educational establishment or place of public worship (unless permission given from the occupant).

Must retain a minimum of 2.5 metres of footpath for public movement.

The activity must not cause nuisance, offense or obstruction.

If located outside any shop must have the permission of the shop owner.

Not to include a public address system or the like nor cause offensive noise.

**Advice** Any variation to the above will require Council consent.

## PART 2 - CRITERIA

Part 2 of the Local Approvals Policy focuses on the considerations and criteria applied by Council in determining whether to give or refuse an approval of a particular kind of activity under s.68 of the Local Government Act 1993 or where required under the s.125, 138 or 139A of the Roads Act 1993.

In order to achieve the objectives of the policy in terms of creating an atmosphere which provides for activities which do not adversely impact on the amenity of residents and visitors, the following requirements outlined in s.89 of the Local Government Act will be taken into consideration in the assessment of all applications.

- 1) In determining an application, the council:
  - (a) must not approve the application if the activity or the carrying out of the activity for which approval is sought would not comply with the requirements of any relevant regulation, and
  - (b) must take into consideration any criteria in a local policy adopted under Part 3 by the council which are relevant to the subject-matter of the application, and
  - (c) must take into consideration the principles of ecologically sustainable development.
- 2) If no requirements are prescribed for the purposes of 1(a) and no criteria are adopted for the purposes of ~~1 subsection~~ (b), the council in determining an application:
  - (a) is to take into consideration, in addition to the principles of ecologically sustainable development, all matters relevant to the application, and
  - (b) is to seek to give effect to the applicant's objectives to the extent to which they are compatible with the public interest.
- 3) Without limiting subsection 2) in considering the public interest the matters the council is to consider include:
  - (a) protection of the environment, and
  - (b) protection of public health, safety and convenience, and
  - (c) any items of cultural and heritage significance which might be affected.

The Local Government (General) Regulation 2021 and the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 prescribe a number of matters that must be considered by Council when dealing with an application.

Legislative considerations and criteria have been paraphrased within this part. Reference should be made to the relevant Regulation for specific details.

Local considerations and criteria have also been referenced in this part for the following activities:

- Construction waste
- Onsite sewage systems
- Commercial recreation activities
- Pavement art
- Ceremonies (weddings, naming, christening)
- Use of a crane
- Banners / temporary signs
- Clothing bins
- Use of footpath by shopkeepers
- Community events (fairs / festivals/ markets)
- Selling articles in a public place (mobile food vending, street stalls, other street vending)
- ~~Footpath dining~~

A single approval will be issued where consent is required under both the Local Government Act 1993 and the Roads Act 1993.

## Legislative Considerations

The Local Government (General) Regulation 2021 and the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 prescribe a number of matters that must be considered by the Council when dealing with an application

Reference should be made to the Regulations for specific details.

### Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021

Consideration criteria – operate a caravan park or camping ground (F2 Activity)

Council will evaluate all relevant activity applications to ensure that:

- (a) Supporting plans and documents clearly demonstrate an intention to comply with the requirements of the regulation.
- (b) Where such an intention is not demonstrated, an assessment will be made of whether it is feasible for the applicant to comply and hence whether it is appropriate to issue a conditional approval or hold the application pending the supply of the necessary information.

**Local Government (General) Regulation 2021**

## Consideration criteria – stormwater drainage (B5 Activities)

- Clauses 15
- In determining an application for an approval the council must have regard to the following considerations:
- (a) the protection and promotion of public health,
  - (b) the protection of the environment,
  - (c) the safety of its employees,
  - (d) the safeguarding of its assets,
  - (e) any other matter that it considers to be relevant in the circumstances.

Part 2 of Schedule 1 of the Local Government (General) Regulation 2021 specifies mandatory standards for stormwater drainage work, including that such works must comply with the Plumbing Code of Australia.

## Consideration criteria – place building waste storage container on a road (C3 Activity)

- Clause 27
- In determining an application for approval to place on a road a building waste storage container, the council is to take into consideration any requirements or guidelines relating to the location, size and visibility of building waste storage containers that are notified to the council from time to time by Transport for NSW.

## Consideration criteria – install, construct or alter sewage management facilities (C5 Activity)

- Clause 29
- In determining an application for approval to install, construct or alter a sewage management facility, the council must take into consideration the following matters:

Environment and health protection matters - The council must consider whether the proposed sewage management facility (or the proposed sewage management facility as altered) and any related effluent application area will make appropriate provision for the following:

- (a) preventing the spread of disease by micro-organisms,
- (b) preventing the spread of foul odours,
- (c) preventing contamination of water,
- (d) preventing degradation of soil and vegetation,
- (e) discouraging insects and vermin,
- (f) ensuring that persons do not come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned,
- (g) the re-use of resources (including nutrients, organic matter and water),
- (h) the minimisation of any adverse impacts on the amenity of the land on which it is installed or constructed and other land in the vicinity of that land.



Guidelines and directions - the council must consider any matter specified in guidelines or directions issued by the ~~Director General~~Secretary in relation to the matters referred to above.

Clauses 43 & 44 In determining an application for an approval to operate a system of sewage management the Council ~~will~~ must -consider ~~the~~ any matter specified in the guidelines or directions issued by the ~~Director General~~Secretary in relation to the environment and health protection matters referred to above.

**Note: These matters are also considered on applications for the installation of a greywater treatment system. Systems must however be accredited by NSW Health.**

#### Consideration criteria – applications relating to public roads (E1 & E2 Activities)

Clause 50 In determining an application for an approval under Part E of the Table to s. 68 of the Act the council must take into account the provisions of the Roads Act 1993, and any relevant standards and policies of public authorities applying to the use of the road.

#### Consideration criteria – operation of a public car park (F1 Activity)

Clause 53 In determining an application for approval to operate a public car park the council is to take the following matters into consideration:

- (a) the Transport for NSW's views ~~of~~ about the application,
- (b) the effect of the car park on the movement of vehicular traffic and pedestrian traffic,
- (c) whether the number of vehicles proposed to be accommodated is appropriate having regard to the size of the car park and the need to provide off-street parking facilities within the car park for the temporary accommodation of vehicles,
- (d) whether the means of ingress and egress and means of movement provided or to be provided within the car park are satisfactory,
- (e) whether there will be adequate provision for pedestrian safety and access for people with disabilities,
- (f) whether the internal design of parking facilities and system of traffic management are satisfactory,
- (g) whether, in the case of a car park that is a building, adequate ventilation is provided or to be provided,
- (h) the Work Health and Safety Act 2011, and the regulations made under that Act, as regards the safety of persons who will be employed at the proposed car park or of persons who will go there,
- (i) whether there will be adequate provision for the management of stormwater and the minimisation of stormwater pollution.

**Roads Act 1993**

## Consideration criteria - street vending

Section 139F When considering whether to grant, extend or transfer a street vending consent, or other consent under this Division permitting the use of a structure in, on or over a public road not in a built-up area, for the purpose of selling any article or service, the roads authority must comply with guidelines relating to street vending jointly issued by **Transport for NSW** and the Office of Local Government.

**Local Considerations**

In addition to the legislative considerations, the following criteria for the activities specified are considered in determining whether to give approval. Where an activity is not specified then the provisions of s.89 of the Local Government Act 1993 are considered.

**s.68 Part C - Waste**

## Construction waste

(s.68 Item C3 LGA) As a general rule building material and construction waste must be contained within the site; consideration will only be given where this is not possible.

## On site sewage systems

(s.68 Item C5 LGA) In addition to the criteria listed in the Local Government (General) Regulations 2021, the Council in considering an application to install and operate an onsite sewage system will reference the detailed criteria in Council's Development Control Plan (DCP). Reference to the DCP is required. An approval is issued every 5 years.

**s.68 Part D - Community land**

## Commercial recreation activities

(s.68 Item D1 LGA) The following criteria will be considered in determining an application for recreation activities undertaken by professional operators for commercial gain.

**Criteria**

Recreation and tourism uses are permitted only in or locations considered acceptable to the type and scale of use.

All requirements of Work Health and Safety Act 2011 must be met which includes assessment of risks related to the use/activity.

Evidence of public liability insurance specifically indemnifying and listing Narromine Shire Council on the policy as an interested party is required. The policy must be held in the name of the applicant.

**Advice**

Approvals are for 12 months after which time a new application is required. Fees are not refundable. Applications must include information on the type of activity being carried out and an assessment of risk.

Recreation and tourism uses on private land will require the submission of a development application.

## Ceremonies

(s.68 Item D6 LGA) The following criteria will be considered in determining an application to hold a ceremony in a public place.

<b>Criteria</b>	<p>For wedding, naming or christening ceremonies and only for the ceremony not the reception.</p> <p>The area to be used must remain accessible by the public. It is not to be roped off.</p> <p>Vehicles must be parked in parking areas, vehicles will not be permitted in parks /reserves unless prior arrangement and approval has been obtained.</p> <p>No amplification of any kind is to be used including loud hailers and / or megaphones.</p> <p>The site is to be kept clean and tidy. The use of confetti or the like is not permitted.</p> <p><del>Applicants are required to complete a 'Hold Harmless Agreement' form that assumes liability should any damages, acts or incidents occur as a result of the ceremony.</del></p>
<b>Advice</b>	<p>An approval is issued only for the nominated day of the event. Should the event not proceed a new application is required.</p>

## s.68 Part E - Public Roads

Use of crane

(s.68 Item E1 LGA) The following criteria will be considered in determining an approval for the use of a crane over public land.

<b>Criteria</b>	<p>Must be located within the boundaries of the property otherwise a Roads Act 1993 approval will be required.</p> <p>Must ensure the safety of the public and the protection of property.</p> <p>The effect that the enclosure of the portion of the road over which the goods will be lifted will have on pedestrian movements in the vicinity of the proposed enclosure, and whether adequate provision has been made for pedestrian access to nearby premises.</p> <p>The effect that the enclosure of the portion of the road over which the goods will be lifted will have on vehicular parking in the vicinity of the proposed enclosure.</p> <p>The period during which it is proposed to keep the public place enclosed.</p> <p>Footway surfaces must be maintained in a safe condition.</p>
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**Advice** An approval is issued only for the nominated day/period. Should the work not proceed a new application is required. Application forms are available from Council. Application and use fees apply.

Cranes heavier than 60 ton must have a transport permit issued by Transport for NSW .

### **Banners / temporary signs**

(s.68 Item E2 LGA) The following criteria will be considered in determining an application for a temporary banner in a public place.

**Criteria** Only in designated locations and for community events or public notices.

Must be safely constructed and secured to prevent a public hazard.

Banners are to be no greater than 5 metres x 900mm; lettering no less than 275mm.

Banner approval is for no longer than 2 weeks at a time, at intervals not less than 6 months.

Banners are to be of a durable material.

Banners are to be clear and legible and of a professional nature. Sponsorship details must not dominate the banner.

~~Applicants are required to complete a 'Hold Harmless Agreement' form that assumes liability should any damages, acts or incidents occur.~~

**Advice** An approval is issued only for the nominated period. Applications must be made at least 14 days in advance or earlier to ensure availability.

Banners over the highway require the approval of the **Transport for NSW**.

### **Clothing bins**

(s.68 Item E2 LGA) The following criteria will be considered in determining an application to install clothing bins in a public place.

**Criteria** Clothing bins are to be installed in a manner to minimise any risk to persons or property.

No more than 2 bins to be located together.

Each bin is to clearly bear the name and telephone number of the organisation and all information as required by legislation under the Charitable Fundraising Act 1991.

Any graffiti is to be removed within 1 week for non-offensive graffiti and the next day for offensive/obscene graffiti.

Each bin is to be completely repainted every 2 years.

Bins are to be placed on a solid level or near level foundation in an upright position with a secured method to prevent bins from being tipped over.

There must be adequate space in close proximity to each bin for patron parking.

Bin locations must be open to the public view and where necessary well illuminated to discourage vandalism and rubbish dumping.

Clothing and other goods left in and around the bin shall be the responsibility of the organisation. The area around the bin shall be cleaned of any discarded clothing or other material at least weekly. Should Council need to clean the area around any bin then Council's costs will be met by that organisation.

Evidence of Public Liability Insurance is required as bin owners written acceptance of responsibility for any damage done to any public road, kerb, footway or landscaping from the placement, use and servicing of the bin.

**Advice**

Approvals are for 2 years. Application forms are available on [www.narromine.nsw.gov.au](http://www.narromine.nsw.gov.au). Fees may apply.

Applications must include a site plan in scale showing the location of each bin, vehicle parking arrangements and any adjoining buildings.

The application must be supported by a statement advising of the size, colour, wording details and proposed contents; indicating the days and times of removal and site clean up and the schedule for maintenance and repainting of bins.

Where located on private land development consent is required.

**Use of footpath by shopkeepers**  
(s.68 Item E2 LGA) The following criteria will be considered in determining an application by a shopkeeper for the use of the footpath outside the premises for the display of goods for sale.

**Criteria**

A 2.5-metre-wide unobstructed section of footpath is to be maintained at all times. In some instances, this distance may be reduced where the applicant can demonstrate that there is an accessible path of travel and that there will be no increased impact on pedestrian access when the goods are in place.

Goods displayed must relate to the business conducted at the premises; be contained within the property side boundary; extend no further than 700mm from the shopfront and located so as not to obstruct any doorway.

Any food including tin and packaged goods displayed shall be at a height not less than 750mm above the footpath level. Displayed fruit and vegetables must be protected from contamination.

Goods and/or display stands must not be more than 2 metres above footpath level.

All goods and / or display stands shall be secured to prevent them from being moved by wind or other forces and finished with no part protruding beyond the main body of the stand with no sharp corners or trip hazards.

All goods and/or display stands must be removed from the footpath when premises are closed.

The area is to be maintained in a clean condition at all times. Waste generated is to be disposed of via the host premises and not into the gutter or street bins.

No spruiking of goods is permitted.

Cash registers or counter facilities are prohibited.

Evidence of public liability insurance specifically indemnifying and listing Narromine Shire Council on the policy as an interested party is required. The policy must be held in the name of the applicant.

An application for the use of the footpath in locations adjacent to a classified road will only be considered after the applicant has obtained the written approval of the Transport for NSW.

**Advice**

Approvals are for 12 months after which time the approval will be renewed. Application and occupation fees apply. Fees are not refundable.

The application must include a plan drawn to scale showing pedestrian areas, property boundaries and structures. Include details on the type of goods for sale.

Approvals may be transferred to a new proprietor upon notification to Council and production of the appropriate public liability insurance cover.



**s.68 Part F - Other activities**

Community events

(s.68 Item F7 LGA)

(s.139A Roads Act) The following criteria will be considered in determining an application to hold a community event such as a fair, festival or market in public places.

**Criteria**

For a maximum period of 48 hours.

Must be undertaken by or on behalf of a public authority, institution, organisation of Council, non-profit organisations, registered charity or School.

Must be carried out on:

- Public road; or
- Land designated as being a Special Use; or
- Land zoned: Public Recreation

All temporary structures must:

- Be structurally sound and capable of withstanding the loadings imposed on it.
- Comply with any SafeWork NSW requirements.
- Incorporate adequate safety provisions in the event of fire or other emergency.

All temporary food premises shall comply with the Food Act 2003 and the NSW Food Authority 'Food Handling Guidelines for Temporary Events'.

Adequate sanitary facilities are to be provided for patrons, employees and organisers as follows:

**Toilet facilities for events where alcohol is not available:**

	Males			Females		
Patrons	WC	Urinals	Hand Basins	WC	Hand Basins	
< 500	1	2	2	6	2	
< 1000	2	4	4	9	4	
< 2000	4	8	6	12	6	

**Toilet facilities for events where alcohol is available:**

	Males			Females		
Patrons	WC	Urinals	Hand Basins	WC	Hand Basins	
< 500	3	8	2	13	2	
< 1000	5	10	4	16	4	
< 2000	9	15	7	18	7	

Figures may be reduced for events of shorter duration:

Less than 4 hours 70%  
 4 to 6 hours 75%  
 6 to 8 hours 80%  
 8 hours plus 100%

Organisers are encouraged to provide a unisex toilet for the disabled.

Adequate waste and recycling receptacles are to be provided to cater for the event and arrangements made with an authorised waste removal contractor to service the event.

Parking of vehicles is to be managed so as not to cause a nuisance to surrounding properties/areas.

All essential fire safety measures associated with any building, tent or marquee used for the event are to be fully operational.

Noise level emissions are not to cause offensive noise and must comply with the Noise Guide for Local Government and the Protection of the Environment Operations Act 1997.

All requirements of Work Health and Safety Act 2011 must be met which includes assessment of risks related to the event.

### **Advice**

An approval is issued only for the nominated day/s of the event. Should the event not proceed a new application is required. Street festivals, fairs and other special events organised by community groups require the submission of an application to Council at least 10 weeks prior to the date or in the case of road closures at least 20 weeks prior. Fees apply.

It is the responsibility of the event coordinator to provide instructions on food handling arrangements to all groups.

It is responsibility of the event coordinator to provide instructions on full clean up arrangements to all groups. A waste management plan may be necessary and liaison with Council about the arrangements may be required.

Any appropriate licences/permits/approvals from relevant government agencies must be submitted to Council prior to any approval being issued by Council.

Such permits may include some or all of the following:

- Permits from ~~the~~ SafeWork in regard to amusement devices and fireworks displays.
- Approval from the Police in regard to the consumption of alcohol.
- Approvals from Transport for NSW/Police in regard to proposed road closures.
- Events or ceremonies held on private land that become an annual and or otherwise regular occurrence will require a development application for temporary use.

**Selling articles in a public place**

(s.68 Item F7 LGA)

(s.139A Roads Act) The Council is unlikely to approve the selling of articles in a public place other than in the following circumstances. In determining an application consideration will be given to the relevant criteria.

**Criteria****Mobile vending:**

All vehicles must be registered as per the requirements of the Road Transport Act 2013.

Must not operate as a roadside stall or to sell food to the public on any site that requires development consent for that use.

No additional flashing or rotating lights, except those required under Road Transport legislation, are permitted.

The vehicle is not permitted to operate within 50 metres of any retail food outlet selling a similar food product if that outlet is open.

The vehicle is not permitted to 'set up stand' nor remain at any one selling point for more than 15 minutes. A vehicle must move a minimum of 500 metres between each selling point.

The vehicle is not permitted to use chimes or like devices to attract attention between the hours of 8pm and 8am or to operate within 90 metres from any hospital, churches in service or schools during school hours.

The vehicle is not permitted to trade on main roads and through streets with a speed limit of greater than 50km/h unless deemed safe by Council.

Not to trade in locations where motorists are forced to park on kerbside land, where parking/standing restrictions apply.

The vehicle is not to create a traffic hazard, obstruction or dangerous situation.

Not permitted to operate during hours of darkness.

Litter bins are to be provided by the operator for the convenience of customers.

Wastewater is to be contained with the vehicle for later disposal to the sewerage system.

The vehicle must display a sign requesting patrons not to loiter around the vehicle.

The vehicle must be made available for inspection by a Council Environmental Health Officer for a health clearance certificate prior to the issue of approval.

Mobile vending in locations adjacent to a classified road will only be considered after the applicant has obtained the written approval of ~~Traffic~~ [Transport](#) for NSW.

**Criteria****Street stall:**

For the sale of goods or services by non-profit community groups.

Limited to no more than 2 street stalls on any one day in the same township.

Limited to no more than one stall per month in any township per community group.

The name of the organisation must be prominently displayed on the stall, not on the footpath. No other signage is permitted.

Must have the consent of the business or organisation outside which the stall is to be situated.

A 2.5-metre-wide unobstructed section of footpath is to be maintained at all times. In some instances, this distance may be reduced where the applicant can demonstrate that there is an accessible path of travel and that there will be no increased impact on pedestrian access when the stall is in place.

Must not hinder the passage of pedestrians or create a nuisance or objectionable noise.

The immediate surrounding area is to be left in a clean and tidy condition and kept clear of hazards.

~~Applicants are required to complete a 'Hold Harmless Agreement' form that assumes liability should any damages, acts or incidents occur as a result of the street stall.~~

Street stalls involving the selling of food must comply with the requirements of the NSW Food Safety Regulations.

**Advice****Mobile vending:**

Approvals are for 12 months after which time a new application is required. Application fees apply. Fees are not refundable.

Mobile food vending vans must be registered with the Council. Annual inspection fees apply.

**Street stalls:**

An approval is issued only for the nominated day of the event. Should the event not proceed a new application is required. Applications must be made at least 14 days in advance or earlier to ensure availability. Booking application forms and details are available from Council.

An individual or group carrying out these activities should be aware that they are to exercise good risk management practices at all times so as to avoid injury or loss to others.

Any institution seeking to raise public funds must have an authority issued by the Department of Liquor and Gaming.

## PART 3 - OTHER MATTERS

**Part 3 of the Local Approvals Policy covers other matters, mostly administrative, relating to the processing of an application.**

The application process is primarily established by legislation and whilst it can vary according to the type of works/activities proposed there is a fundamental process that is followed. This process is outlined below.

### Lodgement of an application

[Applications are to be submitted via the NSW Planning Portal.](#)

~~Most applications or bookings have a specific form and/ or guide designed to assist in the lodgement of the application. Depending on the type of work or activity, fees may apply and where these are required they must be paid at the time of lodgement.~~

~~An application may be rejected within 7 days of receipt if it is not clear as to the approval sought or the application is not easily legible.~~

~~Fees if applicable are refunded.~~

### Assessment of an application

In assessing the more complex applications, additional information may be needed. Where this is the case, Council will contact the applicant within 21 days of receipt of an application. Due to the nature and type of works/activities requiring approval under the Local Government Act and the Roads Act are not generally notified.

Applications can be amended by the applicant prior to determination provided that the variation is minor [via the NSW Planning Portal](#).

### Determination

Once determined a notice will be issued advising whether the application has been approved or refused.

The period of approval will vary depending on the type of activity or work undertaken. If works have not commenced or where the activity is not held during the nominated time then the approval may lapse.

In such cases, and depending on the circumstances, an applicant can seek to lodge a new application or alternatively request to modify/extend an existing application.

### Review of determination

A determination can be reviewed under s.100 of the Local Government Act. A request to review must justify the reasons for review and be made in writing within 28 days of Council's determination. Fees apply. The determination of a review is final.

## Refunds

Limited refunds may apply depending on the level of assessment associated with the application. Cancellation fees also apply for some bookings.

## Record of approvals

A record of approvals is required to be kept under s.113 of the Local Government Act. This record is available to the public.

## Enforcement action

An approval may be revoked or modified in any of the following circumstances:

- (a) if the approval was obtained by fraud, misrepresentation or concealment of facts;
- (b) for any cause arising after the granting of the approval which, had it arisen before the approval was granted, would have caused the council not to have granted the approval (or not to have granted it in the same terms);
- (c) for any failure to comply with a requirement made by or under this Act relating to the subject of the approval;
- (d) for any failure to comply with a condition of the approval.

Reference should be made to Council's Local Orders Policies and [Compliance and Enforcement Policy](#) for details on enforcement processes and actions.

## NOTE

- Approvals/consents may be required for certain other activities under the provision of separate legislation, particularly in regard to the erection of other buildings which is controlled by the provisions of the Environmental Planning and Assessment Act.
- Any applications involving the preparation of food, the operation of a temporary food premise must comply with the ~~NSW~~ Food [Standards Code](#).





# Keeping of Domestic Animals Policy

**Section 159 of the Local Government  
Act 1993**



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## 1.0 INTRODUCTION

This policy seeks to inform the Narromine Shire community of Council's regulatory powers concerning the keeping of animals in the Narromine Shire Council area and the process which Council uses to determine when to enforce the controls within the policy.

The Orders Policy aims to:

- (a) Minimise the incidence of nuisance being caused to persons;
- (b) Protect the welfare and habitat of wildlife; and
- (c) Safeguard the environment.

It is well documented that the keeping of companion animals and/or pet animals is usually most beneficial to the well-being of people.

As such, it is not the intent of Council nor the policy to enforce the controls within this policy in the first instance but to work with the owner/s of the domestic animal/s to ensure that the keeping of domestic animal/s does not have an adverse impact on the adjoining premises.

Nevertheless, on occasions, complaints are made to Council where animals of an inappropriate kind or number are being kept or where the animals and their accommodation are not being looked after properly.

### **Implementation of Policy**

***It is not the intent of Council nor the policy to enforce the controls within this policy in the first instance but to work with the owner/s of the domestic animal/s to ensure that the keeping of domestic animal/s does not have an adverse impact on the adjoining premises.***

***This policy provides guidance about the criteria Narromine Shire Council will use when determining whether to issue an order when it becomes aware that animals are causing some form of undesirable impact on the community.***

***It makes it clear that the intention of this Policy is that Council officers will act only on complaint.***

Section 7.0 provides guidance on the steps that Narromine Shire Council will follow in an attempt to resolve these undesirable impacts.

## 2.0 AREA TO WHICH THIS POLICY APPLIES

This Policy applies to the urban areas of Narromine, Trangie and Tomingley in the Narromine Shire Local Government Area. The urban areas are identified on the maps in Appendix 5.

### **3.0 SCOPE**

This policy applies to animals kept for domestic purposes, as companion animals, pets or for hobby interests. This Policy is not intended to replace or supersede the requirements of the Companion Animals Act 1998 or the Prevention of Cruelty to Animals Act 1979.

More stringent conditions will be applied to the keeping of animals for commercial purposes, including boarding, breeding, grooming, caring, treatment, training, racing, exhibiting, trading or selling.

Where it is intended to keep animals for any commercial purposes, it is necessary that a development application be submitted to Narromine Shire Council and planning consent obtained. Consent to the operation of Commercial Animal Establishments may not be allowed where Council considers that the proposal would be harmful to the amenity of the locality.

### **4.0 AIMS AND OBJECTIVES**

- (a) To inform the community of the main statutory restrictions and acceptable limits which apply to the keeping of certain animals for domestic purposes.
- (b) To give guidance and advice to persons as to the keeping of animals for domestic purposes.
- (c) To minimise local nuisance and maximise residential amenity, and to ensure that the keeping of animals does not compromise minimum standards of public health, safety and convenience.
- (d) To establish local standards, acceptable to the Community, for the keeping of animals.
- (e) To publicly notify the circumstances that the Council will consider in determining whether to serve an Order under section 124 of the *Local Government Act 1993* to prohibit, restrict or some other way, require things to be done regarding the keeping of animals.

### **5.0 GUIDELINES FOR THE NUMBER OF ANIMALS TO BE KEPT ON PREMISES**

Narromine Shire Council regularly receives complaints about nuisance caused by keeping animals on premises. Table 8.0 below provides guidance about the number of animals which Council reasonably believes can be kept at a premise without causing a significant nuisance providing the conditions specified in the table are adhered to.

The kind of animal that is suitable to be kept at any premises will be determined having regard to the size of the available yard area and the distance to the nearest dwelling or other prescribed building. Certain statutory requirements also apply as noted in the Table of Requirements.

It should not be assumed that animals of all kinds may be kept on premises which are part of a multiple dwelling allotment. Where a dwelling is owned within a Strata Plan, it will be necessary for the rules of the Body Corporate to be examined for requirements relevant to the keeping of animals.

Animals should be kept in a manner which does not:

- (a) Create unclean or unhealthy conditions for people or for the animals;
- (b) Attract or provide a harbourage for vermin;
- (c) Create offensive noise or odours;
- (d) Cause drainage nuisance or dust nuisance;
- (e) Create waste disposal problems or pollution problems;
- (f) Create an unreasonable annoyance to neighbouring residents;
- (g) Cause nuisance due to proliferation of flies, lice, fleas or other pests and parasites; and
- (h) Cause neighbouring residents to fear for safety.

Suitable facilities and shelters should be provided for all animals. Certain kinds of animals are required to be kept in enclosed locations to prevent escape or attack by predators. Generally other animals are to be securely enclosed with adequate fencing to prevent escape.

Certain animal shelters should not be erected or located at premises without prior approval of Council. Please contact Narromine Shire Council's Regulatory Services for further details.

Design guidelines for the size, layout and construction of animal shelters are produced by the various animal welfare organisations ~~Department of Agriculture & Water Resources~~. These may be adopted from time to time as supplements to this policy.

## **6.0 COUNCIL'S POWER TO CONTROL AND REGULATE THE KEEPING OF ANIMALS**

Generally, Council's powers to control and regulate the keeping of animals are provided under section 124 of the Local Government Act 1993 and the Local Government (General) Regulation 2021. *This is not a new power and has been available to Council since 1993.*

***This Policy is intended to be used by Council to provide guidance about the criteria Narromine Shire Council will use when determining whether to exercise its powers and issue an order when it becomes aware that animals are causing some form of undesirable impact on the community.***

***It is not the intent of Council nor the policy to enforce the controls within this policy in the first instance but to work with the owner/s of the domestic animal/s to ensure that the keeping of domestic animal/s does not have an adverse impact on the adjoining premises.***

Narromine Shire Council may, in the appropriate circumstances, issue an Order to:

- (a) Prohibit the keeping of various kinds of animals;
  - (b) Restrict the number of various kinds of animals to be kept at a premise; and
  - (c) Require that animals be kept in a specific manner.
- Narromine Shire Council may also issue Orders requiring:

- (a) The demolition of animal shelters built without the prior approval of Council; and
- (b) The occupier to do or refrain from doing such things as are specified so as to ensure that land or premises are placed or kept in a safe or healthy condition.

It is advised that Narromine Shire Council can exercise further controls over animals under the following Acts:

- (a) Companion Animal Act 1998;
- (b) Protection of the Environmental Operations Act 1997;
- (c) Environmental Planning and Assessment Act 1979;
- (d) The Public Spaces (Unattended Property) Act 2021; and
- (e) Food Act 2003 (prohibits animals to be kept where food is handled for sale).

## **7.0 GIVING ORDERS BY COUNCIL**

Upon complaint, Narromine Shire Council will undertake the following to determine if it is necessary for Council to enforce the restrictions identified in Table 8 and Table 8a.

- Undertake an inspection of the premises;
- Identify any areas of concern eg: odour, noise, proximity to dwelling and the like;
- Discuss any concerns with the owner/tenant of the premises and/or domestic animal/s;
- Give verbal directions in the first instance to assist the owner of the animal/s to ensure that the keeping of their domestic animal does not have an adverse impact on the amenity of the adjoining premises;
- Undertake follow-up inspections to ensure verbal directions have been implemented
- Monitor the premises to ensure the keeping of their domestic animal does not have an adverse impact on the amenity of the adjoining premises;
- Liaise with community representatives with regard to solving the problem, if needed;
- Inform the complainant of outcome of the investigation.

Where a problem/s is identified with the keeping of animals and it cannot be resolved by consultation, Council will proceed to issue a notice of its intention to serve an Order and/or enforcement of the restrictions within the policy.

In situations where urgency is required, an emergency Order may be issued without prior notice.



## 8.0 TABLE OF REQUIREMENTS

The following table indicates the requirements and relevant considerations regarding the keeping of animals and the restrictions in place taking into consideration clause 7.0 of this policy:

ANIMAL	LAND AFFECTED (Narromine, Trangie & Tomingley)	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings – see Note A)	ADVISORY NOTES
Dogs	Narromine, Trangie & Tomingley	2 large breed 3 small breed  <u>The size of the property may be considered when deeming if more dogs may be kept onsite.</u>  However, <u>the owner must demonstrate that the increased number of dogs will not cause nuisance to adjoining land holders</u>	Not applicable	Where complaints are received the criteria in Appendix 1 will be used.
Cats	Narromine, Trangie & Tomingley	2	Not applicable	Where complaints are received the criteria in Appendix 2 will be used
Chickens (excluding roosters)	Narromine, Trangie & Tomingley	No maximum numbers	7.5 metres  However, Council requires, on the	<ul style="list-style-type: none"> <li>The numbers must be appropriate to provide poultry products, including eggs, for domestic consumption of the family living at the premises, e.g. For a family of four it may be acceptable to allow eight chickens</li> </ul>

ANIMAL	LAND AFFECTED (Narromine, Trangie & Tomingley)	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings – see Note A)	ADVISORY NOTES
			keeping of domestic poultry or fowl, a distance greater than 9 metres in some cases.	<p>which would ideally provide eight eggs per day (two eggs per person).</p> <ul style="list-style-type: none"> <li>The keeping of poultry must not create a nuisance or be dangerous or injurious to health. Poultry yards must at all times be kept clean, free from rats and mice, and free from offensive odours.</li> <li>Poultry yards must be enclosed to prevent escape of poultry. Hard paving should be provided under roosts in poultry houses to ensure effective cleaning.</li> </ul>
Roosters	Narromine, Trangie & Tomingley	Prohibited in urban areas	Not applicable	The keeping of roosters is not considered appropriate in urban areas due to noise.
Other poultry including ducks, geese, turkeys, peafowl, guinea fowl and pheasants	Narromine, Trangie & Tomingley	One per person with a maximum of five in total.	7.5 metres	Same as for chickens.
Pigeons	Narromine, Trangie & Tomingley	<p>100 racing birds or 40 stock birds for registered active members of Pigeon Fanciers or Racing Clubs.</p> <p>Non-members of Pigeon Fanciers Clubs or Racing Associations will be</p>	15 metres	<ul style="list-style-type: none"> <li>Nuisance due to noise and free flight of pigeons is to be minimised. Flying times should be restricted to either 2 hours after sunrise or 2 hours before sunset.</li> <li>Lofts must be constructed to Council approval on hard paving of a smooth surface, or with a suspended floor elevated 800 mm above the ground. Racing pigeon lofts should have adequate visible landing platforms.</li> <li>On no account should birds be allowed to roost on neighbouring buildings. "Open" lofts are not permitted. Free lofting is not permissible. Lofts are to</li> </ul>

ANIMAL	LAND AFFECTED (Narromine, Trangie & Tomingley)	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings – see Note A)	ADVISORY NOTES
		permitted to keep up to 20 birds.		be always kept clean. Manure is to be cleaned up daily and disposed of correctly. To minimise odours owners must design and manage lofts to prevent manure becoming wet in rain or during cleaning.
All birds except where otherwise specified	Narromine, Trangie & Tomingley	As appropriate to species, size of cage/aviary or bird room.  Keepers of more than 50 birds should be members of official Aviculture societies.	6 metres	<ul style="list-style-type: none"> <li>• Cages and aviaries must be of appropriate size and regularly cleaned.</li> <li>• For budgerigars, generally allow a maximum of 30 birds per cubic metre of aviary.</li> <li>• All birds should be kept in accordance with the NSW Code of Practice No 4 - Keeping and Trading of Birds.</li> <li>• A National Parks and Wildlife permit is required to keep more than 19 protected birds, or if you wish to sell a protected bird.</li> <li>• Registered bird breeders may keep more breeding/show birds but are subject to the requirements of the POEO Act 1997.</li> <li>• Noisy birds should be restricted in number and are subject to the requirements of the POEO Act 1997.</li> </ul>
Sulphur crested cockatoo and long billed corella	Narromine, Trangie & Tomingley	2 if kept in portable cages  4 if kept in an aviary	3 metres or within dwelling  6 metres	<ul style="list-style-type: none"> <li>• Sulphur crested cockatoo and long billed corellas are likely to be noisy if kept as single caged birds.</li> <li>• Registered bird breeders may keep more breeding/show birds but are subject to the requirements of the POEO Act 1997.</li> <li>• Noisy birds should be restricted in number and are subject to the requirements of the POEO Act 1997.</li> </ul>
Sheep and Goats	Narromine, Trangie	Prohibited in urban areas.	Not applicable.	<ul style="list-style-type: none"> <li>• The keeping of goats is not considered appropriate in urban areas due to odours and noise.</li> <li>• The provisions of the Local Government (General)</li> </ul>

ANIMAL	LAND AFFECTED (Narromine, Trangie & Tomingley)	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings – see Note A)	ADVISORY NOTES
		Refer to Table 8(a)		Regulation 2021 apply.
Pigs	Narromine, Trangie	Prohibited in urban areas  Refer to Table 8(a)	Not applicable	<ul style="list-style-type: none"> <li>The keeping of pigs is not considered appropriate in urban areas due to odours and noise.</li> <li>The provisions of the Local Government (General) Regulation 2021 apply.</li> </ul>
Other large domestic animals - except horses e.g. llamas/alpacas	Narromine, Trangie	Prohibited in urban areas.	Not applicable	<ul style="list-style-type: none"> <li>The keeping of large domestic animals is not considered appropriate in urban areas due to odours and noise.</li> <li>The provisions of the Local Government (General) Regulation 2021 apply.</li> </ul>
Horses	Narromine, Trangie	1 -3 depending upon size of allotment Refer clause 9.0 h) Refer to Table 8(a) for Tomingley	9 meters	<ul style="list-style-type: none"> <li>Horse yards shall not be constructed nearer than two (2) metres from present adjoining boundaries or alternatively, horses must be prevented from reaching into adjoining property by the erection of a two-metre-high fence of suitable design.</li> <li>Stables, shelters and yards shall be properly constructed of suitable materials to the satisfaction of Council. Gates shall be fitted with an approved method of locking.</li> <li>No unsightly development shall be permitted.</li> <li>Ringlock or barbed wire fencing is not permitted.</li> <li>The floors of a stable of loose boxes shall be properly graded and drained.</li> <li>Manure shall be raked up daily and placed in suitable, fly proof containers, or other suitable means, approved by Council until removed from the site. All manure containers shall be cleaned and disinfected at least once every seven (7) days.</li> </ul>

ANIMAL	LAND AFFECTED (Narromine, Trangie & Tomingley)	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings – see Note A)	ADVISORY NOTES
				<ul style="list-style-type: none"> <li>• Fouled bedding shall be removed from the stable or yard at least once every seven (7) days.</li> <li>• Stables and yards shall be kept clean and tidy to the satisfaction of Council at all times, so as not to be the cause of a nuisance.</li> <li>• Horses may be kept on vacant allotments in the built-up areas in accordance with this policy.</li> <li>• Stallions are not permitted</li> <li>• Refer to Clause 9(h)</li> <li>• The provisions of the Local Government (General) Regulation 2021 apply.</li> </ul>

**9.0 TABLE 8.0(a) INFORMATION FOR TOMINGLEY AND OTHER SPECIFIED AREAS**

The following table indicates the requirements and relevant considerations regarding the keeping of animals and the restrictions in place taking into consideration clause 7.0 of this policy:

<b>ANIMAL</b>	<b>MAXIMUM NUMBER (excluding offspring to 3 months of age)</b>	<b>MINIMUM DISTANCE (from certain buildings – see Note A)</b>	<b>ADVISORY NOTES</b>
Sheep and Goats	No more than 2 female goats upon any one allotment	15 metres	No person shall keep sheep or goats upon any premises under such conditions as to create a nuisance or to be injurious to health.
Pigs	No more than 2 pigs upon any one allotment	15 metres	No person shall keep pigs upon any premises under such conditions as to create a nuisance or to be injurious to health. The yards are to be kept clean and free from offensive odours.
Other large domestic animals except horses e.g. lamas/alpacas	No more than 2 large domestic animals upon any one allotment	15 metres	No person shall keep large domestic animals upon any such premises under such conditions as to create nuisance or to be injurious to health.
Horses	No more than 3	9 metres	<ul style="list-style-type: none"> <li>• Horse yards shall not be constructed nearer than two (2) metres from present adjoining boundaries or alternatively, horses must be prevented from reaching into adjoining property by the erection of a two-metre-high fence of suitable design.</li> <li>• Stables, shelters and yards shall be properly constructed of suitable materials to the satisfaction of Council.</li> </ul>
			<ul style="list-style-type: none"> <li>• Gates shall be fitted with an approved method of locking.</li> <li>• No unsightly development shall be permitted.</li> <li>• Ringlock or barbed wire fencing is not permitted.</li> <li>• The floors of a stable of loose boxes shall be properly graded and drained.</li> <li>• Manure shall be raked up daily and placed in suitable, fly proof containers, or other suitable means, approved by Council until removed from the site. All manure containers shall be cleaned and disinfected at least once every seven (7) days.</li> </ul>



ANIMAL	MAXIMUM NUMBER (excluding offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings – see Note A)	ADVISORY NOTES
			<ul style="list-style-type: none"> <li>• Fouled bedding shall be removed from the stable or yard at least once every seven (7) days.</li> <li>• Stables and yards shall be kept clean and tidy to the satisfaction of Council at all times, so as not to be the cause of a nuisance.</li> <li>• Stallions are not permitted</li> <li>• Refer to Clause 9(h)</li> <li>• Horses may be kept on vacant allotments in the built-up areas in accordance with this policy.</li> </ul>

## 10.0 NOTES

- (a) The distances indicated in the third column of the above table are to be measured in metres from the animal yard or enclosure to the nearest dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.
- (b) Animal includes a mammal, bird, reptile, amphibian or fish. It does not include a human being (as defined in *Prevention of Cruelty to Animals Act 1979*).
- (c) Schedule 2 of the Local Government (General) Regulation 2021 specifies minimum standards for the keeping of animals. The distances specified (except in the case of pigs) may be varied at a meeting of the Council and notified in writing to the applicant in each particular case.
- (d) Schedule 2 Part 5 of the Local Government (General) Regulation 2021 allows for a variation of requirements of the keeping of poultry and Division 3 allows for variation to the requirements for the keeping of horses and cattle.
- (e) All cages, kennel enclosures, aviaries and or any structure for the keeping of animals over 10m<sup>2</sup> of floor area and a height of 2.4 metres are subject to the approval of a development application.
- (f) It is a requirement that a combination of no more than 2 types of animals be kept at the maximum number on any one property.
- (g) Refer to Narromine Shire Council's Local Environmental Plan and Development Control Plans for other restrictions that may apply to the keeping of animals in certain areas.
- (h) **Horses**

Commercial type stables and yards may be developed in certain areas within the boundary, with Council approval, but cannot be developed within the residential or business areas.

Persons wishing to carry out such developments should contact Council regarding suitable land for this purpose.

Horse yards and shelters at the rear of dwellings may be used for the keeping of horses subject to Council's approval and conditions thereof.

Each application for the keeping of horses shall be treated on its merits and approval to keep horses may not be granted in every case. Applications are to be submitted by the owner of the land.

Persons keeping horses within the defined area, without Council approval, prior to the appointed day are required to apply for approval in accordance with this policy.

Applications for the keeping of horses and the construction of yards and shelters after the appointed day shall be treated as building applications.

<b>Owner</b>	<b>Director Governance</b>		
<b>Date of Adoption/ Amendment</b>	<b>Revision Number</b>	<b>Minute Number</b>	<b>Review Date</b>
27/1/2016		2015/347	
8/3/2017	2	2017/59	
09/08/2017	3	2017/204	08/08/2021
9/11/2022	4	2022/250	03/10/2025

## **APPENDIX 1 –PROVISIONS FOR KEEPING DOGS**

### Introduction

This Appendix identifies criteria and provides clear guidelines to assist persons in keeping dogs, to ensure that the activity does not have any detrimental impact on the health and amenity of the surrounding area or to the environment.

### Objective

To maintain the amenity of residents and surrounds by ensuring no interference is caused through the emission of unreasonable noise, smell or otherwise as a result of keeping dogs.

### Provisions for meeting the objective

- (a) All kennel enclosures or other structures for the keeping of dogs over 10m<sup>2</sup> of floor area and a maximum height of 2.4 metres are subject to the approval of a development application.
- (b) The floors of kennel enclosures must be paved with concrete, mineral asphalt or other equally impervious material, and must be properly graded to drain in order to facilitate easy cleaning and prevent the build-up of faeces.
- (c) Kennel and dog enclosures are to be kept clean and free of offensive odours at all times. Solid waste is to be regularly collected, 'bagged' and disposed of to garbage.
- (d) Wastewater associated with the cleaning of any kennel or dog enclosure should be disposed of into Council's sewer in accordance with the Local Government Act 1993 and regulations.
- (e) No interference with the amenity of the area by reason of the emission of unreasonable noise, smell or otherwise is to be the result of the keeping of dogs.
- (f) Dog yards must be so enclosed as to prevent the escape of dogs.
- (g) The *Companion Animals Act 1998* requires permanent identification and life-time registration and effective control of dogs at all times.
- (h) Where the above provisions cannot be met, the owner of the dogs must demonstrate methods for achieving the objective. Each method will be assessed individually.

### Implications

Where complaints are received about odour, noise or other issues relating to the keeping of dogs, Council will conduct an inspection of the property. It is the responsibility of the owner to demonstrate that adequate yard size relative to the size and number of dogs, proper care and desexing has been provided and control has been maintained.

Council has powers under the Section 124 of the Local Government Act to impose restrictions on the numbers and manner in which dogs are kept on a particular property.

## **APPENDIX 2 – PROVISIONS FOR KEEPING CATS**

### Introduction

This Appendix identifies criteria and provides clear guidelines to assist persons in keeping cats, so as to ensure that the activity does not have any detrimental impact on the health and amenity of the surrounding area or to the environment.

### Objective

To maintain the amenity of residents and surrounding environment by ensuring no interference is caused through the emission of unreasonable noise, smell or otherwise as a result of keeping cats.

### Provisions for meeting the objective

- (a) All structures for the keeping of cats over 10m<sup>2</sup> of floor area and a maximum height of 2.4 metres are subject to the approval of a development application. Such structures are subject to the same conditions as imposed on dog enclosures.
- (b) No interference with the amenity of the area by reason of the emission of unreasonable noise, smell or otherwise is to be the result of the keeping of cats.
- (c) The *Companion Animals Act 1998* requires permanent identification and life-time registration.
- (d) Cats must not repeatedly damage anything outside the property on which it is ordinarily kept.
- (e) Cats must be locked indoors or in a suitable enclosure *between sunset and sunrise* to prevent attacks on wildlife.
- (f) The use of identity collars with multiple bells is encouraged to protect wildlife.
- (g) Where the above provisions cannot be met, the owner of the cats must demonstrate methods for achieving the objective. Each method will be assessed individually.

### Implications

Where complaints are received about odour, noise or other issues relating to the keeping of cats, Council will conduct an inspection of the property. It is the responsibility of the owner to demonstrate that proper care and desexing has been provided and control of the animal maintained.

Council has powers under the Section 124 of the Local Government Act to impose restrictions on the numbers and manner in which cats are kept on a particular property.

## APPENDIX 3 – BARKING DOGS

**Barking is one of the ways dogs communicate. It can signify anything from playfulness to danger. However, dogs sometimes bark for other reasons when, for example, they are:**

- chained to a fixed point without enough room to move or kept in a space which is too small
- provoked, deliberately or unintentionally, by people or roaming dogs
- under-exercised or not exercised at all
- lacking training
- lonely
- sick
- hungry, thirsty, on the wrong diet or generally neglected.

These causes of barking shouldn't be part of a dog's life. As well as indicating a possibly distressed animal, chronic excessive barking can be a nuisance to people living nearby.

This information is intended to make life better for dog owners, their neighbours and, of course, for dogs themselves.

### Caring for Dogs

- Compassion and common sense can eliminate many of the problems, which lead to excessive barking. The following suggestions may help dog owners solve any problems they may be having.
- Provide enough space for your dog to move freely within your enclosed backyard. A dog shouldn't be left on a fixed chain for long periods as this contributes to savagery and often increases nuisance from barking or odour problems. If your dog has to be chained, it should be on a running chain.
- Give your dog a place of its own. This can be a ventilated and waterproof kennel or an indoor area. A dog kept in an enclosed area at night will not usually bark and annoy neighbours.
- Exercise your dog regularly and adequately for its breed and size. Remember that when you exercise your dog in a public place it should be kept on a leash.
- Your dog will accept kind but firm discipline. Take it to a good obedience school when the pet is young and you will enjoy the benefits.
- Give your dog a balanced and varied diet. Main meals should consist of processed meat and dried dog foods. Feeding times should be regular and a supply of fresh water should be available at all times. The evening meal of meat should be given between 6pm and 9pm.
- Dogs suffer from a range of common ailments like fleas, worms, distemper, cuts and bruises. Daily examination, regular baths and veterinary attention when necessary will help to ensure that your dog doesn't suffer from health problems. When boarding dogs, provide one run per animal and partition each run so that direct line of sight is eliminated. This will prevent competition between animals.
- In all these areas your dog will respond to good care.

## **Curing the Barking Habit**

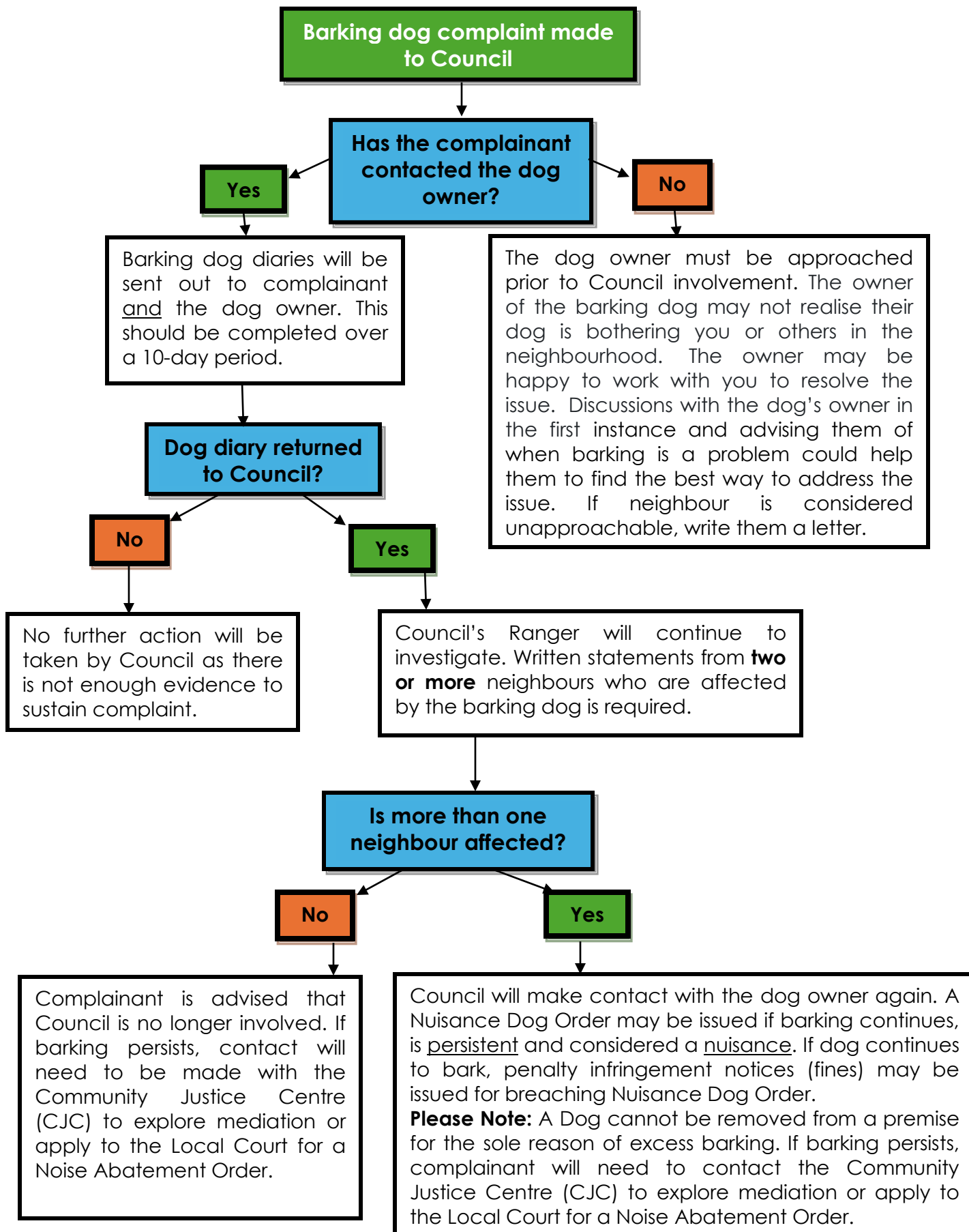
If you feel that your dog is well cared for, but continues to bark excessively, there are a number of things you can try:

- Remove direct line of sight between the dog and children or animals which may provoke barking.
- Take the dog to a recognised animal trainer for specialist training to discourage bad habits.
- Provide noise insulation for the kennel.
- There are various aids that help prevent barking (e.g. 'citronella' collars are effective and endorsed by the RSPCA). Ask your vet or local council about these.

**Be a responsible pet owner  
ensure your companion animal is microchipped, desexed and registered**



**Council Procedure of Handling of a Barking Dog Complaint:**



## **APPENDIX 4 – Nuisance Dogs**

### **Section 32A Companion Animals Act 1998**

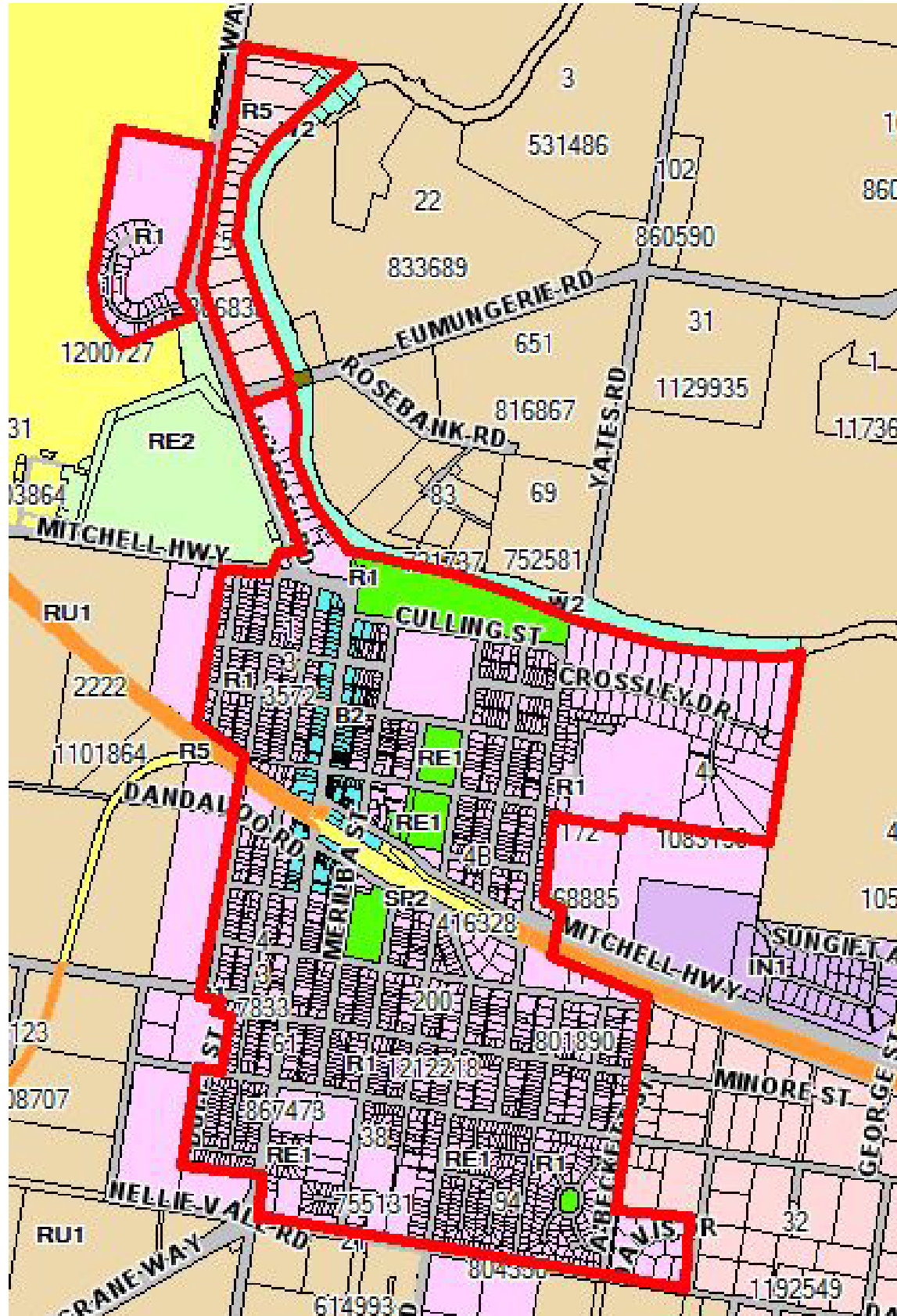
Below is the legal definition of a nuisance dog as defined by the New South Wales Companion Animals Act 1998, and the actions Council may take in relation to nuisance barking roaming, aggression or destructive behaviour.

### **Section 21 Nuisance Dogs**

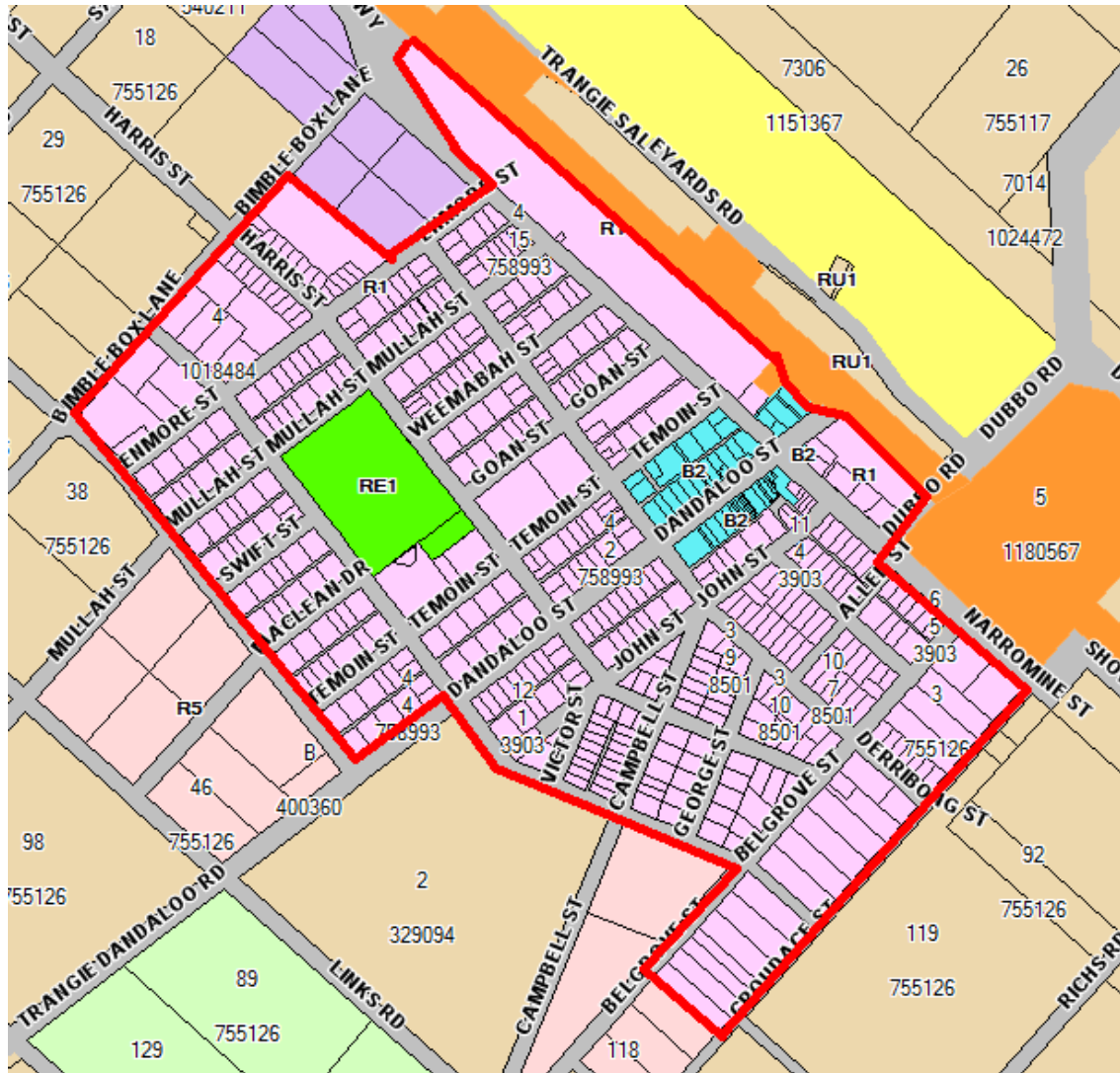
- (1) For the purposes of this section, a dog is a nuisance if the dog:
  - (a) is habitually at large, or
  - (b) makes a noise, by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises, or
  - (c) repeatedly defecates on property (other than a public place) outside the property on which it is ordinarily kept, or
  - (d) repeatedly runs at or chases any person, animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock) or vehicle, or
  - (e) endangers the health of any person or animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock), or
  - (f) repeatedly causes substantial damage to anything outside the property on which it is ordinarily kept.
- (2) If an authorised officer of a council is satisfied that a dog is a nuisance, the officer may, after complying with section 32B, issue an order in the approved form to the owner of the dog requiring the owner to prevent the behaviour that is alleged to constitute the nuisance.
- (3) The order must specify the behaviour of the dog that is required to be prevented. The order can specify more than one kind of behaviour.
- (4) An order remains in force for 6 months after it is issued.
- (5) The owner of a dog must comply with an order issued to the owner under this section and must continue to comply with it while it is in force. Maximum penalty: 8 penalty units for a first offence or 15 penalty units for a second or subsequent offence.
- (6) A council whose authorised officer issues an order under this section must notify the Director-General within 7 days after the order is issued.
- (7) An order under this section is final and is not subject to any appeal or review.

APPENDIX 5 – Maps (Urban Area)

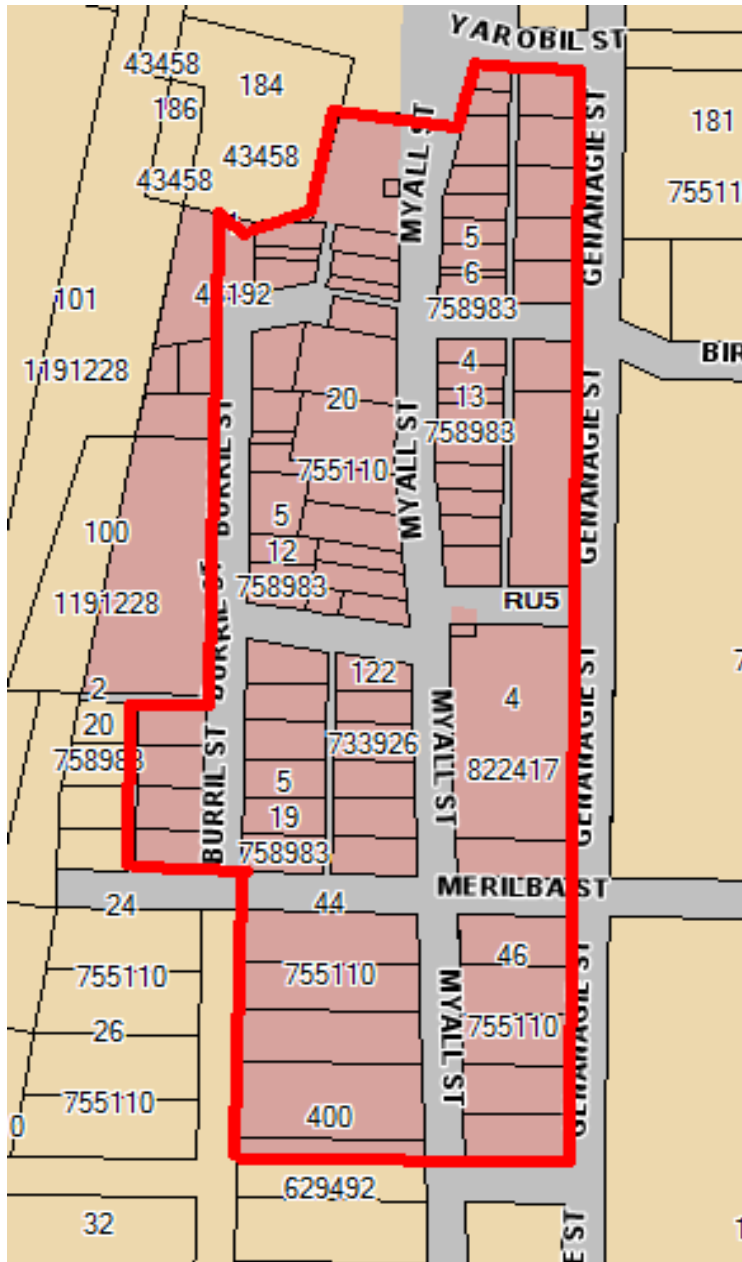
Narromine



# Trangie



# Tomingley



[Back to Report](#)



# Overgrown and Unsightly Property Policy

## 2025

Responsible Department	Prepared By	Date First Created	Adopted By Council	Review Date	Review period
Governance	Manager Health Building and Environmental Services	October 2020	10 February 2021 Resolution 2021/007	9 February 2025	4 years
Governance	Manager Health Building and Environmental Services	February 2025		February 2029	4 years

## 1. INTRODUCTION

An overgrown or unsightly property can be both a nuisance and a danger to neighbours and the community. All residents have a responsibility to keep their properties neat and tidy to improve the appearance of our Community, remove places for vermin to breed, and reduce health risks.

The aim of this policy is to meet the community's expectations and how Council will respond to customer requests in relation to overgrown and untidy premises in the Narromine Shire Council Local Government area.

The policy describes:

- What properties are covered by this policy
- What regulatory functions Council will follow for compliance with this policy
- How the community can access this policy
- How future reviews of the policy will be conducted
- Contact details for anyone wishing to discuss this policy with Narromine Shire Council

### How to complain or report and overgrown or unsightly property

You can report the problem to Council with the address or the location of the property by phoning (02) 68899999 and our rangers will begin their investigation.

Note 1:

Council will take action in relation to untidy properties where it is a public health or safety risk (i.e. attraction of ~~rats and mice~~ rodents in dilapidated buildings).

Ideas about whether a property appears untidy can vastly differ from person to person. A property that is considered unsightly or untidy to some may not be a health or safety risk.

A hoarding situation is particularly challenging and complex issue that Council is not resourced to intervene and can only take action in relation to public health or safety risks.

Note 2:

Council will not respond to customer requests in relation to potential fire risk of overgrown vegetation in rural areas, these requests should be directed to [NSW Rural Fire Service as they are the authority body responsible for managing the risk.](#)

## 2. LAND COVERED BY THIS POLICY

1. Public land owned or controlled by the Narromine Shire Council
2. Residential land\_ Zoned R1, General Residential and R5 Large Lot Residential as defined in the Narromine Local Environmental Plan 2011
3. Land zoned B2 Local Centre and IN1 General Industrial as defined in the Narromine Local Environmental Plan 2011
4. Land zoned RU5 Village as defined in the Narromine Local Environmental Plan 2011



5. Other zones being E3 Environmental Management, RE1 Public Recreation, RE2 Private Recreation, SP1 Special Activities, SP2 Infrastructure as defined in the Narromine Local Environmental Plan 2011

### **3. DEFINITION OF OVERGROWN OR UNSIGHTLY ALLOTMENTS**

1. Narromine Shire Council defines "overgrown" as vegetation (grass/weeds excluding plants/trees) that affects the visual amenity of the allotment, and is likely to attract reptiles or vermin, or is deemed a fire hazard.
2. Narromine Shire Council defines "unsightly" as objects or materials that are brought on to, or allowed to accumulate on, an allotment causing its visual amenity to be seriously affected. "Unsightly" objects or materials are those such as discarded or disused machinery, second-hand material and similar objects. They also include derelict vehicles, old white goods, building materials and household waste.

### **4. ASSESSMENT CRITERIA FOR OVERGROWN LAND (VEGEGATION)**

1. Residential land zoned R1 General Residential, RU5 Village and R5 Large Lot Residential as defined in the Narromine Local Environmental Plan 2011, shall be assessed as overgrown once the vegetation (grass/weeds) have reached an average height of 0.3 metres and is deemed to be a potential fire hazard or a vermin habitat.
2. Land zoned B2 Local Centre and IN1 General industrial as defined in the Narromine Local Environmental Plan 2011 shall be assessed as overgrown once the vegetation (grass/weeds) have reached an average height of 0.3 metres and is deemed to be a potential fire hazard or a vermin habitat.
3. Land zoned E3 Environmental management, RE1 Public recreation, RE2 Private Recreation SP1 Special Activities SP2 Infrastructure as defined in the Narromine Local Environmental Plan 2011, shall be assessed against the use of the land and management plans for the land use of the allotment.

### **5. ASSESSMENT CRITERIA FOR UNSIGHTLY LAND (HOARDING)**

1. Residential land zoned R1 General Residential, RU5 Village and R5 Large Lot Residential as defined in the Narromine Local Environmental Plan 2011, shall be assessed against the following criteria for being unsightly: -
  - Size of allotment
  - Zoning use of the allotment (Local Environmental Plan 2011)
  - Location of allotment
  - Articles/objects/materials being stored and how they are stored
  - Hazard or potential hazard being caused
  - Visual impact
2. Land zoned B2 Local Centre and IN1 General Industrial as defined in the Narromine Local Environmental Plan 2011 shall be assessed against the following criteria for being unsightly: -

- Size of allotment
  - Zoning use of the allotment (Local Environmental Plan 2011)
  - Location of allotment
  - Articles/objects/materials being stored and how they are stored
  - Hazard or potential hazard being caused
  - Visual impact
3. Land zoned E3 Environmental management, RE1 Public recreation, RE2 Private Recreation SP1 Special Activities SP2 Infrastructure as defined in the Narromine Local Environmental Plan 2011
- This activity is prohibited in any form on the above land zones

## 5. NOTIFICATION ARRANGEMENTS

This section of the plan describes how and when Narromine Shire Council will inspect properties and deal with complaints and or customer requests from the public.

1. Council officers will inspect the property to ~~ascertain~~ assess whether it poses a ~~safety risk or is in an unsafe or~~ unhealthy condition.
2. ~~A n~~Notice of intention to issue an order under the Local Government Act 1993 is sent to land-owner (not tenant) giving 14 days for compliance or to make representation to Council.
3. If Point 2 above not complied with,
  - Council will ~~or may~~ issue an Order under the Local Government Act 1993 - the appropriate order for works to be carried out as outlined in the order giving further 14 days for compliance.
4. If Point 3 above not complied with, Council will proceed with the following:
  - Issue a Penalty Infringement Notice for failure to comply with an Order Court action, on the spot fine (penalty infringement notice) and/or
  - Enter land and carry out works and debtor the land owner Engage a local contractor to carry out the required works to the allotment(s) and recover costs of the contractor via invoicing the landowner.

## 6. PREVENTION IF I AM THE OWNER OF AN ALLOTMENT COVERED IN THIS POLICY

Keeping our yards free from overgrown vegetation makes our residential streets more visually appealing and protects the community from vermin and reptiles and lowers the risk of fires. ~~Here are a few tips on how to take pride in the appearance of your home:~~

The following practices will ensure our street amenity: -

- Store goods out of sight in your garage or shed
- Put your rubbish out on time. Take advantage of Council's kerbside collection service for general waste, green waste and recycling
- Store objects or materials out of view and neatly stacked but ensure they do not harbour vermin
- Dispose of old vehicles and machinery – some metal recyclers may collect and remove them free of charge
- Mow or slash your overgrown vegetation regularly (whether dead or alive) and dispose of it responsibly.

## 7. FUTURE REVIEWS OF THE POLICY

This policy will be reviewed every 4 years or when circumstances require a review. ~~The review will include:~~

~~A report on progress of implementing the policy~~

~~Placing the policy on public exhibition, with any proposed changes and calling for public submissions~~

## 8. LEGISLATION COUNCIL WILL USE FOR COMPLIANCE WITH THIS POLICY

- Local Government Act 1993 and associated Regulation
- Environmental Planning and Assessment Act 1979 and associated Regulation
- Protection of the Environment Operations Act 1997 and associated Regulations
- Rural Fires Act 1997 and associated Regulations
- Public Health Act 2010 and associated Regulations

## 9. CONTACT DETAILS

Anyone wishing to contact Narromine Shire Council to discuss the policy details should contact Council's Manager Health Building and Environmental Services, during normal business hours on 6889 9999.



# SWIMMING POOL BARRIER INSPECTION POLICY

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**Aim:**

1. To ensure that all swimming pool barriers in the Narromine Local Government Area (LGA) comply with the relevant legislation (*Swimming Pools Act 1992* and *Swimming Pools Regulation 2018*).
2. To ensure Council's obligations under the *Swimming Pools Act* in respect to undertaking swimming pool barrier inspections are satisfied.

**Definitions:**

**Certificate of Compliance** – in respect of swimming pools means a certificate issued under section 22D of the *Swimming Pools Act 1992*.

**Relevant Occupation Certificate** – in respect of a swimming pool, means an occupation certificate issued under the *Environmental Planning and Assessment Act 1979*, that is less than 3 years old and that authorises the use of the swimming pool.

**Swimming Pool** – means an excavation, structure or vessel:

- a) That is capable of being filled with water to a depth greater than 300 millimetres, and
- b) That is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity, and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations not to be a swimming pool for the purposes of the *Swimming Pools Act*.

**Tourist and Visitor Accommodation** – means a building or place that provides temporary or short-term accommodation on a commercial basis and includes backpackers accommodation, bed and breakfast accommodation, farm stay accommodation, hotel or Motel accommodation and serviced apartments.

**Note:** *As a result of previous community engagement and consultation this policy is also applicable to swimming pools within Caravan Parks.*

**Routine Inspection Program:**

Council will annually conduct inspections of 10 private swimming pools. These pools will be selected randomly from the NSW Government Swimming Pools Register. Swimming pools which have an Occupation Certificate or a Compliance Certificate will be exempt from inspection for three (3) years from the date of the certificate. Compliance Certificates are valid for three (3) years only.

Swimming pools located on tourist/visitor accommodation developments are to be inspected every three (3) years as per the requirement of Section 22B of the *Swimming Pools Act 1992*.

Swimming pools inspected will receive a formal inspection report from Council outlining any non-compliance. Non-compliant swimming pools will be required to comply within a prescribed period set out in the inspection report. Pools will be re-inspected once the non-compliances have been addressed. Compliant swimming pools will be issued with a Compliance Certificate.

**Customer Requested Inspection:**

Owners who are selling or leasing their premises can request Council to undertake a swimming pool barrier inspection. From 29 April 2016 owners are required to obtain a valid swimming pool Compliance Certificate before the sale or lease of a property with a swimming pool. Owners are also able to engage a private certifier accredited under the ~~Building Professionals Act 2005~~ *Building and Development Certifiers Act 2018* to issue a Compliance Certificate.

**Complaint Inspection:**

If a complaint is made to Council regarding a swimming pool, Council will inspect the premises within 72hrs of receiving the complaint regardless of whether or not a valid compliance certificate or Occupation Certificate has been issued. No fees will be payable for the initial inspection however, if any non-compliances are identified any follow up inspection will attract a reinspection fee outlined in the fees section of this policy.

**Fees:** Section 19 of the ~~Regulation Swimming Pool Regulation 2018~~ prescribes the following fee structure:

**19 Fee for inspection**

*For the purposes of section 22F (1) of the Act, the maximum fee that a local authority may charge for carrying out an inspection of a swimming pool is:*

- (a) if it is the first inspection since the person became the owner, \$150, or*
- (b) any or all subsequent inspections since the person became the owner, \$100, or*
- (c) If it is the first inspection since a certificate of compliance in relation to the premises ceased to be valid - \$150 or*
- (d) any or all subsequent inspections after the first inspection since a certificate of compliance in relation to the premises ceased to be valid - \$100.*

Fees associated with this junction are within Council's Fees & Charges Policy.

**Failure to Register**

Should Council become aware that a swimming pool owner has failed to register their swimming pool, that owner shall be given 14 days written notice from Council to register their swimming pool prior to further action being taken.

Owners who then fail to register within this 14-day period, shall be issued with a penalty infringement notice in accordance with clause 30B(1) of the *Swimming Pools Act 1992* and Council will register the swimming pool.

**References:**

- Swimming Pool Act 1992*
- Swimming Pool Regulations 2018*

**Authorisation:**

<b>Date of Adoption/ Amendment</b>	<b>Revision Number</b>	<b>Minute Number</b>	<b>Review Date</b>
11 September 2013	-	2013/350	2016
9 March 2016	1	2016/64	2018
11 July 2018	2	2018/151	2020
14 September 2022	3	2022/208	2026
<u>February 2025</u>	4	202 <u>5</u> /xxx	202 <u>9</u>





# USE OF PUBLIC FOOTPATH OUTDOOR DINING POLICY

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## **POLICY STATEMENT**

This Policy establishes Council's statements and principles dealing with applications for use of the public footpath for outdoor dining.

This Policy aims to permit the establishment of business opportunities and to create a more vibrant and cosmopolitan atmosphere in the commercial centres of the Narromine Shire. The policy will allow the approval of business use of footpath areas (which may include tables, chairs, shade structures, planter boxes and the like to be placed on footpaths) within the Shire adjacent to businesses where there is adequate footpath width for pedestrian circulation.

## **POLICY OBJECTIVES**

The objectives of this Policy are as follows:

### Access and Equity

- To ensure safety and convenient passage of all pedestrians when using public footpaths.
- To ensure the maintenance of clear view lines for both pedestrians and motorists, particularly near pedestrian crossings, street corners and key intersections.
- To ensure adjoining premises are not adversely affected by any business use of footpath areas.

### Council and Community Protection

- To protect Council and the public interest while permitting effective use of public footpaths for business purposes.
- To effectively address risk management issues for Council.
- To ensure that business use of public footpaths will not cost the public purse.
- To ensure that public amenities will not be compromised by the provision of business use of footpath areas.

### Economic

- To enhance the economic viability of our local business by offering consent to use public footpaths for business purposes.
- To encourage trading by providing a more vibrant atmosphere for shoppers.
- To provide an active and integrated street front.
- To maintain visibility and exposure of shop fronts.

## OUTDOOR DINING

### Approval Requirements

A **Section 68 Application** needs to be lodged with Council [via the NSW Planning Portal](#) seeking consent for any proposed footpath dining.

An approval is also required under Section 125 of the *Roads Act 1993*. The term of the approval is for [5+ years](#).

Note: The [RMS- Transport for NSW](#) will need to be consulted in accordance with the provisions of the *Roads Act 1993*, if the footpath is on a classified road

### Application Requirements

Applications are lodged using the prescribed application [via the NSW Planning Portal](#) form and payment of the appropriate application fees. The application shall include:

- Three copies of the proposed site plan;
- Photographs and manufacturing details of all items proposed to be placed on the footpath (i.e. tables, chairs, umbrellas, barricades etc);
- Details of proposed hours of use of the footpath; and
- Copy of the Public Liability Insurance Policy.

### Assessment Criteria

Applications for footpath dining will need to demonstrate that the following approval criteria can be met:

- (a) Must be related to the operation of existing food business and operates on the same basis as the existing food business.
- (b) Applicant is the owner or proprietor of the business.
- (c) Service of alcohol limited to business frontage only.
- (d) A 1.8 metre wide unobstructed passage of footway is maintained at all times. This clearance shall be measured traverse to and between the property boundary alignment and the kerb.
- (e) Tables, chairs, barriers, shade structures (including canopy) shall be positioned so as not to overhang or encroach beyond the side boundaries and shall be wholly contained within the frontage of the food business premises.
- (f) Shade structures shall provide a minimum vertical clearance of two point one (2.1) metres above footway level.
- (g) Shade structures, tables and barriers shall be securely supported and suitably anchored to withstand unexpected wind gusts and shall be monitored for sturdiness at all times.
- (h) The designated footpath dining area shall be enclosed by means of portable metal framed barricade where there are three or more table settings proposed or is proposed to be located adjacent to the kerb. The barricade shall be set back a minimum of 600mm from the kerb line to permit pedestrian access to and from parked motor vehicles. Barricades shall be purpose designed for footpath dining and where they incorporate advertisement panels, advertisements shall be restricted to the advertising of products sold on the premises.

- (i) All footpath dining furniture shall be to an approved structural and aesthetic standard and of matching thematic design.
- (j) All portable footpath dining furniture shall be removed from the foot path whilst ever the food business is closed.
- (k) The footpath dining furniture shall not restrict access to, or incorporate usage of, existing street furniture provided for public use.
- (l) Compliance with conditions and regulations relating to the preparation, storage and serving of food in a public place complies with the *Food Act 2003*.
- (m) The designated footpath dining area shall be maintained in a clean and tidy condition at all times.
- (n) A right of access exists with all utility service authorities with infrastructure in the footpath for the purpose of repairs and maintenance. There will be no compensation payable for interruption to footpath dining due to infrastructure repair and maintenance.

### Fees and Securities

The fees associated with the Section 68 Application under the Local Government Act are stated in Council's Fees & Charges as current at the time of lodgement.

### Conditions of Consent

Should the application be approved by Council, the conditions of consent as outlined in **Schedule A** will be applied.

## **PUBLIC LIABILITY**

Approval for business use of the footpath will only be valid where adequate insurance cover is provided by the business. This compliance is required to ensure meeting the objective of the policy, i.e. protecting Council and the public interest while permitting effective use of the public footpath for business purposes. To ensure protection from claims that may arise as a result of business use of the footpath area the business operator must:

- Take out and maintain public liability insurance for a sum of not less than \$20,000,000 at all times during the term of the approval. This is to include a cross liability clause, in the sum of not less than \$20,000,000 or any higher amount specified by Council throughout the term of the approval on advice of Council's insurers. The insurance policy must specifically state that it is to indemnify Narromine Shire Council against any public liability claims within the area between the front property boundary of the premises and the kerb line for the full frontage of the premises or area approved.
- Provide a copy of this current policy to Council prior to occupation of the footpath and validation of the approval.
- Ensure that they maintain a current public liability insurance policy for the period of the approval issued.
- Proof of currency must be kept on the premises and produced on demand by any authorised Council Officer.
- Provide Council with a copy of the current public liability insurance policy each time the approval is renewed.

## FEES AND CHARGES

As per the Council's adopted Fees & Charges

## COMPLIANCE

At least once per year Council will be undertaking an inspection of the area in question to determine compliance with the conditions of consent. This will include an audit of the businesses insurance requirements.

*Failure to have a valid policy will result in this Section 68 consent being invalid and may result in Council issuing an on-the-spot penalty notice for the non-compliance with conditions of consent.*

### Appendices:

Public Footpath Dining Conditions

### Authorisation:

<b>Date of Adoption/ Amendment</b>	<b>Revision Number</b>	<b>Minute Number</b>	<b>Review Date</b>
<i>18 September 2012</i>		<i>2012/358</i>	<i>2018</i>
<i>13 June 2018</i>	1	2018/152	2020
<i>16 June 2021</i>	2	2021/120	2023
	<u>3</u>		<u>2029</u>

## SCHEDULE A – PUBLIC FOOTPATH DINING CONDITIONS

The following are standard conditions that are applied to approvals for use of the public footpath for dining:

1. This approval is for the use of the public footpath adjacent to (xxxxxxx) is for the term ~~twelve (12) months~~ 5 Years
2. A 1.8 metre wide unobstructed passage of footway is maintained at all times. This clearance shall be measured traverse to and between the property boundary alignment and the kerb. In addition, a 600 mm clear space is to be maintained from the kerb.
3. Tables and chairs are not to be placed outside the approved area under any circumstances.
4. The outdoor furniture shall not pose any potential safety hazard, especially with sharp edges or moving parts, to passers-by, patrons, or employees. The furniture shall be firmly secured to avoid risk of moving and falling over in windy conditions or other circumstances. The furniture shall be removed in high wind conditions.
5. The outdoor furniture shall be stackable, foldable or easily dismantled so that it can be moved and stored away.
6. Appropriate footpath service shall be provided which includes as a minimum the removal of any dirty plates, cups, cutlery, footpath staining and rubbish on a regular basis during each operating day. As such the area and its surrounds shall be maintained in a clean, tidy and hygienic state.
7. No business or financial transactions shall be carried out on the footpath. Such activities shall be carried out wholly within the confines of the premises. This does not include the giving and taking of bills, and associated tips and change.
8. No part of the footpath shall be used as a permanent storage place for any item/s.
9. Where possible, the applicant must provide access in accordance with AS 1428.1 for people with disabilities to 20% of furniture used for outdoor seating.
10. No advertising signs (including menu boards) are permitted on the footpath area without Council's consent.
11. Any aluminium furniture shall have a powder coated or polished finish.
12. The hours of operation for the footpath dining must be the same as or less than the hours of operation of the associated business. The hours of operation for the business use of footpath areas may be limited if it is considered that the amenity of the surrounding area or the safety of pedestrians or footpath diners may be adversely affected.
13. Furniture must be removed from the footpath and stored within the building outside business operating hours. Furniture is not permitted to extend past the area that has been approved by Council for the purpose of the business.
14. Service of alcohol limited to business frontage only.
15. Noise and music appropriately managed.
16. Waste management requirements met.

17. Current public liability insurance is to be maintained throughout the term of approval. When a new insurance policy is issued during the term of the approval, a copy of the new policy is to be provided to Council.

*Failure to have a valid policy will result in this section 68 approval being invalid and may result in Council issuing an on-the-spot penalty notice for the non-compliance with conditions of consent.*





# DRAFT NARROMINE SHIRE YOUTH CHARTER

## 1. Objectives

The objectives of the Narromine Shire Youth Council are to: -

- Advocate for the needs of young people and provide a mechanism for their participation and involvement in decision-making on community issues.
- Act in an advisory and consultative capacity to Council and staff on matters affecting young people in the community.
- Assist young people in developing skills in leadership, communication, advocacy, governance and administration

## 2. Definitions

**Council** means the Narromine Shire Council

**Elected Council** means the governing body of Council

**Youth Council** means the Narromine Shire Youth Council

**Youth Members** mean members of the Youth Council between the ages of 11 and 18 years

**Facilitator** means a Council officer who is delegated to provide guidance to the Youth Council

**Councillor representative** means a Councillor who is appointed by the elected Council to support the Youth Council and Youth Members

**Invitee** means any person invited by the General Manager or at the request of the Youth Council to attend a meeting only for a specific purpose. Invitees have no voting rights.

### **3. Establishment and dissolution**

The elected Council resolved at its Ordinary Council Meeting held on 10 December 2024 to establish a Youth Council for a 2-year trial period (Resolution No 2024/275).

The Youth Council will become effective on 1<sup>st</sup> of March 2025 and will be dissolved at the end of December 2026 unless dissolved earlier by Council.

### **4. Authority**

In carrying out its responsibilities, the Youth Council must always recognise that primary responsibility for the management of Council rests with the elected Council and the General Manager.

The Youth Council has no executive powers and cannot make decisions on behalf of Council.

The Youth Council or its members cannot direct any Council officer in his or her duties.

### **5. Role of Youth Council**

The role of the Youth Council is to: -

- Provide a forum for young people to have a say on issues important to them
- Identify and initiate opportunities for participation and involvement of young people in community activity
- Provide comments and suggestions on local government policies and programs for youth
- Co-ordinate, plan and implement National Youth Week events
- Provide advice and assistance to Council on methods in which to enhance engagement of young people on issues relating to youth

### **6. Membership**

The Youth Council will have the following membership with voting rights: -

- One Councillor representative (and one alternative Councillor representative) to be appointed by Council
- A maximum of 18 Youth Members aged 11 to 18. (made up of up to 3 members from each primary and secondary school in the Narromine Shire)

Youth Members volunteer their services as a member of the Youth Council. Youth members are appointed for a term of 12 months. Appointed Youth Members may seek reappointment for a subsequent 12-month term.

## **7. Nominating for Membership**

Council will call for expressions from local schools to be involved in the Youth Council. Each school that would like to be involved will be asked to nominate up to three student members to the Youth Council.

To be eligible for selection on the Youth Council, applicants must: -

- Be aged between 11 and 18 years.
- Have parental consent if they are under 18 years old.
- Be nominated by a school within the Narromine Local Government Area.

The Youth Council aims to include and encourage applicants who are: -

- Existing school leaders or members of a peer support group
- Members of local sporting or community groups
- From diverse socio-economic and cultural backgrounds
- Motivated to make a difference

## **8. Selection**

Applicants will be appointed once nominated by their local school.

## **9. Appointment and Responsibility of Chair**

The Chair will be appointed by the Youth Council at the first meeting. The term of the Chair is for a 12-month period.

The Chair may use the title 'Youth Mayor'.

The Chair will be responsible for keeping order at the meeting and ensuring members follow the meeting agenda.

The Chair will be responsible for requesting agenda items for the next scheduled meeting.

If the Chair is absent from a meeting, a member of the Youth Council will be nominated by the Youth Council to chair the meeting.

## **10. Responsibility and Requirements of Youth Members**

Youth Members will be responsible for: -

- Attending meetings
- Actively seeking the views and opinions of young people and relevant issues to be brought to the notice of the Youth Council
- Representing the views and acting in the interest of all young people across the Narromine Local Government Area
- Contributing items of interest to the meeting agendas, by contacting the Chair between meetings
- Actively participating in discussions at meetings
- Actively participating in National Youth Week events
- Communicating any issues regarding the Youth Council including absences from meetings or activities

## **11. Responsibility and Requirements of the Councillor Representative**

The Councillor Representative is responsible for: -

- Attending meetings
- Actively participating in discussions at meetings
- Mentoring, liaising and supporting the Youth Council and Youth Council members
- Assisting in the communication of ideas of the Youth Council to other Councillors

## **12. Responsibility and Requirements of the Facilitator**

The Facilitator will be a suitably qualified Council officer, appointed by the General Manager. The position may be shared amongst a number of suitably qualified Council officers.

The Facilitator is to: -

- Schedule Youth Council meetings.
- Ensure the agenda and draft minutes are prepared, approved and distributed within the appropriate timeframes.
- Prepare meeting business papers if required.
- Support the Chair and the Youth Council in managing National Youth Week Events and activities.
- Prepare all media, publicity and distribution of information to the public in accordance with Council policy.

## **13. Attendance at Meetings**

Attendance at any meeting of the Youth Council is limited to the following: -

- Appointed Youth Members
- Elected Councillor Representative
- Facilitator
- Invitees approved by the General Manager or Facilitator

## **14. Quorum**

A quorum is constituted by attendance of at least 5 Youth Members and a Councillor Representative.

## **15. Meeting Schedule**

The Youth Council will meet four times per year, with two meetings to be held in Trangie and two meetings to be held in Narromine. Suitable timing should be discussed at the first meeting.

**16. Meeting Agendas**

The Facilitator is responsible for approving the agenda and ensuring its distribution at least 5 business days prior to the day of the meeting. The agenda may be distributed electronically.

**17. Minutes**

All Youth Council meetings will be appropriately minuted and recorded by the nominated Youth Member.

The nominated Youth Member will forward draft minutes to the Facilitator no later than 10 business days following the meeting.

The Facilitator is responsible for approving the draft minutes and ensuring distribution. The minutes may be distributed electronically.

Draft minutes of the previous meeting are to be adopted by the Youth Council at the following meeting.

**18. Recommendations of the Youth Council**

Recommendations of the Youth Council must be consistent with this Charter.

Recommendations are expected to be made by open vote and by consensus.

Council officers may action recommendations as they deem appropriate in accordance with their individual delegations and authorisations.

**19. Reports to Council**

The Youth Council will report to the elected Council annually or when a decision of the elected Council is necessary to enact a recommendation of the Youth Council.

The Youth Council may also provide reports to Council's General Manager.

**20. Public Comment**

The Mayor or General Manager are the official spokespersons for Council. No member of the Youth Council should speak to the media on behalf of Council. All media releases, advertising and publication of information relating to the Youth Council will be undertaken by Council officers, in accordance with Council policy.

**21. Induction**

Youth Members will receive relevant information and briefings on their appointments to assist them to meet their responsibilities.

**22. Review**

A review of this Charter as resolved is scheduled for March 2026.