

1. **DEVELOPMENT APPROVALS**

Introduction

This report provides information to Council on the approved Development Applications for the month of March 2017.

Background

Council at its Ordinary Meeting held on 13 April 2016 resolved that the report on Development Applications addressed under Delegated Authority be reinstated in the Council business papers (**Resolution No 2016/106**).

The approvals for the month of March 2017 bring the total approved Development Applications for the financial year to 45 with a total value of \$5,471,798.

DA No.	Location	LOT/DP	Description	Value	Assessment Time/Days
39/17	Temoin Street Narromine	4B/420046	Carport	\$4,000	31
40/17	Algalah Street Narromine	8/3510	Carport	\$14,000	25
41/17	Narromine Street Trangie	2/5/3903	Transportable Dwelling	\$235,000	26
43/17	Belowrie Road Tomingley	6/718920	Dwelling	\$330,000	12
44/17	Dandaloo Road Narromine	1/110169	Shed	\$50,000	11
47/17	Old Backwater Road Narromine	13/251750	Shed	\$14,500	3
48/17	Backwater Road Narromine	1/1096085	Shed (Use Only)	Nil	5

Issues

Council currently has 7 development applications under assessment. Three of these are on hold for reasons such as awaiting additional information and referrals to government agencies.

Council has a statutory obligation to determine development applications within 40 days. The average assessment time for determining applications in March 2017 was 16.15 days.

Assessment

(a) *Legal Implications Including Directives and Guidelines*

Environmental Planning and Assessment Act 1979; Environmental Planning and Assessment Regulation 2000.

(b) *Financial Implications/Considerations*

There have been 45 development approvals with a total value of \$5,471,798 for the financial year.

1. **DEVELOPMENT APPROVALS (Cont'd)**

(c) Strategic Implications

This report relates to Item G2.1 of the Community Strategic Plan and Item G2.1.1 of the Delivery Program – provide efficient service in the assessment of Development Applications and Part 4A Certificates.

Conclusion

The approvals for the month of March 2017 bring the total approved Development Applications for the financial year to 45 with a total value of \$5,471,798.

RECOMMENDATION

That the report be noted.

2. **LICENCE AGREEMENT – NARROMINE SHOWGROUND (R86330) RESERVE TRUST**

Introduction

The purpose of this report is to consider entering into a licence agreement between the Narromine Showground (R86330) Reserve Trust and the Narromine Turf Club Inc.

Background

The Narromine Showground (R86330) Reserve Trust has two existing licence agreements with the Narromine Turf Club for the lease of the track and amenities area for horse training and racing; and the lease of the stables.

Issues

The Narromine Turf Club have now requested the use of the area between the stables and cattle yards as well as the former barrier shed for the purpose of stabling horses (**see Attachment No 1**).

The term of lease requested is for a 5 year period.

Assessment

Legal Implications

Narromine Shire Council is the Trust Manager of the Narromine Showground (R86330) Reserve Trust. Council is authorised by the Minister of Primary Industry, Lands and Water to grant leases and licences over the Crown reserves they manage if they are of a temporary nature (less than 1 year). As this licence agreement is for a 5 year period, Ministerial consent will be required.

2. LICENCE AGREEMENT – NARROMINE SHOWGROUND (R86330) RESERVE TRUST (Cont'd)

The draft licence agreement must be forwarded to the Department of Industry (Lands) for comment and in-principle consent prior to signature by each of the parties.

Financial Implications

The licence fees are set annually in Council's Fees and Charges and this will be reflected in the licence agreement.

Strategic Implications

This report relates to Item L3.1 – to provide excellent leadership and governance within Council and Item L3.1.1.3 – ensure all leases and licences of Council owned land as well as land Council is responsible for (including crown land) are renewed as required.

Summary

The Narromine Turf Club Inc has requested the use of two additional areas being the area between the stables and cattle yards as well as the former barrier shed for the purpose of stabling horses. Narromine Shire Council as Trust Manager of the reserve must consider granting the licence agreement for a 5 year period. Minister's consent to the licence agreement will be required.

RECOMMENDATION

1. That Council as Trust Manager, consent to entering into a Licence Agreement between the Narromine Showground (R86330) Reserve Trust and Narromine Turf Club Inc for a 5 year period for the purpose of stabling horses in the area between the stables and cattle yards as well as the former barrier shed.
2. That the draft licence agreement be forwarded to Department of Industry (Lands) for comment and in-principle consent prior to signature by each of the parties.

3. NEW ROAD NAME

Introduction

This report provides feedback received from the Geographical Names Board regarding Council's recently adopted name for Road 1.

3. NEW ROAD NAME (Cont'd)

Background

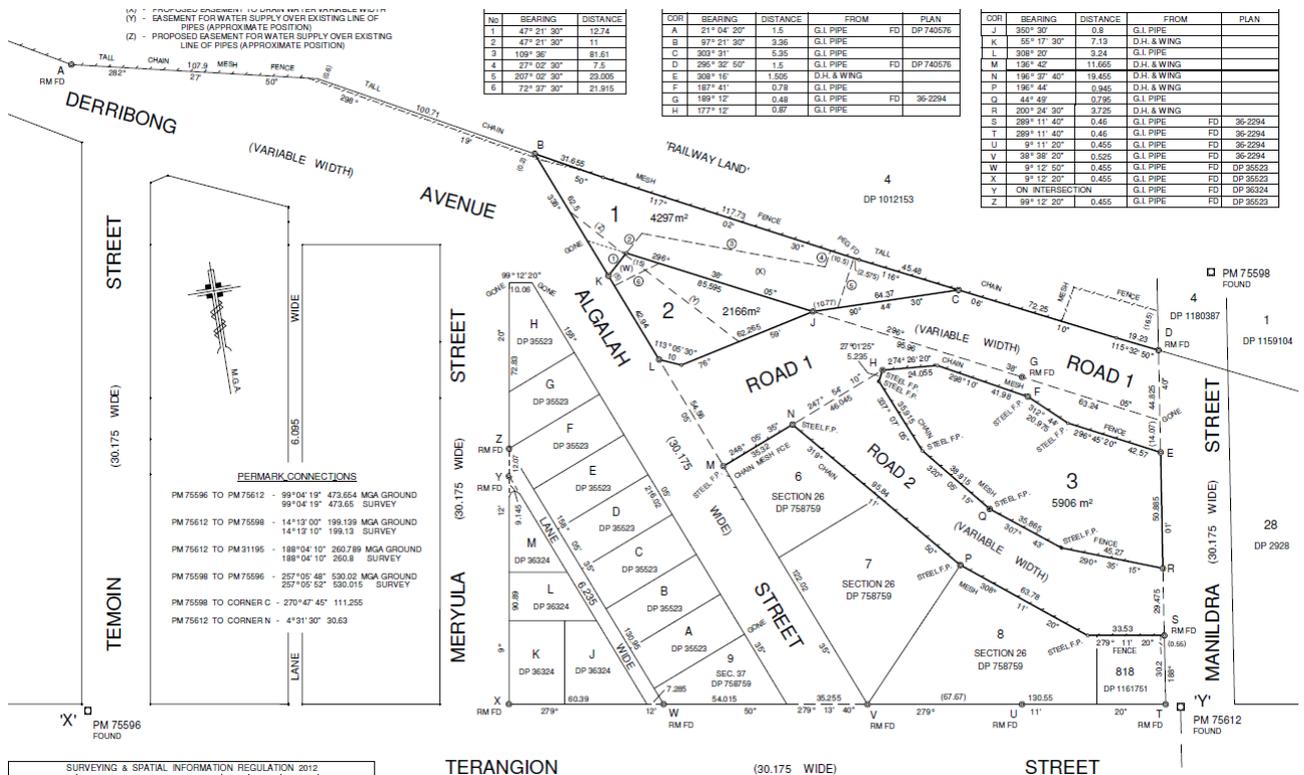
Council at its Ordinary Meeting held on 8 March 2017, resolved that Council adopt a street name, being "East Deribong Street" for Road 1 and that Council make contact with the Geographical Names Board to conduct a suitability assessment of the proposed road name (in accordance with the NSW Address Policy) prior to placing it on public exhibition.

Issues

Contact was duly made with the Geographical Names Board who have advised that "the name 'East Deribong Street' is not an acceptable road name as it does not meet Principle 6.7.8 Suffixes, Prefixes and Directional Indicators of the NSW Addressing User Manual. A road name shall not include qualifying terminology, a cardinal indicator or a similar prefix."

As advised previously when a road extent is broken into separate sections by redesign (such as Deribong Avenue), the name shall only be retained on one section and the other sections **renamed** as part of the development process.

Council must now reconsider a name for Road 1 as depicted in the plan below.



3. NEW ROAD NAME (Cont'd)

As previously reported to Council, the following street names have in the past been suggested by community members:

- Blue Wren (common bird found in the Shire)
- Christie (after John Christie, one of the original settlers in Narromine)
- Barlow (after GW Barlow, early Narromine settler)
- Crawford (after owner of land now known as Crossley Drive)

Council has recently received a road name suggestion from a member of the community being McLachlan (after local Doctor Keith McLachlan). Council officers support this suggestion as it meets the criteria under the NSW Addressing User Manual. An extract of the submission is shown below:-

I would like to put in a very strong suggestion that this road could be named the "Keith McLachlan Drive" There are other streets named after renowned resident's from Narromine's vast history eg (Jerry Smith Street, Nellie Vale Road, Baden Fletcher Drive etc etc)

This would be a very fitting tribute to a man who was a doctor in our town for 45 years. In that time he achieved many things. He founded the first Lions Club west of the Blue Mountains, He was an Alderman for many years and served as our Mayor for many years. Keith developed the scheme that low income workers could borrow money from the council to build their own basic homes. People were so proud that they could purchase their own home that not one single loan was defaulted on. Keith lobbied to have the then Aboriginal population be bought into town and housed in suitable housing and to receive proper medical care. The Aboriginal settlement just out of Narromine was then closed. He set up the Far West medical support team for people in the outback of NSW. He would fly his own plane to a accident scene, land his plane on a rough road or even a paddock just to try and save a persons life. Keith was a man that devoted his whole career to the town of Narromine to ensure that they were looked after as well as any patient anywhere in Australia.

I strongly feel that this great man should be honoured in some way by this town and by all the people that owe their lives to him as well as some of the conditions that this town now shares.

Julie Davis

The following names have also been put forward as potential street or road names for now or future use:

Wentworth (after William Wentworth, early explorer, journalist and politician and original owner of 'Narramine Station'). Mr Wentworth was a leading advocate for self-government in the Australian colonies.

Ironbark (local tree species)

Honey ('Narromine' is derived from an original Wiradjuri term, place of many lizards or place of honey)

Buddah (well known property name, site of first irrigation farm in Narromine)

3. NEW ROAD NAME (Cont'd)

Assessment

(a) *Legal Implications Including Directives and Guidelines*

A legal process follows road naming under the Roads Regulation 2008. This will be followed as part of this process.

(b) *Financial Implications/Considerations*

This is a service conducted in-house by Council staff, with the exception of the drafting of the registered plans by a surveyor. This work can be funded through the current budget.

(c) *Policy Provisions – Council Policy and Practice*

As previously mentioned, policies refer to street naming and these will be followed as part of this process.

Summary/Conclusion

Council will need to reconsider a name for Road 1 as depicted in the plan with the road type of 'Bypass'. The Geographical Names Board has not raised an objection to Road 2 being named Baystone Way in their suitability assessment, however this cannot be placed on public exhibition until Council adopts a name acceptable by the Geographical Names Board for Road 1.

RECOMMENDATION

- (1) That Council adopt a street name for Road 1 as previously suggested by the community i.e. either Blue Wren Bypass; Christie Bypass; Barlow Bypass; Crawford Bypass or McLachlan Bypass.
- (2) That Council make contact with the Geographical Names Board to conduct a suitability assessment of the proposed road name (in accordance with the NSW Address Policy) prior to placing it on public exhibition.

4. LEASE RENEWAL – TRANGIE DOCTOR'S SURGERY AND RESIDENCE

Introduction

This report outlines the information necessary for the consideration of the renewal of the leases of the Trangie Doctor's Surgery and Residence.

Background

For many years Council provided both the Trangie Doctor's Surgery and residence to the local attending doctor for free. In March 2015, it was resolved that Council enter into a 2 year agreement with the Western NSW Local Health District for the lease of the Trangie Doctor's Surgery at a rental of \$159.44 (including GST) per week with annual CPI increments. Further that utilities, water, power and telephone charges be payable by the lessee (**Resolution No 2015/58**).

4. LEASE RENEWAL – TRANGIE DOCTOR’S SURGERY AND RESIDENCE (Cont’d)

At that meeting it was further resolved that Council enter into a new residential lease agreement with the attending Doctor for the lease of the Trangie Doctor’s residence for a 2 year period with a nil rental provided that the doctor continues his employment with the Western NSW Local Health District to provide an adequate medical service to Trangie; further that utilities, water, power and telephone charges be payable by the Lessee (**Resolution No 2015/58**).

Issues

The lease for the surgery and the residential lease were both entered into for a period of 24 months. This 24 month term expires on 21 April 2017. The Western NSW Local Health District have now indicated that they wish to renew the terms of the lease for the Trangie Doctor’s Surgery for a further 12 month period. It is proposed to increase the commencing rental by the annual CPI. It is therefore proposed that the attending doctor’s lease for the residence be renewed for the same period.

Assessment

Legal Implications

Both lease agreements will expire on 21 April 2017. New lease agreements will need to be entered into by each party.

Strategic Implications

This report relates to item no C2.1 of the Community Strategic Plan and item No C2.1.2 of the Delivery Program – to maintain access to health care providers and to advocate for access to high quality health care facilities and services.

Financial Implications

Current rental is \$703.21 (including GST) per month for the Trangie Doctor’s Surgery and nil rental for the Trangie Doctor’s residence. It is proposed to increase the rental for the surgery by the annual Sydney Group CPI. Utilities, water, power and telephone charges are payable by each lessee.

Summary

The Western NSW Local Health District has advised they wish to renew the lease agreement for the Trangie Doctor’s surgery for a further 12 month period. It would therefore be preferable to renew the Trangie Doctor’s residence lease for the same period so each lease has the same term. Council has for many years provided the residence to the local attending doctor free of charge in order to maintain access to a health provider in Trangie.

RECOMMENDATION

1. That Council enter into a new lease agreement with the Western NSW Local Health District for the lease of the Trangie Doctor’s Surgery for a 12 month period, at a rental of \$726.80 (including GST) per month. Further that utilities, water, power and telephone charges be payable by the lessee.

4. LEASE RENEWAL – TRANGIE DOCTOR’S SURGERY AND RESIDENCE (Cont’d)

2. That Council enter in a new residential lease agreement with the attending doctor for the lease of the Trangie Doctor's residence for a 12 month period, with a nil rental provided that the attending doctor continues his employment with the Western NSW Local Health District to provide a medical service to Trangie and provided the Western NSW Local Health District continue to lease the Trangie Doctor's Surgery. Further that utilities, water, power and telephone charges be payable by the lessee.

5. LEASE RENEWAL - REGIONAL AUSTRALIA BANK

Introduction

This report outlines the information necessary for the consideration of the renewal of the lease to Regional Australia Bank.

Background

Community Mutual Limited (Trading as Regional Australia Bank) currently lease 197m² of Council's Customer Service and Payments Centre building in Dandaloo Street, Narromine. The lease expires on 28 June 2017. Current rental is \$20,240 (including GST) per annum.

Issues

Regional Australia Bank have advised they will not be exercising their option under the current lease but wish to enter into a new lease for a one year term with two renewal options of one year. In addition, they have requested a reduction in the leased area from 197m² to 60.32m².

The proposed new lease area will include Council's existing customer service area and adjoining office. This will require the installation of a wall/door and relocation of light/air conditioner switches etc and will be for the cost of the lessee.

Council will move its customer service area to that currently being used by Regional Australia Bank. There are no costs anticipated with the transfer to this area.

Assessment

Legal Implications

The current lease expires on 28 June 2017. A new lease agreement for a one year term, with 2 x one year renewal options will need to be entered into by each party.

5. LEASE RENEWAL - REGIONAL AUSTRALIA BANK (Cont'd)

Financial Implications

Current rental is \$20,240 (including GST) per annum for 197m². Proposed rental will be \$6197.38 per annum (including GST) based on a reduction in lease area to 60.32m². Annual CPI will be applied to each option period if exercised. Modification costs will be for the account of the lessee.

The lessee will also be responsible for the lease preparation costs.

Strategic Implications

This report relates to item L3.1 of the Community Strategic Plan and Item L.3.1.1.3 of the Delivery Program – ensure all leases and licences of Council owned land as well as land Council is responsible for (including Crown land) are renewed as required.

Summary

Regional Australia Bank currently lease 197m² at a rental of \$20,240 (including GST) per annum. They have now requested a reduction in the leased area from 197m² to 60.32m². Based on the reduced area the proposed rental is \$6197.38 (including GST) per annum. Terms of the new lease requested are for a one year term, with two by one year renewal options. CPI will be applied to each option period if exercised.

Modification and lease preparation costs will be for lessee.

Council will transfer its existing customer service area to that currently being used by the lessee. The new leased area will incorporate Council's existing customer service area and adjacent office.

RECOMMENDATION

That Council lease 60.32m² of the building located at 118-120 Dandaloo Street, Narromine to Community Mutual Limited (trading as Regional Australia Bank) at a commencing rental of \$6197.38 (including GST) per year for a one year term with two by one year renewal options subject to annual CPI increments.

6. ESSENTIAL ENERGY – DEED OF AGREEMENT

Introduction

This report is presented to Council for consideration of the renewal of the Deed of Agreement between Narromine Shire Council and Essential Energy for the lease of the Nymagee Street depot building and appurtenant land enclosed by fencing.

Background

Essential Energy (formerly Country Energy) leases the Nymagee Street depot building and the appurtenant land enclosed by fencing. These premises are erected on land of which Council is the registered owner. Whilst the building is owned by Essential Energy, the land underneath the building was transferred to Council with the vesting of the reservoirs in 1995. A Deed of Agreement was entered into with Essential Energy (at that stage Country Energy) so that if they ever decide to close down the Narromine branch and sell the premises, then Council would obtain the value of the land from any sale.

The current lease expires on 14 May 2017 and Essential Energy have advised that they wish to renew the Deed of Agreement for a further five (5) years.

Assessment

(a) *Legal Implications Including Directives and Guidelines*

Existing Deed of Agreement between Narromine Shire Council and Essential Energy expires 14 May 2017.

(b) *Financial Implications*

Essential Energy pay Council rates and charges assessed on the depot, as well as building insurance premiums and public liability. No charge is made for the lease of the land.

(c) *Strategic Implications*

This report relates to item L3.1 of the Community Strategic Plan and Item L3.1.1.3 of the Delivery Program – ensure all leases and licences of Council owned land as well as land Council is responsible for (including Crown land) are renewed as required.

Summary

Essential Energy have advised they wish to continue to have a physical presence in the community and have therefore requested that Council renew the existing Deed of Agreement for a further 5 year period.

RECOMMENDATION

1. That Council renew the Deed of Agreement with Essential Energy for a further five years as requested.
2. That approval be given to affix the common seal to the Deed of Agreement.

7. LEASE AGREEMENT – INCITEC PIVOT LIMITED

Introduction

This report is presented to Council for consideration of the lease renewal between Narromine Shire Council and Incitec Pivot Limited for the lease of part of the Narromine Aerodrome.

Background

Council has for many years leased 9640 m² at the Narromine Aerodrome to Incitec Pivot Limited for an anhydrous ammonia depot. The current lease agreement expired on 30 September 2016, however allowed for a month by month tenancy. Current rental is \$1422.94 per month (including GST).

Issues

Incitec Pivot Limited have now advised they wish to renew the lease agreement to 30 September 2018 with a three year renewal option.

Annual CPI was applied to the rental as at 1 October 2016, therefore the proposed commencing rental for the renewed lease agreement from 1 April 2017 to 30 September 2017 will remain as is and CPI will be applied annually thereafter.

Assessment

(a) Legal Implications Including Directives and Guidelines

The lease agreement between Narromine Shire Council and Incitec Pivot Limited expired on 30 September 2016, however the agreement allowed for a month by month tenancy. A new lease agreement has now been requested by Incitec Pivot Limited to 30 September 2018 with a three year option to renew period.

(b) Financial Implications

Current rental is \$1422.94 per month (including GST). It is proposed that the rental remain the same until 30 September 2017 and thereafter be increased by the annual CPI rate.

(c) Strategic Implications

This report relates to item L3.1 of the Community Strategic Plan and Item L.3.1.1.3 of the Delivery Program – ensure all leases and licences of Council owned land as well as land Council is responsible for (including Crown land) are renewed as required.

7. LEASE AGREEMENT – INCITEC PIVOT LIMITED (Cont'd)

Summary

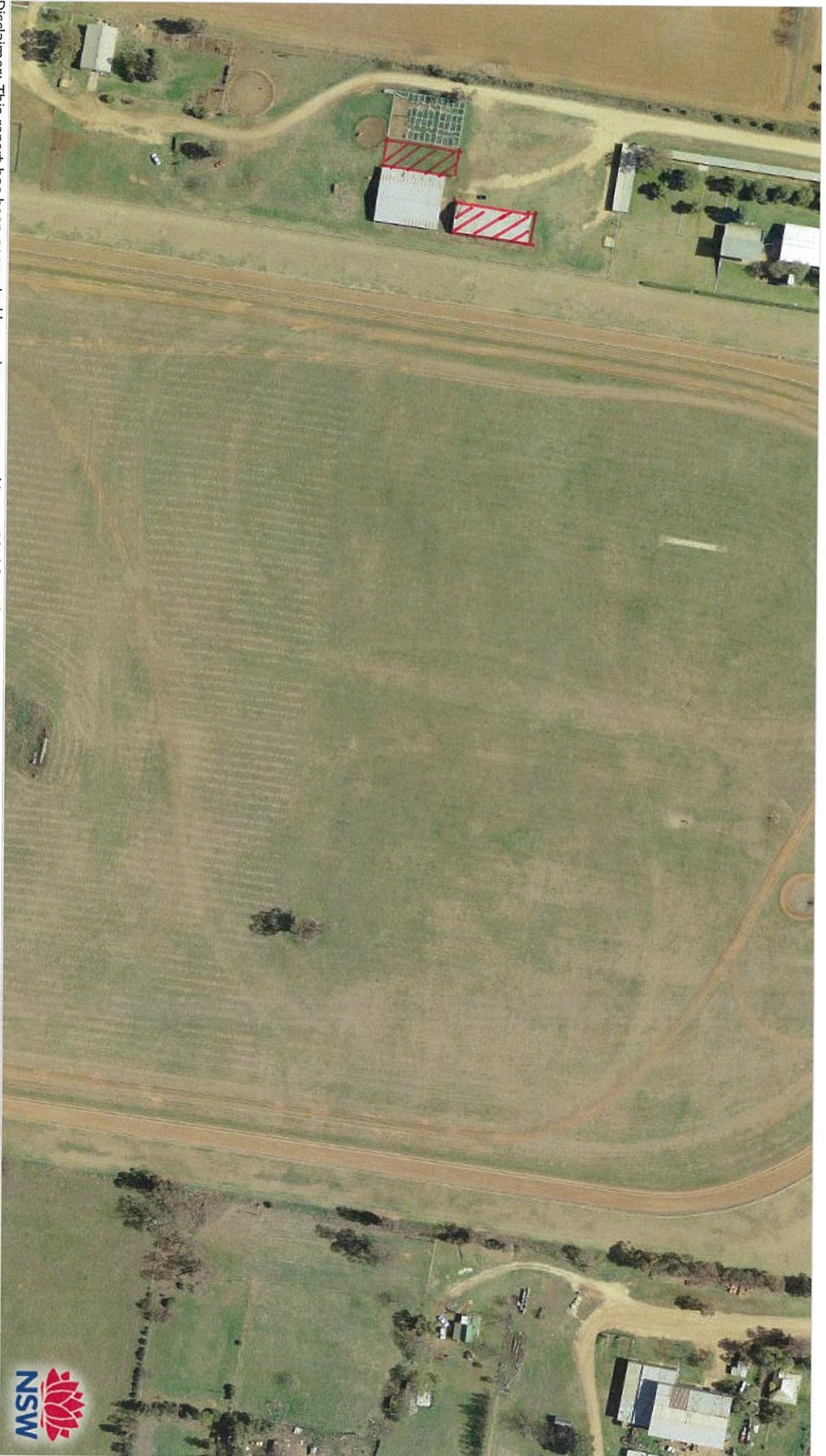
Incitec Pivot Limited have requested that Council renew the lease agreement to 30 September 2018 with a three year option to renew period.

RECOMMENDATION

That Council renew the Lease Agreement with Incitec Pivot Limited to 30 September 2018, with a three year option to renew period, at a commencing rental of \$1422.94 per month (including GST), and with annual CPI increments applied from 1 October 2017.

Guy Marchant
Acting Director Corporate, Community and Regulatory Services

Attachment No. 1



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