1. TOMINGLEY GOLD OPERATIONS (TGO) – COMMUNITY FUND PANEL

Author Executive Manager Corporate Governance

Responsible Officer General Manager

Link to Strategic Plans CSP – 4.4.4 Develop and build partnerships with State and

Federal Governments, industry and community organisations to foster development and delivery of community services and emerging business sectors

Executive Summary

This report is presented to Council to approve the recommendations from the Tomingley Gold Operations (TGO) Community Fund Panel for distribution of the Voluntary Planning Agreement funds.

Report

The Voluntary Planning Agreement (VPA) with TGO is to provide Council with the following "community funds" as outlined in clause 4.1 of the Agreement –

\$53,750 per year for 8 years with 50% payable on 1st July and 50% payable on 1st January each year'' a total of \$430,000 over the period.

The VPA also states in clause 4.3 "The Development Contributions paid pursuant to clause 4.1 may be pooled with other monies held by Council which have similar and relevant objectives, subject to the proponent (TGO) having the opportunity to lobby for certain expenditure of for the benefit of Tomingley residents and to object to expenditure which may not be in the proponent (TGO) view of community benefits".

The objective of the Community Fund is to satisfy the four elements of:

- Economic Development directly contribute to the resilience and/or long term economic growth of the community;
- Community Connectivity promote community togetherness in a positive family focussed way;
- Education and Training foster the education and up-skilling of members of the community;
- Community Infrastructure.

The TGO Community Fund award funds twice per year with applications due in March and August, and the Panel conferring in April and September to review the applications. The Panel recommends to Council that the following projects receive funding from the Community Fund Round 1:

Tomingley Picnic Races - \$5,000.00 for sponsorship Narromine CWA – \$300.00 for public speaking events Narromine Car Club Inc - \$500.00 for Narromine Show and Shine

1. TOMINGLEY GOLD OPERATIONS (TGO) – COMMUNITY FUND PANEL (Cont'd)

Recommended projects were determined in accordance with the objectives and assessment criteria for the distribution of the Community Funds agreed to by Council and TGO.

Acknowledgement of the successful applicants will be in a joint letter from Council (signed by the Mayor) and the TGO (signed by the Mining Manager).

Financial Implications

VPA Funds of \$53,750 per annum are available, with at least \$26,875 for each half year distribution. There were 3 applications received comprising a total value of \$5,800.00.

Legal and Regulatory Compliance

In accordance with section 377 of the Local Government Act 1993, Council must resolve to approve the allocation of funds for a donation.

Guidelines adopted by Council on 9 October 2013 for distribution of funds for Tomingley Gold Operations – Community Fund in accordance with the Voluntary Planning Agreement.

Risk Management Issues

Nil

Internal/External Consultation

TGO Community Fund Panel

Attachments

Nil

RECOMMENDATION

That Council approves the allocation of funds from the TGO Community Fund as follows:

Tomingley Picnic Races - \$5000.00 Narromine CWA - \$300.00 Narromine Car Club Inc. - \$500.00

2. LEASE OFFICE SITE NO 12 AND HANGAR SITE NO 16 NARROMINE AERODROME

Author Executive Manager Corporate Governance

Responsible Officer General Manager

Link to Strategic Plans CSP – 4.3.4 Ensure Council's property assets are

monitored and well managed

Executive Summary

This report is presented to Council to determine the lease fee for Office Site No 12 and Hangar Site No 16 at the Narromine Aerodrome.

Report

Council has for many years leased the above sites at the Narromine Aerodrome. The current lease has now expired and the lessee has requested renewal of the agreement for the above sites for a further 3 year period.

Current rental for both sites is \$296.62 per month (GST incl.) It is proposed that the rental be increased by the annual CPI rate, and thereafter annually for the remaining term of the lease.

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

Financial Implications

It is proposed that the current monthly rental be increased by the annual CPI rate, and CPI applied annually thereafter.

Legal and Regulatory Compliance

Council will need to enter into a new lease agreement with the existing lessee for a further 3 year term.

Risk Management Issues

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

Internal/External Consultation

Lessee who has requested a three year lease term.

2. LEASE OFFICE SITE NO 12 AND HANGAR SITE NO 16 NARROMINE AERODROME (Cont'd)

Attachments

Nil

RECOMMENDATION

That Council lease Office Site No 12 and Hangar Site No 16 at the Narromine Aerodrome for a further 3 year term, at a commencing rental of \$301.54 per annum (GST inclusive) with annual CPI increments to be applied thereafter.

3. LEASE PART 37 BURRAWAY STREET, NARROMINE - PHYSIOTHERAPY

Author Executive Manager Corporate Governance

Responsible Officer General Manager

Link to Strategic Plans CSP – 4.3.4 Ensure Council's property assets are

monitored and well managed

Executive Summary

This report is presented to Council to determine the lease fee for part 37 Burraway Street, Narromine.

Report

Council currently leases a portion of the former Family Day Care building for physiotherapy and pilates exercise purposes. The lease expires 31 May 2019.

The lessee has now requested renewal of the lease for a further 6 month period.

Current rental is \$165 per week (GST inclusive). It is proposed to apply the annual CPI to the rental for the renewal period.

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

Financial Implications

It is proposed that the current monthly rental be increased by the annual CPI rate.

3. LEASE PART 37 BURRAWAY STREET, NARROMINE (Cont'd)

Legal and Regulatory Compliance

Council will need to enter into a new lease agreement with the existing lessee for a further 6 month period. It is also proposed that the lessee be granted an option to renew for a further 6 month period.

Risk Management Issues

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

Internal/External Consultation

Lessee who has requested a six month renewal term.

<u>Attachments</u>

Nil

RECOMMENDATION

That Council lease part of 37 Burraway Street, Narromine for a 6 month term with an option to renew for a further 6 months, at a commencing rental of \$167.77 per week (GST inclusive).

4. LEASE PART 37 BURRAWAY STREET, NARROMINE – HEALTH CLINIC

Author Executive Manager Corporate Governance

Responsible Officer General Manager

Link to Strategic Plans CSP – 4.3.4 Ensure Council's property assets are

monitored and well managed

Executive Summary

This report is presented to Council to determine the lease fee for part 37 Burraway Street, Narromine.

Report

Council currently leases a portion of the former Family Day Care building for health clinic, podiatrist and dietician purposes. The lease expires 8 April 2019.

4. LEASE PART 37 BURRAWAY STREET, NARROMINE – HEALTH CLINIC (Cont'd)

The lessee has now requested renewal of the lease for a further 12 month period with a further option to renew of 12 months.

Current rental is \$165 per week (GST inclusive). It is proposed to apply the annual CPI to the rental for the renewal period and thereafter for the option to renew.

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

Financial Implications

It is proposed that the current monthly rental be increased by the annual CPI rate, and thereafter for the option to renew.

Legal and Regulatory Compliance

Council will need to enter into a new lease agreement with the existing lessee for a further 12 month period, with an option to renew of a further 12 month period.

Risk Management Issues

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

Internal/External Consultation

Lessee who has requested a 12 month renewal term with a 12 month option.

Attachments

Nil

RECOMMENDATION

That Council lease part of 37 Burraway Street, Narromine for a 12 month term with an option to renew for a further 12 months, at a commencing rental of \$167.77 per week (GST inclusive).

5. CLASSIFICATION AND CATEGORISATION OF CROWN RESERVES

Author: Executive Manager Corporate Governance

Responsible Officer: General Manager

Link to Strategic Plan: CSP – 4.3.4 Ensure Council's property assets are

monitored and well managed

Executive Summary

This report identifies the remaining sites earmarked by Crown Lands as requiring classification and categorisation under the Crown Land Management Act 2016 and recommends some Crown Reserves to be reclassified operational and recommends categories for the remaining reserves deemed community land.

Background

Previously Crown reserves have been jointly managed by Crown Lands and Council under separate legislation.

Recent Crown Land reforms, culminating in the Crown Land Management Act 2016 (CLMA) which came into effect on 1 July 2018, have resulted in the previous joint arrangements being discarded in favour of Councils having administrative responsibility for the management of Crown reserves.

At the commencement of the CLMA the categorisation and classification of Crown land under the care and control of Council reverted back to the categorisation and classification as per the original gazettal notice and all current plans of management are to be rewritten to reflect the CLMA under the Local Government Act (LGA).

Crown lands and the Office of Local Government (OLG) are requiring that Councils undertake a two (2) step process to transition their management of Crown reserves to the new processes.

The first step, which is the subject of this report and prior reports, is for Council to undertake a classification (operational or community land) and then categorisation (type of community land) for the remaining Reserves earmarked by Crown Lands. Whilst Council can seek the classification of Crown reserves as operational land this will require the approval of the Minister and it has been made plain that Crown land and the OLG expect the vast majority of Crown reserves to be classified as community land.

The second step is for Council to prepare Plans of Management for all of the listed Crown reserves.

5. CLASSIFICATION AND CATEGORISATION OF CROWN RESERVES (Cont'd)

Overview

Council will recall prior reports to Council in October and December 2018 where:

- Four (4) sites were reclassified as operational land, being the Narromine Quarry,
 Narromine Rubbish Depot, Trangie Sewerage and Tomingley Bushfire Brigade;
 and
- The Narromine and Trangie Showgrounds and Racecourses were assigned initial categorisations under the classification of community land.

Crown Lands has concurred with Council's request for operational land.

This report identifies a further twenty-one (21) Crown Reserves for classification and categorisation.

Of the 21 reserves identified:

- one (1) is proposed to be classified operational in its entirety;
- one (1) is to have one lot retained community with the category maintained and the other lot reclassified to operational,
- five (5) are proposed to be maintained community but have their category amended:
- fourteen (14) are retaining the classification and categorisation which most closely aligns with their original Reserve purpose.

Attachment No. 1 provides the information and rationale behind these recommendations.

<u>Report</u>

In relation to the recommended operational land classifications it should be noted that Council is merely making recommendations to the NSW Department of Industry – Lands and Water which may or may not be accepted. There is no proposal by Council to sell any Crown land or even deal with land for the simple reason it is not Council's land to deal with. Any possible future dealing with the land is entirely a matter for the Crown, not Council. The Council will not "profit" from any dealing in the land if it has an operational land classification. Council will however be burdened with preparing plans of management for all community land parcels as well as the on-going maintenance of the land and managing any leases or licences which may arise.

5. CLASSIFICATION AND CATEGORISATION OF CROWN RESERVES (Cont'd)

Operational land justifications

Council will recall from prior reports that the Minister will only consent to manage land as operational where a Council Manager can demonstrate that the land:-

- does not fall within any of the categories of community land under the LG Act;
 or
- 2. could not continue to be used and dealt with as it currently can, if it were required to be used and dealt with as community land.

See below for justifications in accordance with the above requirements.

Tomingley Water Reservoir

Reserve No 95738 Gazetted purpose – Reservoir Lots 184, 186 DP 43458, Lot 7301 DP 1152484 Parish Gundong

The guidance category for Reservoir is General Community Use. Under Section 361 – core objectives for the management of community land categories as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

The two earth dams/reservoirs on this site are in fact open dams and have been fenced for some time for security and safety reasons. Additionally, Council is liaising with the Tomingley Gold Mine operators, Alkane Resources, regarding the upgrading and provision of untreated water to the dams at Tomingley. The use of these reservoirs is included in this scoping project and as such, the future tenure of the lots will be restricted to public utilities with additional lands most likely being used for pond bunding and upgrade. See plan below for detail.

5. CLASSIFICATION AND CATEGORISATION OF CROWN RESERVES (Cont'd)



Narromine (ex) Family Day Care Yard

Reserve No 64083

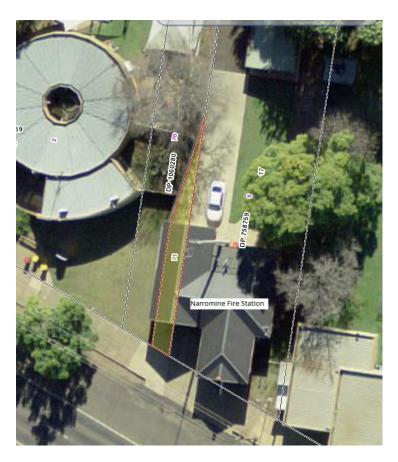
Gazetted purpose – Municipal purposes

Lot 71 DP 1060280 (note this Reserve includes both Lot 70 and 71, however only Lot 71 is requested to be operational)

Parish Wentworth

The guidance category for Municipal purposes is General Community Use (see above). This lot was created for the purpose of rectifying a boundary encroachment between Fire and Rescue NSW and the Municipal purposes crown land (Family Day Care yard). As Council and Crown records show this lot as being owned by Fire and Rescue NSW, it is proposed to reclassify Lot 71 as operational land as it wholly includes part of the wall for the Narromine Fire Station and clearance distances. The land cannot be used and cannot be made accessible to the public for general community uses. See plan below for detail.

5. CLASSIFICATION AND CATEGORISATION OF CROWN RESERVES (Cont'd)



Financial Implications

Nil

Legal and Regulatory Compliance

Local Government Act 1993

Crown Land Management Act 2016

NSW Department of Industry – Lands & Water – Guideline – Classification of Crown Land Managed by Crown Land Managers

Risk Management Issues

Not applicable at this time.

If the Minister is not satisfied that the land meets the requirements of Section 3.22(5) of the CLM Act, the NSW Department of Industry will provide written notice to Council that ministerial consent to classify the land as operational has been refused, and that the land must continue to be managed as community land.

Internal/external Consultation

Internal consultation with relevant staff Crown Lands

5. CLASSIFICATION AND CATEGORISATION OF CROWN RESERVES (Cont'd)

Attachments

- List of Reserves with information and rationale for proposed classifications and categorisations.

RECOMMENDATION

That:-

- 1. Council endorse the initial classification and categorisation of Crown Land as identified in the above report and Attachment No. 1;
- 2. The General Manager be authorised to finalise and submit a Classification of Crown Land as operational land form to apply for Ministerial consent to classify and manage the Crown land identified as Lot 71 DP 1060280 (part Reserve 64083) and Lots 184, 186 DP 43458, Lot 7301 DP 1152484 (Reserve 95738) as Operational Land;
- 3. The General Manager be authorised to finalise and provide written notice of initial categorisation applied to Crown land under the management of Council as a Crown Land Manager under section 3.23 of the Crown Land Management Act as identified in Attachment No. 1.

6. DEVELOPMENT APPROVALS

Author Executive Manager Planning

Responsible Officer General Manager

Link to Strategic Plans CSP – 3.1.6 – Encourage developers to consider energy

efficiency and sustainable building design options in new

developments

DP - 3.1.6.1 - Ensure compliance with relevant building

codes and regulations

Executive Summary

This report provides information to Council on the approved Development Applications for the month of March 2019.

Report

The approvals for the month of March 2019 bring the total approved Development Applications for the financial year to 64 with a total value of \$8,550,599.

					1
DA No.	Location	LOT/DP	Description	Value	Assessment
			,		Time/Days
2018/71	Merilba St	45 & 46	Highway	\$3,000,000	56
2010//1			,	\$3,000,000	36
	Tomingley	755110	Service		
			Centre		
2019/14	Dandaloo St	15/3572/2	Shade Cover	\$94,000	8
	Narromine				
2019/15	Industry Ave	10/261177	Skillion	\$15,000	9
	Narromine				
2019/16	Third Ave	3/7833/1	Dwelling	\$485,000	10
	Narromine				
2019/18	Tomingley Rd	60/755131	Shed	\$35,000	1
	Narromine				

There are currently 4 applications under assessment.

Financial Implications

There have been 64 Development Approvals with a total value of \$8,550,599 for the financial year.

6. DEVELOPMENT APPROVALS (Cont'd)

Legal and Regulatory Compliance

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

Risl	k N	lana	gemei	nt .	Issues
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Nil

Internal/External Consultation

Nil

Attachments

Nil

RECOMMENDATION

That the information be noted.

Jane Redden

General Manager

Attachment No 1

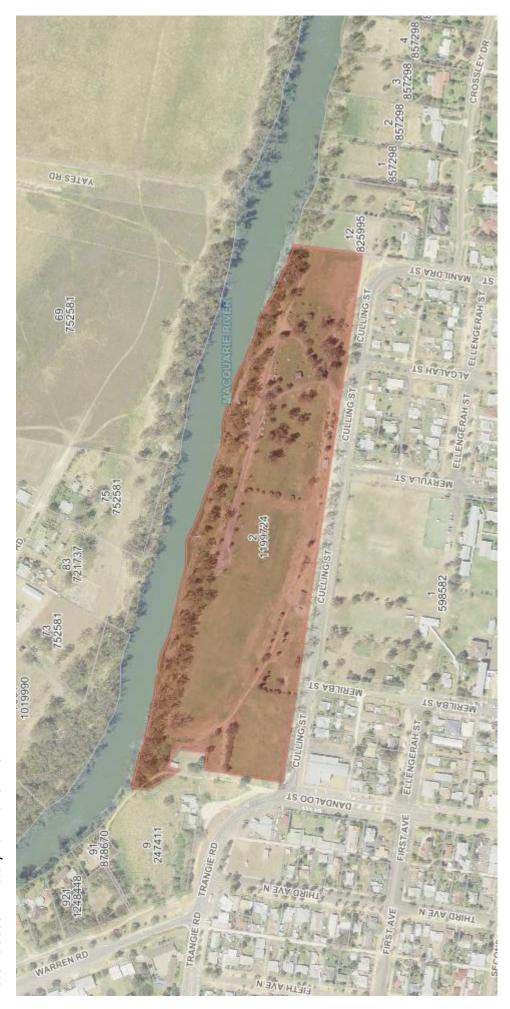
Reserve	Lots	Known As	Crown Land Initial Assessment	Purpose	Guidance LG Act Category*	NSC Suggested Classification and Categorisati on	Considerations
58602	Lot 2 DP 1199724	Rotary Park Narromine	Park	Public Recreation	Park	<u>Community</u> – Park	Initial categorisation for Rotary Park appropriate. During Plan of Management (POM) process, additional category of Sportsground to be considered.
85982	Lot 7011 DP 1020107	Area north of Narromine Preschool	General community use/Plantation and Access	Plantation and Access	General Community Use	Community - General Community Use	This area is between the railway line to the north and Algalah St to south and could be used for future access. No plantation exists or is planned for this allotment.
120107	Lots 4, 66 DP 755110	Old Tomingley School	General Community Use	Community Purposes	General Community Use	Community - General Community Use	The Old Tomingley Public School is used for community meetings and was used for a playgroup. Current categorisation appropriate.
120025	Lot 256 DP 722853, Lot 259 DP 724595	Pipes near Narromine wetlands	General Community Use/Drainage	Drainage	General Community Use	Community - General Community Use	Lot 256 retains its initial assessment of drainage purposes.
120096	Lot 54 DP 820757	Yellow Tank Reserve	Environmental Protection/ Natural Area	Environment al Protection	Natural Area	Community – Natural Area - Bushland	This lot contains natural vegetation which spreads to the west from Tomingley Road. Current categorisation is appropriate with clarified purpose of bushland.
120100	Lots 50- 53 DP 755110	South of Tomingley RMS yard	Environmental Protection/ Natural Area	Environment al Protection	Natural Area	Community – Natural Area - Bushland	This site contains a mix of native bush species with some disturbance on the northern extremity of Lot 50. Bushland is appropriate.
64083	Lots 70- 71 DP 1060280	(ex) Family Day Care Yard	None given	Municipal Purposes	General Community Use	Lot 70 - retain as <u>Community</u> - General Community Use. Lot 71 - <u>operational</u> as it is owned by	Lot 71 - created to rectify encroachment of Narromine Fire Station. Lot 71 to be classified operational. Crown Lands have confirmed in email that Lot 71 was, upon creation, intended for the Trustee to be handed to NSW Fire Brigade however this never happened. Rather than have part of the reserve with one trustee and the other Council, it is proposed that Lot 71 (which is essentially one wall of the Fire Station) be made operational. Lot

Attachment No 1

Fire & Rescue 70 – to remain as community land. Lot 70 is the ex- Family Day Care yard NSW.	 Community - Lots 52 and 53 are substantially cleared and are to be re-categorised as general community use. General Community Use is a more appropriate category as it still allows for the original intent of the land being public recreation but expands the scope of its use for more community groups. Additionally, in accordance with clause 106 of the LG (General) Regulation, the lot does not satisfy the guidelines for strict categorisation in any other category. 	Community – This lot fronts Ellengerah Rd and the Macquarie River. It also provides Park access to the river from Ellengerah Rd. Categories of Park with potential addition of Natural Area – Watercourse to be considered in the subsequent POM.	Community - Park is appropriate - Dundas Park Reserve incorporates the Dundas Park Cricket oval, Little Athletics discus throws and the Narromine Swimming Pool as well as public amenities. Addition of Sportsground to be considered with POM.	Community – Lot 7300 - retain as sportsground as it contains Burns Oval, tennis and Park netball courts and amenities block. Lot 7301 is included in the area for redevelopment of the Burns Oval precinct and Park is appropriate for this lot. Addition of Sportsground to be considered with POM.	Community – This lot is located on the Burroway Rd and fronts the Macquarie River at Gin Gin. Passive recreation activities occur and so the category of Park is appropriate with the added category of Natural Area - Watercourse due to its riparian land to be considered with the POM.	nunity - Common. They are otherwise substantially cleared and other categories are not appropriate for these parcels. These two lots are to be recategorised as general community use. General Community Use is a more appropriate category as it still allows for the original intent of the land being public recreation but expands the scope for better alignment with an additional category. Additionally, in accordance with clause 106 of the
Fire & NSW.	Community General Community Use	<u>Comm</u> Park	Comm Park	Comm	Comm	Community General Community Use
	Park	Park	Park	Park	Park	Park
	Public Recreation	Public Recreation	Public Recreation	Public Recreation	Public Recreation	Public Recreation
	Public Recreation	Public Recreation	Public Recreation	Public Recreation	Public Recreation	Public Recreation
	Frost Reserve Peak Hill Railway Road	Gin Gin	Dundas Oval	Burns Oval	Wambianna	Nellie Vale Road Reserve (Wright Reserve)
	Lots 52- 53 DP 755105	Lot 7001 DP 1020595	Lots 1-2 Section 18 DP 758759, Lot 7012 DP 1020107	Lots 7300- 7301 DP 1140341	Lot 7005 DP 1021022	Lots 7009- 7010 DP 1126818
	120028	120059	520019	520094	87820	91346

Attachment No 1

Tomingley Public Public Park Community This area is not intended to be fanstaged and developed for the General Recreation Public Community Park Services Community Parking area Community Parking Accordance With the reservoir Community Co
gley Public Public Park gley None given Public Park/Genera gley None given Reservoir General voir None given Reservoir General and Storage Community Use Services Services General Ose None given Reservoir General and Storage Community Use Use Use None given Water General General Join Community Join Supply
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Lots 12- 14 Section 2 DP 758983, Lots 1, 1A, 2-4, 6-9 Section 3 DP 758983 Lot 4 DP 822417 186 DP 43458, Lot 7301 DP 1152484 1152484 Lot 7301 DP 11524893 Lot 10 Section 6 Section 6 Section 7301 DP 758993 Lot 10 Section 7301
98004 120094 86018



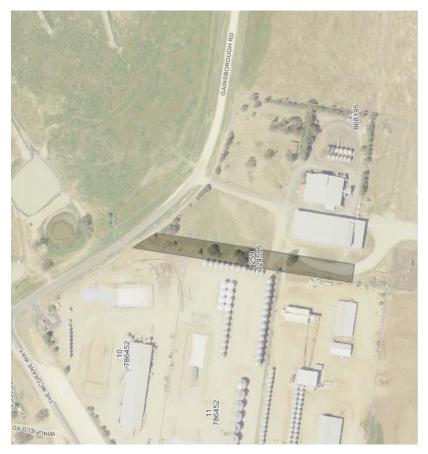
Reserve 58602 – Rotary Park Narromine



Reserve 85982 – area north of Narromine Preschool



Reserve 1020107 – Old Tomingley School





Reserve 120025 – Pipes near Narromine wetlands



Reserve 120096 – Yellow Tank Reserve



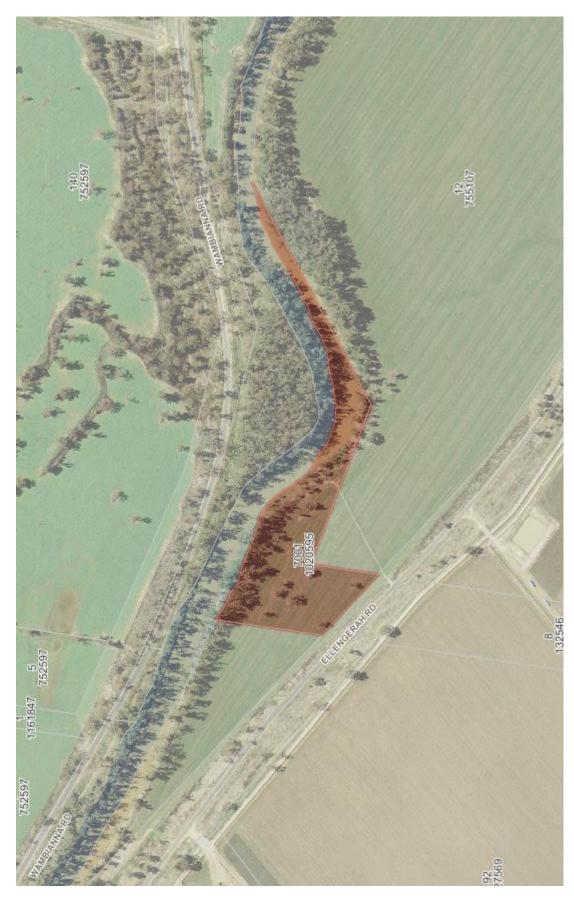
Reserve 120100 – South of Tomingley RMS yard



Reserve 64083 – (ex) Family Day Care Yard Narromine



Reserve 120028 – Frost Reserve, Peak Hill Railway Road



Reserve 120059 – Gin Gin



Reserve 520019 – Dundas Oval and Pool Narromine



Reserve 520094 – Burns Oval Trangie



Reserve 87820 - Wambianna



Reserve 91346 – Nellie Vale Road (Wright Reserve)



Reserve 98004 – north of Tomingley



Reserve 95738 – Tomingley Water Supply Dams



Reserve 86018 – Trangie Reservoir site



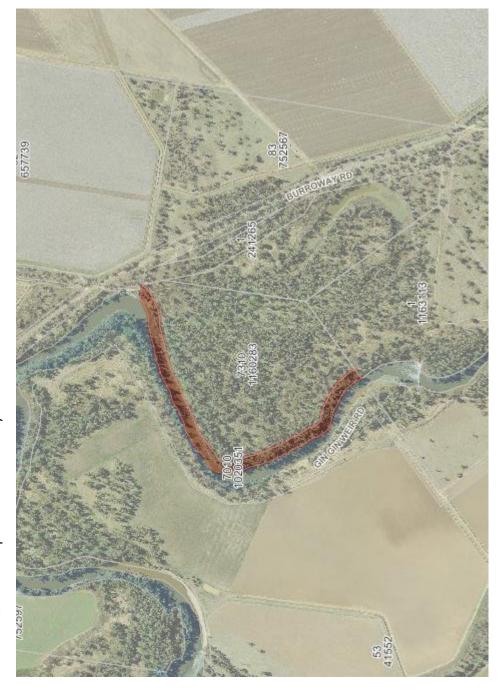
Reserve 92118 – Tomingley Reservoir



Reserve 61253 – Annadale Tank



Reserve 88437 - Eurombedah



Reserve 76510 – Macquarie River Burroway Rd