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**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 9 NOVEMBER 2022**  
**REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

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**1. DEVELOPMENT APPROVALS**

<b>Author</b>	Director Community and Economic Development
<b>Responsible Officer</b>	Director Community and Economic Development
<b>Link to Strategic Plans</b>	DP – 3.4 – Ensure a range of housing options for the community DP – 4.2 – Effective Council Organisational Capability and Capacity CSP – 2.2.5 – Planning mechanisms that support the provision of suitable and serviceable land that will support infrastructure that allows for localised employment opportunities

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**Executive Summary**

This report provides information to Council on the approved Development Applications for October 2022.

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**Report**

The approvals for the month of October 2022 brings the total approved Development Applications for the financial year to 17, with a total value of \$2,863,570.00.

<b>DA No.</b>	<b>Location</b>	<b>LOT/DP</b>	<b>Description</b>	<b>Value</b>	<b>Assessment Time/Days</b>
2022/46	194 Cathundril Street Narromine	1/DP731118	Domestic Storage Shed	\$18,500.00	4
2022/47	102 Oak Crescent Narromine	71/DP810143	Domestic Storage Shed	\$28,000.00	4
2022/48	28 Bowden Fletcher Drive Narromine	42/DP1209533	Domestic Storage Shed	\$8000.00	1

There are currently 13 applications under assessment.

**Legal and Regulatory Compliance**

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

**Risk Management Issues**

Nil

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

***Internal/ external Consultation***

Nil

**Attachments**

Nil

**RECOMMENDATION**

That the information be noted.

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**2. PROPOSED DISPOSAL OF LAND BURRIL STREET, TOMINGLEY**

<b>Author</b>	Director Community and Economic Development
<b>Responsible Officer</b>	Director Community and Economic Development
<b>Link to Strategic Plans</b>	CSP – 4.3.3 Ensure Council's property assets are monitored and well managed

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**Executive Summary**

This report provides information to Council on the disposal of land in Burril Street, Tomingley. The property is classified as operational land. The report follows on from the initial report recommending the sale of the land at the October Council meeting.

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**Report**

The land at 23B Burril St in Tomingley was purchased by Narromine Shire Council in August 2019 for unpaid rates. The land was offered for sale under section 713 of the Local Government Act 1993 with Narromine Shire Council the successful bidder.

At the Council meeting on the 8<sup>th</sup> May 2019 Council resolved:

*'that Council purchase, at auction 23B Burril Street, Tomingley for future use to the maximum value as per the report to Council and upon successful acquisition that the land be classified as operational'. (2019/115).*

At the Council meeting in June 2022 following a report in regards the disposal of the property, Council resolved that:

*'That Council seek expressions of interest regarding the sale of 23B Burrill Street, Lot 4 Section 20 DP 758983.*

*'That a further report be made to Council once any expressions of interest have been received regarding the disposal of the property'. 2022/120*

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## **2. PROPOSED DISPOSAL OF LAND BURRIL STREET, TOMINGLEY (Cont'd)**

The expression of interest was advertised in the local paper and on Council's social media following the June 2022 Council meeting.

### ***Expression of Interest***

One expression of interest was received to purchase the property. The offer received was for \$7,000.

### ***Property disposal***

The details of the property disposal were considered at the October Council meeting and the following resolution made:

1. *That Council sell lot 4 Section 20 DP 758983 for the sum of \$9,000.*
2. *That the General Manager be delegated to negotiate the contract terms.*
3. *That the General Manager be authorised to affix the Council seal to sale documents as required. (Cr Lambert/ Cr Collins 2022/237)*

Following the meeting the resolution details were discussed with the potential purchaser in relation to their expression of interest offer.

The potential purchaser has now increased the purchase price offer to \$8,000. It is recommended to proceed to sell the land on this basis.

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

Narromine Shire Council Property Strategy 2022  
Narromine Shire Council Procurement Policy 2019

Local Government Act 1993  
Environmental Planning and Assessment Act 1979  
Environmental Planning and Assessment Regulation 2000

### ***Internal/ external Consultation***

Executive Leadership Team- Property disposal report.  
Council report to the June 2022 meeting.  
Council report to the October 2022 meeting.

### ***Attachments***

Nil

## **RECOMMENDATION**

1. That Council sell lot 4 Section 20 DP 758983 for the sum of \$8,000.
2. That the General Manager be delegated to negotiate the contract terms.
3. That the General Manager be authorised to affix the Council seal to sale documents if required.

### **3. PLANNING AMENDMENTS – NSW GOVERNMENT AGRITOURISM POLICY**

<b>Author</b>	Manager Planning
<b>Responsible Officer</b>	Director Community and Economic Development
<b>Link to Strategic Plans</b>	CSP – 2.2.5 – Planning mechanisms that support the provision of suitable and serviceable land that will support infrastructure that allows for localised employment opportunities

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#### **Executive Summary**

The intention of this report is to update Council on the NSW Government's progress on the implementation of planning amendments for agritourism. The Department of Planning and Environment (DPE) is working to support regional economies by enabling agritourism development to help farmers supplement their income.

This is via a *Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2022* (LEP Order); State Environmental Planning Policy to amend councils' local environmental plans without the need for a planning proposal.

Council has an opportunity to revise the zones nominated for the provisions to be made applicable in the Narromine LEP 2011.

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#### **Report**

It is proposed to permit *agritourism* (including *farm gate premises* and *farm experience premises*) as being permissible with consent as follows:

- o where *agriculture* is permitted
- o in the RU1, RU2 and RU4 zones, and
- o in other zones as nominated by councils.

Council staff under delegation have previously responded to DPE in March 2022, and had nominated to apply the new provisions to the following zones:

- RU1 Primary Production
- RU5 Village
- C3 Environmental Management (i.e. previously referred to as E3);

(note: Narromine Local Environmental Plan 2011 does not utilise the RU2 Rural Landscape zone, or the RU4 Primary Production Small Lots zone).

Council has an opportunity to revise the nomination and this report aims to update the Council, and confirm the previous nominations remain as endorsed.

Council is encouraged to provide any additional or changes to nominations to the department at the latest by Friday 23 December 2022.

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**3. PLANNING AMENDMENTS – NSW GOVERNMENT AGRITOURISM POLICY (Cont'd)**

What's changing?

The proposed changes seek to make it easier for farmers to use their land for agritourism activities such as farm stays, camping, road side stalls, cellar doors, restaurants or cafes and events under simplified planning rules. This is through new fast track approvals (complying development) or no planning approval (exempt development). Where the exempt or complying provisions cannot be met, the developer lodges a development application.

There will be three (3) new terms for agritourism added:

	<b>Exempt development*</b>	<b>Complying development*</b>
<p><b>1. Farm gate premises</b></p> <p>Includes pick-your-own fruit, farm produce sales, tastings, café or restaurant, workshops, processing of produce.</p>	<p>100 guests at any one time.</p> <p>Off street parking.</p> <p>Hours of operation 8am-5pm except 7am to 5pm on Saturday.</p>	<p>Max 200m<sup>2</sup> for each building to a max of</p> <p>500m<sup>2</sup> for all farm gate and farm premises buildings.</p>
<p><b>2. Farm experience premises</b></p> <p>Includes tours, school visits, small weddings, conferences, interest classes, yoga, horse riding.</p>	<p>Up to 50 guests for 52 days a year (tours and school programs exempt from these limits).</p> <p>Hours of operation 8am-6pm except 8am- midnight on Fridays and Saturdays.</p>	<p>Max 200m<sup>2</sup> for each building to a max of</p> <p>500m<sup>2</sup> for all farm gate and farm premises buildings.</p>
<p><b>3. Farm stay accommodation</b></p> <p>Includes camping in tents, caravans, campervans, camper trailers, glamping.</p>	<p>Up to 20 guests camping (tents and caravans)</p> <p>and 2 guests over 12years old per bedroom in existing buildings.</p> <p>Up to 6 caravans and campervans.</p>	<p>Up to 6 buildings.</p> <p>Building size and density limits apply.</p>

### **3. PLANNING AMENDMENTS – NSW GOVERNMENT AGRITOURISM POLICY (Cont'd)**

The RU5 Village zone currently does not permit agriculture in the Narromine LEP 2011. However there maybe opportunities in the village of Tomingley where holdings are associated with a 'commercial farm' extending into the RU1 zone. The zone was nominated for consideration as there may be opportunities for road access and 'farm gate' type development. However, with the progression of drafting of legislation since March, the associated provisions and RU5 Village zone may appear to not meet the test of falling within a 'commercial farm'. DPW have currently defined as:

**commercial farm means** a farm on which agriculture is undertaken that is—

(a) on land categorised as farmland under the Local Government Act 1993, section 515, or

(b) a primary production business within the meaning of the Income Tax Assessment Act 1997 of the Commonwealth, or part of a primary production business, including a business that—

(i) was a primary production business, and

(ii) has temporarily ceased to be a primary production business because of a natural disaster, including a drought, flood or bush fire.

It is suggested that to encourage rural development and allow greater opportunity for development in the Narromine Shire, the nomination of the three zones is not changed:

- RU1 Primary Production
- RU5 Village
- C3 Environmental Management;

and staff work with the department as they finalise the agritourism amendments, with the understanding that the RU5 zone may not be finally adopted.

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

Environmental Planning and Assessment Act 1979

Environmental Planning and Assessment Regulation 2000

#### **Risk Management Issues**

Creates a consistent message to farmers on new ways they can make income.

Manages expectation and demand and supports growth in the Shire by clarifying development standards.

#### **Internal/ external Consultation**

Continue to liaise with DPE in the implementation of prescribed planning provisions.

As this is a planning decision made in the exercise of a function of a Council under the Environmental Planning and Assessment Act 1979, including a decision relating to an environmental planning instrument under that Act, a division is required to be called.

#### **RECOMMENDATION**

That Council do not complete a second nomination form and continue to progress with the previous nominations: seeking the implementation of agritourism land uses in the RU1 Primary Production, C3 Environmental Management and RU5 Village zones.

#### **4. NAMING OF CALE OVAL GRANDSTAND**

<b>Author</b>	Director Community and Economic Development
<b>Responsible Officer</b>	Director Community and Economic Development
<b>Link to Strategic Plans</b>	CSP – 4.3.3 Ensure Council's property assets are monitored and well managed

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#### **Executive Summary**

This report provides information to Council in regards to the naming of the new Grandstand at Cale Oval.

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#### **Report**

Local Rugby League past player and long-term club member, Mr Bob Weir passed away in March 2022. Mr Weir as further outlined below was a long-time champion of Rugby League in the Narromine region and also served the sport across the wider region.

At the June 2022 Ordinary Council meeting a discussion was held following a notice of motion regarding the potential to name the new Grandstand at Cale Oval in honour of Mr Weir's many achievements and dedication to sport and the Narromine community.

The following motion was considered:

*Moved Cr Davies and Seconded Cr Lambert that Council considers a proposal to name the new grandstand at Cale Oval "The Bob Weir Grandstand". Following discussion once the recommendation was moved, the following was resolved:*

*That Council invite the community to comment and put submissions in for the naming of the grandstand at Cale Oval (Crs Collins/ Jones 2022/126).*

While the naming of the grandstand as suggested was well supported the resolution now meant that all suggestions could be heard prior to the determination of a name.

Following the meeting, Council advertised the resolution and sought comments from the public in regards to the naming.

Submissions were received from one member of the public who supported the naming in honour of Mr Weir and the Narromine Gorillas who put forward an additional five names.

The additional names that were put forward have been associated with the Narromine Gorillas. No additional detail was provided of their contribution.

#### **4. NAMING OF CALE OVAL GRANDSTAND (Cont'd)**

Criteria established by the Geographical names board in regard to the naming of places includes:

- Twenty or more years association with a local community group or service club.
- Twenty or more years of association or service with a local or state government organisation.
- Local residents of note.

The Geographical names board highlights that using the name of a living person is unacceptable as it may lead to favouritism and/or inappropriate naming.

Given that the alternative names provided do not have additional information supplied and given that at least some of the names provided are for people still making their contribution, the alternative suggestions are noted for consideration for future naming if required.

Details of Mr Weir's contribution are outlined below.

#### **Vale Mr Bob Weir**

Following the passing of Mr Weir, NSW Rugby League wrote the following: (excerpt shown).

True Blue Bob Weir has been remembered as "your typical tough as nails centre" as tributes flowed for the NSW Country representative, who made it all the way to a State jersey.

Maybe it was the hard, cold grounds of a Narromine mid-winter that toughened him.

Weir, 85, passed away this week leaving a premium Rugby League legacy. He played three games for the Blues 1965-66 after two matches with NSW Country Firsts.

"He was actually a very gentle man until he crossed that white line," said NSWRL Board director Bob Walsh, who served as secretary of the Narromine Jets when Weir was president.

"He was your typical hard-playing centre – he was as tough as nails, he really was. And he made the state side from the country as he never played in Sydney.

"After he played for NSW, he was a certainty to be picked in the Australian side but was tackled by (former True Blue) Peter Dimond and broke his shoulder.

"It didn't end there though, Peter Dimond took his spot in the Kangaroos!"

Weir didn't retire despite the serious injury.

"He played well into his 40s and gave it away eventually when he broke his leg," Walsh said.



#### **4. NAMING OF CALE OVAL GRANDSTAND (Cont'd)**

Weir made his debut for Narromine as an 18-year-old centre in 1955 and was involved with the club until 1981 spanning 26 years with the Jets. He was captain-coach of Narromine when they won the Group 11 premiership in 1968. Since 2003 the Player of the Match in the Group 11 Grand Final has been awarded the Bob Weir Medal.

Following his time with the Jets, Weir had two seasons (1970-71) as captain-coach of the Young Cherrypickers in Group Nine.

He was part of the Western division team that drew 24-all against England at Wade Park, Orange, in 1958 when the Lions toured New Zealand-Australia.

After his playing and coaching career finished Weir was made a NSW Country selector, a position he held for nine years until 1998. He is also a Group 11 and Western Division Life Member.

The Jets paid tribute to Weir on their Facebook site.

“Bob was a Rugby League legend, contributing immensely to the game of Rugby League and the Narromine Jets,” the statement said.

“On behalf of the committee and entire Jets family we extend our sincere condolences to the Weir family ... A proud father, grandfather and great grandfather, Bob was always a regular in the grandstand proudly watching his grandchildren playing.”

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

The NSW Geographical Names Board Place Naming Policy is used as a guide (note that the Grandstand will be named and feature locally).

#### **Internal/ external Consultation**

Ordinary Council Meeting held 22 June 2022

Public exhibition and submissions

#### **Attachments**

Nil

#### **RECOMMENDATION**

That Council name the new Cale Oval Grandstand in honour of Mr Bob Weir and an appropriate ceremony for the naming be held.

**5. DEVELOPMENT APPLICATION 2021/87 WATERFORD CIRCUIT, RESIDENTIAL  
SUBDIVISION**

<b>Author</b>	Director Community and Economic Development
<b>Responsible Officer</b>	Director Community and Economic Development
<b>Link to Strategic Plans</b>	DP – 3.4 – Ensure a range of housing options for the community CSP – 2.2.5 – Planning mechanisms that support the provision of suitable and serviceable land that will support infrastructure that allows for localised employment opportunities

A full assessment report and recommendation will be provided to Councillors as a supplementary report for consideration and determination.

Phil Johnston  
**Director Community and Economic Development**