
**NARROMINE SHIRE COUNCIL
ORDINARY MEETING BUSINESS PAPER – 25 JUNE 2025
CONFIDENTIAL MATTERS REPORT**

Item from the Director Community and Economic Development: -

The following item is reported in Closed Meeting in accordance with Section 10(2)(d)(1) of the Local Government Act as it considers commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. Disclosure of the information may put Council at a legal disadvantage.

1. TERMINATION OF LEASE-PART NARROMINE AERODROME

Author	Director Community and Economic Development
Responsible Officer	Director Community and Economic Development
Link to Strategic Plans	CSP – 4.3.3 Ensure Council's assets are monitored and well managed CSP – 3.5.2 Maintain aerodrome infrastructure to increase the viability and sustainability of aerodrome operations

Executive Summary

This report provides information to Council to advise Council of termination of the lease between Council and Incitec Fertiliser Pty Ltd and subsequent request for Council to retain site equipment and fixed infrastructure.

Report

Council, for many years leased a portion of the Narromine Aerodrome to Incitec Fertiliser Pty Ltd for the purposes of an office building and anhydrous ammonia depot.

In March 2023 Incitec Fertiliser Pty Ltd advised Council that they would not be renewing their lease on expiry (30 April 2023) and intended to decommission the site shortly after.

Under the lease agreement, at the end of the lease, the lessee is to have removed any goods and anything that the lessee fixed to the property and have made good any damage caused by the removal. At Council's request, Incitec left several buildings and the weighbridge for Council's future use.

In order to facilitate such a request at the March 2023 Councillors resolved;

Crs Lambert/Roberts that Council considers retention of the two sheds, office administration building, tank, weighbridge and power on the site, pending receipt of certified validation that the site structures meet the health investigation level D (commercial/ industrial) under New South Wales EPA National environment Protection measures. (**Resolution No 2023/035**)

Council is now in receipt of a Preliminary (desktop) environmental assessment report for the Incitec Pivot Fertilisers Depot at Narromine which is provided to Council as a confidential report for consideration in Closed Meeting.

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1. TERMINATION OF LEASE-PART NARROMINE AERODROME (Cont'd)

Legal and Regulatory Compliance

The lease between Council and the lessee expired 30 April 2023.

There is no specific clause in the lease outlining the nature of any remedial works or contamination investigation.

Section 377(h) of the Local Government Act 1993 determines that Council cannot delegate the surrender of any land or other property. This must therefore be a decision for the Governing body of Council.

Risk Management Issues

Compliance with legislative provisions.

Council must maintain its property assets to a minimum safety and environmental standard. Property use should be efficient, minimise unnecessary cost and can adapt to our communities' changing demands and needs.

Internal/ external Consultation

Incitec Fertiliser Pty Ltd

RECOMMENDATION

That Council considers the full report on the termination of a lease at Narromine aerodrome in Closed Meeting in accordance with Section 10(2)(d)(i) of the Local Government Act as it considers commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it and may put Council at a legal disadvantage.