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**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 10 MARCH 2021**  
**REPORTS TO COUNCIL – GENERAL MANAGER**

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**1. INTEGRATED PERFORMANCE AND REPORTING FRAMEWORK TIMETABLE**

<b>Author</b>	Executive Manager Corporate 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 D.P. – 4.3.1.1 Implementation of the Delivery Program and Operational Plan including Budget and Asset Management Plan on an annual budget

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**Executive Summary**

This report is presented to Council to consider holding an Extraordinary Council Meeting on 5 May 2021 to accept the Integrated Planning and Reporting Framework documents to place on public exhibition.

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**Report**

Council is required to have an annual Operational Plan, adopted before the beginning of each financial year, outlining the activities to be undertaken that year, as part of the Delivery Program.

The draft Operational Plan must be publicly exhibited for at least 28 days and public submission can be made to the council during the period.

The following timeline has been prepared to meet this requirement:-

Wed, 24 Feb 2021	
Wed, 3 Mar 2021	
Wed, 10 Mar 2021	Ordinary Council Meeting – consideration of Extraordinary Council Meeting and IP&R workshop date
Wed, 17 Mar 2021	
Wed, 24 Mar 2021	IP&R papers provided to Councillors prior to workshop
Wed, 31 Mar 2021	IP&R Workshop with Councillors
Wed, 7 Apr 2021	
Wed, 14 Apr 2021	
Wed, 21 Apr 2021	Finalisation of draft IP&R documents
Wed, 28 Apr 2021	
Wed, 5 May 2021	Extraordinary Council meeting to accept draft IP&R documents for public exhibition
Wed, 12 May 2021	Ordinary Council Meeting
Wed, 19 May 2021	
Wed, 26 May 2021	
Thu, 3 June 2020	Public exhibition period closes, preparation of financial IP&R documents and report with submissions for consideration
Wed, 9 Jun 2021	Adoption of final IP&R documents

**1. INTEGRATED PERFORMANCE AND REPORTING FRAMEWORK TIMETABLE (Cont'd)**

***Financial Implications***

Consideration of Operational Plan 2021/2022 and associated documents

***Legal and Regulatory Compliance***

Integrated Planning and Reporting framework requirements as required under the Local Government Act 1993.

***Risk Management Issues***

Adherence to timeframes for the adoption of final documentation.

Council will need to hold an Extraordinary Meeting on 5 May 2021 to allow time for public exhibition and consideration of submissions prior to adoption of final Operational Plan.

***Internal/External Consultation***

A workshop is scheduled for Wednesday 31 March 2021 with Councillors to consider draft documentation.

Attachments

- Nil

**RECOMMENDATION**

That Council hold an Extraordinary Meeting on 5 May 2021 to consider accepting the draft Integrated Planning and Reporting Framework documents for public exhibition.

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## **2. VOLUNTARY PLANNING AGREEMENT – TOMINGLEY GOLD OPERATIONS**

<b>Author</b>	Executive Manager Corporate Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 2.2.6 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 is presented to Council to consider a modification to the existing Voluntary Planning Agreement between Council and the Tomingley Gold Operations.

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### **Report**

Tomingley Gold Operations (TGO) have submitted an application to modify State Significant Development Consent MP09-0155 (MOD5) to the Department Planning, Infrastructure and Environment. TGO have stated that the modification would not result in an increase in traffic movements, and as a result, there would be no additional road maintenance requirements and other costs are anticipated to remain unchanged. The modification does however extend the life of the mine for a further 3 years to 31 December 2025. As a result, TGO have suggested extending the life of the Planning Agreement to 31 December 2025 with the following amendments (marked in red for ease of reference) to Table 1 of the current Voluntary Planning Agreement.

<b>Number</b>	<b>Summary Description</b>	<b>Manner and Timeframe for Payment of the Contribution</b>
1	Community Fund	\$53,750/year (base year 2012/13) paid until 31 December 2025 with 50% payable on 1 July and 50% payable on 1 January each year.
2	Road Maintenance (except for Tomingley West Road)	\$45,000/year (base year 2012/13) paid until 31 December 2025 with 50% payable on 1 July and 50% payable on 1 January each year.
3	Provision of Council environmental management expertise	\$20,000/year (base year 2012/13) paid until 31 December 2025 with 50% payable on 1 July and 50% payable on 1 January each year.

## **2. VOLUNTARY PLANNING AGREEMENT – TOMINGLEY GOLD OPERATIONS (Cont'd)**

TGO anticipates further consultation will be required in relation to the Voluntary Planning Agreement in light of the proposed Tomingley Gold Extension Project and should that project be approved, that a further amendment or a new Voluntary Planning Agreement will be required.

### ***Financial Implications***

Payment of contributions for a further 3-year period.

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

Section 7.5 EP&A Act 1979 – a planning agreement cannot be entered into, and a planning agreement cannot be amended or revoked, unless public notice has been given of the proposed agreement, amendment or revocation, and a copy of the proposed agreement, amendment or revocation has been available for inspection by the public for a period of not less than 28 days.

Part 4 Division 1A of the Environmental Planning and Assessment Regulation 2000

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

Planning agreements enable the provision of development contributions for a variety of public purposes, some of which extend beyond the scope of Section 7.11 and 7.12 (local infrastructure contributions).

Public participation in the planning agreement process is important to ensure the community has an opportunity to provide input in decisions being made relating to public benefit and development.

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

Public exhibition of proposed amendment to the existing Voluntary Planning Agreement. Any person may make written submission to Council during the relevant submission period.

### **Attachments**

- Nil

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 a development contribution plan under that Act, a division is required to be called.

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**2. VOLUNTARY PLANNING AGREEMENT – TOMINGLEY GOLD OPERATIONS (Cont'd)**

**RECOMMENDATION**

That Council place the proposed amendment to the existing Voluntary Planning Agreement between Narromine Shire Council and Tomingley Gold Operations on public exhibition for a period of not less than 28 days.

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**3. LEASE OF UNUSED ROADWAY AND ADJACENT FOOTPATH AREA**

<b>Author</b>	Executive Manager Corporate Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 3.4.4 Ensure Council's property assets are monitored and well managed

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**Executive Summary**

This report is presented to Council to finalise the renewal of the lease of unused road and adjacent footpath area in Trangie.

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**Report**

Council resolved at its meeting held 11 November 2020

That Council:

1. Renew the lease of unused roadway plus the adjoining footpath area of 56.8 sq meters x 2 on the eastern and western side of John Street adjacent to the Tandara Caravan entrance in Trangie for a further 5-year period at a commencing rental of \$107.63 (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.

**(Resolution No 2020/262)**

This was subsequently advertised with submissions closing 5.00 pm on 12 December 2020. No written submissions were received.

**3. LEASE OF UNUSED ROADWAY AND ADJACENT FOOTPATH AREA (Cont'd)**

***Financial Implications***

\$107.63 (including GST) per annum, with annual CPI increments to be applied thereafter.

***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***

Advertised in accordance with Section 154 of the Roads Act 1993. No written submissions were received.

**Attachments**

Nil

**RECOMMENDATION**

That Council finalise renewal of the lease of the unused roadway plus the adjoining footpath area in accordance with Council's previous resolution No 2020/262.

Jane Redden  
**General Manager**