



**I hereby give notice that an Ordinary Meeting of Council will be held on:**

**Date:** Tuesday, 23 July 2019  
**Time:** 1.00pm  
**Location:** Narrabri Shire Council Chambers  
46-48 Maitland Street  
Narrabri

# **AGENDA**

**Ordinary Council Meeting  
23 July 2019**

**Stewart Todd  
GENERAL MANAGER**

**PUBLIC FORUM (held outside formal Council Meeting)**

The Council may hold a public forum prior to each Ordinary Meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting (listed on the Agenda).

Public forums may also be held prior to Extraordinary Council Meetings and meetings of committees of the Council.

Public forums are to be chaired by the mayor or their nominee.

**Request to Speak in the Public Forum**

To speak at a public forum, a person must first make an application to the Council in the approved form. Applications to speak at the public forum must be received by 5pm on the working day before the date on which the public forum is to be held and must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.

Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council, and to identify any equipment needs at 5pm on the working day before the Public Forum.

The General Manager or their delegate may refuse to allow such material to be presented.

A person may apply to speak on no more than 2 items of business on the agenda of the Council Meeting.

Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.

The General Manager or their delegate may refuse an application to speak at a public forum.

No more than three (3) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council Meeting.

If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.

Each speaker will be allowed three (3) minutes to address the Council. This time is to be strictly enforced by the Chairperson.

The Chairperson of the meeting can grant one extension of up to a maximum of two (2) minutes, should further information, be considered to be important to the Council. This is solely at the discretion of the Chair.

Speakers at public forums must not digress from their nominated item on the agenda. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a Public Forum. Questions put to a speaker must be direct, succinct and without argument. Debate will not be permitted by the speaker, Councillors or staff.

Speakers are under no obligation to answer a question. Answers by the speaker, to each question are to be limited to three (3) minutes.

Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.

The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to 5 minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.



Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.

The “*Request to Speak in Public Forum*”, at an Ordinary Council Meeting, can be obtained, from Council’s Administration Office, or by downloading it from Council’s website at:

<http://www.narrabri.nsw.gov.au/speaking-at-public-forum-1232.html>



## **USE OF MOBILE PHONES AND UNAUTHORISED RECORDING OF MEETINGS**

Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.

(Clause 15.20 Code of Meeting Practice)

A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the Council.

(Clause 15.21 Code of Meeting Practice)



Mayor  
Cr Cathy Redding



Deputy Mayor  
Cr Robert Kneale



Cr Maxine Booby



Cr Ron Campbell



Cr Ron Campey



Cr Lloyd Finlay



Cr Ann Loder



Cr Annie McMahon



Cr Cameron Staines



General Manager  
Mr Stewart Todd



Director  
Infrastructure Delivery  
Mr Darren Raeck



Director  
Corporate Services  
Mr Lindsay Mason



Director  
Development &  
Economic Growth  
Mr Daniel Boyce

## Our Values



### Integrity

Ensuring transparency and honesty in all our activities.



### Leadership

Providing guidance and direction to our community and our people.



### Customer Focus

Delivering prompt, courteous and helpful services and being responsive to the community's changing needs.



### Accountability

Accepting our responsibility for the provision of quality services and information.



### Respect

Treating everyone with courtesy, dignity and fairness.



### Excellence

Being recognised for providing services, programs and information which consistently meet and exceeds standards.

## Our Vision

A strong and vibrant regional growth centre providing a quality living environment for the entire Shire community.

## Our Strategic Direction



### Theme 1: Our Society

#### Strategic Direction 1: Safe, Inclusive and Connected Community

*A safe, supportive community where everyone feels welcomed, valued and connected.*



### Theme 2: Our Environment

#### Strategic Direction 2: Environmentally Sustainable and Productive Shire

*Maintaining a healthy balance between our natural and built environments.*



### Theme 3: Our Economy

#### Strategic Direction 3: Progressive and Diverse Economy

*A strong, diverse economy that attracts, retains and inspires business, industry and tourism growth.*



### Theme 4: Our Civic Leadership

#### Strategic Direction 4: Collaborative and Proactive Leadership

*Working pro-actively together to achieve our shared vision with strong strategic direction.*

**AGENDA**

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**1 OPENING PRAYER BY A MEMBER OF THE NARRABRI MINISTER'S FRATERNAL**

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Members and officers are asked to be upstanding for the opening prayer.

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**2 ACKNOWLEDGEMENT OF COUNTRY**

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I'd like to begin by acknowledging the Traditional Owners of the land on which we meet today, the Kamilaroi people, and pay my respects to Elders past and present.

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**3 APOLOGIES/GRANTING OF LEAVE OF ABSENCES**

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**4 DECLARATION OF PECUNIARY AND NON- PECUNIARY INTERESTS**

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Councillors are reminded of their obligation to declare their interest in any matters listed before them.

In considering your interest, you are reminded to include pecuniary, non-pecuniary and conflicts of interest as well as any other interest you perceive or may be perceived of you.

Councillors may declare an interest at the commencement of the meeting, or alternatively at any time during the meeting should any issue progress or arise that would warrant a declaration.

Councillors must state their reasons in declaring any type of interest.

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**5 ITEMS TO BE CONSIDERED IN THE CONFIDENTIAL (PUBLIC EXCLUDED) MEETING**

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Extract from Council's Code of Meeting Practice:

**14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC**

Grounds on which meetings can be closed to the public

**14.1** The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (a) personnel matters concerning particular individuals (other than councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,

- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

The following matters will be considered in the Closed (Public Excluded) Meeting:

- 12.1 Narrabri Industrial and Logistics Hub

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## 6 CONFIRMATION OF MINUTES

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### RECOMMENDATION

That the minutes of the Ordinary Meeting of the Narrabri Shire Council held on 25 June 2019 comprising Minute Nos 111/2019 to 139/2019 as circularised be confirmed and signed as a correct record by the Mayor.

**MINUTES OF NARRABRI SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE NARRABRI SHIRE COUNCIL CHAMBERS, 46-48 MAITLAND STREET, NARRABRI  
ON TUESDAY, 25 JUNE 2019 AT 1.01PM**

**PRESENT:** Cr Catherine Redding (Mayor), Cr Robert Kneale (Deputy Mayor), Cr Maxine Booby, Cr Ron Campbell, Cr Ron Campey, Cr Lloyd Finlay, Cr Ann Loder, Cr Annie McMahon, Cr Cameron Staines

**IN ATTENDANCE:** Stewart Todd (General Manager), Lindsay Mason (Director Corporate Services), Darren Raeck (Director Infrastructure Delivery), Daniel Boyce (Manager Planning & Regulatory Services), Delece Hartnett (Administration).

Proceedings of the meeting commenced at 1.01 pm.

**1 OPENING PRAYER BY A MEMBER OF THE NARRABRI MINISTER'S FRATERNAL**

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Members and officers were upstanding for the opening prayer by Rev Keith Bates of New Life Christian Fellowship Narrabri, in association with the Narrabri Ministers Fraternal.

**2 ACKNOWLEDGEMENT OF COUNTRY**

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The Mayor acknowledged the Traditional Owners of the land on which the Council met, the Kamilaroi people, and paid her respects to Elders past and present.

**3 APOLOGIES/GRANTING OF LEAVE OF ABSENCES**

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Nil.

**4 DECLARATION OF PECUNIARY AND NON- PECUNIARY INTERESTS**

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COUNCILLOR	ITEM NUMBER	PECUNIARY/ NON-PECUNIARY	REASON
Cr Campbell	10.1 - Narrabri Gas Project Supplementary Responses to submission	Non-Pecuniary Significant	Contractor, non current.
Cr Campbell	10.2 Narrabri Coal Mine Stage 3 – Input into the SEAR	Pecuniary	Contractor to Whitehaven Coal.
Cr Kneale	12.9 – Donations in Lieu of Ordinary Rates	Non-Pecuniary Insignificant	Member of the Narrabri Rifle Club.

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**5 ITEMS TO BE CONSIDERED IN THE CONFIDENTIAL (PUBLIC EXCLUDED) MEETING**

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**MINUTE 111/2019**

Moved: Cr Robert Kneale      Seconded: Cr Maxine Booby

The following matters will be considered in the Closed (Public Excluded) Meeting:

- 13.1 Contract 2019-20/04 - Supply and Laying of Asphaltic Concrete
- 13.2 Contract 2019-20/03 - Periodic Maintenance of Sealed Roads
- 13.3 Energy Savings Action Plan

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**

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**6 PUBLIC FORUM AND PRESENTATIONS**

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Nil.

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**7 CONFIRMATION OF MINUTES**

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**MINUTE 112/2019**

Moved: Cr Annie McMahon      Seconded: Cr Ron Campbell

That the minutes of Ordinary Meeting of the Narrabri Shire Council held on 28 May 2019 comprising Minute Nos 091/2019 to 110/2019 as circularised be confirmed and signed as a correct record by the Mayor.

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**

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**8 MAYORAL MINUTE**

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**8.1 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR MAY/JUNE 2019****MINUTE 113/2019**

Moved: Cr Catherine Redding

**That Council note the Mayoral Appointments for the period May/June 2019.**

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**



**8.2 MAYORAL MINUTE - EMERGENCY SERVICES LEVY****MINUTE 114/2019**

Moved: Cr Catherine Redding

1. That Council notes during December 2018, the NSW Government enacted laws to provide better Workers Compensation coverage for firefighters who are diagnosed with one of twelve specific work-related cancers. That in many areas of NSW, fire services are made up of elected and staff members of Local Government, and that Local Governments strongly support this expanded Workers compensation scheme. That as a result of these changes, the State Government has decided to implement the new scheme by charging Local Governments an increased Emergency Services Levy, without consultation. That the expected increase in costs to local governments will be \$19m in the first year alone, and that there is little or no time to enshrine this charge in council's 2019/2020 budgets.
2. That Council notes that Local Government NSW ("LGNSW") has long advocated for the emergency services levy to be significantly modified to ensure it is transparent, equitable and accountable.
3. That Council supports Local Government NSW's calls for:
  - a. The NSW government to cover the initial additional \$19m increase to Local Governments for the first year; and
  - b. The NSW government to work with NSW Local Governments to redesign the funding mechanism for the scheme to ensure fairness into the future.
4. Requests that the general manager liaise with Local Government NSW to provide Information on:
  - a. The impact on council budgets; and
  - b. Council advocacy actions undertaken.
5. That Council write to the NSW Premier and NSW interim opposition leader, NSW Minister for Customer services, NSW Minister for Emergency Services, Minister for Local Government and shadow Minister for Local Government, and local state member/s (copy to Local Government NSW) to:
  - a. Call upon the NSW Government to fund the 12 months of this extra cost rather than requiring councils to find the funds at short notice when budgets have already been allocated
  - b. Explain how this sudden increase will impact council services / the local community.
  - c. Highlight that councils were not warned of the increased cost until May 2019, despite the new laws being passed in November 2018.
  - d. Explain that the poor planning and implementation of the increase is inconsistent with the government's commitment to work in partnership with the sector.
  - e. Ask the government to work with local governments to redesign the implementation of the scheme to ensure it is fairer for councils and communities into the future.

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**

## **9 OUR SOCIETY**

### **9.1 DELEGATES REPORT - NARRABRI DISTRICT HEALTH SERVICE ADVISORY COMMITTEE MEETING - 13 MAY 2019**

#### **MINUTE 115/2019**

Moved: Cr Ann Loder                      Seconded: Cr Ron Campey

**That Council note Cr Loder's Delegates Report from the Narrabri District Health Service Advisory Committee Meeting held on Monday 13 May 2019.**

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**

Cr Campbell declared a non-pecuniary significant interest in relation to items 10.1 – Narrabri Gas Project Supplementary Response to Submissions, and 10.2 - Narrabri Coal Mine Stage 3 - Input into the Secretary's Environmental Assessment Requirements, due to performing contractor works for both organisations, and was not present at or in sight of the meeting during the consideration of items 10.1 and 10.2, and left the meeting at 1.20pm

## **10 OUR ENVIRONMENT**

### **10.1 NARRABRI GAS PROJECT SUPPLEMENTARY RESPONSE TO SUBMISSIONS**

#### **MINUTE 116/2019**

Moved: Cr Robert Kneale                      Seconded: Cr Maxine Booby

**That Council note the attached submission on the Narrabri Gas Project Supplementary Response to Submissions.**

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 8/0**

**10.2 NARRABRI COAL MINE STAGE 3 - INPUT INTO THE SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS****MINUTE 117/2019**

Moved: Cr Robert Kneale                      Seconded: Cr Annie McMahon

**That Council note the submission on the Narrabri Coal Mine Stage 3 Secretary's Environmental Assessment Requirements.**

In Favour:      Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against:        Nil

**CARRIED 8/0**

At 1:33 pm, Cr Ron Campbell returned to the meeting.

**10.3 SECTION 94A PLAN - APPROVAL OF UPDATED SCHEDULE OF WORKS****MINUTE 118/2019**

Moved: Cr Maxine Booby                      Seconded: Cr Lloyd Finlay

- 1. That Council approve the amended Schedule of Works to the Narrabri Shire Section 94A Development Contributions Plan in the form in which it was publicly exhibited.**
- 2. That Council give public notice of its decision in accordance with the *Environmental Planning and Assessment Regulation 2000*.**

In Favour:      Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against:        Nil

**CARRIED 9/0**

**11 OUR ECONOMY****11.1 NOTICE OF MOTION - LOCAL PROCUREMENT AND TENDER INFORMATION SESSION****MINUTE 119/2019**

Moved: Cr Cameron Staines                      Seconded: Cr Ron Campbell

**That Council develops and runs a local contractor procurement and tender process information session in the next 3 months with the aim of improving knowledge of Council's procurement processes, providing confidence for local businesses and contractors to apply and submit tenders for Narrabri Shire Council capital works and maintenance programs.**

In Favour:      Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**

At 1:46 pm, Cr Ron Campey left the meeting.

## **11.2 NOTICE OF MOTION - LOCAL PURCHASE PROVISION REVIEW**

### **MINUTE 120/2019**

Moved: Cr Cameron Staines      Seconded: Cr Annie McMahon

**That Council conduct a review of its procurement and tendering policies, protocols and processes. As part of the review investigations into the current and potential options for local purchase provisions are to be explored.**

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 8/0**

## **12 OUR CIVIC LEADERSHIP**

### **12.1 DELEGATES REPORT - MAULES CREEK COAL COMMUNITY CONSULTATIVE COMMITTEE MEETING - 15 MAY 2019**

#### **MINUTE 121/2019**

Moved: Cr Robert Kneale      Seconded: Cr Annie McMahon

**That Council note Cr Kneale's Delegate Report from the Maules Creek Coal Community Consultative Committee Meeting held on Wednesday 15 May 2019.**

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 8/0**

### **12.2 DELEGATES REPORT - COUNTRY MAYORS ASSOCIATION MEETING - 31 MAY 2019**

#### **MINUTE 122/2019**

Moved: Cr Catherine Redding      Seconded: Cr Robert Kneale

**That Council note Mayor Reddings' Delegate Report from the Country Mayors Association Ordinary Meeting held in Sydney on Friday 31 May 2019.**

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 8/0**

At 1:50 pm, Cr Ron Campey returned to the meeting.

**12.3 DELEGATES REPORT - BOGGABRI COAL COMMUNITY CONSULTATIVE COMMITTEE MEETING - 16 MAY 2019**

**MINUTE 123/2019**

Moved: Cr Robert Kneale      Seconded: Cr Annie McMahon

**That Council note Cr Kneale's Delegates Report from the Boggabri Coal Community Consultative Committee held on 16 May 2019.**

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**

**12.4 DELEGATES REPORT - COMBINED BOGGABRI/TARRAWONGA/MAULES CREEK COMMUNITY CONSULTATIVE COMMITTEE MEETING - 16 MAY 2019**

**MINUTE 124/2019**

Moved: Cr Robert Kneale      Seconded: Cr Cameron Staines

**That Council note Cr Kneale's Delegates Report from the Boggabri-Tarrawonga-Maules Creek Community Consultative Committee Meeting held on Thursday 16 May 2019.**

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**

**12.5 DELEGATES REPORT - VICKERY COAL MINE COMMUNITY CONSULTATIVE COMMITTEE MEETING - 21 MAY 2019**

**MINUTE 125/2019**

Moved: Cr Cameron Staines      Seconded: Cr Annie McMahon

**That Council note Cr Staines' Delegates Report from the Vickery Coal Mine Community Consultative Committee meeting held on Tuesday 21 May 2019.**

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines



Against: Nil

**CARRIED 9/0**

## 12.6 INVESTMENT REPORT - MAY 2019

### MINUTE 126/2019

Moved: Cr Annie McMahon Seconded: Cr Ron Campey

**That Council note the Investment Report for May 2019.**

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**

## 12.7 2019 LOCAL GOVERNMENT NSW (LGNSW) ANNUAL CONFERENCE

### MINUTE 127/2019

Moved: Cr Maxine Booby Seconded: Cr Ann Loder

**That Council:**

- 1. Authorise the Mayor and Deputy Mayor to attend the 2019 Local Government NSW (LGNSW) Annual Conference being held on 14, 15, 16 October 2019, as voting delegates.**
- 2. Consider putting forward any motions to the Local Government NSW Annual Conference 2019.**
- 3. Authorise the Mayor to lodge motion(s) to the Local Government NSW Conference 2019 on Council's behalf in accordance with the Conference Business Paper.**

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**

**12.8 REQUEST FOR SUSPENSION OF ALCOHOL FREE AREA - NARRABRI NOSH****MINUTE 128/2019**

Moved: Cr Robert Kneale      Seconded: Cr Maxine Booby

**That Council suspend the Alcohol Free Area between the Narrabri Creek and the Crossing Theatre, Narrabri, between the hours of 10:00AM to 12:00AM (midnight) Saturday 31 August 2019 and 10:30AM to 7:00PM Sunday 1 September 2019, for the Nosh Narrabri Food and Wine Festival 2019. The adjacent public car park and road will remain an Alcohol Free Zone.**

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**

Cr Kneale declared a non-pecuniary less than significant interest in relation to item 12.9 – Donation in Lieu of Ordinary Rates, due to being a member of the Narrabri Rifle Club.

**12.9 DONATION IN LIEU OF ORDINARY RATES****MINUTE 129/2019**

Moved: Cr Cameron Staines      Seconded: Cr Ron Campbell

**That Council authorise the individual amounts totalling \$ 37,211.40 to be donated to community organisations in accordance with the 'Donations in Lieu of Ordinary Rates Policy'.**

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**

**12.10 CODE OF CONDUCT****MINUTE 130/2019**

Moved: Cr Maxine Booby      Seconded: Cr Ron Campbell

**That Council adopt the Code of Conduct, as attached, under Section 440 of the Local Government Act 1993.**

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**

**12.11 CODE OF MEETING PRACTICE****MINUTE 131/2019**

Moved: Cr Cameron Staines      Seconded: Cr Ron Campbell

**That Council:**

- 1. Adopt the Code of Meeting Practice 2019, under Section 360 of the *Local Government Act NSW 1993*.**
- 2. Fund the necessary audio equipment upgrade required for webcasting from the restricted asset for buildings.**
- 3. Note the requirements of Clause 5.18 of the Code, will commence after the completion of the audio equipment upgrade.**

In Favour:      Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against:      Nil

**CARRIED 9/0**

**12.12 OPERATIONAL PLAN 2019/2020****MOTION**

Moved: Cr Ron Campbell      Seconded: Cr Annie McMahon

- 1. That Council adopt the 2019/2020 Operational Plan as attached and incorporate the following amendments:**
  - a. The following Capital Expenditure Projects be added to the 2019/2020 Operational Plan:**
    - i. Development & Economic Growth – Economic Development – Narrabri Industrial and Logistics Hub Land Purchase - \$2,800,000 - Council Resolution 108/2019.**
    - ii. Infrastructure Delivery – Town Streets – Maitland St Road Surface Replacement - \$900,000 – Council Resolution 054/2019.**
    - iii. Infrastructure Delivery – Town Streets – Maitland St Roundabouts Improvements - \$50,000 – Council Resolution 054/2019.**
    - iv. Infrastructure Delivery – Stormwater – Maitland St Stormwater Upgrades - \$200,000 – Council Resolution 054/2019.**
    - v. Infrastructure Delivery – Water Supplies Narrabri – Water Capex – Maitland St Water Mains Replacement - \$554,000 – Council Resolution 054/2019.**
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    - vii. Infrastructure Delivery – Water Supplies Bellata – Water Capex – Bellata Reticulated Water Main Replacement (Newell Hwy) - \$337,000 – Council Resolution 051/2019.**
  - b. The following actions be added to the 2019/2020 Operational Plan:**

- i. 1.1.2.19 - Monitor, review and evaluate progress of Narrabri Shire Access & Inclusion Advisory Committee Strategy and report to community at quarterly Access & Inclusion Advisory committee meetings.
- ii. 4.4.2.4 – Develop and implement change management framework.
- iii. Undertake a preliminary feasibility study into the establishment of a weir down-stream from The Crossing Theatre.
- c. The following actions be amended to the 2019/2020 Operational Plan as exhibited to:
  - i. 1.1.2.6 – Promotion campaign from Council to the community that will raise awareness of CCTV.
  - ii. 1.3.4.21 – Support Boggabri, Narrabri and Wee Waa in establishing Dementia Friendly Towns.
- d. The following actions be deleted from the 2019/2020 Operational Plan:
  - i. 1.3.1.3 - Lobby for improved access to a passenger rail service to Sydney.
  - ii. 3.3.2.1 – Conduct annual business development seminar.
  - iii. 3.4.2.4 – Lobby and liaise with Homes North to ensure public housing availability corresponds with local requirements.
  - iv. 4.1.3.5 – Reinforce and grow existing government department relationships to leverage associations to improve and support Narrabri Shire.
- e. The following Rates, Fees and Charges be amended to the 2019/2020 Operational Plan:
  - i. Section 603 Certificate Fee be amended as per the Office of Local Government’s Circular 19-05.
  - ii. Companion Animal Registration Fees be amended as per the Office of Local Government’s Circular 19-09.

Title of Rate / Fee / Charge	Exhibited Rate, Fee or Charge 2019/2020	Proposed Rate, Fee or Charge 2019/2020
Rates and Property – Section 603 Certificate	\$80.00	\$85.00
Registration - Desexed	\$57.00	\$58.00
Registration – Under 6 months old, Not Desexed	\$57.00	\$58.00
Registration – Not Desexed	\$207.00	\$210.00
Registration – Pensioner (animal must be desexed)	\$24.00	\$25.00
Registration – Accredited Breeders	\$57.00	\$58.00
Registration – Pound Adoption	\$28.50	\$29.00

- f. The following amendment to the Appendix A – 2019/2020 Revenue Policy:
    - i. Borrowings - Council has budgeted loan borrowings of \$4.3 million. This consists of \$1.5million for Narrabri Landfill Improvements and \$2.8million for land purchase for the Industrial and Logistics Hub project.
2. That Council adopt the 2.7% annual maximum allowable increase in ordinary rates as approved by IPART and make and levy the following ordinary rates for the 2019/2020 financial year:

**Farmland Category**

Levied on all property that complies with the definition of farmland contained in section 515 of the *Local Government Act 1993*:

	Base Rate	Ad Valorem Rate	Estimated Yield
Farmland	\$270.00	\$0.0042482	\$6,512,928
<b>TOTAL FARMLAND RATE YIELD ESTIMATE</b>			<b>\$6,512,928</b>

**Residential Category**

Levied on all property that complies with the definition of residential contained in section 516 of the *Local Government Act 1993*:

	Base Rate	Ad Valorem Rate	Estimated Yield
Residential – Boggabri	\$270.00	\$0.0064153	\$306,169
Residential – Narrabri	\$270.00	\$0.0098211	\$2,872,258
Residential – Rural	\$270.00	\$0.0051369	\$676,814
Residential – Wee Waa	\$270.00	\$0.0322462	\$715,769
<b>TOTAL RESIDENTIAL RATE YIELD ESTIMATE</b>			<b>\$4,571,010</b>

**Mining**

Levied on all property that complies with the definition of mining contained in section 517 of the *Local Government Act 1993*:

	Base Rate	Ad Valorem Rate	Estimated Yield
Mining	\$23,000	\$0.0279909	\$997,506
<b>TOTAL MINING RATE YIELD ESTIMATE</b>			<b>\$997,506</b>

**Business Category**

Levied on all property that complies with the definition of business contained in section 518 of the *Local Government Act 1993*:

	Base Rate	Ad Valorem Rate	Estimated Yield
Business – Boggabri	\$320.00	\$0.0082795	\$45,364
Business – Narrabri	\$320.00	\$0.0155444	\$1,076,199
Business – Rural	\$320.00	\$0.0089450	\$98,777
Business – Wee Waa	\$320.00	\$0.0409785	\$182,234
<b>TOTAL BUSINESS RATE YIELD ESTIMATE</b>			<b>\$1,402,574</b>

**Special Rate – Tourism Promotion**

This Special Rate is set to assist in funding of Council's promotional allocation. The rate is levied on all properties classified Business within the Shire area.

	Ad Valorem Rate	Estimated Yield
Tourism	\$0.0009611	\$71,020
<b>TOTAL TOURISM LEVY YIELD ESTIMATE</b>		<b>\$71,020</b>



**3. That Council in relation to water supply charges make and levy the following charges for Water Supply Services for the 2019/2020 financial year:**

	Service Charge	Estimated Yield
<b>Baan Baa</b>		

20/25mm Service	\$728	\$42,224
65mm Service	\$4,920	\$4,920

ESTIMATED ACCESS CHARGE YIELD		\$47,144
ESTIMATED USAGE CHARGE YIELD	\$1.05	\$12,122

**Bellata**

20/25mm Service	\$570	\$65,550
32mm Service	\$934	\$934
40mm Service	\$1,460	\$2,920
Unconnected Service	\$570	\$0

ESTIMATED ACCESS CHARGE YIELD		\$69,404
ESTIMATED USAGE CHARGE YIELD	\$1.05	\$30,795

**Boggabri**

20/25mm Service	\$401	\$224,159
32mm Service	\$657	\$5,256
40mm Service	\$1,025	\$4,100
50mm Service	\$1,610	\$14,490
80mm Service	\$4,105	\$8,210
100mm Service	\$6,415	\$12,830
Unconnected Service	\$401	\$10,025

ESTIMATED ACCESS CHARGE YIELD		\$279,070
ESTIMATED USAGE CHARGE YIELD	\$1.05	\$272,652

**Gwabegar**

20/25mm Service	\$651	\$41,013
40mm Service	\$1,660	\$1,660
Unconnected Service	\$651	\$4,557

ESTIMATED ACCESS CHARGE YIELD		\$47,230
ESTIMATED USAGE CHARGE	\$1.05	\$8,800

**Narrabri – Metered**

20/25mm Service	\$364	\$970,060
32mm Service	\$476	\$32,844
40mm Service	\$505	\$66,155
50mm Service	\$796	\$19,104

80mm Service	\$3,728	\$7,456
100mm Service	\$5,825	\$5,825
Unconnected	\$364	\$30,940

ESTIMATED ACCESS CHARGE YIELD		\$1,132,384
ESTIMATED USAGE CHARGE YIELD	\$1.05	\$1,450,940

**Narrabri – Unmetered**

20/25mm Service	\$563	\$0
32mm Service	\$923	\$0
40mm Service	\$1,440	\$0
100mm Service	\$9,005	\$0
Unoccupied	\$563	\$0

ESTIMATED ACCESS CHARGE		\$0
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**Pilliga**

20/25mm Service	\$609	\$63,336
40mm Service	\$1,560	\$3,120
50mm Service	\$2,440	\$2,440
Unconnected	\$609	\$5,481

ESTIMATED ACCESS CHARGE YIELD		\$74,377
ESTIMATED USAGE CHARGE YIELD	\$1.05	\$20,194

**Wee Waa**

20/25mm Service	\$357	\$285,243
32mm Service	\$459	\$4,596
40mm Service	\$523	\$9,940
50mm Service	\$1,430	\$7,150
80mm Service	\$3,655	\$10,965
100mm Service	\$5,710	\$11,420
Unconnected Service	\$357	\$1,785

ESTIMATED ACCESS CHARGE YIELD		\$331,099
ESTIMATED USAGE CHARGE YIELD	\$1.05	\$556,923

**Water charging structure based on the following benefit index**

Service (mm)	Size	20/25	32	40	50	65	80	90	100
Benefit Index		1.00	1.64	2.56	4.01	6.76	10.24	12.96	16.00

4. That Council in relation to sewerage service charges Council make and levy the following charges for Sewerage Services for the 2019/2020 financial year:

	Service Charge	Estimated Yield
<b>Sewerage Charges – Boggabri</b>		
Occupied	\$632	\$281,872
Unoccupied	\$316	\$13,588
Pedestal Charges – Per Cistern/>6W.C	\$99	\$46,035
Pedestal Charges – Water Closets (1-6)	\$99	\$5,544
<b>TOTAL BOGGABRI SEWER CHARGES YIELD</b>		<b>\$347,039</b>

**Sewerage Charges – Narrabri**

Occupied	\$785	\$2,004,105
Unoccupied	\$393	\$50,697
Pedestal Charges – Per Cistern/>6W.C	\$121	\$73,810
Pedestal Charges – Water Closets (1-6)	\$121	\$82,401
<b>TOTAL NARRABRI SEWER SERVICES</b>		<b>\$2,211,013</b>

**Sewerage Charges – Wee Waa**

Occupied	\$819	\$619,1640
Unoccupied	\$410	\$13,530
Pedestal Charges – Per Cistern/>6W.C	\$121	\$3,025
Pedestal Charges – Water Closets (1-6)	\$121	\$28,314
<b>TOTAL WEE WAA SEWER SERVICES</b>		<b>\$664,033</b>

**Onsite Wastewater Management Fee**

Any/All assessments not connected to town sewer Which have an onsite wastewater system (OSWM)	\$33	\$69,960
<b>Total Onsite Wastewater Management Fee</b>		<b>\$69,960</b>

5. That Council in relation to waste management charges make and levy the following annual charges for Waste Management Services for the 2019/2020 financial year:

**Domestic Waste Management (DWM) Charges**

	<b>Service Type</b>	<b>Service Charge</b>	<b>Estimated Yield</b>
<b>Urban Waste Management Fee</b>	<b>All Urban Assessments</b>	<b>\$165</b>	
<b>DWM – MSW/Recycling/Organics (Serviced Assessments Only)</b>	<b>Per 1x140 Litre MSW (Red), 1x240 Litre Recycling Bin (Yellow) &amp; 1x240 Litre Organics Recycling Bin (Green)</b>	<b>\$330</b>	
	<b>Additional MGB (per Annum fee)</b>	<b>\$129</b>	
<b>Additional/Upsize Service</b>	<b>Upsize Mixed Solid Waste (MSW) Bin</b>	<b>\$77.50</b>	
	<b>Upsize existing Recycling bin to 360 Litres (one of fee)</b>	<b>\$62</b>	
<b>TOTAL DOMESTIC WASTE MANAGEMENT ESTIMATED YIELD</b>			<b>\$1,420,582</b>

**Other Waste Management Services (Non-Domestic) Charges**

	<b>Service Type</b>	<b>Service Charge</b>	<b>Estimated Yield</b>
<b>Urban Waste Management Fee</b>	<b>All Urban Assessments</b>	<b>\$165</b>	
<b>Business – MSW/Recycling (Serviced Assessments Only)</b>	<b>Per 1x140 Litre MSW (Red) and 1x240 Litre Recycling Bin (Yellow)</b>	<b>\$366</b>	
<b>Additional/Upsize Service</b>	<b>Additional MGB (per Annum fee)</b>	<b>\$160</b>	
	<b>Upsize Existing Recycling Bin to 360 Litres (one off fee)</b>	<b>\$62</b>	
<b>Rural Waste Management Fee</b>		<b>\$165</b>	
<b>Rural Waste Management Charge Unoccupied</b>		<b>\$57</b>	
<b>TOTAL OTHER WASTE MANAGEMENT ESTIMATED YIELD</b>			<b>\$1,339,302</b>

NB: MSW – Mixed Solid Waste

6. That Council in relation to interest on overdue rates and charges make and impose the maximum charge for interest of 7.5% as determined by the Minister for Local Government.
7. That Council note all submissions received and formally advise those parties, who made written submissions on Council's draft Operational Plan 2019/2020, of Council's decision on the matter.

**AMENDMENT**

Moved: Cr Robert Kneale

Seconded: Cr Ron Campey

That Council in relation to water supply charges make and levy the following charges for Water Supply Services for the 2019/2020 financial year:

	Service Charge	Estimated Yield
<b>Baan Baa</b>		
20/25mm Service	\$728	\$42,224
65mm Service	\$4,920	\$4,920
ESTIMATED ACCESS CHARGE YIELD		\$47,144
ESTIMATED USAGE CHARGE YIELD	\$1.02	\$11,776
<b>Bellata</b>		
20/25mm Service	\$570	\$65,550
32mm Service	\$835	\$835
40mm Service	\$1,302	\$2,604
Unconnected Service	\$570	\$0
ESTIMATED ACCESS CHARGE YIELD		\$68,989
ESTIMATED USAGE CHARGE YIELD	\$1.02	\$29,915
<b>Boggabri</b>		
20/25mm Service	\$401	\$224,159
32mm Service	\$657	\$5,256
40mm Service	\$977	\$3,908
50mm Service	\$1,529	\$13,761
80mm Service	\$4,103	\$8,206
100mm Service	\$6,098	\$12,196
Unconnected Service	\$381	\$9,525
ESTIMATED ACCESS CHARGE YIELD		\$277,011
ESTIMATED USAGE CHARGE YIELD	\$1.02	\$264,862

**Gwabegar**

20/25mm Service	\$651	\$41,013
40mm Service	\$849	\$849
Unconnected Service	\$349	\$2,443
ESTIMATED ACCESS CHARGE YIELD		\$44,305
ESTIMATED USAGE CHARGE	\$1.02	\$8,549

**Narrabri – Metered**

20/25mm Service	\$375	\$999,375
32mm Service	\$409	\$28,221
40mm Service	\$434	\$56,854
50mm Service	\$684	\$16,416
80mm Service	\$2,134	\$4,268
100mm Service	\$2,710	\$2,710
Unconnected	\$175	\$14,875
ESTIMATED ACCESS CHARGE YIELD		\$1,122,719
ESTIMATED USAGE CHARGE YIELD	\$1.02	\$1,409,485

**Narrabri – Unmetered**

20/25mm Service	\$562	\$0
32mm Service	\$873	\$0
40mm Service	\$1,401	\$0
100mm Service	\$8,367	\$0
Unoccupied	\$175	\$0
ESTIMATED ACCESS CHARGE		\$0

**Pilliga**

20/25mm Service	\$609	\$63,336
40mm Service	\$811	\$1,622
50mm Service	\$1,301	\$1,301
Unconnected	\$357	\$3,213
ESTIMATED ACCESS CHARGE YIELD		\$69,472
ESTIMATED USAGE CHARGE YIELD	\$1.02	\$19,617

**Wee Waa**

<b>20/25mm Service</b>	<b>\$368</b>	<b>\$294,032</b>
<b>32mm Service</b>	<b>\$394</b>	<b>\$3,940</b>
<b>40mm Service</b>	<b>\$449</b>	<b>\$8,531</b>
<b>50mm Service</b>	<b>\$684</b>	<b>\$3,420</b>
<b>80mm Service</b>	<b>\$1,742</b>	<b>\$5,226</b>
<b>100mm Service</b>	<b>\$2,715</b>	<b>\$5,430</b>
<b>Unconnected Service</b>	<b>\$185</b>	<b>\$925</b>
<b>ESTIMATED ACCESS CHARGE YIELD</b>		<b>\$321,504</b>
<b>ESTIMATED USAGE CHARGE YIELD</b>	<b>\$1.02</b>	<b>\$541,011</b>

In Favour: Crs Robert Kneale, Ron Campey and Ann Loder

Against: Crs Catherine Redding, Maxine Booby, Ron Campbell, Lloyd Finlay, Annie McMahon and Cameron Staines

**LOST 3/6**

**MINUTE 132/2019**

Moved: Cr Ron Campbell                      Seconded: Cr Annie McMahon

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Registration – Accredited Breeders	\$57.00	\$58.00
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<b>TOTAL FARMLAND RATE YIELD ESTIMATE</b>			<b>\$6,512,928</b>

#### Residential Category

Levied on all property that complies with the definition of residential contained in section 516 of the *Local Government Act 1993*:

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Residential – Boggabri	\$270.00	\$0.0064153	\$306,169
Residential – Narrabri	\$270.00	\$0.0098211	\$2,872,258
Residential – Rural	\$270.00	\$0.0051369	\$676,814
Residential – Wee Waa	\$270.00	\$0.0322462	\$715,769
<b>TOTAL RESIDENTIAL RATE YIELD ESTIMATE</b>			<b>\$4,571,010</b>

**Mining**

Levied on all property that complies with the definition of mining contained in section 517 of the *Local Government Act 1993*:

	Base Rate	Ad Valorem Rate	Estimated Yield
Mining	\$23,000	\$0.0279909	\$997,506
<b>TOTAL MINING RATE YIELD ESTIMATE</b>			<b>\$997,506</b>

**Business Category**

Levied on all property that complies with the definition of business contained in section 518 of the *Local Government Act 1993*:

	Base Rate	Ad Valorem Rate	Estimated Yield
Business – Boggabri	\$320.00	\$0.0082795	\$45,364
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Business – Wee Waa	\$320.00	\$0.0409785	\$182,234
<b>TOTAL BUSINESS RATE YIELD ESTIMATE</b>			<b>\$1,402,574</b>

**Special Rate – Tourism Promotion**

This Special Rate is set to assist in funding of Council's promotional allocation. The rate is levied on all properties classified Business within the Shire area.

	Ad Valorem Rate	Estimated Yield
Tourism	\$0.0009611	\$71,020
<b>TOTAL TOURISM LEVY YIELD ESTIMATE</b>		<b>\$71,020</b>

3. That Council in relation to water supply charges make and levy the following charges for Water Supply Services for the 2019/2020 financial year:

	Service Charge	Estimated Yield
<b>Baan Baa</b>		
20/25mm Service	\$360.00	\$20,880.00
65mm Service	\$2,401.20	\$2,401.20
<b>ESTIMATED ACCESS CHARGE YIELD</b>		<b>\$23,281.20</b>
<b>ESTIMATED USAGE CHARGE YIELD</b>	<b>\$1.05</b>	<b>\$12,122.00</b>
<b>Bellata</b>		
20/25mm Service	\$360.00	\$41,400.00
32mm Service	\$590.40	\$590.40
40mm Service	\$921.60	\$1,843.20
Unconnected Service	\$360.00	\$0.00
<b>ESTIMATED ACCESS CHARGE YIELD</b>		<b>\$43,833.60</b>
<b>ESTIMATED USAGE CHARGE YIELD</b>	<b>\$1.05</b>	<b>\$30,795.00</b>

**Boggabri**

20/25mm Service	\$360.00	\$201,240.00
32mm Service	\$590.00	\$4,723.20
40mm Service	\$921.60	\$3,686.40
50mm Service	\$1,443.60	\$12,992.40
80mm Service	\$3,686.40	\$7,372.80
100mm Service	\$5,760.00	\$11,520.00
Unconnected Service	\$360.00	\$9,000.00

ESTIMATED ACCESS CHARGE YIELD		\$250,534.80
ESTIMATED USAGE CHARGE YIELD	\$1.05	\$272,652.00

**Gwabegar**

20/25mm Service	\$360.00	\$22,680.00
40mm Service	\$921.60	\$921.60
Unconnected Service	\$360.00	\$2,520.00

ESTIMATED ACCESS CHARGE YIELD		\$26,121.60
ESTIMATED USAGE CHARGE	\$1.05	\$8,800.00

**Narrabri – Metered**

20/25mm Service	\$360.00	\$959,400.00
32mm Service	\$476.40	\$32,871.60
40mm Service	\$505.20	\$66,181.20
50mm Service	\$796.80	\$19,123.20
80mm Service	\$2,486.40	\$4,972.80
100mm Service	\$3,157.20	\$3,157.20
Unconnected	\$204.00	\$17,340.00

ESTIMATED ACCESS CHARGE YIELD		\$1,103,046.00
ESTIMATED USAGE CHARGE YIELD	\$1.05	\$1,450,940.00

**Narrabri – Unmetered**

20/25mm Service	\$563.00	\$0
32mm Service	\$923.00	\$0
40mm Service	\$1,440.00	\$0
100mm Service	\$9,005.00	\$0
Unoccupied	\$563.00	\$0

ESTIMATED ACCESS CHARGE		\$0
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**Pilliga**

20/25mm Service	\$360.00	\$37,440.00
40mm Service	\$921.60	\$1,843.20
50mm Service	\$1,440.00	\$1,440.00
Unconnected	\$360.00	\$3,240.00

ESTIMATED ACCESS CHARGE YIELD		\$43,963.20
ESTIMATED USAGE CHARGE YIELD	\$1.05	\$20,194.00

**Wee Waa**

20/25mm Service	\$360.00	\$287,640.00
32mm Service	\$459.60	\$4,596.00
40mm Service	\$523.20	\$9,940.80
50mm Service	\$796.80	\$3,984.00
80mm Service	\$2,029.20	\$6,087.60
100mm Service	\$3,163.20	\$6,326.40
Unconnected Service	\$216.00	\$1,080.00

ESTIMATED ACCESS CHARGE YIELD		\$319,654.80
ESTIMATED USAGE CHARGE YIELD	\$1.05	\$556,923.00

Water charging structure based on the following benefit index

4. That Council in relation to sewerage service charges Council make and levy the following charges for Sewerage Services for the 2019/2020 financial year:

	Service Charge	Estimated Yield
<b>Sewerage Charges – Boggabri</b>		
Occupied	\$632	\$281,872
Unoccupied	\$316	\$13,588
Pedestal Charges – Per Cistern/>6W.C	\$99	\$46,035
Pedestal Charges – Water Closets (1-6)	\$99	\$5,544
<b>TOTAL BOGGABRI SEWER CHARGES YIELD</b>		<b>\$347,039</b>
<b>Sewerage Charges – Narrabri</b>		
Occupied	\$785	\$2,004,105
Unoccupied	\$393	\$50,697
Pedestal Charges – Per Cistern/>6W.C	\$121	\$73,810
Pedestal Charges – Water Closets (1-6)	\$121	\$82,401
<b>TOTAL NARRABRI SEWER SERVICES</b>		<b>\$2,211,013</b>

**Sewerage Charges – Wee Waa**

Occupied	\$819	\$619,1640
Unoccupied	\$410	\$13,530
Pedestal Charges – Per Cistern/>6W.C	\$121	\$3,025
Pedestal Charges – Water Closets (1-6)	\$121	\$28,314

**TOTAL WEE WAA SEWER SERVICES** **\$664,033**

**Onsite Wastewater Management Fee**

**Any/All assessments not connected to town sewer** **\$33** **\$69,960**  
**Which have an onsite wastewater system (OSWM)**

**Total Onsite Wastewater Management Fee** **\$69,960**

5. That Council in relation to waste management charges make and levy the following annual charges for Waste Management Services for the 2019/2020 financial year:

**Domestic Waste Management (DWM) Charges**

	<b>Service Type</b>	<b>Service Charge</b>	<b>Estimated Yield</b>
<b>Urban Waste Management Fee</b>	<b>All Urban Assessments</b>	<b>\$165</b>	
<b>DWM – MSW/Recycling/Organics (Serviced Assessments Only)</b>	<b>Per 1x140 Litre MSW (Red), 1x240 Litre Recycling Bin (Yellow) &amp; 1x240 Litre Organics Recycling Bin (Green)</b>	<b>\$330</b>	
	<b>Additional MGB (per Annum fee)</b>	<b>\$129</b>	
<b>Additional/Upsize Service</b>	<b>Upsize Mixed Solid Waste (MSW) Bin</b>	<b>\$77.50</b>	
	<b>Upsize existing Recycling bin to 360 Litres (one of fee)</b>	<b>\$62</b>	
<b>TOTAL DOMESTIC WASTE MANAGEMENT ESTIMATED YIELD</b>			<b>\$1,420,582</b>

**Other Waste Management Services (Non-Domestic) Charges**

	<b>Service Type</b>	<b>Service Charge</b>	<b>Estimated Yield</b>
<b>Urban Waste Management Fee</b>	<b>All Urban Assessments</b>	<b>\$165</b>	
<b>Business – MSW/Recycling (Serviced Assessments Only)</b>	<b>Per 1x140 Litre MSW (Red) and 1x240 Litre Recycling Bin (Yellow)</b>	<b>\$366</b>	
<b>Additional/Upsize Service</b>	<b>Additional MGB (per Annum fee)</b>	<b>\$160</b>	
	<b>Upsize Existing Recycling Bin to 360 Litres (one off fee)</b>	<b>\$62</b>	
<b>Rural Waste Management Fee</b>		<b>\$165</b>	
<b>Rural Waste Management Charge Unoccupied</b>		<b>\$57</b>	
<b>TOTAL OTHER WASTE MANAGEMENT ESTIMATED YIELD</b>			<b>\$1,339,302</b>

NB: MSW – Mixed Solid Waste

6. That Council in relation to interest on overdue rates and charges make and impose the maximum charge for interest of 7.5% as determined by the Minister for Local Government.
7. That Council note all submissions received and formally advise those parties, who made written submissions on Council's draft Operational Plan 2019/2020, of Council's decision on the matter.

In Favour: Crs Catherine Redding, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Annie McMahon and Cameron Staines

Against: Crs Robert Kneale and Ann Loder

**CARRIED 7/2****13 CONFIDENTIAL (CLOSED COUNCIL) MEETING****MINUTE 133/2019**

Moved: Cr Ron Campey      Seconded: Cr Ron Campbell

That at 2.33pm Council move into Closed (Public Excluded) Meeting of Council and that the press and members of the public be asked to leave the room whilst Council considers the following items:

**13.1 Contract 2019-20/04 - Supply and Laying of Asphaltic Concrete**

This matter is considered to be confidential under Section 10A(2) - (d)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**13.2 Contract 2019-20/03 - Periodic Maintenance of Sealed Roads**

This matter is considered to be confidential under Section 10A(2) - (d)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**13.3 Energy Savings Action Plan**

This matter is considered to be confidential under Section 10A(2) - (d)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**

**13.1 CONTRACT 2019-20/04 - SUPPLY AND LAYING OF ASPHALTIC CONCRETE****MINUTE 134/2019**

Moved: Cr Maxine Booby      Seconded: Cr Ron Campbell

1. That Council note that after assessing the tenders submitted (in accordance with the criteria specified in the tender documents) and having regard to all the circumstances, the Tender Panel recommends that the most advantageous tenders for Council to accept are the tenders from:
  - a. BMR Quarries Pty Ltd T/A Roadwork Industries
  - b. Boral Asphalt
  - c. Civil Independence Industries Pty Ltd
  - d. Fulton Hogan Industries Pty Ltdfor Contract 2019-20/04 – Supply and Laying of Asphaltic Concrete the Period from 1 July 2019 to 30 June 2020.
2. That Council in accordance with the Tender Panel Recommendation, Council accept the tenders of:
  - a. BMR Quarries Pty Ltd T/A Roadwork Industries
  - b. Boral Asphalt
  - c. Civil Independence Industries Pty Ltd
  - d. Fulton Hogan Industries Pty Ltdfor Contract 2019-20/04 – Supply and Laying of Asphaltic Concrete the Period from 1 July 2019 to 30 June 2020.
3. That Council grant authority to the General Manager to assess Contract 2019-20/04 – Supply and Laying of Asphaltic Concrete the Period from 1 July 2019 to 30 June 2020 and extend the term of the contract for a further one year period from 1 July 2020 until 30 June 2021 subject to Council still requiring the service, the satisfactory performance of the Contractors and any requested variations in unit rates are considered reasonable and are based on quantifiable rise & fall in prices.
4. That Council maintain the confidentiality of the documents and considerations in respect of Contract No. 2019-20/04 – Supply and Laying of Asphaltic Concrete (“the tender”).

In Favour:      Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against:      Nil

**CARRIED 9/0**



**13.2 CONTRACT 2019-20/03 - PERIODIC MAINTENANCE OF SEALED ROADS****MINUTE 135/2019**

Moved: Cr Lloyd Finlay

Seconded: Cr Maxine Booby

1. That Council note that after assessing the tenders submitted (in accordance with the criteria specified in the tender documents) and having regard to all the circumstances, the Tender Panel recommends that the most advantageous tenders for Council to accept are the tenders from:

- a. BMR Quarries Pty Ltd T/A Roadwork Industries
- b. Dubbo Traffic Control Pty Ltd
- c. G & K Anderson Pty Ltd
- d. Kay-Em Civil Pty Ltd

for Contract 2019-20/03 for Periodic Maintenance of Sealed Roads for the period from 1 July 2019 until 30 June 2021.

2. That Council in accordance with the Tender Panel Recommendation, Council accept the tenders of:

- a. BMR Quarries Pty Ltd T/A Roadwork Industries
- b. Dubbo Traffic Control Pty Ltd
- c. G & K Anderson Pty Ltd
- d. Kay-Em Civil Pty Ltd

for Contract 2019-20/03 for Periodic Maintenance of Sealed Roads for the period from 1 July 2019 until 30 June 2021, subject to the Tenderers meeting all requirement of the contract, and authorise the General Manager to sign the contract documents.

3. That Council grant authority to the General Manager to assess Contract 2019-20/03 for Periodic Maintenance of Sealed Roads for the period from 1 July 2019 until 30 June 2021 and extend the term of the contract for a further one year period from 1 July 2021 until 30 June 2022 in accordance with CPI hourly rate adjustments and subject to Council still requiring the service and the satisfactory performance of the Contractors.

4. That Council maintain the confidentiality of the documents and considerations in respect of Contract No. 2019-20/03 – Periodic Maintenance of Sealed Roads (“the tender”).

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0****MINUTE 136/2019**

Moved: Cr Maxine Booby

Seconded: Cr Annie McMahon

That Council move into Committee of the Whole at 2.39pm.

**CARRIED**

**MINUTE 137/2019**

Moved: Cr Maxine Booby      Seconded: Cr Lloyd Finlay

That Council move out of Committee of the Whole at 3.09pm.

**CARRIED**

**13.3 ENERGY SAVINGS ACTION PLAN****MINUTE 138/2019**

Moved: Cr Annie McMahon      Seconded: Cr Ron Campey

1. That Council note the information and the process leading to the development of the Energy Savings Action Plan outlined in this report;
2. That Council seek ESCOs agreement to invest in the Narrabri Pool's energy performance contract and negotiate the payment from guaranteed energy savings over an agreed period of time;
3. The necessary arrangements be made for tendering the installation of solar solutions for the high energy cost sites nominated in this report;
4. That Council request quotes for installation of VSD and Power Factor Correction Devices for sites identified in this report; and
5. An internal rolling work program be developed for the installation of LED lighting, sensors and timers for sites identified in this report.

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**

**MINUTE 139/2019**

Moved: Cr Maxine Booby      Seconded: Cr Ann Loder

**That at 3.14pm Council move out of Closed (Public Excluded) Meeting and that the resolutions from the Closed (Public Excluded) Meeting be read out aloud.**

In Favour: Crs Catherine Redding, Robert Kneale, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Ann Loder, Annie McMahon and Cameron Staines

Against: Nil

**CARRIED 9/0**

**14 MEETING CLOSED**

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The Meeting closed at 3.15pm.

The minutes of this meeting are scheduled to be confirmed at the Ordinary Council Meeting held on 23 July 2019.

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**CHAIRPERSON**

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**7 MAYORAL MINUTE**

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**7.1 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR JUNE/JULY 2019****File Number:****Responsible Officer:** Catherine Redding, Mayor**Author:** Delece Hartnett, Personal Assistant to GM & Mayor**Attachments:** Nil**RECOMMENDATION**

1. That Council note the Mayoral Appointments for the period June/July 2019.

**MAYORAL MINUTE**

For the information of Councillors, I provide details of my Mayoral appointments and attendances between the dates (onwards from last Council Meeting) as follows:

**Thursday 20 June 2019**

- Attended 'Meet and Greet' with Relieving Commander of Oxley Police District, and Narrabri Area Inspector.

**Friday 21 June 2019**

- Met with Council's Economic Development Manager to discuss Small Business Summit to be held at the end of July 2019, Council's actions to assist in event management.

**Saturday 22 June 2019**

- Attended the Eulah Creek Camp Oven Cook-Off event, and assisted in the judging process.

**Sunday 23 June 2019**

- Attended the Teys Australia, Rugby Union Junior Trials (in conjunction with Northern Inland Academy of Sport – NIAS) at Dangar Park in Narrabri.

**Tuesday 25 June 2019**

- Attended Container Exhibition Interview with Prime 7 News.
- Attended June 2019 Ordinary Council Meeting.

**Wednesday 26 June 2019**

- Travelled to Armidale with Economic Development Manager to attend NEJO organised meeting regarding Solar Farms establishment and investments.

**Thursday 27 June 2019**

- Attended ARTC/Inland Rail Meeting and Introduction for the Project Delivery Director for the Inland Rail project, with Cr Campbell, General Manager, Director Infrastructure Delivery, Economic Development Manager and Design Services Manager also in attendance.
- Attended MADD Night for the Narrabri High School, at The Crossing Theatre.

**Saturday 29 June 2019**

- Attended and performed official opening for the 'Wellbeing Gathering for Women' function that was held at The Crossing Theatre for the day.

**Monday 1 July 2019**

- Invited to and attended the St Francis Xaviers' School NAIDOC Week Flag Raising ceremony and morning tea.
- Participated in a teleconference with the NSW Department of Infrastructure, regarding the Narrabri Industrial & Logistics Hub project, with the General Manager.

**Tuesday 2 July 2019**

- Attended June 2019 Councillor Briefing.
- Met with Tourism Manager to assist with organising and progress of Small Business Summit function being held at The Crossing Theatre on Wednesday 24 July 2019.

**Wednesday 3 July 2019**

- Attended Narrabri Creek Shared Pathway project photo and media discussion with The Courier on site at Narrabri Creek, with General Manager, Roads Services Manager and Community Facilities Manager also in attendance.

**Thursday 4 July 2019**

- Attended 'No to Violence' Community and Service Providers Forum at Centrecare, Barwan Street, Narrabri.

**Friday 5 July 2019**

- Attended the Country University Centre refurbished premises whilst Member for Barwan - Roy Butler MP was undertaking a site tour.

**Saturday 6 July 2019**

- Attended the Narrabri Rotary Club Annual Changeover Dinner at the Narrabri RSL Club.

**Monday 8 July 2019**

- Attended the Boggabri Business & Community Progress Association July Meeting, at the Boggabri RSL Club, with the General Manager also in attendance.

**Tuesday 9 July 2019**

- Attended Narrabri Shire Council NAIDOC Week Flag Raising Community Ceremony and morning tea.
- Attended the Narrabri Chamber of Commerce July Meeting, at the Narrabri Bowling Club, with the General Manager also in attendance.

## 8 OUR SOCIETY



### THEME 1: OUR SOCIETY

#### STRATEGIC DIRECTION 1: SAFE, INCLUSIVE AND CONNECTED COMMUNITY

*By 2027, we will provide a safe, supportive community where everyone feels welcomes, valued and connected.*

#### COMMUNITY ENGAGEMENT

Through extensive community engagement, the Narrabri Shire community identified several social priority areas to be actioned over the 2017 - 2018 financial year.

#### COMMUNITY SERVICES

Current services provided within the Narrabri Shire community include:

- Community development
- Community health and safety
- Community arts, events and entertainment
- Community care services and transport
- Parks, open spaces and sporting facilities
- Children, youth and aged care services
- Disability access services
- Library services

#### COMMUNITY OUTCOMES

In partnership with the community, government and non-government agencies, the Operational Plan will work towards achieving the following social strategic outcomes:

- Increased community arts, events and entertainment
- Reduction in anti-social behaviour and public offences
- Improved community accessibility and inclusiveness
- Improved sport and recreational services and facilities
- Improved educational services and learning pathways
- Improved community health and support services

**8.1 REPORT ON THE NSWPLA NORTH EAST ZONE ANNUAL GENERAL AND ORDINARY MEETINGS HELD IN ARMIDALE MAY 2019.**

**Responsible Officer:** Lindsay Mason, Director Corporate Services

**Author:** Jenny Campbell, Library Manager

**Attachments:** 1. NE Full Zone Meeting Coffs Harbour 20 Sept 2018 [!\[\]\(96cc62f861fdd6e50510c0224a756dff\_img.jpg\)](#) [!\[\]\(e658400d40ca763c7cf4c8c420885c6a\_img.jpg\)](#)  
2. State Library of NSW Report to NSWPLA zones May 2019 [!\[\]\(3084640146b035081ec26f77c4b2b71c\_img.jpg\)](#) [!\[\]\(40700d140357e9bab84b4ce24c70f020\_img.jpg\)](#)

**DELIVERY PROGRAM ALIGNMENT****1. Society**

**Objective** 1.1 Community health, safety and support services will adequately meet changing community needs  
**Strategy** 1.1.1 Support and encourage health and wellbeing programs and services to improve resident lifestyles

**EXECUTIVE SUMMARY**

This report summarises the NSW Public Libraries Association (NSWPLA) North East Zone Annual General and Ordinary meetings held in Armidale May 2019.

**RECOMMENDATION**

1. That Council notes the report on the NSWPLA North East Zone Annual General and Ordinary meetings held in Armidale in May 2019.

**BACKGROUND**

NSWPLA North East Zone holds two (2) meetings each year to discuss issues and trends in the library industry.

**CURRENT SITUATION**

An overview of the meeting is provided below. Narrabri Library Manager attended the meeting. Mayor Redding was an apology.

The minutes of the previous meeting held in Coffs Harbour in September 2018 were confirmed.

The Annual General Meeting election of Office Bearers took place and the results were:

Chair: Cr Bill Heazlett was returned.

Vice: Mayor Cathy Redding as returned.

Secretary: Jo Carmody was returned.

**State Library Report**

A summary is provided:

Public Library Funding – Major Increase from 2019/20

- The new package will include a \$24M capital grant program, and increases to subsidy and subsidy adjustment payments for all councils.
- The ceiling for grant applications has been lifted from \$200,000.



**Service NSW Kiosks**

- Placement is via Expressions of interest.

**Public Grants 2018-2019**

- The recipients were listed.

**Revised Standards and Guidelines.**

- The Living Learning Libraries Document has been updated.

**Public Libraries Consultative Committee**

- The meeting was held 25 March 2019 to:
  - Discuss the allocation model for public library funding 2019-2020.
  - Note the revised Standard and Guidelines for public libraries.
  - Note the impending rollout of the Amplify platform.
  - Note the progress of the Indigenous space in library places strategy.

**Assessment and compliance visits**

- State Library staff visit over 100 councils and public libraries per year providing advice and assistance on services, funding and Library Act compliance.

**Early Literacy Framework**

- The Early Literacy Framework for NSW public libraries was launched at a seminar at the State Library on 5 November.

**People Places Revision**

- The population and service-based calculators have been updated and are now on the State Library website.

**Portable local studies collecting project**

- NSW councils will be eligible to apply to participate in a local studies collecting project involving equipment kits and training.

Other areas not discussed at the meeting, but included in the report can be found in Attachment 2  
- State Library of NSW Report to NSWPLA zones May 2019

**PLNSW Executive Report**

The report covered the following topics:

- NSWPLA Executive Report.
- The upcoming SWITCH library conference.
- Scholarships and Awards.
- 2019-2020 to 2022-2023 Funding for NSW Libraries.
- Service NSW Kiosks.
- Libraries Australia Consortium.
- Parents Next Program.
- Establishment of a Statewide eResources consortium for NSW Libraries.
- NSWPLA website portal for Outreach Services Program.
- South West Zone Draft Strategic Plan.

**Additional funding & individual Council commitment to existing funding**

- Concerns were raised that the additional Library funding from the State Library would be absorbed by other Council departments. The NSWPLA chair reiterated that the additional funding was to be used to extend library services and collections.

**Fines and Fees and charges**

- The meeting discussed which libraries charged fines. The answers varied among the participants. It was decided that the imposition of fines is an individual Council choice.

**Service NSW kiosks**

- The general consensus of the meeting was that benefits of hosting a kiosk may not outweigh the additional work generated by patrons frustrated when technical issues arise.
- CNRL informed the meeting that they are holding a trial at Manilla Library and will report back at the next meeting.

**General Business**

- No motions were raised for the NSWPLA Annual General Meeting.

**FINANCIAL IMPLICATIONS**

Increased funding package information, including subsidies and grants is now available via the State Library website.

<https://www.sl.nsw.gov.au/public-library-services/subsidies-and-grants/public-library-funding-201920>

**STATUTORY AND POLICY IMPLICATIONS**

Nil.

**CONSULTATION**

Nil.

**North East Zone NSWPLA  
Ordinary Meeting**

**Coffs Harbour 20 September 2018  
Coffs Harbour Council Committee Rooms**

**Minutes**

**Commenced: 1.00pm**  
**Chair:** Jo Carmody, Richmond Tweed Regional Library

**Attendance:**

Cr Nathan Willis	Ballina Shire Council
Cr Sally Townley	Coffs Harbour City Council
Cr Peter Ellem	Clarence Valley Council
Chris Jones	MidCoast Libraries
Ian Greenhalgh	Armidale Dumaresq Library
Aimee Hutton	Armidale Regional Council
Kathryn Breward	Clarence Regional Library
Jo Carmody	Richmond Tweed Regional Library
Roslyn Cousins	Coffs Harbour Library
Jim Maguire	Port Macquarie Hastings Library
Gary Ellem	Richmond-Upper Clarence Regional Library
Shiralee Franks	Central Northern Regional Library
Christiane Birkett	Gunnedah Shire Library
Jill Hayner	Bellingen Library

**Apologies:**

Cr. Simon Murray	Armidale Regional Council
Cr Bill Heazlett	Walcha Shire Council
Cr John Macnisch	Tenterfield Shire Council
Cr Karen Toms	Clarence Valley Council
Angie Meers	Kempsey Library
Kay Delahunt	Central Northern Regional Library
Sonya Lange	Inverell Shire Public Library
Cr Di Baker	Inverell Shire Council
Kerry Byrne	Glen Innes Severn Library
Cr Carol Sparks	Glen Innes Severn Council
Jenny Campbell	Narrabri Shire Library
Cr Cathy Redding	Narrabri Shire Council
Cr Sharon Cadwallader	Ballina Shire Council
Jenny Stoker	Tenterfield Public Library
Cr Bruce Morris	Kempsey Shire Council
Maddison Garrad	Walcha Library
Cr David Scott	Bellingen Shire Council
Wes McQuillan	Nambucca Shire Library
Cr Sharon Cadwallader	Ballina Shire Council
Enzo Accadia	Coffs Harbour City Council
Cr Denise Knight	Coffs Harbour City Council
Cr Tino Wright	Bellingen Shire Council

Ellen Forsyth                      State Library of NSW  
Cr Gae Swain                      Gunnedah Shire Council  
Cr David Keegan                      MidCoast Council

**Guest:** Debbie Campbell      Coffs Harbour Libraries

**Welcome:**

By R. Cousins and acknowledgement of Country.

**1. Apologies be accepted:**

Moved: Cr. Ellem /Seconded: I. Greenhalgh

**2. Confirmation of 17 May Minutes:**

Moved: Cr Ellem /Seconded: C. Jones

**3. NSWPLA Executive Report**

J. Carmody presented the NSWPLA Executive Report on behalf of Cr. Dallas Tout. The PowerPoint of presentation will be circulated through the Zone e-list. Included as an attachment to these minutes.

Report included:

- NSWPLA Strategic Plan
- 2018 Conference update
- *Renew our Libraries* Campaign strategy

Following the presentation, the Chair canvassed the meeting for those Councils that have supported the *Renew our Libraries* campaign. While most present had acted through Mayoral Minutes, several are yet to present reports.

Following a discussion on the announcement of the \$60 million funding package it was agreed to draft several motions for consideration at the associations AGM in November.

**4. State Library Report –**

Report circulated through the Zone e-list. Included as an attachment to these minutes.

Jo Carmody summarised the report which included –

- Subsidies and Grants update including the \$24 million for capital
- A list of successful 2017/18 Public Library Infrastructure grants
- Remaking the Library Regulation
- Early Literacy Framework update
- Multicultural library services in NSW public libraries research project
- Adult fiction stock quality health check
- People Places update
- Professional development opportunities
- Tech Savvy and Be Connected grants
- NSW.net

I. Greenhalgh then raised the method of the collection of eResources statistics. The meeting noted the disparity between the proportional method used to collect the public library statistics versus the method applied to the NSW.net resources.

C. Jones noted with interest the upcoming access to Indy Reads which is due to become available in the final quarter of 2018.

I. Greenhalgh also noted a piece of research commissioned by the National and State Libraries Australia into the distribution and pricing of e-resources.

*[Following the meeting Ian provided this link to "A Data-driven investigation into the availability of books for e-lending: comparing Australia, the US, the UK, NZ and Canada." see hyperlinks from this news page - <https://www.nsla.org.au/news/nsla-heads-north>]*

**5. Discussion re Motions to the NSW AGM have been requested by COB on 5 October 2018**

Moved: Cr. Willis /Seconded: Cr. Townley

That the following motions be submitted to the NSW PLA AGM (in addition to the motion from the May meeting):

1. That all member councils of NSWPLA be encouraged to provide their ongoing support to the Renew Our Libraries funding campaign, noting that this is an apolitical advocacy initiative that seeks to address 40 years of ongoing neglect by every state government since 1980 regarding the ongoing attrition of state funding for NSW libraries which leaves NSW with the lowest per capita state funding in Australia.
2. That NSWPLA seek clarification in relation to the \$60 million funding announcement. In particular
  - 2.1 Whether the previous reduction in funding in the 2018/19 budget reduces the impact of the \$60 million fund allocation
  - 2.2 Security for funding beyond 2022/23
  - 2.3 Impact on libraries of hosting Service NSW kiosks
  - 2.4 Indexing of per capital funding past 2022/23
3. That NSWPLA seek information from the State Government opposition regarding their public library funding model in view of the announcement from the State Government.

CARRIED

**6. Little Big Bookclub**

Jim reported that a bulk purchase of the Little Big Bookclub the pack is \$12.80 and we would need 4,000 packs per year to cover our area.

**7. Library News**

**Coffs Harbour**

Toormina update \$24,000 PLIG grant

- New furniture: lounge, bean bags, computer chairs, dogs & elephants
- New computer carrels
- New children's books shelving
- New CD shelving

- Added wheels to the YA shelving
- New shelf dividers

Woolgoolga Library Refurbishment \$52,000 PLIG grant

- Replaced rusty shelving
- New computer carrels
- Pod for the front counter
- New magazine shelving
- Children's furniture, dodos, bean bags
- New shelf dividers
- Wheels added to the YA & JF shelving

Library Museum and Gallery Strategic Planning

- Consultation undertaken in the first part of the calendar year
- At draft stage

New library resources

- Used 17/18 Local Priority Grant to purchase an additional \$15,000 of picture books which now have the highest turnover rate and are currently 60% on loan
- Extra \$50,000 into the 18/19 resources budget
- Added BorrowBox

Digital Literacy

- iPad training booked out
- joined Be Connected

Staffing

- Indigenous School based trainee on board

Regional Cultural Fund Grant application for a Pop-up Digital Library van

- Thanks to Clarence Valley for sharing their PLIG application
- Shared between Coffs, Bellingen and Nambucca
- \$247,376 cost – grant application \$203,865

**Inverell**

The Inverell Library was successful in obtaining a Library Development grant for migration to a new Library Management System. The library anticipates going live with the Aurora in December, and is excited about the opportunities the change will bring.

The Inverell District Family history Group formed a MOU with Inverell Shire Council to move it's collection and operations into the Library space. Whilst this arrangement is still only a few months old, both the Library and the Group are seeing benefits from the move, with better access to information for family and local history researchers, and greater security and sustainability for the Group.

An exciting collaboration with the Inverell TAFE campus has seen a series of Robotics and coding workshops run for the first three semesters of the year. Over seventy children participated in 10 week programs, and enjoyed learning about and playing with a range of different robots. In this collaboration, TAFE provided the tech, and the tech skills, whilst the library provided a child appropriate location, and "classroom management" skills. Participants, library staff and the TAFE tutors gained a great deal of

satisfaction and enjoyment out of the program, and all are keen to continue in the New Year.

#### **Richmond-Upper Clarence Regional Library**

Commenced using Collection HQ and had two training sessions

Went live with BorrowBox on 1 July 2018

Very successful Book launch at the Casino Library – 90 people attended

Met with Peter Primrose MLC and Janelle Saffin

Couple of author visits – Jenn McLeod and Jeremy Scott

Celebrated International Chocolate Day – 13 September and raised money for the drought stricken farmers (55 attended)

I attended two days training in Mental Health First Aid training.

A couple of staff attended children's storytime telling workshop in Grafton

Celebrating 40 years as a regional Library and in November we will have Dr John

Vallance attending our official function.

#### **Port Macquarie**

Work has commenced on our new study rooms and VR room.

Local Talk Program – Second Saturday of every month. Continues to be well attended.

Topics have included mindfulness, death and dying and the power of singing.

Work has commenced on our new study rooms and VR room.

Virginia, our children's librarian has retired after 17 years. She received a mention in State Parliament for services to the community.

On September 11<sup>th</sup> we held a book discussion on dementia. Six panellists six different fiction books on dementia.

Time slips - dementia program

New wireless printing facility

#### **Clarence Regional Library**

Go Digital! Mobile library on wheels – launched officially 6 September

#### **Events of interest:**

Be Connected – have completed 27 sessions since mid July

*Teachers and Teacher librarian book selection –*

xxx items available for selection

139 items selected

127 items purchased

27 items reserved

*Joan Woodberry Donation:* Book Week Donation Children's books with local content, people and places identified. Joyce Claque MBE donated 5 titles by author Joan Woodberry after an international search for copies of each the titles, they are:

*Rafferty Takes to Fishing* 1959

*Floodtide for Rafferty* 1960

*Rafferty Rides A Winner* 1961 (Joint Winner CBCA1962 Best Book of the Year)

*Rafferty makes a Landfall* 1962

(These stories are set in 1950s Yamba and constructed around four boys, new English immigrant Rafferty, Billy – son of the Pilot who lives at the Lighthouse, and twins Bobbie and Paul) - Paul Cavanagh attended the presentation. and:

*Come Back Peter* 1968

(This story is set in western NSW – its story line and imagery rival that of *Rabbit Proof Fence*. In Chapter 6, paragraph 3, Joan Woodberry names Joyce (Joyce Clague nee Mercy) and (I believe) Evelyn (Dr Evelyn Crawford) as two young Aboriginal women who had left their community to be a nurse and a teacher respectively

37 in attendance

*Magic Pudding reader's theatre* – U3a performance

50 attendees – including 3x school groups as well as members of the public.

*Bush Tucker talk* – Janelle Brown – this was very popular with lots of engagement from the audience.

76 attendees

*HSC Talks* – 3x 2 hrs seminars Mitchell Grotte – essay writing, creative writing & technique analysis this was open to yr. 11 and 12 students, we also had teachers and parents in attendance for some of the sessions.

100 Attendees

*Performing Arts Night* - partnership with Clarence Conservatorium of Music and Friends of Grafton Library (FoGL)

64 attendees

*Connecting Culture* - tracing your ancestors with State Library's Indigenous Services staff Council news:

Relocation of Yamba Library the creation of a Yamba precinct grant submitted this Friday. Maclean Library and precinct – Architects have been engaged for the concept design.

#### **Central Northern Regional Library**

Successful in receiving a \$200,000 grant for RFID technology across CNRL.

Narrabri Council successful in receiving a \$47,965 grant for the Boggabri Library modernisation and optimisation project.

Liverpool Plains Shire Council successful in receiving \$200,000 for the Quirindi Library precinct activation project.

Gwydir Shire Council successful in receiving \$200,000 to relocate the Bingara Library.

One Book One Region 2019 – Scrublands by Chris Hammer – 400 copies purchased.

Author talks at Tamworth Library, Narrabri and Uralla.

Temporarily relocating Barraba Library while the building is being refurbished and will then become a one-stop shop. Services will include library, council, RMS, Information centre and Centrelink. This will allow for longer library hours and increased staff.

Manilla Library has now become a one-stop shop allowing for longer library hours and increased staff. Staff report to Customer Services and CNRL provides service as if this were a member council library.

Finished running Tech Savvy Seniors at Manilla and Barraba Libraries. Successful in another Tech Savvy Seniors grant – the training will be run at Nundle Library from February-June 2019.

Applying for Be Connected grants for Tamworth Library, Manilla Library and Barraba Library.

Tamworth Regional Council is implementing The Dolly Parton Imagination Library (DPIL) program across TRC area. First council in Australia to implement across the entire



council area. There will be a soft launch in December, then a full launch at the Country Music Festival. The library will be the administrators – when children sign up they will also receive a library card. Every Child under 5 receives a book to keep every month from birth to age 5. In the first year it will just be for the births, year 2 will be for births and one year olds, and so on for 5 years by which time every child up to 5 will receive a book each month. Each age child receives the same book at the same time e.g all 4 year olds receive the same title on the same month. The library will be able to build on this by providing programs that extend the stories being distributed by DPIL. The children will already be familiar with the stories.

### **Richmond Tweed Regional Library**

RTRL have engaged Micromex to carry out two surveys as part of the community consultation process for the development of the Strategic Plan.

Preparation well under way for the all staff training day on October 4. All branches in RTRL close to bring all staff together for 1 day a year.

A number of staff attended the Byron Writers Festival sharing tickets across the region to maximise use.

Childrens Book Week focus this year was outreach, more staff visiting preschools, childcare centres and schools this year.

Full time staff have moved to a flexible working arrangement with most staff electing to work a 9 day fortnight as opposed to 19 day fortnight.

Byron Shire Friends of the Library donated 15,000 to support collection development which included \$4,000 for the Quick Reads items. More copies of bestseller items available for 1 week with no reservations.

Number of staff attended Reading to Children refresher training and a number of staff have completed Cultural Awareness Training.

The Tweed Library staff took the Seed Library to the Tweed Shire Council Sustainable Living Expo – one of the most popular stall at the event.

RTRL carried out a skills audit to gain an understanding of where staff felt they were at in their own skills, this information assists development of future training.

### **MidCoast Library**

Gloucester Library Refurbishment

Gloucester Library refurbishment has obviously been our major focus for some months.

See the presentation for more details. Very high levels of customer satisfaction.

New Library

Currently in the process of developing layout and design briefs for the new library (2000 m<sup>2</sup>). The design has required some creative thinking as it incorporates:

- Visitors Information Centre
- Performance/meeting space/customer service centre

The customer service centre was a last minute addition due plans to relocate the Forster Office to a new site. Whilst these relocation plans are still to be resolved it was necessary to plan for the eventuality as the Civic Precinct project has tight deadlines.

The project also involves a developer, and a major development, which has made matters even more complex. It has also affected timeframe. Total project cost \$18 million. Developer to provide 'warm' shell.

Elsa Dixon program

We were successful in receiving grant funding to employee two aboriginal business trainees at Taree as part of a VET program. This is the second time we've been

successful, the first time as Manning Valley Libraries. We learnt plenty from that experience and should be able to do an even better job this time

Library Management System alignment

Making good progress with the alignment of our Library Management System (LMS).

This has proved to be incredibly complex and we have had to build from the ground up.

It's even harder than a 'greenfields' site as you have to review all previous practices.

Grant funding

We were successful in receiving grant funding in the last round for Forster Library.

This round, as part now of the Regional Cultural Fund, we have submitted two applications – one for the refurbishment of Tea Gardens Library and the other for the refurbishment of Nabyac Library. As part of this process we have developed a framework for facilities management, called *Spacemaking*.

Strategic Planning

We have developed a Strategic Plan for the library service, called, imaginatively,

*MidCoast Libraries Strategy*. This strategy integrates with Council's Delivery

Plan/Operational Plan and individual work plans, probably for the first time ever.

Gunnedah Library

Certificate III in Information and Cultural Services

Two staff going through the Certificate III in Information and Cultural Services course

They are getting face to face tutoring of four modules

Council staff members from other departments of council are also attending

The cost of the modules 1,700\$ approx. has been offered free of charge by TAFE to council thanks to a TAFE grant

This took approx. six months to organise but it's really worth it!

Trainee

We have a trainee working at the library for one day a week.

She will, in due course, be available for assistance in the library if a permanent staff member is away or sick

Bookends

Our latest initiative: Bookends Literacy Assist is working well, with up to 60 participants a week. Seniors come into the library and listen to, and encourage children to read aloud.

The programme runs Tuesday, Thursday and Friday after school in three locations in the library

Seniors can be 'borrowed' for twenty minute blocks

They can be booked on a permanent basis or for a one off event like a presentation or eisteddfod

Children taking part also join our 1,000 Books After School programme and any books read during Bookends can be entered on their tally sheets

Book tubs in our junior fiction section

We have just finished installing book tubs in our Junior Fiction section, so children can browse the books more easily, by flicking the books and seeing their covers

We have ordered tubs with clear fronts so the book covers are visible

We have been able to dedicate a whole bay to Easy readers such as Aussie Nibbles, Aussie Bites, Usborne Easy readers, etc., just grouping the books by group rather than author or title.

It's been very successful, especially with parents selecting books for children

#### Story pod

The story pod continues to be extremely popular, especially with children whose parents are working on the computers. The Challenge House visitors also love the pod.

As well as stories, the pods also have puzzles such as Word Searches, colouring in, mazes, maths games, and so on.

Different languages are also available.

We have been renting the pod for a year, but will be purchasing it and the rental figures for the last year is coming off the purchase price – win win!

#### Pop up libraries

We now have three pop up libraries in town, in a café, in the conservatory, and at the Salvation Army hall who have established a youth drop in centre.

For our Christmas closing, we are establishing a pop up library in the Civic/Tourist information/Cinema

The pop up libraries are stocked with unsuitable donations and library discards

We also put library application forms with the boxes, and information on other library services, such as JP service, free wifi, public access computers, etc.

#### Electronic resources

Electronic resources – Gunnedah is now part of the Central West consortium, and obtaining eResources through rbdigital.

We now have electronic access to ebooks, eMagazines, and talking books

#### Knit and Natter, Colour and Chatter

Gunnedah has just started a Saturday morning activity/social gathering – Knit and Natter, Colour and Chatter, which runs from 9.30 to 12.30 each Saturday morning when the library is open.

People can come in with their own projects and stay for as long as they wish within the time period

The library supplies Community art books and templates for colouring in, crayons, pens and pencils

Vote of thanks to Coffs Harbour for hosting the meeting.

**Next Full Zone Meeting:**

**Meeting closed:** 4.30 p.m.



## State Library of NSW report May 2019

### Subsidies and grants

#### **Public Library Funding – Major Increase from 2019/20**

The Premier, the Hon Gladys Berejiklian, and the Minister for the Arts, the Hon Don Harwin announced a significant new public library funding package on 24 August 2018, totalling \$60M over the forward estimates to 2022/23. Please see the media release here: <https://www.nsw.gov.au/your-government/the-premier/media-releases-from-the-premier/record-investment-for-public-libraries/>

This is the largest single commitment to increasing public library funding by the NSW Government since the *Library Act* was introduced in 1939, and the State Library is excited at the prospect of working with NSW councils to ensure that these funds significantly improve public libraries statewide.

The new package will include a \$24M capital grant program, and increases to subsidy and subsidy adjustment payments for all councils.

The State Library is able to share some high-level detail on the funding commitment, however please note that the finer details, including individual council payments, will be confirmed once additional modelling and stakeholder consultation has been undertaken.

The Public Libraries Consultative Committee considered a range of allocation models on 4 December 2018, noting that a new approach to the subsidy adjustments will be desirable once the increased per capita amounts are implemented, to ensure that small to medium sized councils receive equitable increases.

Further modelling was considered by the PLCC on 25 March 2019. The Committee endorsed the modeling, and the next steps are to seek Library Council and Ministerial approval. The State Library will keep councils up to date as this progresses.

The PLCC also provided guidance on parameters for a new infrastructure grants program, including a higher ceiling than the previous program which had a maximum grant of \$200,000.

The information to date is available at: <https://www.sl.nsw.gov.au/public-library-services/subsidies-grants/public-library-funding-201920>

#### **Service NSW Kiosks**

As part of the NSW Government's \$60M public library funding package, \$250,000 per annum is available over 4 years to fund the roll-out of Service NSW Kiosks to interested public libraries.

Public library managers and council general managers have been contacted by Service NSW to register interest in the kiosks.

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This is an opt-in program, for further information about the kiosks contact Ms Carmel Mezmaric, Director, Engagement and Business Development at [councilengagement@service.nsw.gov.au](mailto:councilengagement@service.nsw.gov.au).

#### **Public Library Grants 2018-19**

The Minister for the Arts the Hon Don Harwin MLC committed an additional \$1M for metropolitan public library grants in 2018/19. The funds were secured for the State Library in early January 2019, and on 8 January eligible councils were invited to apply for grants of up to \$100,000 to improve public library buildings, spaces, systems and services.

The Metropolitan Public Library Grants program was developed to ensure that metropolitan councils (including Newcastle and Wollongong) were able to apply for library grants this financial year, noting that regional and rural councils were eligible to apply for Regional Cultural Fund grants for libraries in 2018.

Nineteen applications were received by 29 January 2019, the closing date for applications, requesting a total of \$1.508 million in funds. The Library Council Grants Committee (comprising the Hon George Souris AM, Jan Richards AM, Jane Garling and Ursula Dubosarsky) considered the applications between the 5th and 8th of February 2019, and made recommendations to the Library Council on 11 February 2019 to fund fourteen grants.

The Library Council endorsed the recommendations of the Committee. The Minister approved the recommendations on 20 February 2019.

The list of Metropolitan Public Library grants awarded is below.

In 2018, the Minister set out that at least \$5M of the Regional Cultural Fund (administered by Create NSW) would be available for public library projects. Applications were due on 21 September 2018.

The State Library of NSW provided Create NSW with comments on the public library-related applications received. The comments were made available to the Regional Cultural Fund assessment panel.

The grants were announced in late February.

8 public library projects received funding under the program, totalling \$5,354,892.

The list of library projects is below.

The public library funding provided by the State Government in 2018/19 totals \$29,882,892.

**Metropolitan Public Library Grants 2018/19**

<b>Council</b>	<b>Project Title</b>	<b>Type</b>	<b>Amount</b>
Blacktown City	Max Webber Library Refurbishment	Building	\$85,000
Canada Bay, City of	Canada Bay Connections Phase 2	Technology	\$80,000
Cumberland	Spaces at Cumberland - Library Strategy implementation	Building/technology	\$90,000
Fairfield City	Children's Area Refresh	Building/technology	\$85,000
Hills Shire	Small Space, Big Impact. Shaping a Fresh Future for Dural Library	Building	\$93,240
Hornsby Shire	Let's Make a Space	Technology/building	\$71,545
Inner West	Haberfield Library Opening Day Collection	Building/collection	\$80,000
Lane Cove	Mobile STEAM Makerspace: A Shorelink Libraries Project	Technology	\$50,000
Liverpool City	Building an Assistive technology space for Liverpool Library	Technology	\$35,524
Newcastle City	Newcastle Stories DX Digitisation Lab: Unlocking Newcastle's History & Heritage Collections with Digital Excellence	Technology	\$80,000
Northern Beaches	Outdoor living room and bush tucker garden for Glen Street Library	Building	\$50,000
Randwick City	The Third Space, Lionel Bowen Library and Community Centre	Building/technology	\$80,000
Sutherland Shire	Local Studies digitisation and access project	Technology	\$79,691
Woollahra	Local History Digitisation project	Technology	\$40,000
<b>14</b>			<b>\$1,000,000</b>

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**Regional Cultural Fund 2018/19****Public Library Projects**

<b>Council</b>	<b>Project</b>	<b>Amount</b>
Bellingen Shire Council	Urunga Library Multi-Purpose Space	\$93,023
Gilgandra Shire Council	Gilgandra Shire Library Extension Stage 2	\$466,903
Mid-Coast Council	Spacemaking: evolving Nabcac Library facilities	\$58,449
Nambucca Shire Council	Extension of Nambucca Heads Library and Activation of Cultural Space	\$1,500,000
Narrandera Shire Council	Animating the Space	\$53,650
Port Macquarie-Hastings Council	The Library has left the building - connecting our communities	\$136,470
Richmond Valley Council	Art Van Go - Mobile Cultural Programs	\$46,397
Snowy Monaro Regional Council	Jindabyne Community Library and Innovation Hub	\$3,000,000
<b>8</b>		<b>\$5,354,892</b>

Contact: Cameron Morley

### Advice and best practice

#### Revised Standards and Guidelines

The Library Council of NSW publishes the standards and guidelines for NSW public libraries in Living Learning Libraries. It is an evidence based guide to the development of library services in NSW that provides a practical basis for the comparison among library services, as well as a framework for service assessment and continuous improvement.

Following changes in the public library industry through council mergers the new edition is a substantial revision, which introduces population-based peer cohorts for benchmarking, allowing easier comparisons among library services based on the populations of their communities. The new edition also includes references to recent statewide research projects, including the updated multicultural service benchmarks, the early literacy framework and the Indigenous spaces in library places strategy.

Living Learning Libraries - a population approach: standards and guidelines for NSW public libraries. (7th edition) <https://www.sl.nsw.gov.au/public-library-services/content/living-learning-libraries>

The cohorts are defined by the ABS 2016 population as this is the population that is used throughout the 2016/17 edition of NSW Public Library Statistics which is the evidence base for Living Learning Libraries 7th edition.

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RURAL areas are defined by the ABS classification of local governments as LGAs with populations up to 20,000. This means that some URBAN areas (LGAs with populations over 20,000) are in the country areas of NSW and may have a mix of city / town / village / rural communities across their LGA – but for this classification the whole LGA population is used.

- rural standalone population up to 20,000
- rural regional library member population up to 20,000
- urban small population 20,001 to 50,000
- urban medium population 50,001 to 150,000
- urban large population 150,001 and above

A list of which libraries are in each cohort can be located on the website at <https://www.sl.nsw.gov.au/public-library-services/content/living-learning-libraries>, this may be useful for benchmarking and comparison.

If you have any questions please contact Mylee Joseph ([mylee.joseph@sl.nsw.gov.au](mailto:mylee.joseph@sl.nsw.gov.au)). PLS team members can also provide more information at zone meetings as required.

#### **Public Libraries Consultative Committee**

The most recent PLCC meeting was on 25 March 2019 at the State Library.

There were a number of recommendations from the meeting. The Committee:

- Agreed to an allocation model for the public library funding from 2019/20
- Noted the revised Standards and Guidelines for NSW Public Libraries
- Noted the impending roll-out of the Amplify platform to interested NSW public libraries
- Noted progress of the Indigenous spaces in library places strategy.

Minutes will be available once the Library Council has noted the minutes at its April meeting.

Minutes of previous meetings are online here:

<http://www.sl.nsw.gov.au/public-library-services/public-libraries-consultative-committee-minutes>

The next meeting is schedule for 22 July 2019.

Contact: Cameron Morley

#### **Strategic Network Committee**

The most recent Strategic Network Committee meeting was on 19 October 2018 at the State Library. Minutes will be available on the State Library website once confirmed:

<http://www.sl.nsw.gov.au/public-library-services/strategic-network-committee-minutes>

#### **Assessment and compliance visits**

The State Library works with all councils to promote, provide and maintain public libraries for the people of NSW. State Library staff visit over 100 councils and public libraries per year providing advice and assistance on services, funding and Library Act compliance.

This program of visits followed by detailed reports is a valuable source of ongoing information on public library needs, and assists the State Library to meet its obligations to

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make careful inquiry into the operations of local libraries, and to advise local authorities and the Minister on public library matters.

We are continuing the assessment and compliance visits and are seeking feedback on how councils are using the reports which we provide.

Contact: Ellen Forsyth

## Statewide Projects

### Early Literacy Framework

The *Early Literacy Framework for NSW public libraries* was launched at a seminar at the State Library on 5 November. The seminar featured presentations by the researchers, who are early childhood experts and have become very familiar with the public library context through the research project.

The Framework and other project publications are on the State Library website at: <https://www.sl.nsw.gov.au/public-library-services/early-literacy-project>

Contact: Mylee Joseph

### People Places Revision

Since its publication in 2000, *People Places: a guide for Public Library Buildings in New South Wales* has assisted many New South Wales local authorities to plan and build new or enhanced public library buildings. In 2005 the guidelines were reviewed, evaluated and revised, with a substantially revised third edition published in 2012. Due to changes in public library trends and usage an update was required, specifically to the planning tools.

The population and service-based calculators have been updated and are now on the State Library website. A new renovation calculator is also on the website at [www.sl.nsw.gov.au/public-library-services/library-building-planning-tools](http://www.sl.nsw.gov.au/public-library-services/library-building-planning-tools). The renovation calculator will help in allocating service spaces within an existing area or footprint. Additional tools, trends and other planning information will be published on the website in the coming months.

Contact: Kate O'Grady

### Portable local studies collecting project

Inspired by the *Archivist in a backpack program* from Southern Historical Collection (SHC) at the Wilson Special Collections Library at the University of North Carolina, NSW councils will be eligible to apply to participate in a local studies collecting project involving equipment kits and training.

These kits in backpacks (oral history) or wheeled suitcase (scanning) contain items to assist public library staff conduct and record oral history interviews or scan photographs, letters, documents and meaningful artefacts. There will be ten of each kind of kit.

These kits will become the property of the relevant councils and will be used to target under-collected information across NSW. Preference will be given to proposals which include collecting material with Aboriginal and Torres Strait Islander people, including collecting material in a language other than English and/or collecting material with other culturally and linguistically diverse communities including in languages other than English.

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The aim is to have 20 councils across NSW using these kits (either oral history or scanning) to collect new material in their communities and have this material freely available through their libraries and online. The equipment will be maintained by each council and consumables are to be replaced as required by the councils. Suppliers details will be provided. Material collected as part of this program will be made via Creative commons Attribution 4.0 International (CC by 4.0).

Training will be provided in oral history recording as well as using the oral history equipment, or in scanning. All participants will receive basic collection care training.

As well as participating in one (scanning/basic collection care) or two (oral history/basic collection care) days training, participating libraries will have the capacity to commit to at least 4 – 10 hours per month to work on this project for at least 18 months. Expressions of interest have closed and training will take place later this year.

Contact: Ellen Forsyth

### Professional development

Information about the professional development programs offered by the State Library is available at:

[www.sl.nsw.gov.au/public-library-services/professional-development-and-events](http://www.sl.nsw.gov.au/public-library-services/professional-development-and-events)

Check the [Professional development calendar for upcoming events](#)

#### **Collect, Connect, Community**

This interactive hands-on program introduces public library staff to the State Library. The Library's Strategic Plan *Collect Connect Community* (CCC) provides the thematic framework for exploring the State Library's website, collections and services.

Four sessions of *Collect Connect Community* have been scheduled for the first half of 2019, on February 22, April 12, May 24 and June 20. If you are unable to book staff into one of these sessions, more dates will be scheduled for later in 2019 so there will be other opportunities for your staff to attend the course this year.

*Collect, Connect, Community* combined with the *Beginners guide to family history for public library staff* will be delivered in on March 14 and October 10. This course introduces participants to key concepts and strategies for answering common family history questions and shows how to access key online family history resources to find births, deaths and marriages, and shipping and passenger records. Limited places are still available for the October session. Note that no further sessions of this course will be scheduled in 2019.

More information and booking forms are available at:

[www.sl.nsw.gov.au/public-library-services/collect-connect-community-introduction-state-library](http://www.sl.nsw.gov.au/public-library-services/collect-connect-community-introduction-state-library)

#### **Find Legal Answers and Drug Info training**

The *Legal, drug and alcohol information workshop* builds the capacity of public library staff to answer enquiries about the law, drugs and alcohol. It focuses on why clients need to know about the law, drugs and alcohol, where to find information, and how to deliver law, drug and alcohol information programs to the community.

This course is available to be delivered in your library on request. More information can be found at:

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[www.sl.nsw.gov.au/public-library-services/legal-drug-and-alcohol-information-workshop](http://www.sl.nsw.gov.au/public-library-services/legal-drug-and-alcohol-information-workshop)

Contact: Catherine Bryant or Andrea Curr

### Seminars

The Readers' Advisory Seminar was held 20 March and a video of the seminar is available at [http://wiki-beta.libraries.nsw.gov.au/doku.php?id=2019\\_readers\\_advisory\\_seminar\\_20\\_march\\_2019](http://wiki-beta.libraries.nsw.gov.au/doku.php?id=2019_readers_advisory_seminar_20_march_2019) videos and presentations from the Reference Seminar on 9 May are also available [http://wiki-beta.libraries.nsw.gov.au/doku.php?id=2019\\_reference\\_at\\_the\\_metcalf\\_seminar](http://wiki-beta.libraries.nsw.gov.au/doku.php?id=2019_reference_at_the_metcalf_seminar).

Resources from the Book Week Extravaganza / Forum are also available [http://wiki-beta.libraries.nsw.gov.au/doku.php?id=2019\\_bookweek\\_forum&s\[\]=book&s\[\]=week](http://wiki-beta.libraries.nsw.gov.au/doku.php?id=2019_bookweek_forum&s[]=book&s[]=week)

Contact: Ellen Forsyth and Mylee Joseph

### Enewsletters

#### Public Library Services eNews

The *Public Library Services eNews* provides a snapshot of the work of Public Library Services including Find Legal Answers, Drug Info, Multicultural Services and NSW.net.

You can view past issues and subscribe at:

[www.sl.nsw.gov.au/public-library-services/services/public-library-services-eneews](http://www.sl.nsw.gov.au/public-library-services/services/public-library-services-eneews)

#### In the Libraries eNews

The *In the Libraries* newsletter features short news stories, photos and links. It provides a snapshot of what is happening in NSW public libraries. Issue 11, 2019 will be emailed to subscribers in March.

To subscribe, view issues and submit an article visit:

[www.sl.nsw.gov.au/public-library-services/services/libraries-eneewsletter](http://www.sl.nsw.gov.au/public-library-services/services/libraries-eneewsletter)

Contact: Catherine Bryant or Andrea Curr

### Specialist Services

#### LIAC - Piano Forte: legal issues for older people

The Piano Forte program is a community education program that deals with the issue of elder financial abuse.

Further information including the expression of interest and a detailed program guide is available at: [www.sl.nsw.gov.au/public-library-services/services-find-legal-answers/piano-forte-legal-issues-older-people](http://www.sl.nsw.gov.au/public-library-services/services-find-legal-answers/piano-forte-legal-issues-older-people)

Note that there are no more places available to present this program during Law Week, however you can still register an expression of interest for other times of the year.

#### LIAC - Law Week 2019

Law Week is a nationwide initiative to promote community awareness and understanding of the law, the legal system and the legal profession. Law Week 2019 is from 13-19 May.

Orders for Law Week promotional material to use at Law Week events have now closed.

May 2019



LIAC has worked with Legal Aid NSW to offer two legal talks during Law Week. Note that each library can select ONE topic only. The two topics are:

Avoiding scams

Are you worried about sharing private information when you shop or pay your bills online? Have you had a phone call telling you that you need to pay your tax debt now or you'll be arrested? Scammers are keen to get their hands on our money and our identity details.

Hear from a Legal Aid NSW lawyer about how to protect your identity and how the law can help if you get scammed.

NDIS—how the law can help

Do you want to find out more about the National Disability Insurance Scheme (NDIS)? If you have a disability or you're a participant, carer or family member, it's important to know your rights.

Hear from a Legal Aid NSW lawyer about NDIS basics and how the law can help if you're not happy with a decision or a provider.

EOIs for the Law Week talks closed on 1 March 2019.

**Drug Info hub**

Drug Info has developed the Drug Info Hub, a new interactive travelling display program for drug and alcohol information. The hub uses several different ways to provide people with up to date and accessible information about drugs and alcohol and identify support networks and agencies within the local community.

It consists of two display stands, one with an iPad providing interactive content and the other featuring a removable shelf for displaying information resources and promotional collateral.

The display stands form part of a program of activities delivered by the host library. This program is based on the existing Know Your Standards and Know Your Drug Facts programs for public libraries and is supported by a tool kit document containing a suggested program of activities and display themes. Host libraries are provided with display resources and promotional material for the display period. Resources are also included for pop-up events and satellite displays in branch libraries.

This year Drug Info is rolling out the Drug & Alcohol Info Hub program across the state on a rotational basis.

More information about the program can be found at:

[www.sl.nsw.gov.au/public-library-services/services-drug-info-public-libraries/drug-alcohol-info-hub](http://www.sl.nsw.gov.au/public-library-services/services-drug-info-public-libraries/drug-alcohol-info-hub)

Contact: Catherine Bryant and Andrea Curr

**Tech Savvy Seniors**

The successful Tech Savvy Seniors program has received funding for a 5th year from our partners Telstra and the NSW Department of Family and Community Services. The State Library administers grants under the program to public libraries to enable them to run technology classes for older people. To date more than 20,000 seniors have been trained in over 100 libraries across NSW.

May 2019

FACS and Telstra have committed \$250,000 for 2018/19, an increase of \$50,000 over 2017/18. The focus for this year will be on expanding the CALD program (delivered in 9 community languages), introducing some additional training modules, as well as focussing the English program on libraries that have not provided Tech Savvy Seniors before, and who are in areas with low rates of digital inclusion, as determined by the Australian Digital Inclusion Index Report.

- 3883 seniors have been trained by the third quarter of 2017/18, already exceeding the annual target of 3250 seniors trained
- Training has been delivered in 88 library branches

#### **Be Connected – a new digital literacy initiative for older Australians**

Be Connected is a federal government initiative supporting digital literacy for people aged 50 and over. Funding grants of \$1500 called 'activation grants' are available to local organisations, including libraries, who provide digital literacy training to older people, as well as a range of online learning resources. More information available at <https://www.beconnectednetwork.org.au/>

Contact: Oriana Acevedo

#### **NSW.net**

**Statewide Licensed Databases:** The NSW.net Content Working Group

<https://www.nswnet.net/e-resources/nswnet-content-working-group>

met in February to discuss the 2019/20 suite of Statewide eResources. The current suite includes the following databases sourced from EBSCO:

- Academic Search Premier
- Australia/NZ Reference Centre
- Australia/NZ Points of View
- Consumer Health Complete
- GreenFile
- MasterFile Complete
- Novelist Plus
- Literary Reference Center Plus
- Science Reference Center
- eBook Public Library Collection
- History Reference Center
- Hobbies and Craft Reference Center

As part of this package, a basic version of EBSCO Discovery Service (EDS) is available at no cost to interested libraries. The basic version of EDS provides a single search across EBSCO resources. NSW.net has been working with EBSCO to roll out the new base version of EDS. For information on EDS and the next tier of the service please refer to the consortia opt in offers on the <https://www.nswnet.net/blog/2017-2018-nswnet-consortia-opt-offers>.

**Training:** NSW.net will continue to promote free EBSCO webinars.

Links (URLs) to all the above databases can be found on the NSW.net website at

<http://www.nswnet.net/generic/urls-nswnet-state-wide-licensed-eresources>

Wavesound is holding a free workshop "How to get the most out of RBdigital" at the State Library on 14 March. (RBdigital is one of the Consortia Opt-in products.) Bookings are essential, to register contact [leah.wishart@wavesound.com.au](mailto:leah.wishart@wavesound.com.au).

**Consortia Opt-in Offers:** Negotiations are underway with vendors for the 2019/20 Consortia opt-in offers. The 2018/19 offers are listed on the NSW.net website (pro-rata subscriptions are available):  
<https://www.nswnet.net/blog/2018-2019-nswnet-consortia-opt-offers>

**Product trials:** Haynes All Access – a database of over 350 online manuals covering car and motorcycle maintenance and repair – has been added to the list of consortia opt-in databases following a successful statewide trial.

The Content Working Group are currently reviewing Newsbank and Anamailia

For information on the consortia opt-in databases, email Kathleen Alexander  
[kathleen.alexander@sl.nsw.gov.au](mailto:kathleen.alexander@sl.nsw.gov.au).

#### Connectivity

Pacnet migration: **The Pacnet network was decommissioned on 7<sup>th</sup> March.** NSW.net continues to assist NSW public libraries to migrate services from the Pacnet network to subsidised ADSL2/NBN services offered by TPG, Telstra and Optus. For further information on the Pacnet network decommission please contact Ross Joyce.azzopardi@sl.nsw.gov.au Ph: 02 9273 1498.

NBN upgrades: NSW.net has undertaken a review of NBN availability across the state. Joyce Azzopardi will be contacting library services which are still utilising ADSL2 connections to discuss NBN subsidised upgrade offers. For more information please contact Joyce Azzopardi, [joyce.azzopardi@sl.nsw.gov.au](mailto:joyce.azzopardi@sl.nsw.gov.au) Ph: 02 9273 1524.

**The American Library Association (ALA)** eBook publications database is available via the NSW.net website for public library staff. This resource contains over 350 ebooks covering a range of library subjects from reader's advisory services, reference, library systems, management and much more. The ALA content can be accessed via:

<http://portal.igpublish.com/iglibrary/>

The log in is nsw and the password is au@nsw

#### Indyreads™

A request for SIP2 server configuration details and the indyreads™ platform agreement was forwarded to library managers in late December 2018. The indyreads™ platform rollout is underway, and the first batch of services have been configured. Training and marketing collateral will be forwarded to these services in April. If your library service has not returned the SIP2 server details and signed agreement, please do so ASAP. NSW.net has re-licensed the content from our Australian pilot publishing partners for the statewide consortia collection. The opening statewide collection will contain approximately 6000 eBook titles sourced from Australian independent publishers, a selection of titles in languages other than English as well as international content including reference, modern literary, classic fiction and non-fiction titles.

For further information contact [ross.balharrie@sl.nsw.gov.au](mailto:ross.balharrie@sl.nsw.gov.au), 02 9273 1498.

May 2019

### State Library contacts

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**8.2 SUBSIDISED WATER METER RESIZING ASSOICATED WITH INDEXING.****Responsible Officer:** Darren Raeck, Director Infrastructure Delivery**Author:** Darren Raeck, Director Infrastructure Delivery**Attachments:** 1. Fees and Charges 2019/20 Forecast  **DELIVERY PROGRAM ALIGNMENT****4. Leadership**

Objective 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

Strategy 4.4.1 Engage with the community to determine affordable and acceptable levels of service

**EXECUTIVE SUMMARY**

Where practical Council aims to adopt best management practices to provide an effective commercially sustainable water supply and sewerage business. The *NSW Government, Department of Water and Energy – Best Practice Management of Water Supply and Sewerage Guidelines August 2007*, recommend that residential water usage charges should be set to recover at least 75% of residential revenue and that the Access Charge should be “*determined relative to the customers capacity requirement*”.

At its Ordinary Meeting held on the 25 June 2019, Council resolved to adopt fees and charges for the provision of water and sewage services in accordance with the above Guidelines. Councillors acknowledged the concerns of property owners with larger diameter meters that would be affected by the decision and requested that a subsidy be provided to compensate those who did not require the larger connection and would like to downsize due to cost.

**RECOMMENDATION**

- 1. That Council provide a \$20,000 budget for 2019/2020 to allow the downsizing of 32, 40 and 50mm meters affected; this amendment to be incorporated in the September Quarterly Budget Review Statement.**
- 2. That a review of the supply requirements of each request for downsizing be conducted by the Water Services Manager or Director Infrastructure Delivery in consultation with the Property Owner.**
- 3. Any subsequent request to increase the meter size at a property will be at the cost of the Property Owner.**

**BACKGROUND**

At the June 2019 Ordinary Council Meeting, Council resolved to reduce the 2019/20 Usage Charge to a common fee and commence a pricing structure to bring the indexed price (of larger diameter meters) into line with best practice guidelines over a period of time.

An indexing Policy was first adopted by Council in 1995 and was relaxed in 2008 to reduce the impact on all connections 32mm and above. For unknown reasons the Policy has not been applied to all sectors in the last five (5) years meaning that some towns and villages had access to higher volumes of water at a lower price than the recommended index ratio.



Concerns were raised by Councillors regarding the affordability of the larger diameter meters and a request was made to provide subsidies to those affected by the decision.

### CURRENT SITUATION

Where practical Council aims to adopt best practice. The *NSW Government Department of Water and Energy – Best Practice Management of Water Supply and Sewerage Guidelines August 2007*, recommends that Local Water Utilities with 4,000 or more connected properties to have at least 75% of their residential revenue generated through usage charges. In the financial year ending 2017/18 Narrabri Shire Council reported this figure to be 61.59%.

In an attempt to increase the residential revenue ratio, Council at the June Ordinary Meeting adopted new Access and Usage charges which are estimated to provide an overall net forecast loss for Water Revenue in 2019/20 of 0.03%.

The Guidelines recommend that the Access Charge should be “*determined relative to the customers capacity requirement, eg. proportional to the square of the size of the customer’s water services connection*”. Council resolved at the June Ordinary Meeting to bring prices back into line with the guidelines on the basis that affected customers would receive a one-off subsidy to downsize, should their current connection size be deemed to be larger than their requirement (i.e. the property is incapable of using the water delivered by the connection). The Fees and Charges adopted at the June Ordinary Council Meeting assumes that the increase on affected large diameter meters would be phased in over a five (5) year period. The affected meter sizes and prices are highlighted in the attached document (Water Income June 2019 plus 5 years), unless circumstances change (for example full water treatment is installed).

The flowing table details the number of connections expected to be affected by this decision. The main meter sizes affected are 32mm, 40mm and 50mm meters in the townships of Wee Waa and Narrabri. While there are meters greater than 50mm they are generally associated with Government agencies or Council owned properties. A preliminary assessment of those greater than 50mm suggests that most are for watering of open spaces and are not expected to have a large impact on residential or business properties.

Meter Size	Use Type	No Meters	Number using below the average
20/25 mm meters	Residential	4,223	2,351
32 mm meters	Residential	32	13
40 mm meters	Residential	79	20
50 mm meters	Residential	1	0
32 mm meters	Business	21	10
40 mm meters	Business	52	17
50 mm meters	Business	20	9
>50 mm meters	Business	6	3
>50 mm meters	Government/NSC	84	28
		4,518	

Under the current proposal an annual increase of between \$91.92 and \$159.36 will apply to 32mm, 40mm and 50mm meters in 2019/2020. In year 3 of the proposed indexing of 50mm meters will reach its peak (\$229.48 per annum on the Access Charge). The Access Charge for these properties will still be lower than similar size meters in Boggabri and each of the Villages. These adjustments are being phased in over a period of time to reduce the impact on existing customers and provide customers with adequate time to determine their connection requirements.

**FINANCIAL IMPLICATIONS**

Wee Waa and Narrabri are the two main townships affected by this proposal and are currently paying less than other Towns and Villages. There is not expected to be a large uptake in meter downsizing. Assuming 50% of properties will request a review and ultimately request a downsizing, a total budget of \$80,000 is required to complete all works based on the average cost of a 20/25 mm connection cost (including meter) being \$2,475.

It is proposed to create a specific capital works project associated with mains to meter replacement from the Water Fund. A budget of \$20,000 would be provided in the first year and \$15,000 in the subsequent year. This pricing is for 32mm, 40mm and 50mm connections downsizing only.

**STATUTORY AND POLICY IMPLICATIONS**

Nil.

**CONSULTATION****External Consultation**

Nil.

**Internal Consultation**

- Financial Services Manager.
- Water Services Manager.

	Number of Connections	Index adopted	Access Charge - Annual connection cost	F&C Adopted with 20% limit (OPTION 8)	Revenue F&C Adopted with 20% limit (OPTION 8)	% Change from Last Year
			2018/19	2019/20	2019/20	
				Year 1		
<b>Bellata</b>						
Water - Bellata - 20/25mm Service (1.0 Index.)	115		553	\$360.00	\$41,400.00	-34.90%
Water - Bellata - 32mm Service (1.64 Index.)	1	1.64	\$811.00	\$590.40	\$590.40	-27.20%
Water - Bellata - 40mm Service (2.56 Index.)	2	2.56	\$1,264.00	\$921.60	\$1,843.20	-27.09%
Water - Bellata - Unconnected Service (1.0 Index.)	0		\$574.00	\$360.00	\$0.00	-37.28%
Delivery Charge (\$/KI)						
Total Delivery Charge						
Total Access Charge					\$43,833.60	
<b>Boggabri</b>						
Water - Boggabri - 20/25mm Service (1.0 Index.)	559		\$389.00	\$360.00	\$201,240.00	-7.46%
Water - Boggabri - 32mm Service (1.64 Index.)	8	1.64	\$671.00	\$590.40	\$4,723.20	-12.01%
Water - Boggabri - 40mm Service (2.56 Index.)	4	2.56	\$949.00	\$921.60	\$3,686.40	-2.89%
Water - Boggabri - 50mm Service (4.01 Index.)	9	4.01	\$1,484.00	\$1,443.60	\$12,992.40	-2.72%
Water - Boggabri - 80mm Service (10.24 Index.)	2	10.24	\$3,983.00	\$3,686.40	\$7,372.80	-7.45%
Water - Boggabri - 100mm Service (16.00 Index.)	2	16	\$5,920.00	\$5,760.00	\$11,520.00	-2.70%
Water - Boggabri - Unconnected Service (1.0 Index.)	25	1	\$370.00	\$360.00	\$9,000.00	-2.70%
Delivery Charge (\$/KI)						
Total Delivered						
Total Pumped					\$250,534.80	
<b>Gwabegar</b>						
Water - Gwabegar - 20/25mm Service (1.0 Index.)	63		\$632.00	\$360.00	\$22,680.00	-43.04%
Water - Gwabegar - 40mm Service (2.56 Index.)	1	2.56	\$824.00	\$921.60	\$921.60	11.84%
Water - Gwabegar - Unconnected Service (1.0 Index.)	7	1	\$339.00	\$360.00	\$2,520.00	6.19%
Delivery Charge (\$/KI)						
Total Delivered						
Total Pumped					\$26,121.60	
<b>Narrabri</b>						
Water - Narrabri Metered - 20/25mm Service (1.0 Index.)	2665		\$364.00	\$360.00	\$959,400.00	-1.10%
Water - Narrabri Metered - 32mm Service (1.64 Index.)	69	1.64	\$397.00	\$476.40	\$32,871.60	20.00%
Water - Narrabri Metered - 40mm Service (2.56 Index.)	131	2.56	\$421.00	\$505.20	\$66,181.20	20.00%
Water - Narrabri Metered - 50mm Service (4.01 Index.)	24	4.01	\$664.00	\$796.80	\$19,123.20	20.00%
Water - Narrabri Metered - 80mm Service (10.24 Index.)	2	10.24	\$2,072.00	\$2,486.40	\$4,972.80	20.00%
Water - Narrabri Metered - 100mm Service (16.00 Index.)	1	16	\$2,631.00	\$3,157.20	\$3,157.20	20.00%
Water - Narrabri Metered - Unconnected Service (1.0 Index.)	85	1	\$170.00	\$204.00	\$17,340.00	20.00%
Water - Narrabri Unmetered - 20/25mm Service (1.0 Index.)	0	2.815	\$546.00	\$563.00		3.11%
Water - Narrabri Unmetered - Unoccupied	0	2.815	\$170.00	\$563.00	\$204.00	20.00%
Delivery Charge (\$/KI)						
Total Delivered						
Total Pumped					\$1,103,250.00	
<b>Pilliga</b>						
Water - Pilliga - 20/25mm Service (1.0 Index.)	104		\$591.00	\$360.00	\$37,440.00	-39.09%
Water - Pilliga - 40mm Service (2.56 Index.)	2	2.56	\$787.00	\$921.60	\$1,843.20	17.10%
Water - Pilliga - 50mm Service (4.01 Index.)	1	4.01	\$1,263.00	\$1,440.00	\$1,440.00	14.01%
Water - Pilliga - Unconnected Service (1.0 Index.)	9	1	\$347.00	\$360.00	\$3,240.00	3.75%
Delivery Charge (\$/KI)						
Total Delivered						
Total Pumped					\$43,963.20	
<b>Wee Waa</b>						
Water - Wee Waa - 20/25mm Service (1.0 Index.)	799		\$357.00	\$360.00	\$287,640.00	0.84%
Water - Wee Waa - 32mm Service (1.64 Index.)	10	1.64	\$383.00	\$459.60	\$4,596.00	20.00%
Water - Wee Waa - 40mm Service (2.56 Index.)	19	2.56	\$436.00	\$523.20	\$9,940.80	20.00%
Water - Wee Waa - 50mm Service (4.01 Index.)	5	4.01	\$664.00	\$796.80	\$3,984.00	20.00%
Water - Wee Waa - 80mm Service (10.24 Index.)	3	10.24	\$1,691.00	\$2,029.20	\$6,087.60	20.00%
Water - Wee Waa - 100mm Service (16.00 Index.)	2	16	\$2,636.00	\$3,163.20	\$6,326.40	20.00%
Water - Wee Waa - Unconnected Service (1.0 Index.)	5	1	\$180.00	\$216.00	\$1,080.00	20.00%
Delivery Charge (\$/KI)						
Total Delivered						
Total Pumped					\$319,654.80	
<b>Baan Baa</b>						
Water - Baan Baa - 20/25mm Service (1.0 Index.)	58		\$706.00	\$360.00	\$20,880.00	-49.01%
Water - Baan Baa - 65mm Service (6.76 Index.)	1	6.76	\$4,772.00	\$2,401.20	\$2,401.20	-49.68%
Delivery Charge (\$/KI)						
Total Delivered						
Total Pumped					\$23,281.20	
<b>Total Access Revenue</b>				\$1,810,639.20		
<b>Water Price</b>				\$1.05		
<b>Total Usage Revenue</b>				\$2,469,972.22		
<b>Total Revenue</b>				\$4,280,611.42		

	Number of Connections	Index adopted	Access Charge - Annual connection cost	F&C Adopted with 20% limit (OPTION 8)	Revenue F&C Adopted with 20% limit (OPTION 8)	% Change from Last Year	Revenue from full indexing F&C, Common Access Charge	Full indexing F&C, Common Access Charge	% Change from Last Year	Revenue from full indexing F&C, Common Access Charge	Full indexing F&C, Common Access Charge	% Change from Last Year	Revenue from full indexing F&C, Common Access Charge	Full indexing F&C, Common Access Charge	% Change from Last Year	Revenue from full indexing F&C, Common Access Charge	Full indexing F&C, Common Access Charge	% Change from Last Year	Revenue from full indexing F&C, Common Access Charge	Full indexing F&C, Common Access Charge	% Change from Last Year	Revenue from full indexing F&C, Common Access Charge	Full indexing F&C, Common Access Charge	% Change from Last Year
			2018/19	2019/20	2019/20		2020/21	2020/22	2.5% CPI	2021/22	2021/22	2.5% CPI	2022/23	2022/23	2.5% CPI	2023/24	2023/24	2.5% CPI	2024/25	2024/25	2.5% CPI	2025/26	2025/26	2.5% CPI
					Year 1			Year 2			Year 3			Year 4			Year 5			Year 6				
Bellata																								
Water - Bellata - 20/25mm Service (1.0 Index.)	115			\$53	\$360.00	\$41,400.00	-34.90%	\$369.00	\$42,435.00	2.50%	\$378.23	\$43,495.88	2.50%	\$387.68	\$44,583.27	2.50%	\$397.37	\$45,697.85	2.50%	\$407.31	\$46,840.30	2.50%		
Water - Bellata - 32mm Service (1.64 Index.)	1	1.64		\$811.00	\$590.40	\$590.40	-27.20%	\$605.16	\$605.16	2.50%	\$620.29	\$620.29	2.50%	\$635.80	\$635.80	2.50%	\$651.69	\$651.69	2.50%	\$667.98	\$667.98	2.50%		
Water - Bellata - 40mm Service (2.56 Index.)	2	2.56		\$1,264.00	\$921.60	\$1,843.20	-27.09%	\$944.64	\$1,889.28	2.50%	\$968.26	\$1,936.51	2.50%	\$992.46	\$1,984.92	2.50%	\$1,017.27	\$2,034.55	2.50%	\$1,042.71	\$2,085.41	2.50%		
Water - Bellata - Unconnected Service (1.0 Index.)	0			\$574.00	\$360.00	\$0.00	-37.28%	\$369.00	\$0.00	2.50%	\$378.23	\$0.00	2.50%	\$387.68	\$0.00	2.50%	\$397.37	\$0.00	2.50%	\$407.31	\$0.00	2.50%		
Delivery Charge (\$/KI)																								
Total Delivery Charge																								
Total Access Charge						\$43,833.60			\$44,929.44			\$46,052.68			\$47,203.99			\$48,384.09			\$49,593.70			
Boggabri																								
Water - Boggabri - 20/25mm Service (1.0 Index.)	559			\$389.00	\$360.00	\$201,240.00	-7.46%	\$369.00	\$206,271.00	2.50%	\$378.23	\$211,427.78	2.50%	\$387.68	\$216,713.47	2.50%	\$397.37	\$222,131.31	2.50%	\$407.31	\$227,684.59	2.50%		
Water - Boggabri - 32mm Service (1.64 Index.)	8	1.64		\$671.00	\$590.40	\$4,723.20	-12.01%	\$605.16	\$4,841.28	2.50%	\$620.29	\$4,962.31	2.50%	\$635.80	\$5,086.37	2.50%	\$651.69	\$5,213.53	2.50%	\$667.98	\$5,343.87	2.50%		
Water - Boggabri - 40mm Service (2.56 Index.)	4	2.56		\$949.00	\$921.60	\$3,686.40	-2.89%	\$944.64	\$3,778.56	2.50%	\$968.26	\$3,873.02	2.50%	\$992.46	\$3,969.85	2.50%	\$1,017.27	\$4,069.10	2.50%	\$1,042.71	\$4,170.82	2.50%		
Water - Boggabri - 50mm Service (4.01 Index.)	9	4.01		\$1,484.00	\$1,443.60	\$12,992.40	-2.72%	\$1,479.69	\$13,317.21	2.50%	\$1,516.68	\$13,650.14	2.50%	\$1,554.60	\$13,991.39	2.50%	\$1,593.46	\$14,341.18	2.50%	\$1,633.30	\$14,699.71	2.50%		
Water - Boggabri - 80mm Service (10.24 Index.)	2	10.24		\$3,983.00	\$3,686.40	\$7,372.80	-7.45%	\$3,778.56	\$7,557.12	2.50%	\$3,873.02	\$7,746.05	2.50%	\$3,969.85	\$7,939.70	2.50%	\$4,069.10	\$8,138.19	2.50%	\$4,170.82	\$8,341.65	2.50%		
Water - Boggabri - 100mm Service (16.00 Index.)	2	16		\$5,920.00	\$5,760.00	\$11,520.00	-2.70%	\$5,904.00	\$11,808.00	2.50%	\$6,051.60	\$12,103.20	2.50%	\$6,202.89	\$12,405.78	2.50%	\$6,357.96	\$12,715.92	2.50%	\$6,516.91	\$13,033.82	2.50%		
Water - Boggabri - Unconnected Service (1.0 Index.)	25	1		\$370.00	\$360.00	\$9,000.00	-2.70%	\$369.00	\$9,225.00	2.50%	\$378.23	\$9,455.63	2.50%	\$387.68	\$9,692.02	2.50%	\$397.37	\$9,934.32	2.50%	\$407.31	\$10,182.67	2.50%		
Delivery Charge (\$/KI)																								
Total Delivered																								
Total Pumped						\$250,534.80			\$256,798.17			\$263,218.12			\$269,798.58			\$276,543.54			\$283,457.13			
Gwabegar																								
Water - Gwabegar - 20/25mm Service (1.0 Index.)	63			\$632.00	\$360.00	\$22,680.00	-43.04%	\$369.00	\$23,247.00	2.50%	\$378.23	\$23,828.18	2.50%	\$387.68	\$24,423.88	2.50%	\$397.37	\$25,034.48	2.50%	\$407.31	\$25,660.34	2.50%		
Water - Gwabegar - 40mm Service (2.56 Index.)	1	2.56		\$824.00	\$921.60	\$921.60	11.84%	\$944.64	\$944.64	2.50%	\$968.26	\$968.26	2.50%	\$992.46	\$992.46	2.50%	\$1,017.27	\$1,017.27	2.50%	\$1,042.71	\$1,042.71	2.50%		
Water - Gwabegar - Unconnected Service (1.0 Index.)	7	1		\$339.00	\$360.00	\$2,520.00	6.19%	\$369.00	\$2,583.00	2.50%	\$378.23	\$2,647.58	2.50%	\$387.68	\$2,713.76	2.50%	\$397.37	\$2,781.61	2.50%	\$407.31	\$2,851.15	2.50%		
Delivery Charge (\$/KI)																								
Total Delivered																								
Total Pumped						\$26,121.60			\$26,774.64			\$27,444.01			\$28,130.11			\$28,833.36			\$29,554.19			
Narrabri																								
Water - Narrabri Metered - 20/25mm Service (1.0 Index.)	2665			\$364.00	\$360.00	\$959,400.00	-1.10%	\$369.00	\$983,385.00	2.50%	\$378.23	\$1,007,969.63	2.50%	\$387.68	\$1,033,168.87	2.50%	\$397.37	\$1,058,998.09	2.50%	\$407.31	\$1,085,473.04	2.50%		
Water - Narrabri Metered - 32mm Service (1.64 Index.)	69	1.64		\$397.00	\$476.40	\$32,871.60	20.00%	\$571.68	\$39,445.92	20.00%	\$620.29	\$42,799.94	8.50%	\$635.80	\$43,869.94	2.50%	\$651.69	\$44,966.69	2.50%	\$667.98	\$46,090.86	2.50%		
Water - Narrabri Metered - 40mm Service (2.56 Index.)	131	2.56		\$421.00	\$505.20	\$66,181.20	20.00%	\$606.24	\$79,417.44	20.00%	\$727.49	\$95,300.93	20.00%	\$872.99	\$114,361.11	20.00%	\$1,017.27	\$133,262.89	16.53%	\$1,042.71	\$136,594.46	2.50%		
Water - Narrabri Metered - 50mm Service (4.01 Index.)	24	4.01		\$664.00	\$796.80	\$19,123.20	20.00%	\$956.16	\$22,947.84	20.00%	\$1,147.39	\$27,537.41	20.00%	\$1,376.87	\$33,044.89	20.00%	\$1,593.46	\$38,243.14	15.73%	\$1,633.30	\$39,199.22	2.50%		
Water - Narrabri Metered - 80mm Service (10.24 Index.)	2	10.24		\$2,072.00	\$2,486.40	\$4,972.80	20.00%	\$2,983.68	\$5,967.36	20.00%	\$3,580.42	\$7,160.83	20.00%	\$3,969.85	\$7,939.70	10.88%	\$4,069.10	\$8,138.19	2.50%	\$4,170.82	\$8,341.65	2.50%		
Water - Narrabri Metered - 100mm Service (16.00 Index.)	1	16		\$2,631.00	\$3,157.20	\$3,157.20	20.00%	\$3,788.64	\$3,788.64	20.00%	\$4,546.37	\$4,546.37	20.00%	\$5,455.64	\$5,455.64	20.00%	\$6,357.96	\$6,357.96	16.54%	\$6,516.91	\$6,516.91	2.50%		
Water - Narrabri Metered - Unconnected Service (1.0 Index.)	85	1		\$170.00	\$204.00	\$17,340.00	20.00%	\$244.80	\$20,808.00	20.00%	\$293.76	\$24,969.60	20.00%	\$352.51	\$29,963.52	20.00%	\$397.37	\$33,776.67	12.73%	\$407.31	\$34,621.09	2.50%		
Water - Narrabri Unmetered - 20/25mm Service (1.0 Index.)	0	2.815		\$546.00	\$563.00		3.11%	\$577.08		2.50%	\$591.50		2.50%	\$606.29		2.50%	\$621.45		2.50%	\$636.98		2.50%		
Water - Narrabri Unmetered - Unoccupied	0	2.815		\$170.00	\$563.00	\$204.00	20.00%	\$577.08	\$0.00	2.50%	\$591.50	\$0.00	2.50%	\$606.29	\$0.00	2.50%	\$621.45	\$0.00	2.50%	\$636.98	\$0.00	2.50%		
Delivery Charge (\$/KI)																								
Total Delivered																								
Total Pumped						\$1,103,250.00			\$1,155,760.20			\$1,210,284.70			\$1,267,803.67			\$1,323,743.64			\$1,356,837.23			
Pilliga																								
Water - Pilliga - 20/25mm Service (1.0 Index.)	104			\$591.00	\$360.00	\$37,440.00	-39.09%	\$369.00	\$38,376.00	2.50%	\$378.23	\$39,335.40	2.50%	\$387.68	\$40,318.79	2.50%	\$397.37	\$41,326.75	2.50%	\$407.31	\$42,359.92	2.50%		
Water - Pilliga - 40mm Service (2.56 Index.)	2	2.56		\$787.00	\$921.60	\$1,843.20	17.10%	\$944.64	\$1,889.28	2.50%	\$968.26	\$1,936.51	2.50%	\$992.46	\$1,984.92	2.50%	\$1,017.27	\$2,034.55	2.50%	\$1,042.71	\$2,085.41	2.50%		
Water - Pilliga - 50mm Service (4.01 Index.)	1	4.01		\$1,263.00	\$1,440.00	\$1,440.00	14.01%	\$1,479.69	\$1,479.69	2.76%	\$1,516.68	\$1,516.68	2.50%	\$1,554.60	\$1,554.60	2.50%	\$1,593.46	\$1,593.46	2.50%	\$1,633.30	\$1,633.30	2.50%		
Water - Pilliga - Unconnected Service (1.0 Index.)	9	1		\$347.00	\$360.00	\$3,240.00	3.75%	\$369.00	\$3,321.00	2.50%	\$378.23	\$3,404.03	2.50%	\$387.68	\$3,489.13	2.50%	\$397.37	\$3,576.35	2.50%	\$407.31	\$3,665.76	2.50%		
Delivery Charge (\$/KI)																								
Total Delivered																								



**8.3 GRANT ACTIVITY REPORT - JANUARY TO JUNE 2018 AND 2018-2019 FINANCIAL YEAR**

**Responsible Officer:** Bill Birch, Economic Development Manager

**Author:** Amanda Wales, Grants Officer

**Attachments:** 1. Council Grant Activity Table Financial Year 2018-2019 - Council Report  

**DELIVERY PROGRAM ALIGNMENT****1. Society**

Objective 1.3 Our communities will be provided with facilities and services to increase social connectivity and accessibility

Strategy 1.3.4 Continually improve access to community facilities and services across the Shire

**EXECUTIVE SUMMARY**

This report is to inform Council of grant activity for the period 1 January 2019 to 30 June 2019.

During the period 1 January 2019 to 30 June 2019, Council applied for \$2,721,726 in grant funding. The amount of \$2,300,059 was confirmed as approved, with \$161,667 unsuccessful, leaving \$260,000 yet to be determined.

For the financial year of 1 July 2018 to 30 June 2019 Council applied for \$14,378,497. From these applications, Council was successful in receiving \$7,873,054.

During the period 1 July 2018 to 31 December 2018, Council received confirmation of successful applications in the amount of \$2,194,742.43 from grant applications lodged in the 2017-2018 financial year.

This provides an overall total of \$10,067,797 in successful grant funding for the 2018-2019 financial year.

Council's financial co-contributions to successful grant applications 1 January 2019 to 30 June 2019 was \$834,747 making Council's overall 2018-2019 financial contributions \$1,487,777.

**RECOMMENDATION**

1. That Council note the grant activity report for 2018/2019 financial year.

**BACKGROUND**

The purpose of this report is to inform Council of grant activity for the period 1 January 2019 to 30 June 2019 as well as provide an overview for the 2018-2019 financial year.

During the 1 January 2019 to 30 June 2019 period Council has taken the opportunity to apply for 21 grants, most of which relate to drought affected communities, infrastructure and events.

Council employs a dedicated Grants Officer whose primary role is to source new funding for Council projects, to administer existing funded projects and to acquit completed funded projects. The Grants Officer oversees operations of Council's Community Grants Fund, from application, to review and collation of data, and acquittal. The Grants Officer provides information to community sectors regarding upcoming grant opportunities and offers assistance and advice to these groups in

completing their applications. In addition, Council's Grants Officer provides training to Community Groups, assisting to upskill volunteers with grant writing, reporting and acquittal knowledge.

**CURRENT SITUATION**

During the period 1 January 2019 to 30 June 2019, Council applied for \$2,721,726 in grant funding. The amount of \$2,300,059 was confirmed as approved, with \$161,667 unsuccessful, leaving \$260,000 yet to be determined.

For the financial year of 1 July 2018 to 30 June 2019 Council applied for \$14,378,497. From these applications, Council was successful in receiving \$7,873,054.

Combined with approved funding from applications lodged in the 2017-2018 financial year, this provides an overall total of \$10,067,797 in successful grant funding for the 2018-2019 financial year.

**FINANCIAL IMPLICATIONS**

Council's financial co-contributions to successful grant applications 1 January 2019 to 30 June 2019 was \$834,747, making Council's overall 2018-2019 financial contributions \$1,487,777.

**STATUTORY AND POLICY IMPLICATIONS**

Nil.

**CONSULTATION****External Consultation**

Nil.

**Internal Consultation**

Nil.

Grant Activity Table – January 1 2019 to 30 June 2019

Project Information	Financial Year of Application	Total Project Cost	Funding Applied For	Funding Body	Council Department	Status
Shire Wide Community Heritage Study and Report	2017/18	\$20,000.00	\$20,000.00	Environment NSW – NSW Heritage Study Grants	Development and Economic Growth	Unsuccessful
Edgeroi War Memorial	2017/18	\$10,168.00	\$10,000.00	Department of Veteran Affairs – Community War Memorials	Development and Economic Growth	Successful
Narrabri Rotary Clock Tower	2017/18	\$2,008.00	\$2,008.00	Department of Veteran Affairs – Community War Memorials	Development and Economic Growth	Unsuccessful
Pilliga Road Project	2017/18	\$4,131,000.00	\$1,665,500.00 Further funding was to be sought from another grant avenue if successful	Infrastructure and Regional Development – Heavy Vehicle Safety and Productivity Program	Infrastructure Delivery	Unsuccessful
Maitland Street Pergolas	2017/18	\$367,920.00	\$367,920.00	NSW Government – Stronger Country Communities Fund	Development and Economic Growth	Unsuccessful
Cooma Oval Shade Shelters	2017/18	\$83,160.00	\$83,160.00	NSW Government – Stronger Country Communities Fund	Development and Economic Growth	Unsuccessful
Narrabri and Wee Waa Bowling Clubs Synthetic Turf	2017/18	\$494,806.00	\$494,806.00	NSW Government – Stronger Country Communities Fund	Development and Economic Growth/Community Group	Successful
Dangar Park Wee Waa Project	2017/18	\$334,965.00	\$334,965.00	NSW Government – Stronger Country Communities Fund	Development and Economic Growth	Successful
Gwabegar Playground and Community Space Project	2017/18	\$94,600.00	\$94,600.00	NSW Government – Stronger Country Communities Fund	Development and Economic Growth	Successful
Narrabri West Lake Path	2017/18	\$85,453.00	\$85,453.00	NSW Government – Stronger Country Communities Fund	Development and Economic Growth	Successful
Spring Plains Hall Tennis Court and Painting	2017/18	\$152,871.00	\$152,871.00	NSW Government – Stronger Country Communities Fund	Development and Economic Growth/Community Group	Successful
Cricket and Multi-purpose Sporting Infrastructure	2017/18	\$72,450.00	\$72,450.00	NSW Government – Stronger Country Communities Fund	Development and Economic Growth	Successful
Baan Baa Community Playground Facilities	2017/18	\$61,980.00	\$61,980.00	NSW Government – Stronger Country Communities Fund	Development and Economic Growth	Successful
Narrabri Pistol Club Infrastructure	2017/18	\$91,107.00	\$91,107.00	NSW Government – Stronger Country Communities Fund	Development and Economic	Successful

Grant Activity Table – January 1 2019 to 30 June 209

					Growth/Community Group	
Narrabri Creek Walk/Cycle Path Section 2 and 3	2017/18	\$302,404.00	\$302,404.00	NSW Government – Stronger Country Communities Fund	Development and Economic Growth	Successful
Wee Waa George Street and Mitchell Street Shared Path	2017/18	\$343,440.00	\$343,440.00	RMS NSW Active Transport Funding	Infrastructure Delivery	Unsuccessful
Cooma Road Shared Path Section 1	2017/18	\$696,000.00	\$696,000.00	RMS NSW Active Transport Funding	Infrastructure Delivery	Unsuccessful
Cooma Road Shred Path Section 2	2017/18	\$707,600.00	\$353,800.00	RMS NSW Active Transport Funding	Infrastructure Delivery	Successful
Baan Baa Strategic Slashing	2017/18	\$3,000.00	\$3,000.00	NSW Rural Fire Service – Rural Fire Fighting Fund	Infrastructure Delivery/Narrabri RFS	Decision Pending
Bellata Strategic Slashing	2017/18	\$3,000.00	\$3,000.00	NSW Rural Fire Service – Rural Fire Fighting Fund	Infrastructure Delivery/Narrabri RFS	Decision Pending
Boggabri Strategic Slashing	2017/18	\$10,000.00	\$10,000.00	NSW Rural Fire Service – Rural Fire Fighting Fund	Infrastructure Delivery/Narrabri RFS	Decision Pending
Gwabegar Strategic Slashing	2017/18	\$5,000.00	\$5,000.00	NSW Rural Fire Service – Rural Fire Fighting Fund	Infrastructure Delivery/Narrabri RFS	Decision Pending
Narrabri Strategic Slashing	2017/18	\$15,000.00	\$15,000.00	NSW Rural Fire Service – Rural Fire Fighting Fund	Infrastructure Delivery/Narrabri RFS	Decision Pending
Pilliga Strategic Slashing	2017/18	\$4,000.00	\$4,000.00	NSW Rural Fire Service – Rural Fire Fighting Fund	Infrastructure Delivery/Narrabri RFS	Decision Pending
Wee Waa Strategic Slashing	2017/18	\$10,000.00	\$10,000.00	NSW Rural Fire Service – Rural Fire Fighting Fund	Infrastructure Delivery/Narrabri RFS	Decision Pending
Floodplain Study and Data Collection – Boggabri	2017/18	\$150,000.00	\$128,571.43	Office of Environment and Heritage Floodplain Management Grant	Development and Economic Growth	Successful
Control of African Boxthorn and Mimosa	2017/18	\$5,415.00	\$5,415.00	Department of Industry	Development and Economic Growth	Successful
Control of Green Cestrum	2017/18	\$6,320.00	\$6,320.00	Department of Industry	Development and Economic Growth	Successful
Narrabri CCTV Project	2018/19	\$205,505.00	\$105,505.00	NSW Department of Justice – Community Safety Fund	Corporate Services	Successful
Seniors Festival Funding	2018/19	\$9,500.00	\$1,800.00	NSW Government	Development and Economic Growth	Unsuccessful
Narrabri West Transport Activation Precinct	2018/19	\$3,379,500.00	\$2,929,500.00	NSW Government – Growing Local Economies – REDS and FER's	Infrastructure Delivery	Successful
Culgoora Road Project (Narrabri End)	2018/19	\$5,960,000.00	\$5,460,000.00	NSW Government – Growing Local Economies – REDS and FER's	Infrastructure Delivery	Decision Pending



Grant Activity Table – January 1 2019 to 30 June 209

Learn to Swim – Indigenous Participation Program	2018/19	\$6,375.00	\$2,000.00	NSW Swimming	Development and Economic Growth	Unsuccessful Funding was allocated by NSW Swimming however the program could not be run in their required time frame
Deriah Aboriginal Area Access	2018/19	\$498,062.00	\$249,000.00	Regional Arts NSW – Regional Cultural Fund	Infrastructure Delivery	Successful
Tarriaro Bridge Replacement	2018/19	\$2,120,000.00	\$1,780,800.00	Resources for Regions	Infrastructure Delivery	Successful
Warrior Street Kerb Wee Waa	2018/19	\$268,190.00	\$268,190.00	Drought Relief – Heavy Vehicle Access	Infrastructure Delivery	Successful
Wee Waa George Street and Mitchell Street Shared Path	2018/19	\$349,440.00	\$314,496.00	RMS NSW Active Transport Funding	Infrastructure Delivery	Decision Pending
Cooma Road Shared Path Section 1	2018/19	\$580,412.00	\$305,480.00	RMS NSW Active Transport Funding	Infrastructure Delivery	Decision Pending
Bulk Water Supply Units	2018/19	\$152,000.00	\$150,000.00	Federal Government – Drought Communities Fund	Infrastructure Delivery	Successful
Wee Waa Green Space	2018/19	\$129,000.00	\$90,000.00	Federal Government – Drought Communities Fund	Development and Economic growth	Successful
Narrabri Racecourse Electrical and Lighting Upgrade	2018/19	\$31,245.00	\$31,245.00	Federal Government – Drought Communities Fund	Development and Economic Growth/Community Group	Successful
Drought Stress Buster Events – Bellata, Boggabri, Narrabri and Wee Waa	2018/19	\$35,123.00	\$35,123.00	Federal Government – Drought Communities Fund	Development and Economic Growth/Community Group	Successful
Replacement of Horsearm Creek Bridge	2018/19	\$1,405,800.00	\$700,000.00	Federal Government - Department of Infrastructure and Regional Development – Bridges Renewal Program	Infrastructure Delivery	Successful
Replacement of Spring Creek Bridge	2018/19	\$1,417,900.00	\$700,000.00	Federal Government - Department of Infrastructure and Regional Development – Bridges Renewal Program	Infrastructure Delivery	Successful
Narrabri Old Gaol and Residence Conservation and Repair	2018/19	\$425,244.00	\$150,000.00	Office of Environment and Heritage – Caring for State Heritage	Property and Assets	Unsuccessful

Grant Activity Table – January 1 2019 to 30 June 2019

Pest and Weed Management	2018/19	\$127,680.57	\$127,680.57	Federal Government – Department of Industry – Communities Combatting Pest and Weed Impacts During Drought	Environment and Health	Successful
Wee Waa Indoor Sports Complex	2018/19	\$57,376.00	\$57,376.00	Federal Government – Drought Communities Fund	Development and Economic Growth/Community Group	Successful
Community Halls Upgrade	2018/19	\$314,362.00.00	\$314,362.00	Federal Government – Drought Communities Fund	Development and Economic Growth/Community Group	Successful
Youth Week Events	2018/19	\$2047.10	\$2047.10	Family and Community Services – Youth Week 2019	Development and Economic Growth	Successful
CBD Beautification Project	2018/19	\$321,894.00	\$321,894.00	Federal Government – Drought Communities Fund	Development and Economic Growth/Community Group	Successful
Old Gaol Restoration Project	2018/19	\$425,244.00	\$200,000.00	NSW Department of Industry – Crown Reserves Improvement Fund	Property and Assets	Decision Pending
Youth Events	2018/19	\$31,545.20	\$8,831.60	PHN Hunter New England and Central Coast – Empowering Our Communities	Development and Economic Growth	Successful
Hazard Reduction/Slashing – Pilliga	2018/19	\$4,000.00	\$4,000.00	NSW Rural Fire Service – Bushfire Risk Mitigation and Resilience Funding	Infrastructure Delivery/Narrabri RFS	Decision Pending
Hazard Reduction/Slashing – Baan Baa	2018/19	\$3,000.00	\$3,000.00	NSW Rural Fire Service – Bushfire Risk Mitigation and Resilience Funding	Infrastructure Delivery/Narrabri RFS	Decision Pending
Hazard Reduction/Slashing – Gwabegar	2018/19	\$5,000.00	\$5,000.00	NSW Rural Fire Service – Bushfire Risk Mitigation and Resilience Funding	Infrastructure Delivery/Narrabri RFS	Decision Pending
Hazard Reduction/Slashing – Narrabri	2018/19	\$15,000.00	\$15,000.00	NSW Rural Fire Service – Bushfire Risk Mitigation and Resilience Funding	Infrastructure Delivery/Narrabri RFS	Decision Pending
Hazard Reduction/Slashing – Boggabri	2018/19	\$10,000.00	\$10,000.00	NSW Rural Fire Service – Bushfire Risk Mitigation and Resilience Funding	Infrastructure Delivery/Narrabri RFS	Decision Pending
Hazard Reduction/Slashing – Bellata	2018/19	\$3,000.00	\$3,000.00	NSW Rural Fire Service – Bushfire Risk Mitigation and Resilience Funding	Infrastructure Delivery/Narrabri RFS	Decision Pending
Hazard Reduction/Slashing – Wee Waa	2018/19	\$10,000.00	\$10,000.00	NSW Rural Fire Service – Bushfire Risk Mitigation and Resilience Funding	Infrastructure Delivery/Narrabri RFS	Decision Pending
Youth Participation	2018/19	\$1,500.00	\$1,500.00	Family and Community Service – Youth Participation Grant	Development and Economic Growth	Successful

Grant Activity Table – January 1 2019 to 30 June 209

Retail Revamp – Step Out from the Drought	2018/19	\$10,000.00	\$10,000.00	Foundation for Rural and Regional Renewal – Strengthening Rural Communities	Tourism Manager	Decision Pending
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## 9 OUR ENVIRONMENT



### THEME 2: OUR ENVIRONMENT

#### STRATEGIC DIRECTION 2: ENVIRONMENTALLY SUSTAINABLE AND PRODUCTIVE SHIRE

*By 2027, we will maintain a healthy balance between our natural and built environments.*

##### COMMUNITY ENGAGEMENT

Through extensive community engagement, the Narrabri Shire community identified several environmental priority areas to be actioned over the 2017 - 2018 financial year.

##### COMMUNITY SERVICES

Current services provided within the Narrabri Shire community include:

- Waste management and recycling
- Environmental planning
- Planning and development
- Parks and open spaces
- Noxious weeds control
- Floodplain management
- Water and sewer management
- Stormwater management

##### COMMUNITY OUTCOMES






In partnership with the community, government and non-government agencies, the Operational Plan will work towards achieving the following environmental strategic outcomes:

- Improved air, water and soil quality
- Reduction in domestic and industry waste
- Management of potential impacts from extractive industries
- Improved emergency service provision and resources
- Maintenance of heritage sites for future generation

**9.1 DELEGATES REPORT - NAMOI REGION AIR QUALITY ADVISORY COMMITTEE**

**Responsible Officer:** Daniel Boyce, Director Development and Economic Growth

**Author:** Marcela Lopez, Manager Environmental Services

- Attachments:**
1. Namoi Regional Air Quality Advisory Committee meeting minutes. 
  2.  Air quality monitoring newsletter spring 2018 
  3. Air quality monitoring newsletter winter 2018 
  4. Air quality monitoring newsletter summer 2018 - 2019 

**DELIVERY PROGRAM ALIGNMENT****2. Environment**

**Objective** 2.4 The impacts of extractive industries on the environment will be minimised

**Strategy** 2.4.1 The community is informed by real time regional dust monitoring data to inform personal decisions

**EXECUTIVE SUMMARY**

The Namoi Region Air Quality Advisory Committee (“**Committee**”) was established by the Minister for the Environment at the end of 2017.

The last meeting of the Committee for 2018/2019 was held on Tuesday 28 May 2019 at Gunnedah Shire Council (Attachment 1).

The reports for air quality in the region are attached (Attachment 2 – 4).

**RECOMMENDATION**

1. That Council note the Delegates Report from Council staff representative - Marcela Lopez, for the Namoi Regional Air Quality Advisory Committee Meeting held in Gunnedah on Tuesday 28 May 2019.

**DELEGATES REPORT**

The Namoi Region Air Quality Advisory Committee (“**Committee**”) was established by the Minister for the Environment at the end of 2017. The role of the Committee is to provide advice to the NSW Environment Protection Authority (“**EPA**”) on matters specifically related to the monitoring and management of air quality in the Namoi region.

The Committee enables local communities in the Namoi region to engage with their industrial neighbours, the EPA and other government agencies involved in managing potential air quality impacts on the community and environment. The Committee also provides advice on how the community would like to be notified and kept informed on matters related to regional air quality.

The last meeting of the Committee for 2018/2019 was held on Tuesday 28 May 2019 at Gunnedah Shire Council (Attachment 1).

The reports for air quality in the region are attached (Attachment 2 – 4).

**NAMOI REGION AIR QUALITY ADVISORY COMMITTEE (NRAQAC)****DATE:** 28 MAY 2019**TIME:** 2:05PM**LOCATION:** GUNNEDAH SHIRE COUNCIL**MINUTES**

<b>PRESENT</b>	David Ross, Chair	
	Megan Prowse, Secretariat, EPA	Colleen Fuller, Community Representative Gunnedah LGA
	Rebecca Scrivener, A/Head Regional Operations unit Armidale, EPA	Kirsten Gollogly, General Manager - Health, Safety, Environment & Communities, Whitehaven Coal
	Leanne Graham, Senior Scientist, Quality Systems & Reporting, OEH	Catherine Collyer, Community Representative Narrabri LGA
	Scott Thompson, Senior Regional Air Quality Monitoring Officer, OEH	Marcela Lopez, Manager Environmental Services, Narrabri Shire Council
	Mitchum Neave, Aboriginal Community Representative, Gunnedah	Wade Hudson, A/Manager Development & Planning, Gunnedah Shire Council
	Donna Ausling, Director Environmental and Economic Development Services, Liverpool Plains Shire Council	Peter Forbes, Health Safety and Environment Manager, Idemitsu Australia Resources
	Leah Cook, Team Leader Compliance, DPE	Heidi Watters, Senior Compliance Officer, DPE
<b>APOLOGIES</b>	Lindsay Fulloon, Manager Regional Operations Armidale, EPA	Carolyn Hunt, Manager Development & Planning, Gunnedah Shire Council
	John Trotter, Environment Manager, Shenhua Watermark	Craig Dalton, Public Health Physician, Hunter New England Health

	<b>AGENDA ITEM</b>	<b>ACTION</b>
1.	Welcome, introductions and acknowledgement of Country. Chair, David Ross spoke about the need to fill the Liverpool Plains representative position. Previous minutes accepted.	<ul style="list-style-type: none"> <li>Lindsay Fulloon and Rebecca Scrivener to discuss with assistance from Donna Ausling</li> </ul>
2.	Business arising	<ul style="list-style-type: none"> <li>Leanne to provide an annual summary statement of Namoi air quality for 2018</li> </ul>
3.	Presentations Leanne Graham, OEH: <ul style="list-style-type: none"> <li>Review of Namoi Air Quality Summer 2018-2019</li> <li>Response to question from the committee about 18 December 2018 specifically.</li> </ul>	<ul style="list-style-type: none"> <li>Leanne investigate wind speed correlation for synoptic chart</li> <li>Link to air quality alert subscription: <a href="https://www.environment.nsw.gov.au/aqms/subscribe.htm">https://www.environment.nsw.gov.au/aqms/subscribe.htm</a></li> </ul>



	<p>The presentations were followed by a general discussion during which Collen spoke of the amount of dust generated by trucks entering and leaving cotton farms, particularly on 23 May about 11:20am, 17km NW of Gunnedah on the Boggabri Road.</p> <p>Rebecca Scrivener, EPA:</p> <ul style="list-style-type: none"> <li>- Spoke about the importance of the dissemination of information from this advisory committee to the broader community. This was followed by a general discussion about how committee members have been raising air quality as a subject with in their respective communities. Well done everybody!</li> </ul> <p>Leanne Graham, OEH:</p> <ul style="list-style-type: none"> <li>- Windy.com plus app.</li> </ul>	
4.	<p>General business</p> <p>Possible agenda items for the next meeting include:</p> <ul style="list-style-type: none"> <li>- A DPE presentation on their role</li> <li>- Peter Forbes from Boggabri Coal – Employee dust monitoring data</li> </ul>	<ul style="list-style-type: none"> <li>• Leanne to add OEH data on the 3 agency sites</li> <li>• Windy presentation to be made available to the committee</li> <li>• DPE feedback from the mines to become a standing agenda item</li> </ul>

The presentations will be posted to this link to the EPA website: [Namoi Committee page](#)

Close: 4pm

Next meeting: TBA

Location: TBA



# Air Quality Monitoring Network

Spring 2018

## Air quality monitoring in the Namoi/North-West Slopes Region

### Synopsis

Air quality at regional population centres in the Namoi/North-West Slopes Region met national benchmarks<sup>1</sup> 96% of the time, from 1 September to 30 November 2018. Air quality was very good to good for 85% of the time and fair for 11% of the time, in terms of the NSW Air Quality Index<sup>2</sup> (Figure 1).

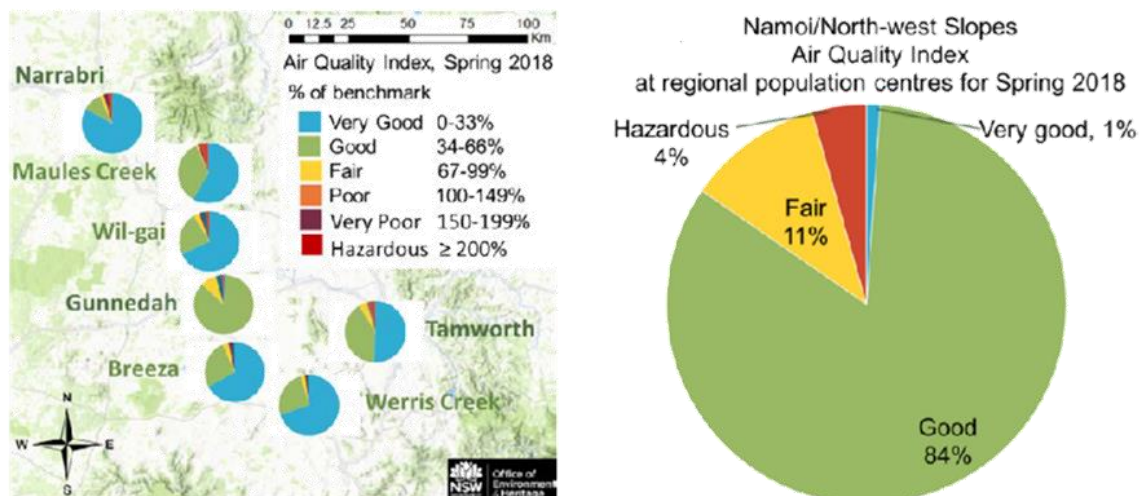
Spring air quality in Namoi/North-West Slopes was affected by the long-range transport of windblown dust from South Australia and drought-affected regions of New South Wales. Regional and statewide dust storms<sup>3</sup>, associated with the passage of cold fronts, raised PM<sub>10</sub> particle pollution<sup>4</sup> to hazardous levels on five days during September and November 2018.

Seven air quality monitoring stations operate in the region (Figure 1).

The NSW Office of Environment and Heritage (OEH) operates the monitoring stations at Tamworth (since October 2000), Gunnedah and Narrabri (since December 2017). Data are reported in near-real time on the [NSW air quality website](#).

Industries operate the monitoring stations at Maules Creek, Wil-gai, Breeza and Werris Creek. Data are reported weekly on the [NSW Environment Protection Authority Namoi project website](#).

All stations continuously monitor airborne particles, measured as PM<sub>10</sub> and PM<sub>2.5</sub><sup>4</sup>. The Gunnedah station also continuously monitors gaseous air pollutants, nitrogen dioxide (NO<sub>2</sub>) and ozone (O<sub>3</sub>).



**Figure 1** Spring air quality at monitoring stations (left) and Regional Air Quality Index (right), showing air quality in population centres met national standards 96% of the time in spring 2018

<sup>1</sup> The [National Environment Protection \(Ambient Air Quality\) Measure \(Air NEPM\)](#) sets national standards for urban air pollutants. The NSW Government reports annually to the Australian Government on compliance with national standards at 22 air quality monitoring stations. The Narrabri and Gunnedah air quality monitoring sites currently are not designated as Air NEPM compliance monitoring sites. Therefore, this report uses the national standards as 'benchmarks' for reporting air quality.

<sup>2</sup> The [NSW Air Quality Index](#) uses colour coding to compare air pollution levels to national benchmark concentrations.

<sup>3</sup> For further detail on local and regional dust levels, see [DustWatch reports for September, October and November 2018](#)

<sup>4</sup> Airborne particle pollution is measured as PM<sub>10</sub> and PM<sub>2.5</sub>, meaning particles less than or equal to 10 and 2.5 micrometres in diameter, respectively.



## Days above benchmark concentrations, spring 2018

The region experienced five days over the PM<sub>10</sub> benchmark<sup>1</sup> and one day over the PM<sub>2.5</sub> benchmark. Table 1 shows the number of days each site recorded levels above the relevant benchmarks.

**Table 1** Number of days above the relevant benchmarks, by station, winter 2018

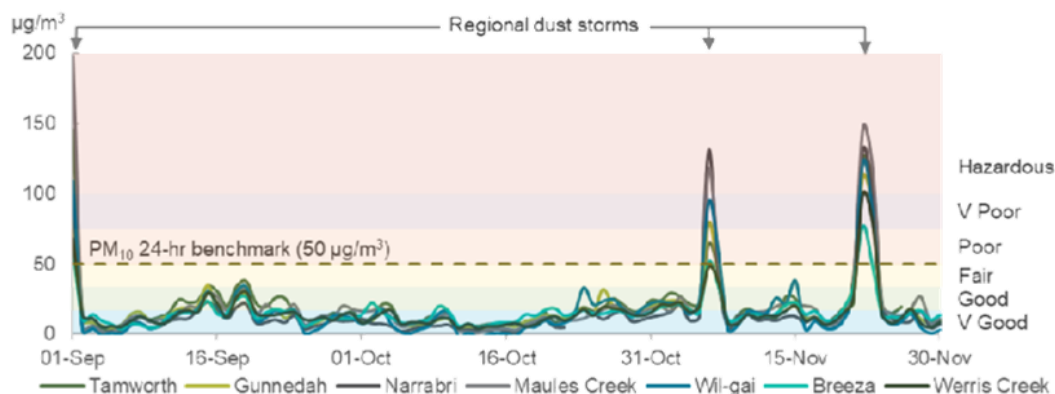
Station type	Station	PM <sub>10</sub> daily benchmark [50 µg/m <sup>3</sup> ]	PM <sub>2.5</sub> daily benchmark [25 µg/m <sup>3</sup> ]	NO <sub>2</sub> hourly benchmark [12 pphm]	O <sub>3</sub> hourly benchmark [10 pphm]
OEH	Narrabri	4	0	-	-
OEH	Gunnedah	4	0	0	0
OEH	Tamworth	4	0	-	-
Industry	Maules Creek	5	1	-	-
Industry	Wil-gai	5	0	-	-
Industry	Breeza	3	0	-	-
Industry	Werris Creek	3	0	-	-

- = not monitored; µg/m<sup>3</sup> = microgram per cubic metre;  
pphm = parts per hundred million by volume (i.e. parts of pollutant per hundred million parts of air)

## Air quality trends: Particles, spring 2018

Figure 2 shows daily average levels of PM<sub>10</sub> during spring 2018.

- Daily average PM<sub>10</sub> levels were above the benchmark concentration of 50 µg/m<sup>3</sup> on five days. These events were associated with the long-range transport of windblown dust from South Australia and drought-affected areas of New South Wales. The Namoi/North-West Slopes Region experienced regional dust storms on 1 September and 6–7 November 2018 and a statewide dust storm on 22–23 November 2018<sup>5</sup>.
  - On 1 September 2018, all seven monitoring stations recorded daily average PM<sub>10</sub> levels above the benchmark: Breeza 60 µg/m<sup>3</sup>; Werris Creek 68 µg/m<sup>3</sup>; Gunnedah 81 µg/m<sup>3</sup>; Narrabri 95 µg/m<sup>3</sup>; Wil-gai 109 µg/m<sup>3</sup>; Tamworth 145 µg/m<sup>3</sup>; and Maules Creek 198 µg/m<sup>3</sup>.
  - During 6–7 November 2018, six out of seven sites recorded daily average PM<sub>10</sub> levels above the benchmark: Breeza 52 µg/m<sup>3</sup>; Tamworth 64 µg/m<sup>3</sup>; Gunnedah 80 µg/m<sup>3</sup>; Wil-gai 95 µg/m<sup>3</sup>; Maules Creek 118 µg/m<sup>3</sup>; and Narrabri 131 µg/m<sup>3</sup>.
  - During 22–23 November 2018, six out of seven sites recorded daily PM<sub>10</sub> levels above the benchmark: Breeza 77 µg/m<sup>3</sup>; Werris Creek 100 µg/m<sup>3</sup>; Gunnedah 113 µg/m<sup>3</sup>; Wil-gai 122 µg/m<sup>3</sup>; Tamworth 125 µg/m<sup>3</sup>; Narrabri 132 µg/m<sup>3</sup>; and Maules Creek 145 µg/m<sup>3</sup>.

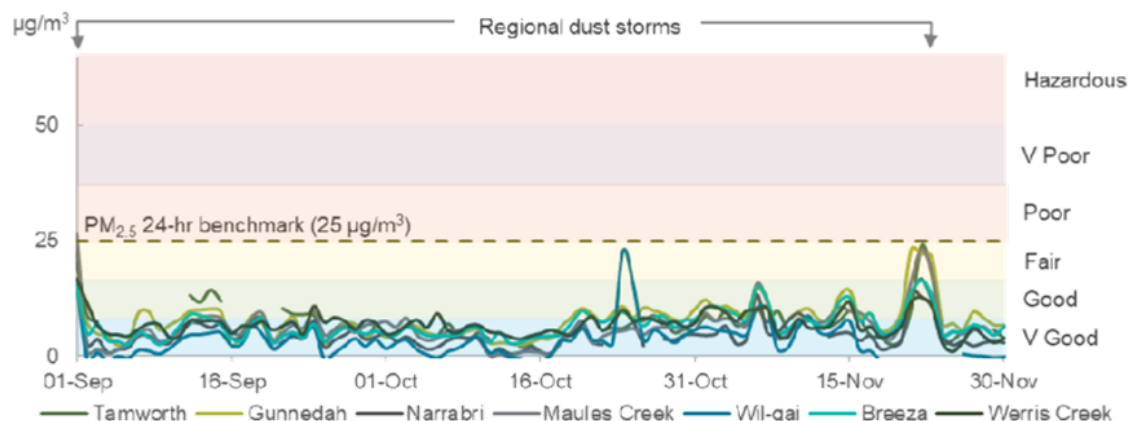


**Figure 2** Daily average PM<sub>10</sub>, during spring 2018, showing levels generally below the national benchmark, except during regional and statewide dust storms

<sup>5</sup> For further detail, see (i) the total suspended particles on the OEHS web site [NSW Rural Air Quality Monitoring Network](#) for 1 September and 6–7 and 22–23 November 2018 and (ii) [DustWatch reports for September and November 2018](#)

Figure 3 shows daily average of PM<sub>2.5</sub> during spring 2018.

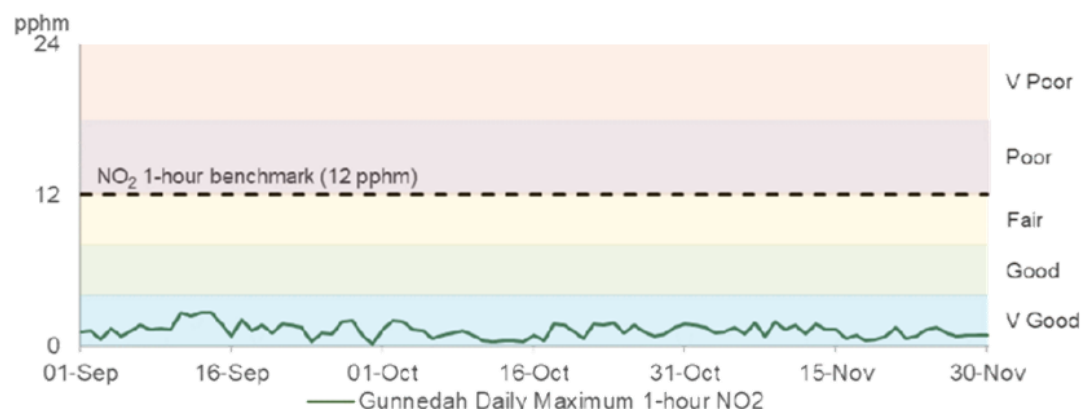
- Daily average PM<sub>2.5</sub> levels were above the benchmark concentration of 25 µg/m<sup>3</sup> on one day. Maules Creek recorded 27 µg/m<sup>3</sup> during a regional dust storm, on 1 September 2018.



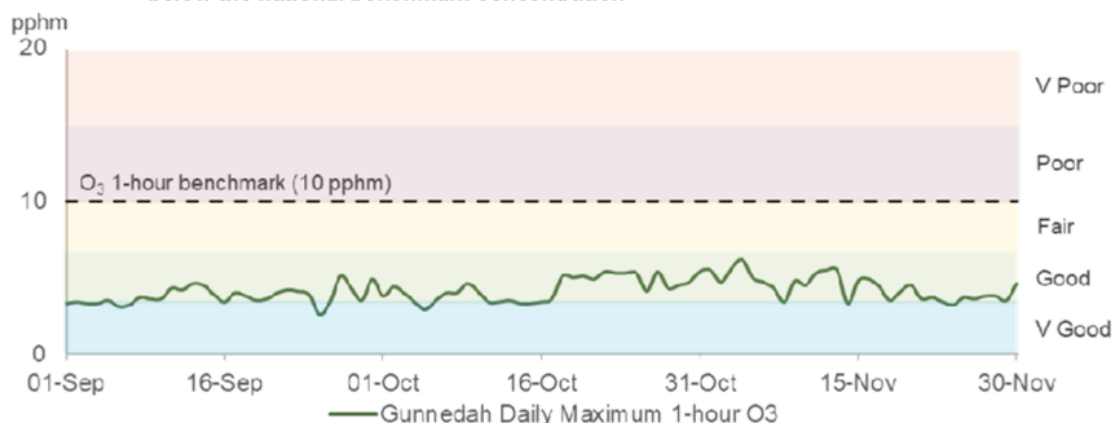
**Figure 3** Daily average PM<sub>2.5</sub>, during spring 2018, showing levels generally below the national benchmark, except during regional and statewide dust storms

### Air quality trends: Gaseous pollutants, Gunnedah, spring 2018

Figure 4 and Figure 5 show daily maximum one-hour average concentrations of NO<sub>2</sub> and O<sub>3</sub> respectively. Levels were below national benchmark concentrations during spring 2018.



**Figure 4** Daily Maximum 1-hour Nitrogen Dioxide, at Gunnedah during spring 2018, showing levels below the national benchmark concentration



**Figure 5** Daily Maximum 1-hour Ozone, at Gunnedah during spring 2018, showing levels below the national benchmark concentration

Air quality in the Namoi/North-west Slope Region: Spring 2018

3

## Seasonal weather and climate

New South Wales experienced an increasing frequency of dust activity throughout 2018, associated with loss of groundcover and intensified drought conditions<sup>6</sup>. Most of the State reported rainfall at levels below to very much below average. Many areas reported the lowest rainfall on record.

### Rainfall and temperature<sup>7</sup>

The Namoi/North-West Slopes Region received rainfall at average levels during spring 2018, compared to long term records (Figure 6). Rainfall totals were 100 to 200 millimetres (mm) across the region, which was similar to spring 2017. Spring rainfall in 2018 was 50 to 100mm lower than spring 2016 and 25 to 50 mm higher than spring 2015. Spring rain was associated with cold fronts from the south-west and warm low-pressure troughs from the north-west (Figure 7).

Maximum temperatures were 1-3°C above average. Minimum temperatures were very much above average with record warmth across the region. Some sites recorded their highest spring daily minimum temperatures on record.

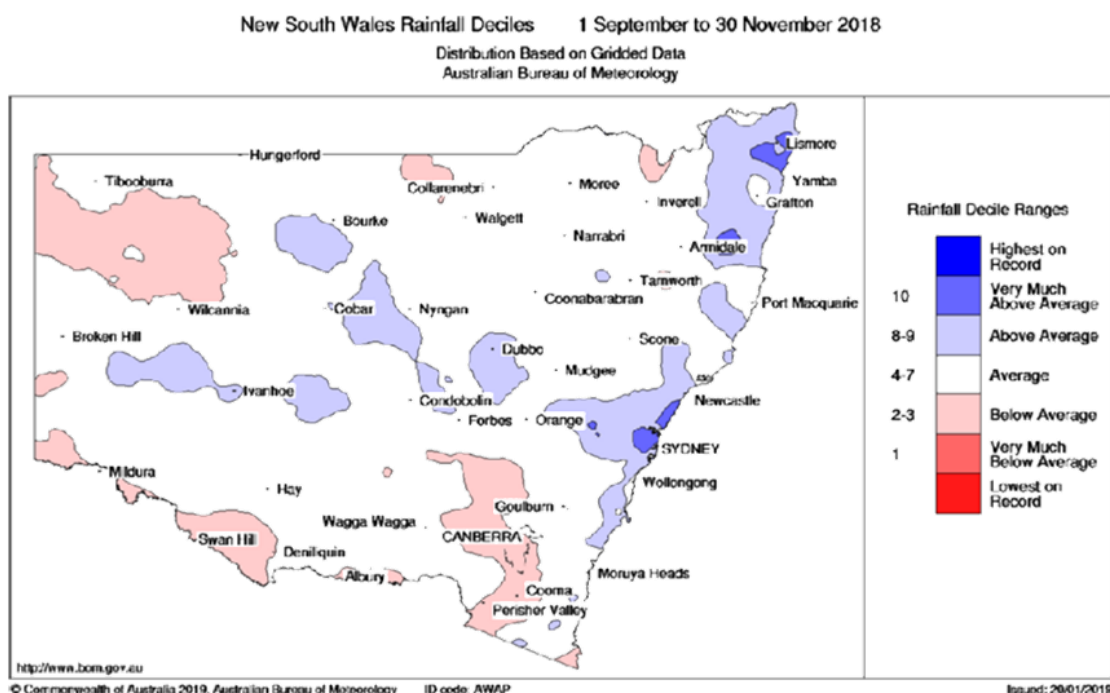


Figure 6 NSW rainfall deciles – spring 2018, showing rainfall average in the Namoi/North-West Slopes

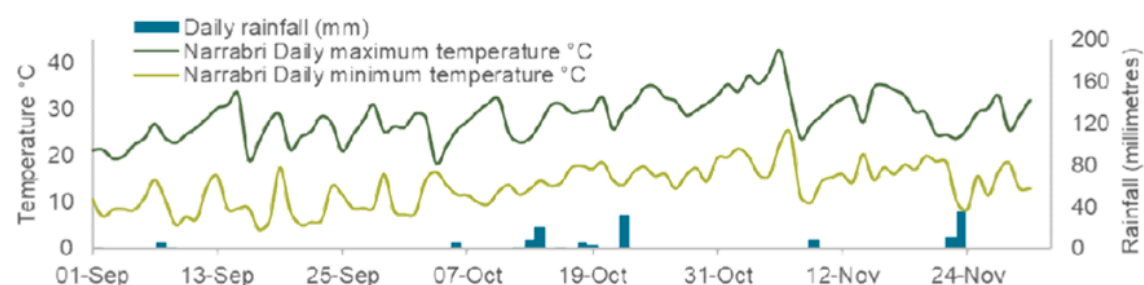


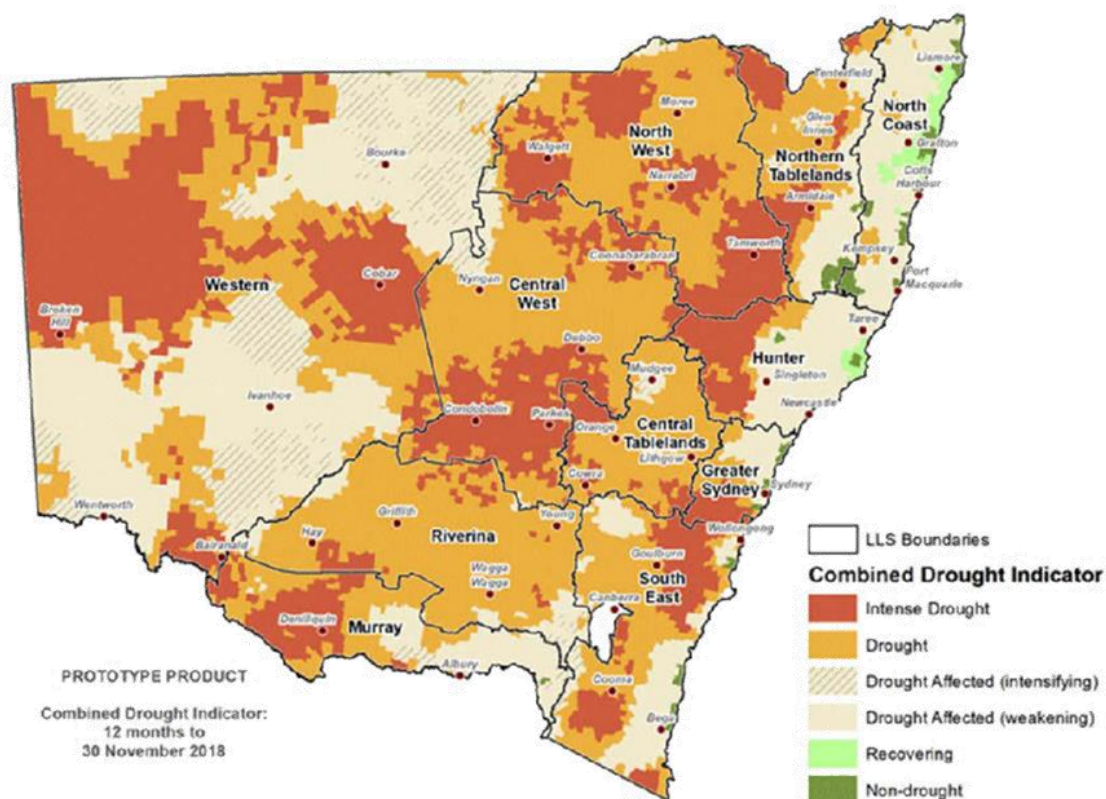
Figure 7 Narrabri daily maximum and minimum temperatures and rainfall, spring 2018

<sup>6</sup> DustWatch reports January to November 2018

<sup>7</sup> Rainfall and temperature information are from the Bureau of Meteorology [New South Wales spring 2018 climate statement](#), [climate maps](#) and [synoptic chart archives for September to November 2018](#) (accessed February 2019).

## Drought conditions

The Namoi/North-West Slopes Region experienced low rainfall and intense drought in the 12 months to November 2018 (Figure 8). Drought conditions re-intensified during November 2018. Long-range transport of windblown dust, from South Australia and drought-affected areas in New South Wales, contributed to the increase in the particle levels observed in the region during spring 2018. (For more detail on PM<sub>10</sub> levels associated with high winds during regional dust storms, see below, pages 8-11).



**Figure 8** Department of Primary Industries NSW Combined Drought Indicator to 30 November 2018<sup>8</sup>, showing areas of drought and intense drought in the Namoi/North-West Slopes Region

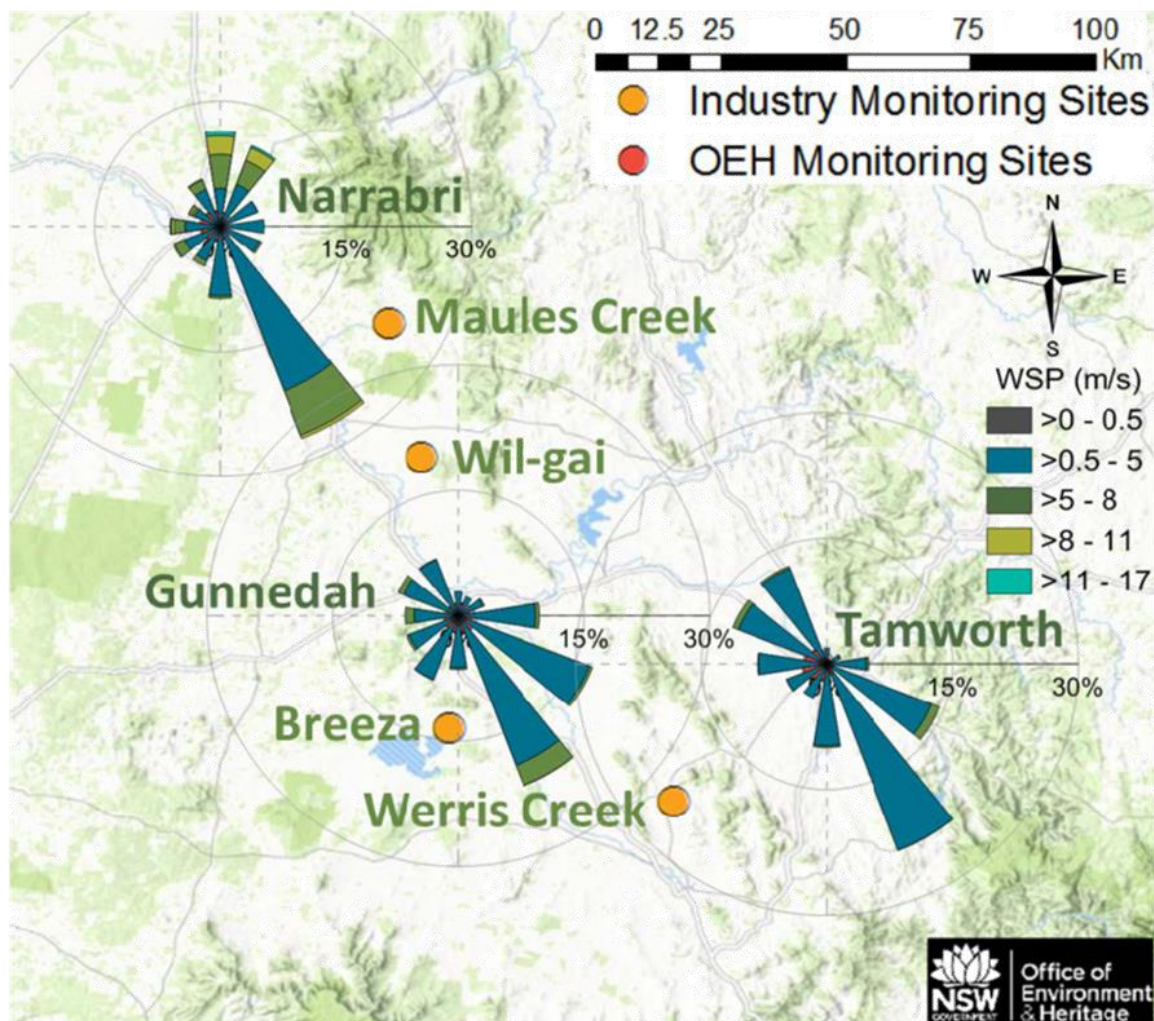
<sup>8</sup> Sourced from Department of Primary Industries [NSW State seasonal update - November 2018](#) (accessed February 2019)



## Wind

The Namoi/North-West Slopes Region generally experienced light winds during spring 2018. Periods of higher winds, to near gale force, were associated with the passage of cold fronts. Narrabri recorded generally higher wind speeds than Gunnedah and Tamworth. The highest wind speeds at Narrabri were during north to north-east winds.

Wind directions were generally variable in spring 2018, with more frequent south-easterly winds. Narrabri also recorded frequent northerly to north-easterly winds. In contrast, a higher percentage of north-westerly winds were also observed at Tamworth. (Figure 9).

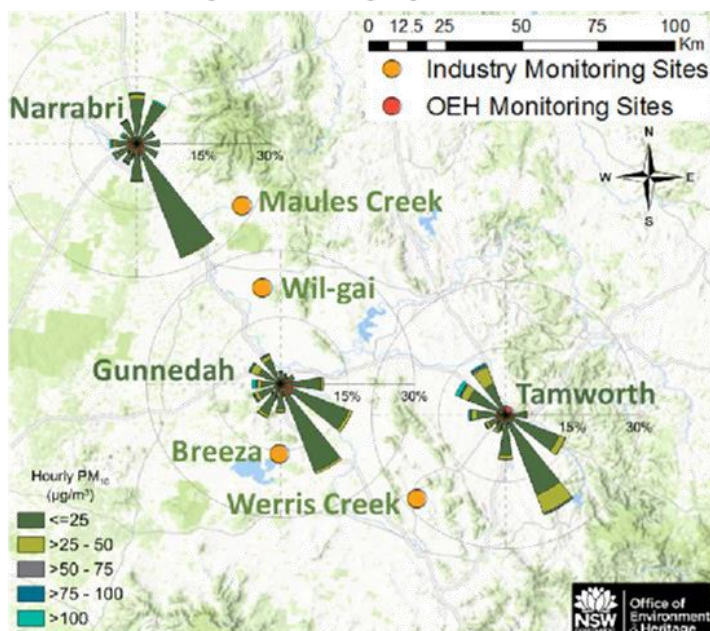


**Figure 9** Wind rose map<sup>9</sup> for the Namoi/North-West Slopes Region during spring 2018, showing winds were predominantly from the south-east and north to north-west (WSP: wind speed in metres per second, m/s)

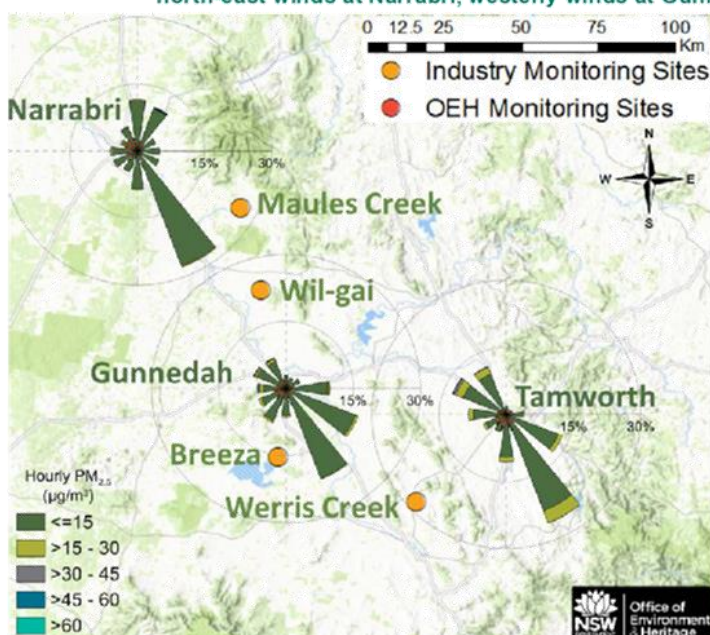
<sup>9</sup> Wind roses show the wind direction and speed at a location. The length of each bar around the circle in these wind roses show the percentage of time that the wind blows from a particular direction. The colours along the bars indicate the wind speed categories.

## Pollution roses

The pollution rose maps<sup>10</sup> show that hourly PM<sub>10</sub> and PM<sub>2.5</sub> levels were generally low during spring 2018. Higher hourly PM<sub>10</sub> levels (greater than 75 µg/m<sup>3</sup>)<sup>11</sup> were associated with north-west winds at Tamworth, westerly winds at Gunnedah and north-east winds at Narrabri. (For more detail on PM<sub>10</sub> levels associated with high winds during regional dust storms, see below, pages 8-11).



**Figure 10** Hourly PM<sub>10</sub> pollution roses for spring 2018, showing higher PM<sub>10</sub> levels associated with north-east winds at Narrabri, westerly winds at Gunnedah and north-west winds at Tamworth.



**Figure 11** Hourly PM<sub>2.5</sub> pollution roses for spring 2018, showing higher PM<sub>2.5</sub> levels associated with south-east and north to north-westerly winds

<sup>10</sup> Pollution roses show the wind direction and particle levels at a location. The length of each bar around the circle shows the percentage of time the wind blows from that direction. The colours along the bars indicate the concentration of particle levels.

<sup>11</sup> There are no standards for hourly PM<sub>10</sub> or PM<sub>2.5</sub> in the National Environment Protection (Ambient Air Quality) Measure (Air NEPM)



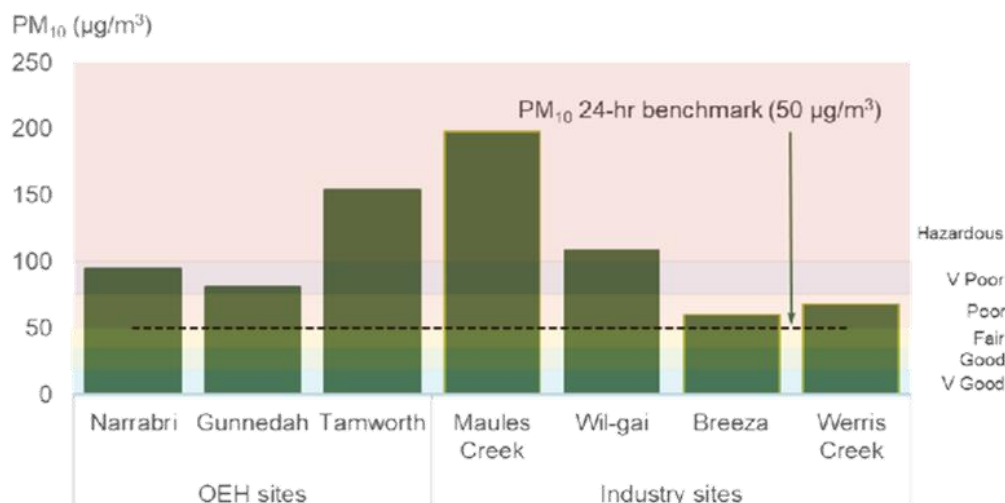
## Regional dust storm, North-west Slopes, 1 September 2018

### Analysis

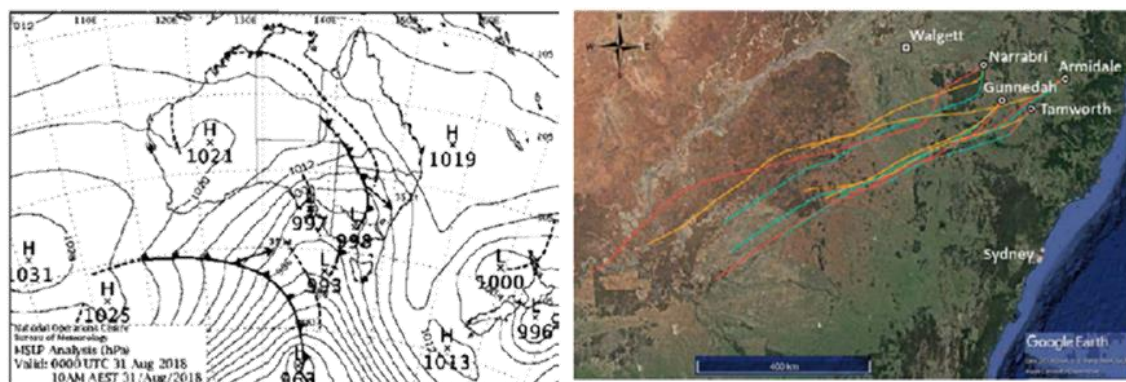
On 1 September 2018, the Namoi/North-West Slopes Region experienced poor to hazardous air quality due to long-range transport of windblown dust, from drought-affected areas of New South Wales.

Figure 12 shows all air quality monitoring stations in the region recorded PM<sub>10</sub> levels above the 24-hour benchmark of 50 µg/m<sup>3</sup> on 1 September 2018.

The elevated PM<sub>10</sub> levels followed severe, gale force north to westerly winds, with gusts to 24 m/s (87 kilometres per hour, km/hr) on 31 August 2018. These conditions were associated with the passage of a cold front across New South Wales, during 31 August to 1 September 2018 (Figure 13).



**Figure 12** PM<sub>10</sub> 24-hour averages for Namoi/North-West Slopes Region, 1 September 2018



**Figure 13** Synoptic chart<sup>12</sup>, 31 August 2018 (left), showing an extensive cold front and westerly winds across western NSW (left) and modelled path of air particles travelling at 10 mAGL (yellow), 500 mAGL (red) and 1000 mAGL (green), on 1 September 2018 (right)

### Tracking air flows across New South Wales on 1 September 2018

OEH used the computer model HYSPLIT in NSW, to track the source of the high particle concentrations on 1 September 2018. The model used weather data from the Bureau of Meteorology to estimate the path of air parcels, in the 24 hours of 1 September 2018. Figure 13 shows the modelled pathways for air parcels at various heights, in metres above ground level (m AGL), arriving at Narrabri, Gunnedah, Tamworth and Armidale on 1 September 2018.

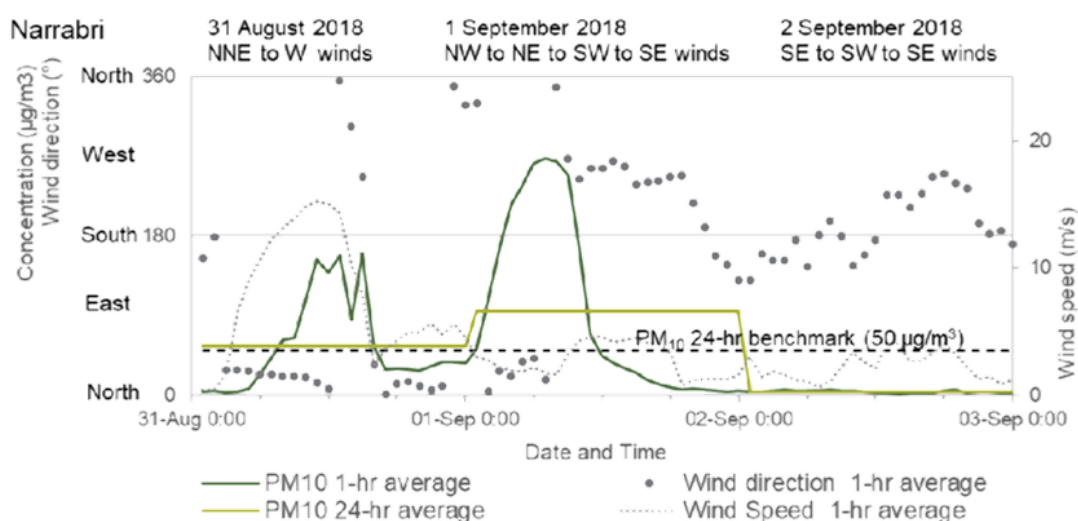
<sup>12</sup> Synoptic chart sourced from the [Bureau of Meteorology Analysis Chart Archive website](#) (accessed 10 September 2018)

### Air quality in the region from 31 August to 2 September 2018

Table 2 and Figure 14 summarise PM<sub>10</sub> levels and weather conditions across the region.

**Table 2** PM<sub>10</sub> concentrations (µg/m<sup>3</sup>, time in hours), maximum wind gust (direction, speed in m/s and km/hr, time), temperatures (°C) and rainfall (mm), 31 August to 2 September 2018

Date	Station	PM <sub>10</sub> 24-hr av	Max PM <sub>10</sub> 1-hr av, time	Max wind gust <sup>13</sup> , direction, speed, time	Max 1-hr av temp	Rainfall (mm)
Day 1	Narrabri	56	160, 1 pm	NNE, 23 (83), 9:53 am	23	0
31-Aug	Gunnedah	32	116, 2 pm	W, 24 (87), 2:02 pm	23	0
	Tamworth	36	85, 1 pm	WNW, 22 (80), 2:49 pm	22	0
Day 2	Narrabri	95	268, 7 am	WSW, 11 (39), 10:28 am	20	1.6
1-Sep	Gunnedah	81	238, 6 am	W, 9 (53), 10:50 am	20	1.8
	Tamworth	145	413, 6 am	WNW, 11 (40), 0:23 am	18	3.0
Day 3	Narrabri	5	7, 4 am	SSW, 10 (39), 12:24 pm	20	0.2
2-Sep	Gunnedah	11	17, 5 am	SSE, 8 (30), 11:16 pm	20	6.2
	Tamworth	20	24, 2 am	SE, 9 (33), 9:35 pm	18	0



**Figure 14** Narrabri PM<sub>10</sub> 1-hour and 24-hour average concentrations, 1-hour wind direction, wind speed, and temperature, 31 August to 2 September 2018

### Summary

During 31 August to 1 September 2018, air quality in the Namoi/North-West Slopes Region was affected by the long-range transport of dust particles, from drought-affected areas of New South Wales.

**Day 1, Friday, 31 August 2018:** The region experienced strong winds with gusts to severe gale force, during the passage of a cold front. High dust levels recorded by the NSW rural monitoring network suggested that strong winds at the front raised soil dust, suspending airborne dust particles across south-west and west NSW. Synoptic charts, HYSPLIT in NSW modelling and local air quality and weather data suggested that strong winds following the front, transported suspended dust particles from the south-west to the North-West Slopes. Dust in north-westerly winds accumulated in the morning on 1 September 2018, as wind speeds fell, and wind directions turned to north-north-east.

**Day 2, Saturday, 1 September 2018:** Hourly PM<sub>10</sub> concentrations in the region increased rapidly to hazardous levels from 1am, with peaks of 238 to 413 µg/m<sup>3</sup> by 7am. PM<sub>10</sub> levels fell rapidly, from mid-morning, as light rain fell across the region. PM<sub>10</sub> 24-hour averages in the region were generally two to three times higher than the 50 µg/m<sup>3</sup> benchmark, mainly due to high levels in the early morning.

**Day 3, Sunday, 2 September 2018:** Up to 6mm of rain fell. Strong winds, generally from the west, prevailed across the region. Air quality levels were generally good to very good on the Air Quality Index.

<sup>13</sup> Bureau of Meteorology data accessed 12 September 2018



## Statewide dust storm, 21–23 November 2018

### Analysis

During 21–23 November 2018, most regions of New South Wales experienced hazardous air quality during a statewide dust storm, associated with the passage of two cold fronts.

Strong north to north-westerly winds, gusting to fresh gale force (65 km/hr), raised soil and dust, transporting suspended particles across central-west and north-west NSW<sup>14</sup>. Maximum PM<sub>10</sub> levels were recorded on 22 November 2018 (Figure 15, Figure 16).

PM<sub>10</sub> 24-hour average levels exceeded the benchmark of 50 µg/m<sup>3</sup> at 44 of 47 ambient air quality monitoring stations in New South Wales. The Namoi/North-West Slopes Region recorded a maximum PM<sub>10</sub> 1-hour level at Tamworth, with 540 µg/m<sup>3</sup> at 3pm on 22 November 2018 and a peak of 299 µg/m<sup>3</sup> at 9am on 23 November 2018.

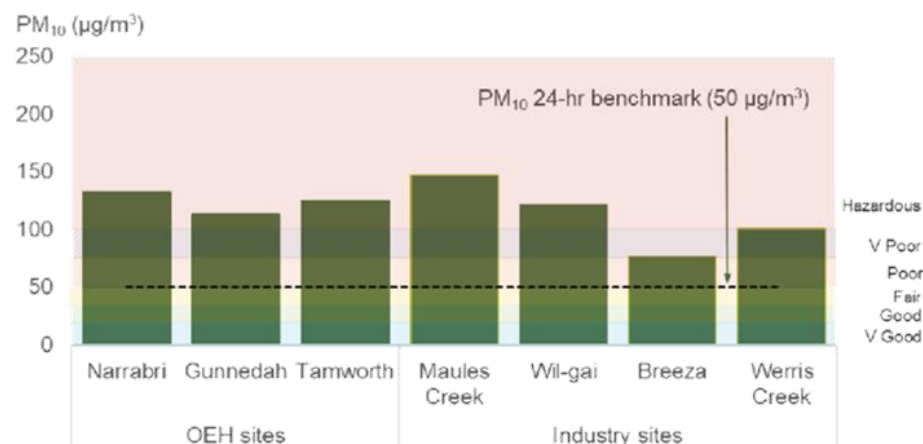


Figure 15 PM<sub>10</sub> 24-hour averages for Namoi/North-West Slopes Region, 22 November 2018

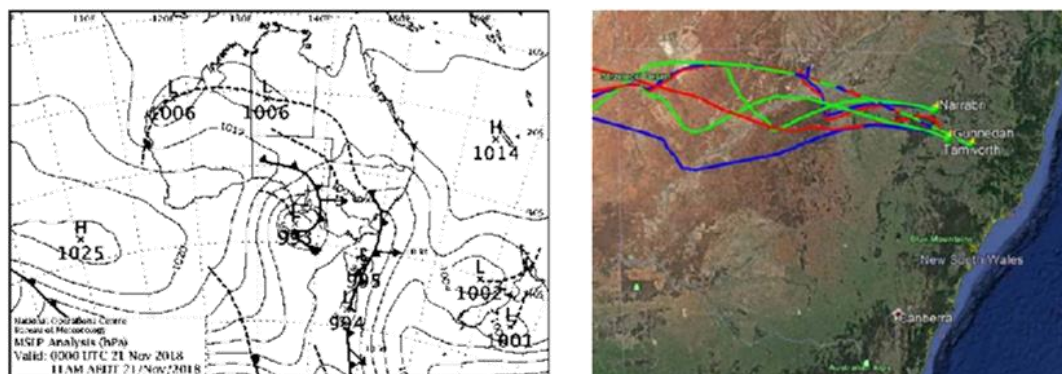


Figure 16 Synoptic chart<sup>15</sup>, 21 November 2018, showing a low-pressure system with two cold fronts and westerly winds (left) and HYSPLIT in NSW modelled path of air particles travelling at 10 mAGL (red), 500 mAGL (blue) and 1000 mAGL (green), on 22 November 2018 (right)

### Tracking the dust storm across New South Wales on 21-23 November 2018

OEH used the model HYSPLIT in NSW, with synoptic data from the Bureau of Meteorology, to track the source of the high particle concentrations in the Namoi/North-West Slopes on 22 November 2018.

The model showed 24-hour pathways of air parcels, travelling from the Lake Eyre region of South Australia and across drought-affected north-west NSW, before arriving in the North-West Slopes. These long-range air flows transported suspended dust particles, elevating PM<sub>10</sub> levels across most regions of the State (Figure 16).

<sup>14</sup> NSW Rural Air Quality Monitoring Network reported high levels of Total Suspended Particles during 21-22 November 2018

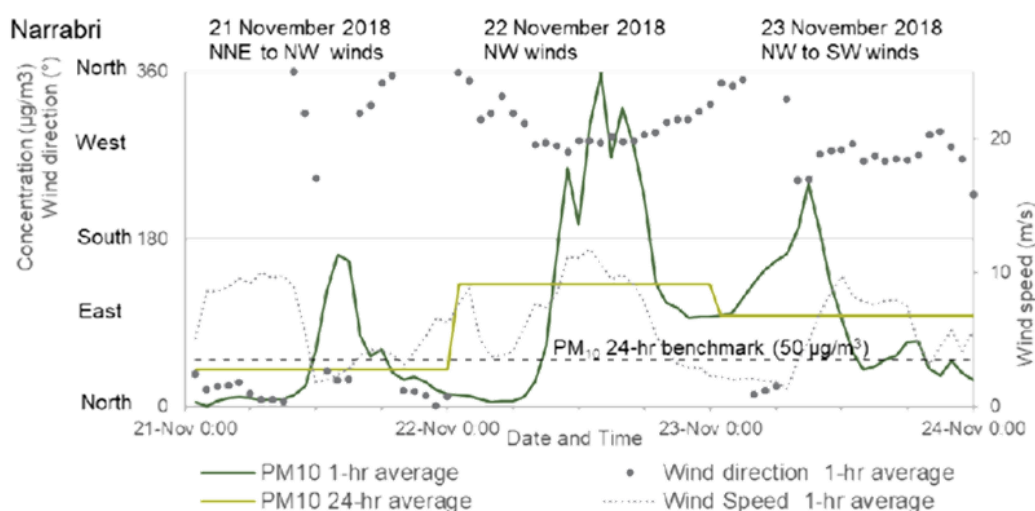
<sup>15</sup> Synoptic chart sourced from the [Bureau of Meteorology Analysis Chart Archive website](#) (accessed November 2018)

### Air quality in the region from 21-22 November 2018

Table 3 and Figure 17 summarise PM<sub>10</sub> levels and associated weather conditions across the region.

**Table 3** PM<sub>10</sub> concentrations (µg/m<sup>3</sup>, time in hour), maximum wind gust (direction, metres per second, k/hr, time), temperatures (°C) and rainfall (millimetres), 21-23 November 2018

Date	Station	PM <sub>10</sub> 24-hr av	Max PM <sub>10</sub> 1-hr av, time	Max wind gust <sup>16</sup> , direction, speed, time	Max 1-hr av temp	Rainfall (mm)
Day 1	Narrabri	39	163, 2 pm	N, 16, (57), 6:42 am	24	10.8
21 Nov 18	Gunnedah	38	87, 7 pm	NW, 17, (61), 1:35 pm	23	11.6
	Tamworth	22	44, 4 pm	N, 13, (48), 8:00 am	22	4.4
Day 2	Narrabri	132	359, 2 pm	NW, 11, (41), 10:02 am	23	11.6
22 Nov 18	Gunnedah	113	468, 2 pm	WNW, 18, (65), 11:11 am	21	59.6
	Tamworth	125	540, 3 pm	NW, 20, (72), 1:46 pm	20	39.8
Day 3	Narrabri	97	240, 9 am	W, 16, (56), 11:24 am	21	0
23 Nov 18	Gunnedah	91	234, 9 am	W, 16, (56), 12:58 pm	17	0.2
	Tamworth	110	316, 8 am	WNW, 16, (59), 2:00 pm	16	0



**Figure 17** Narrabri PM<sub>10</sub> 1-hour and 24-hour average concentrations, 1-hour wind direction, wind speed, and temperature, 21-23 November 2018

### Summary

Air quality and meteorological information for 21-23 November 2018 demonstrated that air quality across the Namoi/North-West Slopes was affected by long-range transport of dust particles, from drought-affected regions of north-west and west NSW and north-east South Australia.

**Day 1, Wednesday, 21 November 2018:** The far western parts of the State experienced strong westerly winds. The Namoi/North-West Slopes Region recorded winds gusting to gale force, particularly in the afternoon and evening, as the cold front moved eastward. PM<sub>10</sub> hourly levels peaked at Narrabri, with 163 µg/m<sup>3</sup> at 2pm, in calmer conditions. Up to 12mm of rain fell across the region.

**Day 2, Thursday, 22 November 2018:** PM<sub>10</sub> levels increased rapidly in the morning as wind speeds increased to gale force. PM<sub>10</sub> hourly levels peaked at 2pm at Narrabri (359 µg/m<sup>3</sup>) and Gunnedah (473 µg/m<sup>3</sup>) and at 3pm at Tamworth (540 µg/m<sup>3</sup>). Up to 60mm of rain fell across the region. PM<sub>10</sub> 24-hour averages in the region were generally two times higher than the 50 µg/m<sup>3</sup> benchmark.

**Day 3, Friday, 23 November 2018:** PM<sub>10</sub> levels rose again in the morning, during near gale force winds across the region. Lower PM<sub>10</sub> hourly peaks than the previous day were recorded at 9am at Narrabri (240 µg/m<sup>3</sup>) and Gunnedah (234 µg/m<sup>3</sup>) and at 8am at Tamworth (316 µg/m<sup>3</sup>).

The dust event of 21-23 November was the most intense and extensive dust storm during spring 2018.

<sup>16</sup> Bureau of Meteorology data accessed November 2018

## Online performance of monitoring stations

The target performance for air quality monitoring at OEH monitoring sites is at least 95% available data for all parameters. The maximum online time attainable for gases, NO<sub>2</sub>, and O<sub>3</sub>, is 96%, due to daily calibrations.

Table 4 presents online performance of monitoring stations at Gunnedah, Narrabri and Tamworth, from 1 September to 30 November 2018:

- All stations met online targets for monitoring of meteorology.
- Narrabri met online targets for monitoring of PM<sub>10</sub> and PM<sub>2.5</sub>.
- Gunnedah met online targets for monitoring of PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>2</sub> and O<sub>3</sub>.
- Tamworth met online targets for monitoring of PM<sub>10</sub>. Instrument faults and associated calibrations reduced the online time for monitoring of PM<sub>2.5</sub>.

**Table 4** Online performance (%) from 1 September to 30 November 2018

Station	Particles PM <sub>10</sub> daily	Particles PM <sub>2.5</sub> daily	Gases NO <sub>2</sub> hourly	Gases O <sub>3</sub> hourly	Meteorology Wind hourly
Gunnedah	100	100	95	95	100
Narrabri	98	96	-	-	100
Tamworth	98	80	-	-	100

- not monitored

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Published by: Office of Environment and Heritage, 59–61 Goulburn Street, Sydney South 1232.  
Ph: 131 555 Email: [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au); Web: [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)  
ISSN 2209-945X OEH 2019/0085 February 2019





# Air Quality Monitoring Network

Winter 2018

## Air quality monitoring in the Namoi/North-West Slopes Region

### Synopsis

Air quality at regional population centres in the Namoi/North-West Slopes region from 1 June to 31 August 2018 met national benchmarks<sup>1</sup> 92% of the time. This means air quality was good (55% of the time) to fair (37% of the time) in terms of the NSW Air Quality Index<sup>2</sup> (Figure 1).

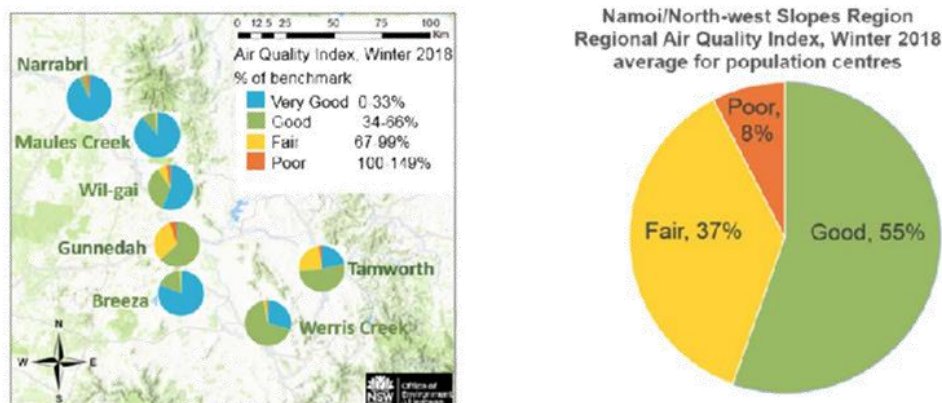
Winter air quality was affected by local and regional sources of airborne particle pollution, including local and regional dust storms<sup>3</sup> and domestic woodsmoke<sup>4</sup>.

Seven air quality monitoring stations operate in the region (Figure 1).

The NSW Office of Environment and Heritage (OEH) operates the monitoring stations at Tamworth (since October 2000), Gunnedah and Narrabri (since December 2017). Data are reported in near-real time on the [NSW air quality website](https://www.epa.nsw.gov.au/your-environment/air/regional-air-quality/namoi-air-quality-monitoring-project)<sup>5</sup>.

Industries operate the monitoring stations at Maules Creek, Wil-gai, Breeza and Werris Creek. Data (from July 2015) are reported weekly on the [NSW Environment Protection Authority Namoi project website](https://www.epa.nsw.gov.au/your-environment/air/regional-air-quality/namoi-air-quality-monitoring-project)<sup>6</sup>.

All stations continuously monitor airborne particle matter, measured as PM<sub>10</sub> and PM<sub>2.5</sub> (particles with sizes less than or equal to 10 and 2.5 micrometres, respectively). The Gunnedah station continuously monitors gaseous air pollutants, nitrogen dioxide (NO<sub>2</sub>) and ozone (O<sub>3</sub>).



**Figure 1** Winter air quality at monitoring stations (left) and Regional Air Quality Index (right), showing air quality in population centres met national standards 92% of the time in winter 2018

<sup>1</sup> The National Environment Protection (Ambient Air Quality) Measure (Air NEPM) sets national standards for urban air pollutants. The NSW Government reports annually to the Australian Government on compliance with national standards at 22 air quality monitoring stations. The Narrabri and Gunnedah air quality monitoring sites currently are not designated as Air NEPM compliance monitoring sites. Therefore, this report uses the national standards as 'benchmarks' for reporting air quality.

<sup>2</sup> The NSW Air Quality Index uses colour coding to compare air pollution levels to national benchmark concentrations.

<sup>3</sup> The Air Quality Monitoring Network Namoi/North-West Slopes, May 2017 to July 2018 newsletter included an analysis of PM<sub>2.5</sub> levels in the region for 14 to 21 July 2018. Peaks in PM<sub>2.5</sub> levels on cold, calm nights, with minimum temperatures below 0°C, suggested the influence of domestic woodsmoke.

<sup>4</sup> For further detail on local and regional dust levels, see [DustWatch report June 2018](#), [DustWatch report July 2018](#), [DustWatch report August 2018](#)

<sup>5</sup> OEH web site (<https://www.environment.nsw.gov.au/aqms/hourlydata.htm>)

<sup>6</sup> NSW EPA website (<https://www.epa.nsw.gov.au/your-environment/air/regional-air-quality/namoi-air-quality-monitoring-project>)

## Days above benchmark concentrations<sup>1</sup>, winter 2018

The region experienced four days over the PM<sub>10</sub> benchmark and four days over the PM<sub>2.5</sub> benchmark. Table 1 shows the number of days each site recorded levels above the relevant benchmarks.

**Table 1** Number of days above the relevant benchmarks, by station, winter 2018

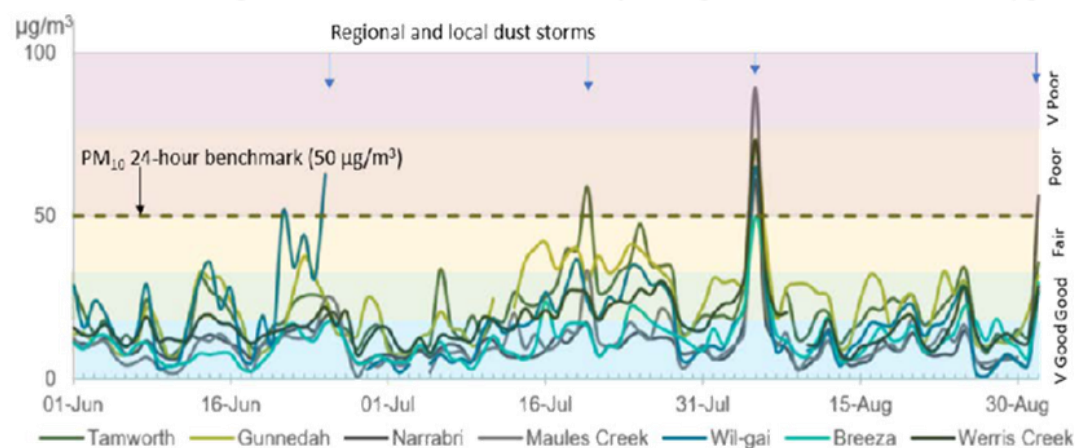
Station type	Station	PM <sub>10</sub> daily benchmark [50 µg/m <sup>3</sup> ]	PM <sub>2.5</sub> daily benchmark [25 µg/m <sup>3</sup> ]	NO <sub>2</sub> hourly benchmark [12 ppbm]	O <sub>3</sub> hourly benchmark [10 ppbm]
OEH	Narrabri	2	0	-	-
OEH	Gunnedah	1	4	0	0
OEH	Tamworth	3	0	-	-
Industry	Maules Creek	1	0	-	-
Industry	Wil-gai	3	0	-	-
Industry	Breeza	0	0	-	-
Industry	Werris Creek	1	0	-	-

- = not monitored; µg/m<sup>3</sup> = microgram per cubic metre;  
ppbm = parts per hundred million by volume (i.e. parts of pollutant per hundred million parts of air)

## Air quality trends - Particle matter, winter 2018

Figure 2 shows daily average levels of PM<sub>10</sub> during winter 2018.

- Daily average PM<sub>10</sub> levels were above the benchmark concentration of 50 µg/m<sup>3</sup> on four days. Regional maximum daily PM<sub>10</sub> levels on these days ranged from 56 to 89 µg/m<sup>3</sup>. On these days, the NSW Rural Air Quality Monitoring Network showed elevated levels of suspended particles at monitoring stations in central and north-west NSW<sup>7</sup>. This suggests long-range transport of dust.
  - On 25 June 2018, Wil-gai recorded a daily average PM<sub>10</sub> concentration of 63 µg/m<sup>3</sup>.
  - On 20 July 2018, Tamworth recorded a daily average PM<sub>10</sub> concentration of 59 µg/m<sup>3</sup>.
  - On 4 August 2018, six sites recorded daily average PM<sub>10</sub> concentrations above the benchmark, with 89 µg/m<sup>3</sup> at Maules Creek; 73 µg/m<sup>3</sup> at Gunnedah, Tamworth; and Werris Creek; 65 µg/m<sup>3</sup> at Wil-gai; and 61 µg/m<sup>3</sup> at Narrabri. Breeza recorded 49.673 µg/m<sup>3</sup>, just below the benchmark concentration of 50 µg/m<sup>3</sup>.
  - On 31 August 2018, Narrabri recorded a daily average PM<sub>10</sub> concentration of 56 µg/m<sup>3</sup>.

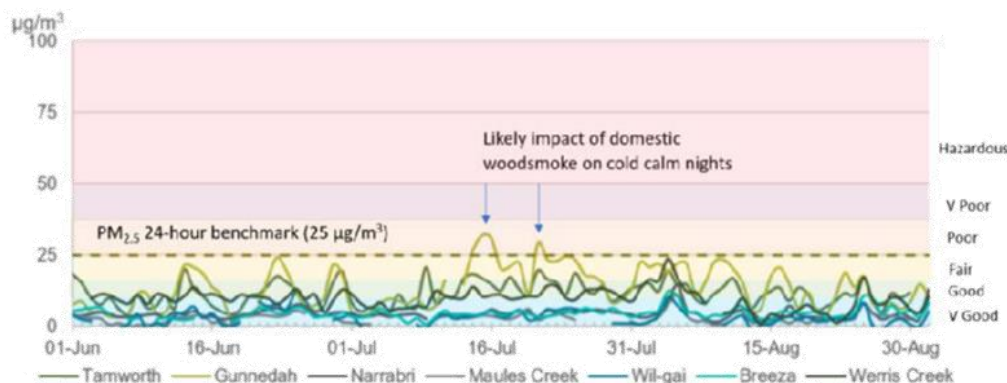


**Figure 2** Daily average PM<sub>10</sub>, during winter 2018, showing levels generally below the national benchmark, except during local and regional dust storms

<sup>7</sup> For further detail, see the total suspended particles on the OEHS web site [NSW Rural Air Quality Monitoring Network](#)

Figure 3 shows daily average of PM<sub>2.5</sub> during winter 2018.

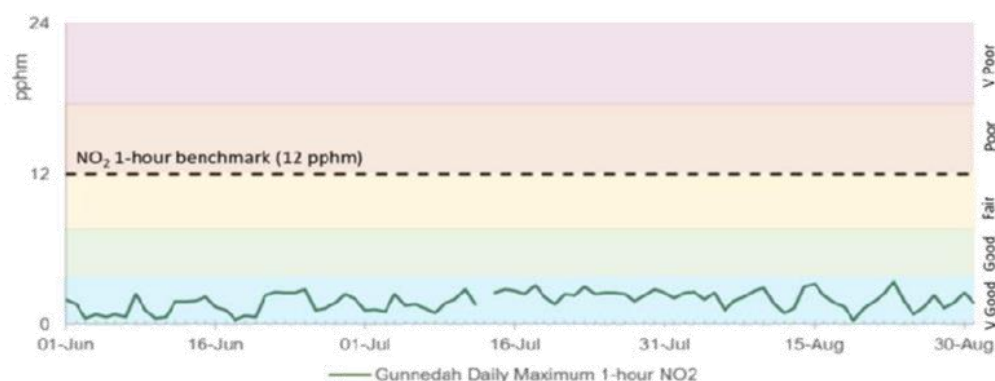
- Daily average PM<sub>2.5</sub> levels were above the benchmark concentration of 25 µg/m<sup>3</sup> on four days, at Gunnedah on 14-16 and 21 July 2018. Daily average PM<sub>2.5</sub> levels ranged from 26 to 32 µg/m<sup>3</sup>.
- The peaks in hourly PM<sub>2.5</sub> levels occurred on cold, calm nights, indicating the potential contribution of domestic woodsmoke<sup>3</sup>.



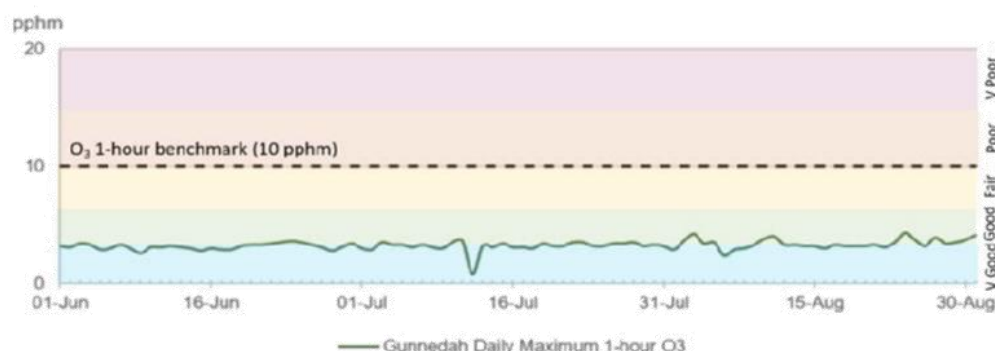
**Figure 3** Daily average PM<sub>2.5</sub>, during winter 2018, showing levels below the national benchmark, except at Gunnedah in mid to late July 2018, due to the likely impact of domestic woodsmoke

### Air quality trends: Gaseous pollutants, Gunnedah, winter 2018

Figure 4 and Figure 5 show daily maximum one-hour average concentrations of NO<sub>2</sub> and O<sub>3</sub> respectively. Levels were below national benchmark concentrations during winter 2018.



**Figure 4** Daily Maximum 1-hour Nitrogen Dioxide, at Gunnedah during winter 2018, showing levels below the national benchmark concentration



**Figure 5** Daily Maximum 1-hour Ozone, at Gunnedah during winter 2018, showing levels below the national benchmark concentration

Air quality in the Namoi/North-west Slope Region: Winter 2018

3

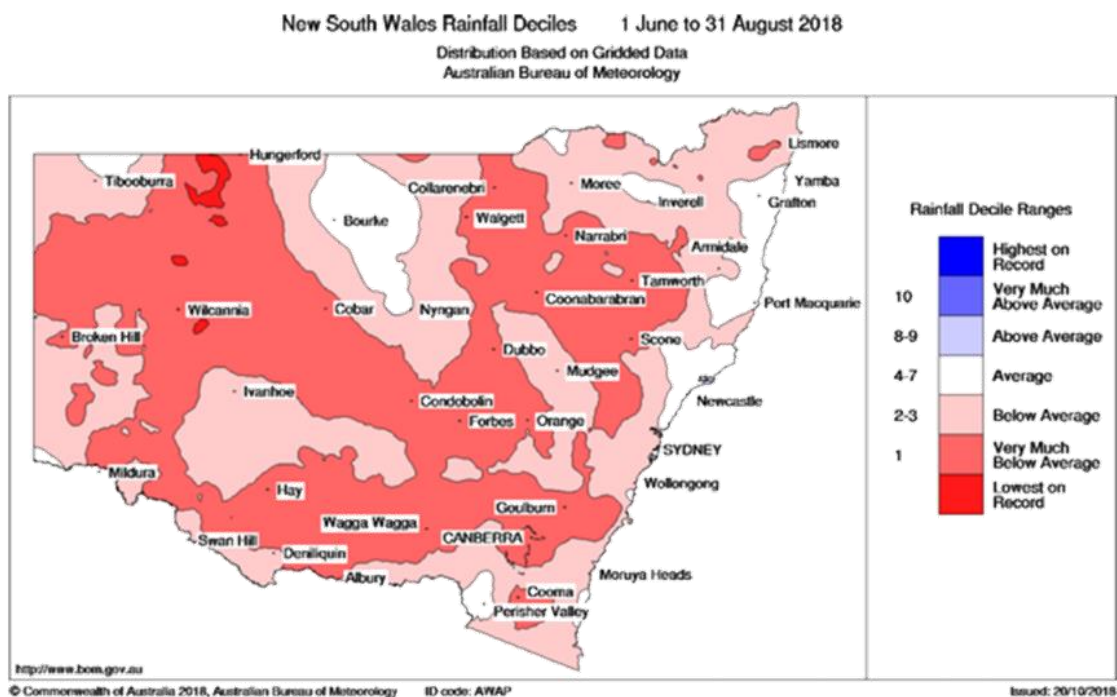


## Meteorological summary

### Rainfall and temperature<sup>8</sup>

The Namoi/North-west Slopes received rainfall at levels 'very much below average' during winter 2018. Rainfall totals were 50 to 100 millimetres (mm) across the region, which was similar to winter 2017. Winter rainfall in 2018 and 2017 was lower than the previous three seasons. The region received 150 to 300 mm less rainfall in winter 2018 than winter 2016.

Winter daytime temperatures were 'very much above average', while night-time temperatures were 'below average'. Temperatures were similar to winter 2017, with cooler night-time temperatures than winters from 2014 to 2016.

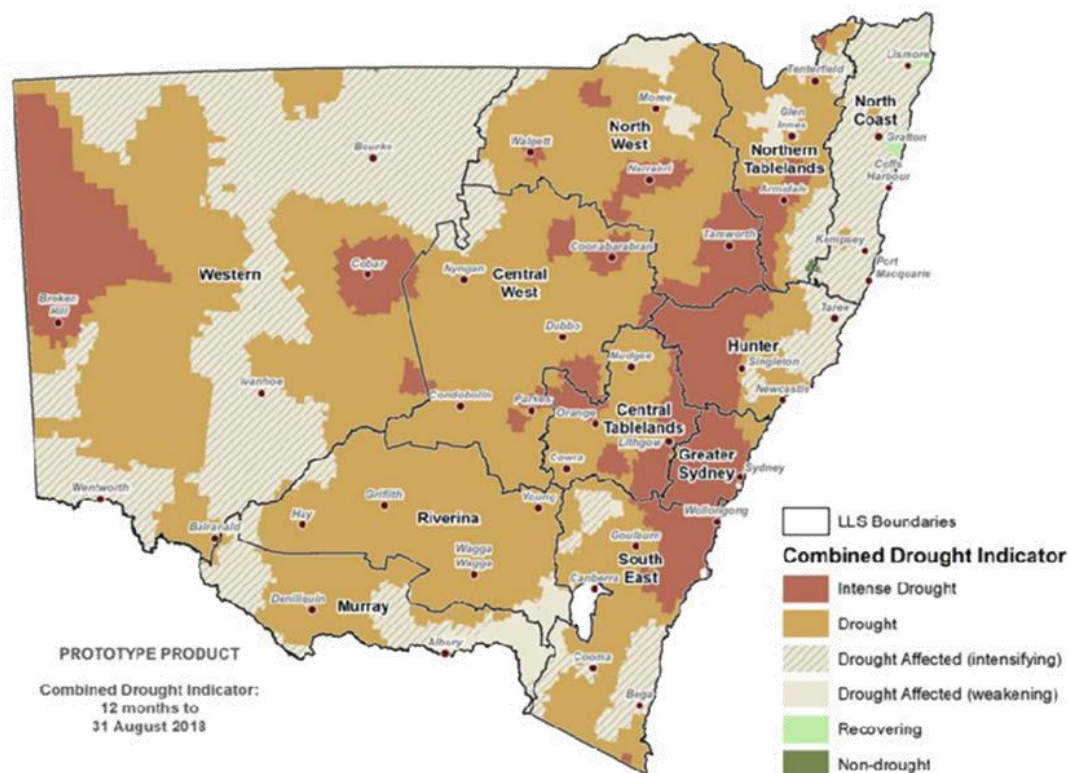


**Figure 6**     NSW rainfall deciles - winter 2018, showing rainfall very much below average in the Namoi/North-west Slopes region

<sup>8</sup> Rainfall and temperature information is from the Bureau of Meteorology [New South Wales winter 2018 climate statement](#) and [climate maps](#) (accessed November 2018)

## Drought conditions

The Namoi/ North-west Slopes experienced low rainfall and intense drought in the 12 months to August 2018 (Figure 7). Long-range dust from drought-affected areas in New South Wales contributed to the increase in the particle levels observed in the region during winter 2018 (see below, page 8).



**Figure 7** Department of Primary Industries NSW Combined Drought Indicator to 31 August 2018<sup>9</sup>, showing intense drought in the Namoi/North-west Slopes region

<sup>9</sup> Sourced from Department of Primary Industries [NSW State seasonal update - August 2018](#) (accessed November 2018).



## Wind

The winds were predominantly from the south-east during winter 2018 (Figure 8). Wind direction was more variable at Narrabri and Gunnedah than at Tamworth. Wind speeds were generally higher at Narrabri than at Gunnedah and Tamworth.

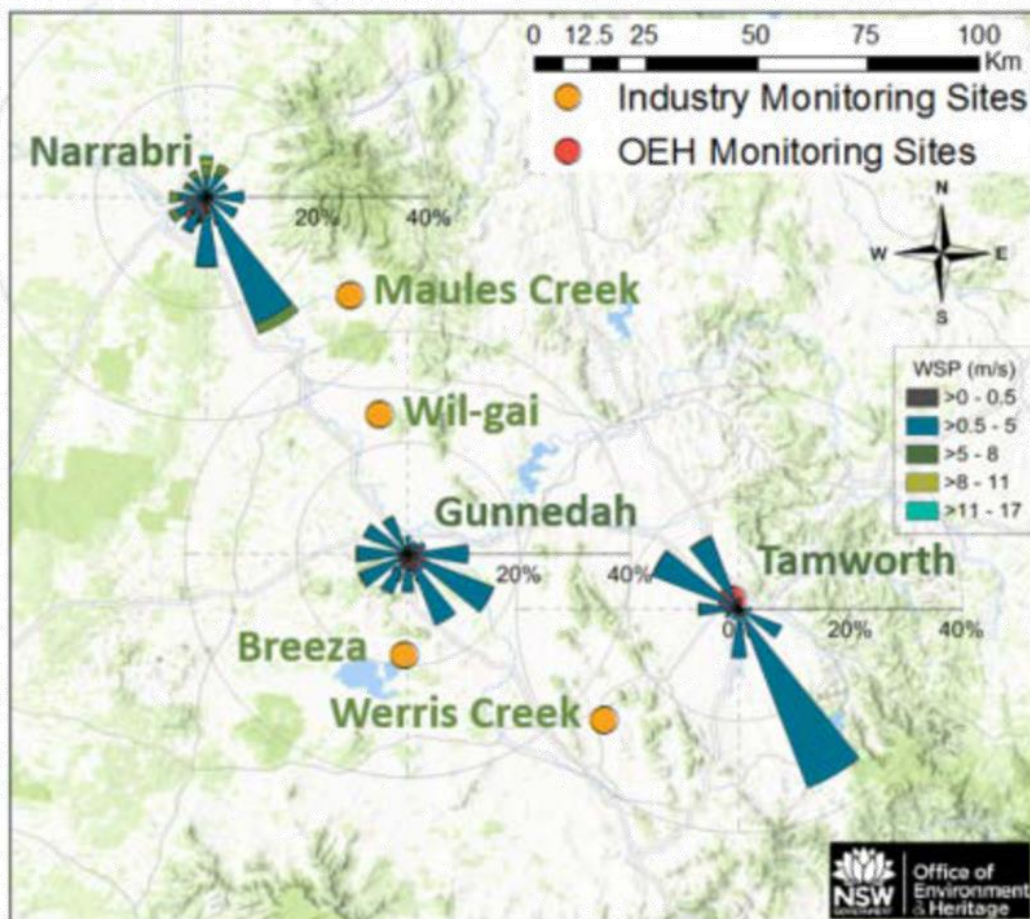
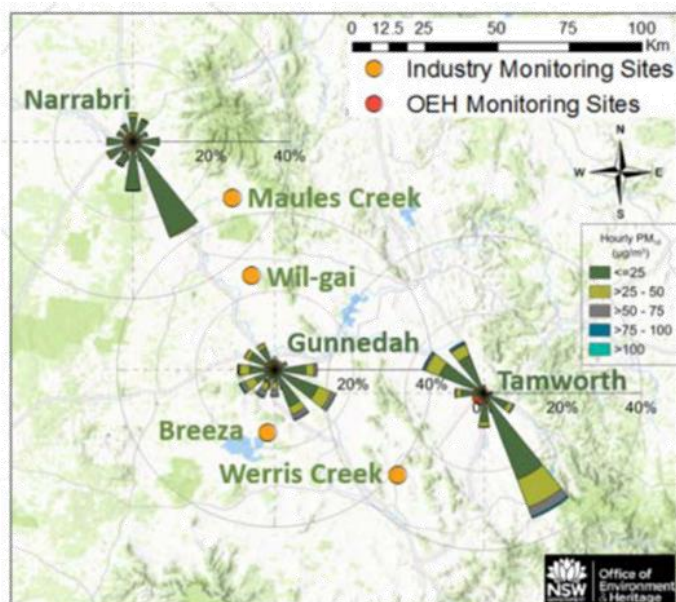


Figure 8 Wind rose map<sup>10</sup> for the North-west Slopes from 1 June to 31 August 2018, showing winds were predominantly from the south-east

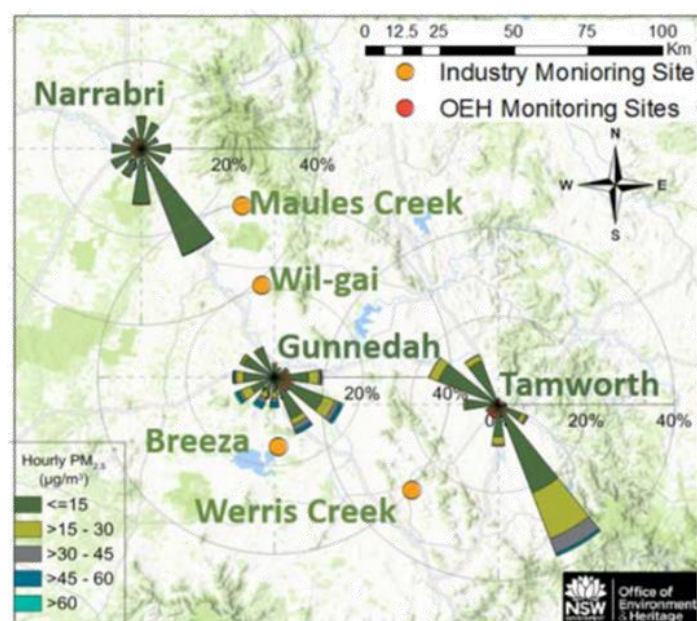
<sup>10</sup> Wind roses show the wind direction and speed at a location. The length of each bar around the circle in these wind roses show the percentage of time that the wind blows from a particular direction. The colours along the bars indicate the wind speed categories.

## Pollution roses

The pollution rose maps<sup>11</sup> show that hourly PM<sub>10</sub> and PM<sub>2.5</sub> levels were generally low during winter 2018. Higher hourly PM<sub>10</sub> levels (greater than 75 µg/m<sup>3</sup>)<sup>12</sup> at Tamworth coincided with south-east winds. Higher hourly PM<sub>10</sub> and PM<sub>2.5</sub> levels at Narrabri and Gunnedah were associated with more variable wind directions, than at Tamworth. (For detail on PM<sub>10</sub> levels during a regional dust storm, see below, page 8.)



**Figure 9** Hourly PM<sub>10</sub> pollution roses for winter 2018, showing higher PM<sub>10</sub> levels associated with more variable wind directions at Narrabri and Gunnedah than at Tamworth.



**Figure 10** Hourly PM<sub>2.5</sub> pollution roses for winter 2018, showing higher PM<sub>2.5</sub> levels associated with variable wind directions at Narrabri and Gunnedah

<sup>11</sup> Pollution roses show the wind direction and particle levels at a location. The length of each bar around the circle shows the percentage of time the wind blows from that direction. The colours along the bars indicate the concentration of particle levels.

<sup>12</sup> There are no standards for hourly PM<sub>10</sub> or PM<sub>2.5</sub> in the National Environment Protection (Ambient Air Quality) Measure (Air NEPM)

## Incident analysis: Dust storm, 4 August 2018

Extreme events, such as dust storms, bushfires and hazard reduction burns, affect air quality levels.

### Synopsis

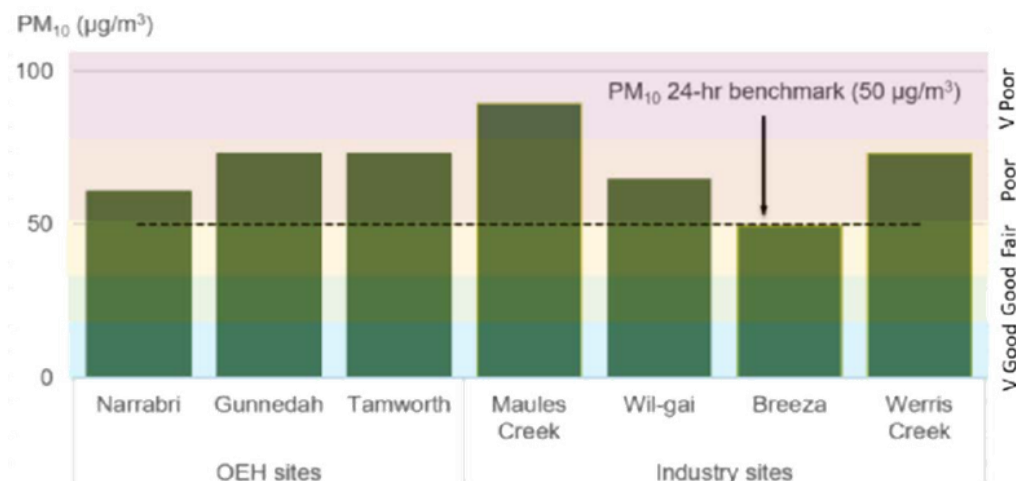
On 4 August 2018, the Namoi/North-west Slopes experienced poor to very poor air quality, in terms of the NSW Air Quality Index<sup>2</sup> (Figure 11).

Air quality across the region on 4 August 2018 was affected by long-range transport of dust particles, from South Australia, southern Queensland and drought-affected northern NSW (Figure 16). The event was associated with the passage of a low-pressure system across eastern Australia, during 3-5 August 2018 (Figure 14).

Particle levels exceeded the PM<sub>10</sub> daily benchmark of 50 µg/m<sup>3</sup> at Narrabri, Gunnedah, Tamworth, Maules Creek, Wil-gai and Werris Creek. Daily PM<sub>10</sub> levels at these monitoring sites ranged from 61 to 89 µg/m<sup>3</sup> (Figure 11). The maximum hourly PM<sub>10</sub> level reached 473 µg/m<sup>3</sup> at Gunnedah, at 2.00 pm on 4 August (Figure 12).

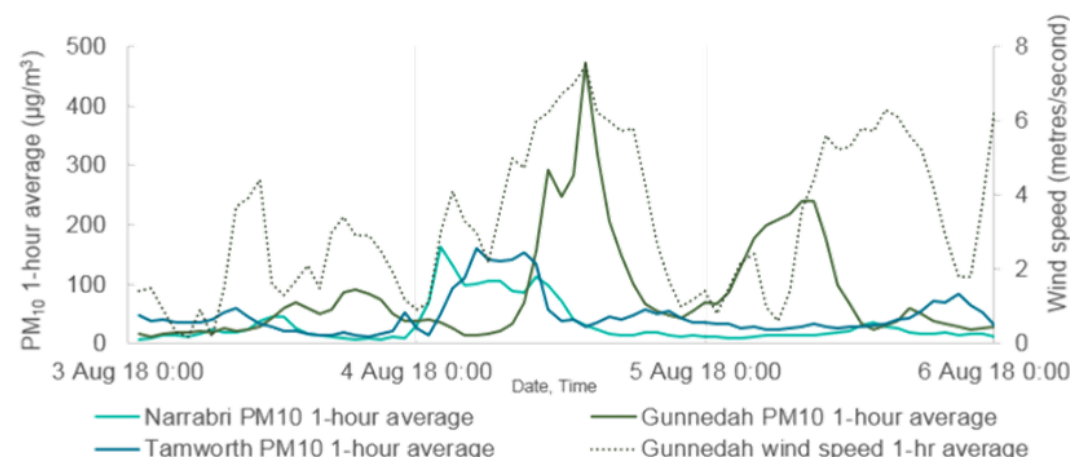
### Regional air quality in the Namoi/North-West Slopes on 4 August 2018

Figure 11 shows PM<sub>10</sub> daily levels above the national benchmark across the region on 4 August 2018.



**Figure 11** Daily PM<sub>10</sub> levels, by station, 4 August 2018

Hourly PM<sub>10</sub> levels across the Namoi/North-West Slopes peaked on 4 August 2018, generally associated with moderate to fresh westerly winds (Figures 13 and 14).



**Figure 12** PM<sub>10</sub> 1-hourly average concentrations, North-west Slopes during 3-5 August 2018, showing a peak at Gunnedah on 4 August 2018, associated with high wind speed.



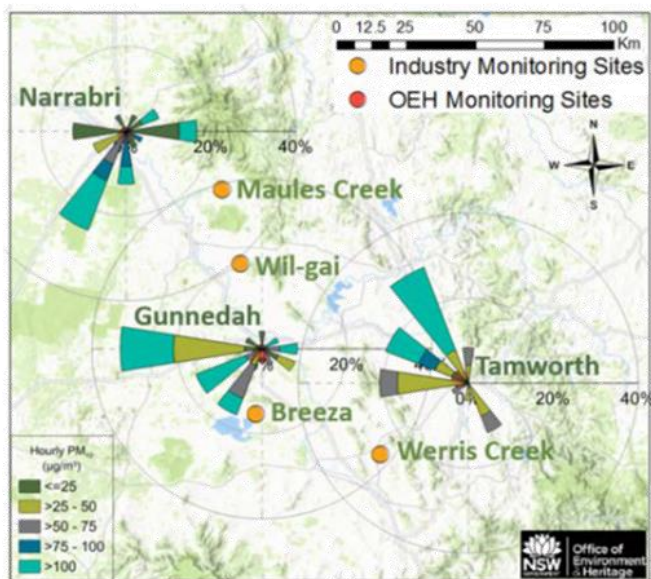
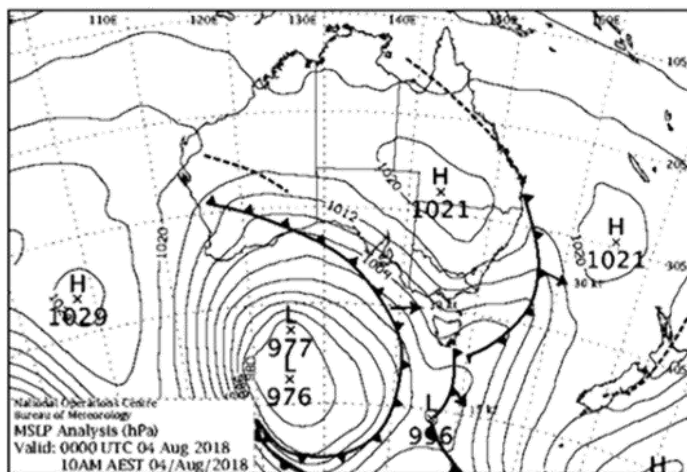


Figure 13 Hourly PM<sub>10</sub> pollution rose map for 4 August 2018, showing high particle levels generally coinciding with westerly winds

### Seasonal weather conditions and dust activity during 3-5 August 2018

Dust activity in NSW increased throughout 2018. DustWatch<sup>13</sup> reported the increasing frequency of dust storms, loss of groundcover and ongoing dry conditions. Most of New South Wales recorded rainfall levels very much below average and intensified drought conditions (as noted above in Figures 6 and 7). The NSW Rural Air Quality Monitoring Network<sup>14</sup> reported high levels of suspended dust particles across central and western NSW and the North-west Slopes, during 3-4 August 2018.

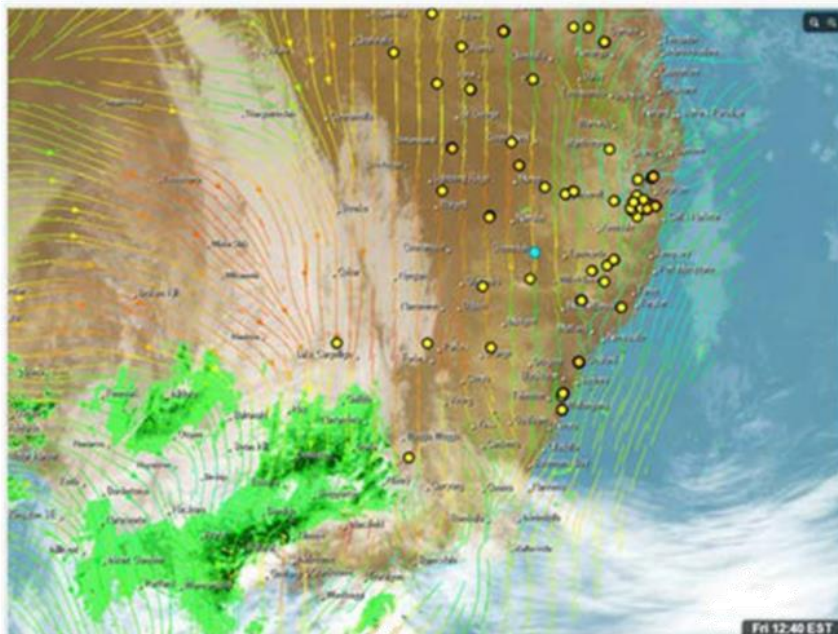
On 3-4 August 2018, a cold front and low-pressure system moved across eastern Australia (Figure 14). Moderate to fresh breezes<sup>Error! Bookmark not defined.</sup> lifted soil dust and transported suspended particles across the region. Figure 15 shows a satellite image of dust transported by winds associated with the frontal system.



<sup>13</sup> DustWatch reports January to August 2018

<sup>14</sup> NSW Rural Air Quality Monitoring Network reports hourly updated levels of PM<sub>2.5</sub>, PM<sub>10</sub> and Total Suspended Particles

**Figure 14** Synoptic weather chart for 10:00 am 4 August 2018<sup>15</sup>, showing a low-pressure system and two cold fronts with associated westerly winds



**Figure 15** Satellite image of south-eastern Australia for 3 August 2018<sup>16</sup>, showing elevated dust transported by winds associated with the frontal system. Gunnedah is shown as a blue dot.

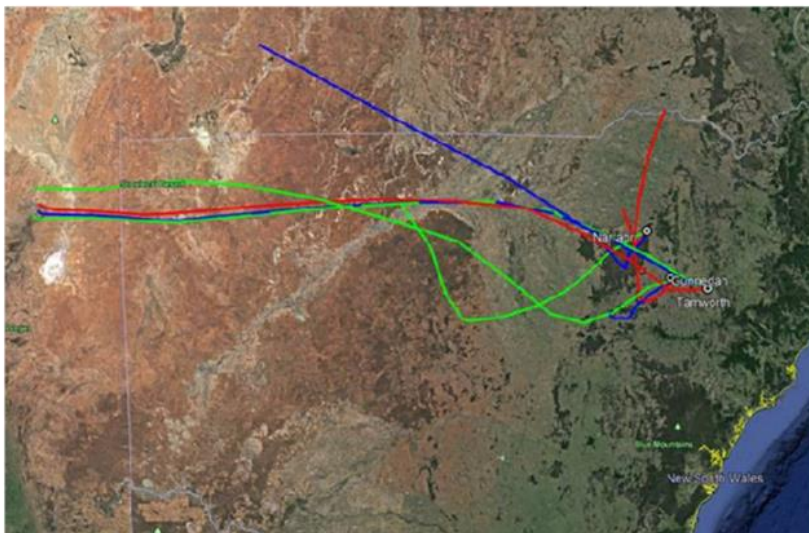
### Tracking dust particles across NSW on 4 August 2018

Office of Environment and Heritage used the computer model HYSPLIT in NSW and synoptic data from the Bureau of Meteorology, to determine the source of the high particle levels in the Namoi/North-west Slopes on 4 August 2018.

Figure 4 shows the modelled 24-hour pathway of air parcels, travelling from South Australia and southern Queensland, across northern and western NSW, before arriving in the Namoi/North-west Slopes. These long-range air flows transported suspended dust particles, elevating PM<sub>10</sub> levels across the region.

<sup>15</sup> Sourced from the Bureau of Meteorology Analysis Chart Archive website (accessed in November 2018)

<sup>16</sup> Sourced from windy.com accessed August 2018



**Figure 16** Modelled path of air particles, travelling at 50 mAGL (red), 500 mAGL (green) and 1000 mAGL (blue), before arriving in the Namoi/North-west Slopes region on 4 August 2018.

## Online performance of monitoring stations

The target performance for air quality monitoring is at least 95% available data for all parameters. The maximum online time attainable for gases, NO<sub>2</sub>, and O<sub>3</sub>, is 96%, due to daily calibrations.

Gunnedah, Narrabri and Tamworth monitoring sites met online targets for monitoring of PM<sub>10</sub> and meteorology, from 1 June to 31 August 2018.

Instrument faults and associated calibrations reduced the online time at Tamworth, for PM<sub>2.5</sub> (12 days) and at Gunnedah, for monitoring NO<sub>2</sub> (7 days) and O<sub>3</sub> (5 days).

**Table 2** Online performance (%) from January to July 2018

Station	Particles PM <sub>10</sub> daily	Particles PM <sub>2.5</sub> daily	Gases NO <sub>2</sub> hourly	Gases O <sub>3</sub> hourly	Meteorology Wind hourly
<b>Gunnedah</b>	99	99	92	94	100
<b>Narrabri</b>	99	98	-	-	100
<b>Tamworth</b>	100	87	-	-	100

- = not monitored

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Published by: Office of Environment and Heritage, 59–61 Goulburn Street, Sydney South 1232.  
Ph: 131 555 Email: [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au); Web: [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)  
ISSN 2209-945X OEH 2018/0631 December 2018





# Air Quality Monitoring Network

Summer 2018–2019

## Air quality monitoring in the Namoi/North-West Slopes Region

### Synopsis

Air quality at regional population centres in the Namoi/North-West Slopes Region met national benchmarks<sup>1</sup> on 91% of days during 1 December 2018 to 28 February 2019. The Air Quality Index<sup>2</sup> was good for 62% of the season (56 days) and fair for 29% of the season (26 days) (Figure 1). Airborne particle pollution reached poor to hazardous levels on eight days (9%) during summer 2018-2019.

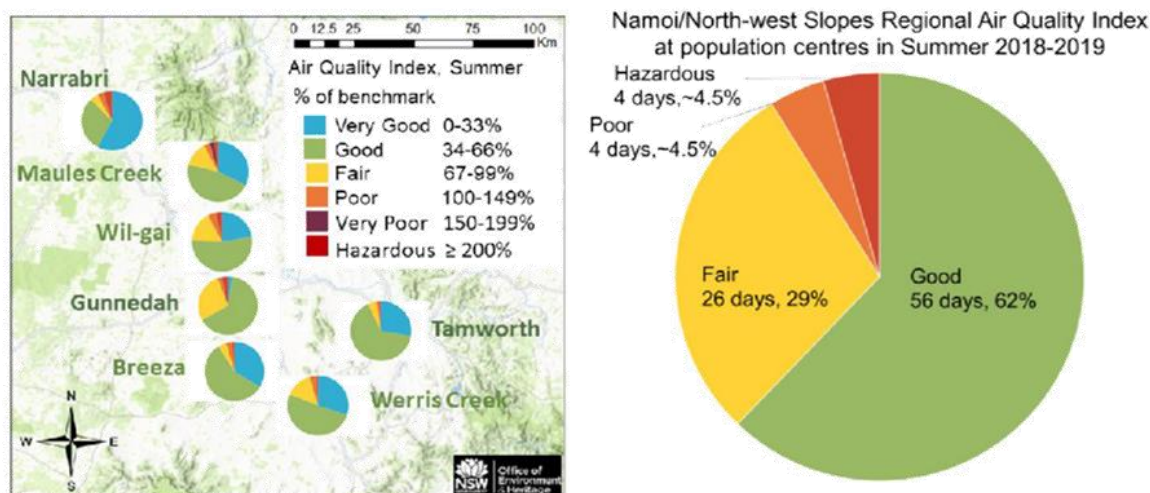
Summer air quality in the region was affected by persistent dry conditions and strong winds which led to numerous dust storms. Dust was raised by the passage of weather systems and thunderstorms moving from west to east, across areas of the state which were experiencing prolonged drought.<sup>3</sup>

Seven air quality monitoring stations operate in the region (Figure 1).

The NSW Office of Environment and Heritage (OEH) operates the monitoring stations at Tamworth (since October 2000), Gunnedah and Narrabri (since December 2017). Data are reported in near-real time on the [NSW air quality website](#).

Industries operate the monitoring stations at Maules Creek, Wil-gai, Breeza and Werris Creek. Data are reported weekly on the [NSW Environment Protection Authority Namoi project website](#).

All stations continuously monitor airborne particles, measured as PM<sub>10</sub> and PM<sub>2.5</sub><sup>4</sup>. The Gunnedah station also continuously monitors gaseous air pollutants, nitrogen dioxide (NO<sub>2</sub>) and ozone (O<sub>3</sub>).



**Figure 1** Summer air quality indices at monitoring stations (left) and regional air quality index (right), showing air quality met national standards at population centres for 92% of the season

<sup>1</sup> The [National Environment Protection \(Ambient Air Quality\) Measure \(Air NEPM\)](#) sets national standards for urban air pollutants. The NSW Government reports annually to the Australian Government on compliance with national standards at 22 air quality monitoring stations. The Narrabri and Gunnedah air quality monitoring sites currently are not designated as Air NEPM compliance monitoring sites. Therefore, this report uses the national standards as 'benchmarks' for reporting air quality.

<sup>2</sup> The [NSW Air Quality Index](#) uses colour coding to compare air pollution levels to national benchmark concentrations.

<sup>3</sup> For further detail on local and regional dust levels, see [DustWatch reports December 2018, January 2019 and February 2019](#).

<sup>4</sup> PM<sub>10</sub> and PM<sub>2.5</sub> refer to airborne particles, with sizes less than or equal to 10 and 2.5 micrometres diameter, respectively.

Air quality in the Namoi/North-west Slope Region: Summer 2018-2019



## Days above benchmark concentrations, summer 2018-2019

Table 1 shows the number of days each site recorded levels above the relevant benchmarks<sup>1</sup>.

**Table 1** Number of days above the relevant benchmarks, by station, summer 2018-2019

Station type	Station	PM <sub>10</sub> daily benchmark [50 µg/m <sup>3</sup> ]	PM <sub>2.5</sub> daily benchmark [25 µg/m <sup>3</sup> ]	NO <sub>2</sub> hourly benchmark [12 pphm]	O <sub>3</sub> hourly benchmark [10 pphm]
OEH	Narrabri	7	2	-	-
OEH	Gunnedah	5	1	0	0
OEH	Tamworth	2	0	-	-
Industry	Maules Creek	7	0	-	-
Industry	Wil-gai	7	0	-	-
Industry	Breeza	4	1	-	-
Industry	Werris Creek	4	0	-	-

- = not monitored; µg/m<sup>3</sup> = microgram per cubic metre;  
pphm = parts per hundred million by volume (i.e. parts of pollutant per hundred million parts of air)

## Online performance of monitoring stations

The target performance for air quality monitoring at OEH monitoring sites is at least 95% available data for all parameters. The maximum online time attainable for gases, NO<sub>2</sub>, and O<sub>3</sub>, is 96%, due to daily calibrations.

Table 2 presents online performance of monitoring stations at Gunnedah, Narrabri and Tamworth, from 1 December 2018 to 28 February 2019:

- All stations met online targets for monitoring of meteorology.
- Narrabri met online targets for monitoring of PM<sub>10</sub> and PM<sub>2.5</sub>.
- Gunnedah met online targets for monitoring of NO<sub>2</sub> and O<sub>3</sub>. Instrument faults and associated calibrations reduced the online time for monitoring of PM<sub>10</sub> and PM<sub>2.5</sub>.
- Tamworth met online targets for monitoring of PM<sub>10</sub>. Instrument faults and associated calibrations reduced the online time for monitoring of PM<sub>2.5</sub>.

**Table 2** Online performance (%) from 1 December 2018 to 28 February 2019

Station	Particles PM <sub>10</sub> daily	Particles PM <sub>2.5</sub> daily	Gases NO <sub>2</sub> hourly	Gases O <sub>3</sub> hourly	Meteorology Wind hourly
Gunnedah	91	91	96	96	100
Narrabri	99	99	-	-	100
Tamworth	99	92	-	-	100

For more information and to read this the full report please visit:

<https://www.environment.nsw.gov.au/topics/air/monitoring-air-quality/air-quality-monitoring-reports>

To check currently air quality data, please visit:

<https://www.environment.nsw.gov.au/aqms/hourlydata.htm>

For real time weather information, check

<https://www.windy.com>

Air quality in the Namoi/North-west Slope Region: Summer 2018-2019

**9.2 PROPOSED AMENDMENT OF CONTRIBUTIONS PLAN (PREVIOUSLY SECTION 94 PLAN)**

**Responsible Officer:** Daniel Boyce, Director Development and Economic Growth

**Author:** Daniel Boyce, Director Development and Economic Growth

**Attachments:**

1. Narrabri Shire Section 94 Plan [!\[\]\(339a16584d5da0f0a3ca4e9ec17bf6a1\_img.jpg\)](#) [!\[\]\(e06a1d39938b2f5d7a2c3618fea4f77f\_img.jpg\)](#)
2. Draft Contributions Plan [!\[\]\(23ac9e28f2600a1e787d149d7f76716a\_img.jpg\)](#) [!\[\]\(ba1ec627dd10668218bdb3f2bf103f06\_img.jpg\)](#)

**DELIVERY PROGRAM ALIGNMENT****4. Leadership**

Objective 4.2 Decision making will ensure Council remains financially sustainable

Strategy 4.2.2 Proposed expansions in Council services are evaluated after consideration of asset renewal and operational costs

**EXECUTIVE SUMMARY**

Council adopted the Narrabri Shire Council Section 94 Development Contributions Plan (“**the Plan**”) in February 2017 (Minute 23/2017) (Attachment 1).

There is a need for Council to make some “housekeeping” changes to the Plan to align it with changes to clause numbers and terminology in the *Environmental Planning and Assessment Act 1979* (“**EPA Act**”) as well as changing the wording in the Schedules to the Plan to ensure that contributions can be levied for both new dwellings on current vacant lots and future subdivision of the existing lots.

Following resolution by Council the Amended Plan (Attachment 2), now known as the Contributions Plan, can be placed on public exhibition. After which time, Council will receive a further report and consider any submissions.

**RECOMMENDATION**

1. That Council endorse the amended Narrabri Shire Contributions Plan, as attached, for the purpose of public exhibition.
2. That Council place on exhibition the amended Narrabri Shire Contributions Plan for a minimum period of 28 days.

**BACKGROUND**

Council adopted the Narrabri Shire Council Section 94 Development Contributions Plan (“**the Plan**”) in February 2017 (MINUTE 23/2017) (Attachment 1).

There is a need for Council to make some “housekeeping” changes to the Plan to align it with changes to clause numbers and terminology in the EPA Act as well as changing the wording in the Schedules to the Plan to ensure that contributions can be levied for both new dwellings on current vacant lots and future subdivision of the existing lots.

The intent of the Plan was to require contributions from the first development of lots fronting the specified unsealed road. The required contributions rates for such developments are contained within the Schedules to the Plan. The background section of each of the Schedules makes it clear that contributions were intended to be levied for both new dwellings on current vacant lots and future subdivision of the existing lots. The table within the Schedules, however, does not clearly

articulate this intent. To avoid uncertainty, it is proposed to amend the table in each of the Schedules to the Plan (Attachments 3 and 4) to make it clear that contributions are applicable to both new dwellings and subdivision applications (Table 1).

Development on affected land that may be levied a contribution	<ul style="list-style-type: none"> <li>• Subdivision to create additional allotments with a dwelling right; and</li> <li>• all new dwellings on existing allotments where a contribution has not previously been levied in accordance with this schedule of the plan.</li> </ul>
--	--

*Table 1 New Table in the Schedules to the Plan*

## **CURRENT SITUATION**

Following resolution by Council the Amended Plan (Attachment 2), now known as the Contributions Plan, can be placed on public exhibition. After which time, Council will receive a further report and consider any submissions.

## **FINANCIAL IMPLICATIONS**

Council can require the payment of a monetary contribution where it is satisfied that development is likely to require the provision of or increase the demand for public amenities and public services within the area.

## **STATUTORY AND POLICY IMPLICATIONS**

The Amended Plan must be placed on public exhibition in accordance with the *Environmental Planning and Assessment Regulation 2000*.

## **CONSULTATION**

### **External Consultation**

Following resolution by Council the Amended Plan will be publicly exhibited for a period of twenty-eight (28) days.

### **Internal Consultation**

- Director Infrastructure Delivery.

# Narrabri Shire Section 94 Contributions Plan 2016

Prepared for:

Narrabri Shire Council

Date: February 2017

Project No: 10486



Narrabri Shire Section 94 Contributions Plan 2016  
Narrabri Shire Council

# Narrabri Shire

## Section 94 Contributions Plan 2016

Prepared for

**Narrabri Shire Council**

By



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Date of Final Issue: 28 February 2017  
File Path: R:\Projects\10486 Narrabri s94\Contributions Plan\Narrabri s94 CP 2016\_draft 20161101.docx  
Project Manager: Greg New  
Client: Narrabri Shire Council  
Project Number: 10486

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**Document history and status**

Version	Issued To	Qty	Date	Prepared by:	Reviewed by:
Draft	T Meppem	1-e	23/08/16	GN	MC
Final	C Stoltenberg	1-e	28/02/17	GN	MC

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### 1. Introduction

Section 94 of the Environmental Planning and Assessment Act 1979 (**EP&A Act**) authorises a Consent Authority to grant consent to a development subject to a condition requiring the applicant to make a monetary contribution to the local council for the purpose of providing public amenities and public services that are required or demanded by that development.

Such a condition can only be imposed if it is in accordance with a contributions plan adopted by the local council.

This plan is to enable Narrabri Shire Council (**Council**) and other Consent Authorities to require developers of land within Narrabri Shire to make contributions for the purpose of providing certain public amenities and public services in the Shire.

The types of developments and amenities covered by this plan are shown in **Table 1**.

**Table 1 Contributions required under this plan**

Development	Contribution required and the amenities to be provided
(a) Mines, extractive industries and other developments that result in increased numbers of laden heavy vehicles causing pavement damage on rural roads managed by the Council	A monetary contribution will be required to meet the cost of Council maintaining the haul routes
(b) Development on land shown in the <b>Schedule</b> fronting certain unformed roads in towns and villages	A monetary contribution will be required to meet the cost of Council upgrading the roads to an urban sealed standard

This contributions plan contains the following:

- Details of public amenities and services that will be provided by the Council.
- A schedule of contribution rates for various classes of development subject to the plan.
- Information on how the contribution rates were calculated.
- Council's policies on how and when developers can settle their contributions obligations, including opportunities for developers to provide land and works 'in kind'.
- Specific provisions on the role of accredited certifiers in imposing and collecting section 94 contributions.
- Various other provisions related to the fair and transparent administration of section 94 contributions involving development affected by the plan.

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## 2. Plan summary

### 2.1 How to use this plan

This plan has been broken up into the following sections to allow easy navigation by Council staff, developers and private certifiers:

#### Section 2 – Plan Summary

This section identifies both the land and development that this plan applies to as well as the contribution rates that apply to development.

#### Section 3 – How are the contributions rates calculated?

This section explains how the contributions for development are calculated, and the nexus between the expected development and the infrastructure to be provided.

#### Section 4 – How and when will contributions be imposed on development?

This section explains how conditions of consent will be used to collect contributions levied under this plan and provisions to index the contributions payable to reflect changes in land acquisition and construction costs. It also describes accredited certifiers' obligations to address the requirements of this plan in the issuing of construction certificates and complying development certificates.

#### Section 5 – How and when a contribution requirement can be settled?

This section explains how consent conditions requiring the payment of contributions can be settled.

#### Section 6 – Other administration matters

This section outlines other administrative arrangements surrounding the operation of this plan, including a Dictionary of terms used in this plan.

#### Schedule

This section contains details and maps related to Urban Roads projects levied for under this plan.

#### Appendices

This section includes information supporting the body of the plan.

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## 2.2 Name and commencement of plan

This plan is called Narrabri Shire Section 94 Contributions Plan 2016.

This plan commences on the date on which public notice was given under clause 31(2) of the EP&A Regulation or the date specified in that notice if it is a different date.

## 2.3 What is this plan's purpose?

The primary purpose of this plan is to authorise:

- the Council, when granting consent to an application to carry out development to which this plan applies; or
- an accredited certifier, when issuing a complying development certificate (CDC) for development to which this plan applies,

to require a section 94 contribution to be made towards the provision, extension or augmentation of public amenities and services that are required as a consequence of the development, or which were provided in anticipation of, or to facilitate, such development.

Other purposes of this plan are as follows:

- To provide a clear and transparent basis for levying contributions under the provisions of section 94 of the EP&A Act.
- To provide the framework for the efficient and equitable determination, collection and management of section 94 contributions.
- To establish the relationship between the expected development and the public amenities and services included in this plan, to demonstrate the required contributions are reasonable.
- To allow for the provision of the required public amenities and services by alternative means where this is acceptable to the developer and the Council (for example; through a planning agreement).
- To ensure that the broader Narrabri Shire community is not unreasonably burdened by the provision of public amenities and services required as a result of development affected by this plan.

## 2.4 What land and development does this plan apply to?

This plan applies to all land in the Narrabri Local Government Area.

This plan applies to the following developments:

- (a) Mines, extractive industries and other development that result in increased numbers of laden heavy vehicles using Council's road network.
- (b) Development on land fronting certain unformed roads in towns and villages shown in the contribution catchments maps in the **Schedule** to this plan.

## 2.5 What development is exempted?

This plan DOES NOT apply to the following types of developments:

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- Development proposed by or on behalf of the Council.
- Development exempted from section 94 contributions by way of a direction made by the Minister for Planning under section 94E of the EP&A Act.

## 2.6 What public amenities and services will be provided under this plan?

The public amenities and services which are covered by this plan include the following:

- Pavement damage to rural roads caused by mines, extractive industries and other 'heavy haulage' developments
- Urban roads that were unformed or unsealed at the time this plan was made.

The costs of administering this plan will also be met by contributions imposed under this plan.

More details on the public amenities and services, and their relationship with the expected developments are included in **Part 3** of this plan.

## 2.7 What are the contribution rates?

**Table 2** summarises the contribution rates for the various categories of public amenities and services in this plan.

**Table 2 Contribution rates**

Development	Contribution rate
(a) Mines, extractive industries and other developments that result in increased numbers of laden heavy vehicles using Council's road network	\$0.31 per Equivalent Standard Axle (ESA) per km of haul road or \$0.053 per tonne of hauled material per km of haul road
(b) Development on land shown in the <b>Schedule</b> fronting certain unsealed or unformed roads in towns and villages	Refer to <b>Schedule</b> at the back of this plan

### 3. How are the contribution rates calculated?

This part of the plan describes the development that will demand the public amenities and services required under this plan, and explains how each of the contribution rates were calculated.

#### 3.1 Rural roads pavement damage

##### 3.1.1 Overview

This plan authorises a contribution rate of either 5.3 cents / tonne / km of hauled material, or 31 cents / ESA / km.

This *contribution rate* enables the Consent Authority, in any particular case, to impose a *contribution amount* on a development relating to the length of local and regional roads that will be used by heavy vehicles for the haulage of material.

The consent condition will contain both a contribution rate and an assumed haul road length. The consent condition will require the development to make periodic payments to Council based on tonnage or ESA returns in the preceding quarter.

##### 3.1.2 What is the nexus between the expected types of development and the demand for public amenities and services?

Roads have a design life after which they need reconstruction. Heavy vehicles can significantly reduce the life of a road. The heavy vehicles have a disproportionately greater impact on the life of roads compared to other light vehicles, notwithstanding their greater numbers.

Major roads and highways are generally designed and constructed to accommodate heavy vehicles and the damage associated with heavy trucks is recouped through registration and general taxation. Roads within the local road network managed by the local council conversely often have a lower design standard and are more susceptible to wear and tear associated with heavy vehicles resulting in the need for more frequent reconstruction work.

Council has the responsibility of maintaining most of the roads in the Narrabri Shire to an acceptable standard. The standard is to ensure the roads:

- are kept to an appropriate level of safety for the road user; and
- remain trafficable for the duration of their design life.

The additional heavy vehicle loadings on a road due to developments involving laden heavy vehicle movements will accelerate the deterioration of that road's pavement. The consequence is that in order for the roads authority to maintain the road pavement at its existing level of service, additional maintenance spending will be required sooner than would be the case without that development. In short, the use of a road by heavy vehicles will require the replacement of that road's pavement sooner.

From time to time Council receives development applications that involve the haulage of material and goods using heavy vehicles. These developments typically include quarries and other forms of extractive industry, but can also include rural industries. These developments can be located anywhere within the LGA.



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Concentrated heavy vehicle movements generated by these developments will accelerate the deterioration of road pavements that were designed to meet demands of rural rather than industrial or commercial developments.

Councils are not generally able to impose additional fees, charges or rates to meet the extra costs associated with accelerated deterioration of roads caused by heavy vehicle movements from these developments, except for section 94 contributions imposed under the EP&A Act.

Council considers that it is reasonable to expect that developments which generate unusually high truck movements or truck movements which have the effect to significantly reduce the life of the road construction and / or increase the cost of maintaining a road should make a monetary contribution. The amount should be based on the cost to Council of bringing forward the need for works or based on the increased cost to Council of maintaining the road.

This plan therefore authorises Consent Authorities to require contributions from developments that generate additional laden heavy vehicle movements to meet the additional cost burden of providing and maintaining roads caused by those developments.

Council shall allocate any monies received under this plan to the particular haul roads that developments have contributed towards. As heavy haulage developments can occur anywhere in the LGA, and this plan operates to respond to the impacts of yet-to-be-identified developments, it is not possible to identify those roads in this plan.

### 3.1.3 Calculation of the contribution rate

The contribution rates that will be applied to developments that cause pavement damage to rural roads are based on the methodologies applied by other northern NSW councils on such development.<sup>1</sup>

The methodology used is to determine the ratio of the cost to replace the asset to the design traffic loading, which gives a replacement cost per ESA. This ratio forms the basis of further calculations to determine loss of life in dollars per tonne of material hauled.

The following steps were followed for determining the contribution rates by these councils:

1. Determine design ESA
2. Estimate the cost to reconstruct / maintain 1 lane-km for the above ESA
3. Calculate the contribution rate in \$ / ESA / km

*At this point the ESA contribution rate is known. To determine the tonnage contribution rate the following additional two steps were undertaken:*

4. Calculate \$ / typical vehicle ESA
5. Calculate \$ / tonne / km

<sup>1</sup> Contributions levied by Ballina Shire Council under Ballina Shire Heavy Haulage Contributions Plan 2011, and by Lismore City Council under Lismore City Section 94 Contributions Plan 2014.



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**Table 3** summarises the calculations that were performed to determine the contribution rates for a sealed rural road with a medium level of traffic of 1,000 vehicles per day per lane. In Narrabri it is more likely that there would be lower levels of traffic on both sealed and unsealed roads. However, use of these road types in the methodology yielded higher contribution rates. The medium traffic sealed road contribution is more conservative and has been adopted by Narrabri Shire Council for the purposes of this plan.

**Table 3 Summary of calculation of contribution rates for rural roads pavement damage**

Step	Workings for sealed road with medium traffic <sup>2</sup>
Determine design ESA	Treat damage to pavement and damage to wearing course separately: <ul style="list-style-type: none"> <li>Design life of pavement: 873,743 ESAs over 30 years</li> <li>Pavement spay-seal: 262,795 ESAs over 10 years</li> </ul>
Estimate the cost to reconstruct / maintain 1 lane-km for the above ESA	Pavement reconstruction: \$200,000 per lane per km Surfacing spray-seal: \$20,000 per lane km
Calculate the contribution rate in \$ / ESA / km	Pavement = \$200,000 / 873,743 = \$0.23 per ESA per km Spray-seal = \$20,000 / 262,795 = \$0.08 per ESA per km Total = \$0.23 + \$0.08 = <b>\$0.31 per ESA per km</b>
Calculate \$ / typical vehicle ESA (	The typical vehicle assumed to be a 'class 4 + dog trailer' No. of ESAs per typical vehicle = 2.6 Contribution per typical vehicle = \$0.31 x 2.6 = \$0.80 per vehicle
Calculate \$ / tonne / km	The typical load in a typical vehicle is assumed to be 15 tonnes Contribution = \$0.80 / 15 = <b>\$0.053 per tonne per km</b>

**3.1.4 Calculation of the quarterly contribution payment**

The process for calculating and collecting the contribution will generally be as follows:

1. Identify the length of local and regional roads (i.e. haul routes) that the development's laden heavy vehicles will utilise. Classified roads that are the sole maintenance responsibility of the NSW Government are excluded from consideration. The length of haul route(s) in kilometres will be determined from information submitted by the applicant with the development application. Any development application for mines, extractive industries or other developments involving the haulage of material or goods by heavy vehicles on any land in Narrabri LGA must include details of haul routes.
2. Consent Authority imposes a development consent condition requiring payment based on:
  - (a) the \$ rate per tonne per km, or the \$ rate per ESA per km (from this plan);

<sup>2</sup> 1,000 vehicles per day per lane with a growth rate of 1% per annum

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- (b) the total length of all haul routes (from 1. above); and
  - (c) the amount of material hauled (in tonnes), or the volume of vehicles accessing the site (in ESAs) over the preceding quarter.
3. No later than twenty-eight (28) days after the end of March, June, September and December over the life of the development, the operator of the development:
- (a) submits to Council independently verified tonnage (or ESA) returns for the development over the preceding quarter, and
  - (b) pays the roads maintenance contribution to Council reflecting the \$ rate per tonne (or per ESA) and total haul route length contained in the development consent.

### Worked example

For example, where in a development application it is stated that a development's haul trucks will utilise 3.5 kilometres of public roads in the LGA, and that estimate of haul route use is considered by the Consent Authority to be a reasonable estimate, then the contribution amount that would be imposed on the development consent would be:

$$3.5 \text{ km} \times 5.3 \text{ cents per tonne per kilometre}$$

$$= 18.55 \text{ cents per tonne of haulage material, calculated quarterly and indexed quarterly in accordance with the Producer Price Index described in Section 6.3}$$

Then, after the first full quarter of operations, the operator submitted an independently verified statement showing that there had been 7,100 tonnes of extractive material transported from the development. The Council in response would issue to the operator a tax invoice showing the following details and payment amount:

$$18.55 \text{ cents per tonne} \times 7,100 \text{ tonnes}$$

$$= \$1,317.05$$

### 3.1.5 Application information to be relied on

There may be circumstances where the likely length or lengths of roads to be used by laden heavy vehicles in development vary, and therefore the contribution amount for that development, is difficult to quantify. In such cases, Council will determine the length or lengths of road to be levied based on the information submitted with the development application. It is the duty of the applicant to provide sufficient and accurate information on likely haul route use at the application stage.

### 3.1.6 Matters to be addressed during the operation of the development

The consent will identify the haul route length and the contribution rate applicable to the development. Council acknowledges that the haul routes used by a development may change over the life of the development. The consent will therefore include a condition that requires the proponent to prepare a statement of haulage routes at least every three years. The statement will identify the local and regional roads that are used by heavy vehicles transporting material and goods to / from the development, as well as the proportion of the development's total heavy vehicles using each road length.

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The contribution rate in the consent will be automatically adjusted in accordance with annual movements in the Producer Price Index: Road and Bridge Construction New South Wales (Catalogue No. 6427.3101) as published by the Australian Bureau of Statistics.

Where an ESA-based contribution rate is imposed on the development, the following matters shall be addressed by way of conditions of consent to be implemented at the start of and throughout the development's life:

- A traffic classifier is to be installed (at the applicant's cost) at a suitable location to classify and count the number of loaded heavy vehicles that enter or exit the development site over each quarter. The purpose of the classifier is to record the number of ESAs that are subject to contributions.
- Responsibility for keeping the traffic classifier in good working order throughout the life of the development will rest with the operator.
- Council officers are to be provided access to the traffic classifier data on a regular (i.e. at least quarterly) basis.
- In the event of the traffic data being corrupted, then the Council at its discretion may determine the ESAs and therefore the contribution amount for the preceding period.

### 3.1.7 Roadworks may be required to be undertaken in addition to contributions required under this plan

The Shire's local and regional road network has been constructed and is maintained by Council as necessary to ensure an acceptable standard of service.

It is possible that some of these roads may not be able to accommodate additional heavy vehicle loading generated by mines and extractive industries without immediate upgrade. There may be upgrades to roads or traffic facilities that are directly required by a development and without which the development could not or should reasonably occur. New roads, or upgrades to sections of the existing road network, including ongoing maintenance, may be required to accommodate the additional heavy vehicle loading.

Where a development requires works to the road network to be undertaken, the requirement will be by way of a condition imposed on the development consent under section 80A(1)(f) of the EP&A Act. This will be in addition to road maintenance contributions for haul routes imposed under this plan.

## 3.2 Urban roads

Most of the road network in the Shire's towns and villages is of a sealed standard.

There are however sections of road that have not been sealed.

Land fronting these sections has either been subdivided for urban purposes or is yet to be subdivided. Not all of the subdivided lots have been developed for urban (principally residential) purposes.

The local community generally expects that the roads directly servicing dwellings in towns and villages will be sealed.

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This plan therefore authorises Consent Authorities to require monetary contributions from the first development of lots fronting unsealed roads in urban areas.

The particular urban road projects, their costs, their nexus with expected developments, and their contributions catchments and calculations of contribution rates are shown in the **Schedule** to this plan.

## 4. How and when will contributions be imposed on developments?

### 4.1 Monetary contributions

This plan authorises the Council or an accredited certifier, when determining an application for development or an application for a CDC, and subject to other provisions of this plan, to impose a condition requiring a contribution under section 94 of the EP&A Act on that approval for:

- the provision, extension or augmentation of public amenities and services to be provided by Council; and / or
- the recoupment of the previous costs incurred by Council in providing existing public amenities and services.

Accredited certifiers should also refer to **Section 4.4** of this plan as to their obligations in assessing and determining applications.

### 4.2 Cap on monetary section 94 contributions for residential development

The Minister for Planning has issued a Direction to Council that caps section 94 contributions for residential development.<sup>3</sup>

The Direction requires:

*A council (or planning panel) must not grant development consent ... subject to a condition under section 94 (1) or (3) of the Environmental Planning and Assessment Act 1979 requiring the payment of a monetary contribution that:*

*(a) in the case of a development consent that authorises one or more dwellings, exceeds \$20,000 for each dwelling authorised by the consent, or*

*(b) in the case of a development consent that authorises subdivision into residential lots, exceeds \$20,000 for each residential lot authorised to be created by the development consent.*

This plan is consistent with the Minister's Direction in that it authorises section 94 contributions on residential development not to exceed the cap.

Where the sum of the contributions for a particular development calculated under this plan and any other contributions plan adopted by the Council exceeds \$20,000 per residential lot or dwelling, the total amount included in the consent shall not exceed the cap.

<sup>3</sup> The most recent Direction issued by the Minister was dated 21 August 2012. A copy of the Direction is able to be viewed on the Department of Planning Environment website.



### 4.3 Latest rates to be used

The section 94 contribution imposed on a development will reflect the latest, indexed contributions rates authorised by this plan.

The monetary section 94 contribution rates shown in **Section 2.7** reflect the contribution rates at the date that this plan commenced. These rates are regularly adjusted for inflation (see **Section 6.3**).

Applicants and accredited certifiers should inquire at the Council for information on the latest contribution rates.

### 4.4 Obligations of accredited certifiers

#### 4.4.1 Complying development certificates

This plan requires that, in relation to an application made to an accredited certifier for a CDC relating to development affected by this plan:

- the accredited certifier must, if a CDC is issued, impose a condition requiring a monetary contribution, if such a contribution is authorised by this plan
- the amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this section
- the terms of the condition be in accordance with this section.

#### Procedure for determining the contribution amount

The procedure for an accredited certifier to determine the amount of the section 94 monetary contribution for complying development is as follows:

1. If, and only if specified in writing in the application for a CDC, the applicant has requested a credit under section 94(6) of the EP&A Act, or an exemption or part or the whole of the development under **Section 2.5** of this plan, the accredited certifier must:
  - (a) make a request in writing to the Council for the Council's advice on whether the request is granted, or the extent to which it is granted; and
  - (b) in calculating the monetary contribution, comply with the Council's written advice or if no such advice has been received prior to the granting of the CDC refuse the applicant's request.
2. Determine the unadjusted contributions in accordance with the rates included in **Section 2.7** of this plan taking into account any exempt development specified in **Section 2.5** and any advice issued by the Council under paragraph 1(b) above.
3. Adjust the calculated contribution in accordance with **Section 6.3** to reflect the indexed cost of the provision of the public amenities and services.
4. Subtract any infrastructure demand credit advised by the Council under paragraph 1(b) for any assumed demand relating to existing development.



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**4.4.2 Construction certificates**

It is the responsibility of an accredited certifier issuing a construction certificate for building work or subdivision work to ensure that each condition requiring the payment of a monetary contribution before work is carried out has been complied with in accordance with the CDC or development consent.

The accredited certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with section 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

The only exceptions to the requirement are where a work in kind, material public benefit, dedication of land and/or deferred payment arrangement has been agreed by the Council. In such cases the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

**4.5 Variation to contributions authorised by this plan**

The Council may, after considering a written application, reduce the section 94 contribution otherwise calculated in accordance with the provisions of this plan.

A developer's request for variation to a contribution calculated in accordance with this plan must be supported by written justification included with the development application. Such request will be considered as part of the assessment of the application.

An accredited certifier other than the Council cannot vary a section 94 contribution calculated in accordance with this plan, without Council's written approval.

## 5. How and when can a contribution requirement be settled?

### 5.1 Timing of payments

A monetary contribution required to be paid by a condition imposed on the development consent in accordance with this plan is to be paid at the time specified in the condition.

Generally, the condition will provide for payment as follows:

- For development where no further approvals are required – before the development consent is issued.
- For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate for any works.
- For works authorised under a CDC, the contributions are to be paid prior to any work authorised by the certificate commences, as required by section 136L of the EP&A Regulation.

At the time of payment, it will be necessary for monetary contributions amounts to be updated in accordance with the relevant indexes (see **Section 6.3**).

### 5.2 Process for deferred payments

Council may accept the deferred or periodic payment of a monetary contribution required under this plan if the applicant, or any other person entitled to act upon the relevant consent, makes a written request and can satisfy the Council of non-compliance with the payment provisions.

Council must be satisfied that:

- there are valid reasons for the deferral or periodic payment;
- the granting of the request will not adversely impact on the administration, operation or cash flows of the plan;
- the granting of the request will not jeopardise the timely provision of works or land identified within the plan; and
- the proposed arrangement remains consistent with the purpose of the plan.

The decision to accept a deferred or periodic payment of a monetary contribution is at the sole discretion of Council. Any deferral will generally be limited to a period of no more than 24 months.

Where Council allows a deferral of contributions, an appropriate bank guarantee shall be secured for the amount of contributions to be deferred. The conditions under which the Council may accept deferred settlement by way of lodgement of a bank guarantee are that:

- the bank guarantee be by an Australian bank for the amount of the total contribution, or the amount of the outstanding contribution, plus an amount equal to thirteen (13) months interest;
- the bank unconditionally pays the guaranteed sum to the Council if the Council so demands in writing not earlier than twelve (12) months from the provision of the guarantee or completion of the work whichever occurs first;

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- the bank must pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development in accordance with the development consent; and
- the bank's obligations are discharged when payment to the Council is made in accordance with this guarantee or when Council notifies the bank in writing that the guarantee is no longer required.

Any deferred or outstanding component of the monetary contribution will be adjusted in accordance with **Section 6.3** of this plan.

The applicant will be required to pay any charges associated with establishing or operating the bank guarantee. Council will not cancel the bank guarantee until the outstanding contribution as indexed and any accrued charges are paid.

Where Council agrees to a request for deferred or periodic payment, the applicant will be required to lodge, and pay for, a section 96 application to modify the development consent to specify the new payment arrangements.

### 5.3 Are there alternatives to paying the contribution?

#### 5.3.1 Mines, extractive industries and other heavy haulage developments

Applicants may propose an alternative contribution rate that more accurately reflects the likely road impacts of the particular development. Any alternate contribution rate must be agreed to by Council prior to the due date for a contribution payment or the commencement of any works as part of that alternate payment method.

Applicants may also propose alternative arrangements to the payment of a periodic contribution to Council for excessive road wear and tear. This could include, for example, reconstruction of the road pavement up-front and no ongoing maintenance contribution.

Justification of any alternative must be addressed in a transport study on the proposed development. The study should address all of the relevant matters listed in **Appendix A**.

#### 5.3.2 Other development

A person may make an offer to the Council to carry out works or provide another kind of material public benefit or dedicate land, in part or full satisfaction of a section 94 contribution required by a condition of consent imposed under this plan.

If a developer wishes to deliver infrastructure that is included in this plan instead of the Council delivering that infrastructure, then the developer can approach this either one of two ways:

- (a) The developer may offer to enter into a planning agreement to undertake works, make monetary contributions, dedicate land, or provide some other material public benefit. Planning agreements are the most appropriate mechanism for offers made prior to the issue of a development consent for the development.
- (b) If the developer has already received a development consent containing a condition requiring a section 94 contribution, the developer may offer to undertake works in

## Narrabri Shire Section 94 Contributions Plan 2016

Narrabri Shire Council

kind through a works in kind agreement, or offer to dedicate land through a land dedication agreement.

Any offer for works in kind or other material public benefit shall be made in writing to the Council prior to the commencement of any works proposed as part of that offer. Retrospective works in kind agreements will not be accepted.

Works in kind or the dedication of land will be accepted by Council only under the following circumstances:

- Council will generally only accept offers of works or land that are the specific public amenities and services included in this plan; and
- Council determines that the works in kind are, or the land to be dedicated is, appropriate; and
- The value of the works to be undertaken or the land to be dedicated is at least equal to the value of the contribution assessed in accordance with this plan, or where the value of the proposed works in kind or the land to be dedicated is less than the monetary value of the contribution, the difference will be met by way of a monetary contribution.

Should an offer of works in kind or land dedication be accepted, Council will establish with the applicant the following as relevant:

The decision to accept the settlement of a contribution by way of works in kind or the dedication of land is at the sole discretion of Council, and will be subject to any reasonable requirement of the Council in relation to the facility specification, program for delivery, and a suitable defects liability period.

## 6. Other administration matters

### 6.1 Relationship of this plan to other contributions plans

This plan does not affect any other contributions plan adopted by the Council.

### 6.2 Savings and transitional arrangements

This plan applies to a development application or application for a CDC submitted after the date on which this plan took effect.

A development application or application for a CDC that was submitted, but not yet determined, on or before the date on which this plan took effect, shall be assessed under the contributions plan or plans that applied at the date of submission of the application.

### 6.3 Adjustment of contributions to address the effects of inflation

To ensure that the value of contributions for the construction and delivery of infrastructure is not eroded over time by inflation or significant changes in land values, this plan authorises that contribution rates and the contribution amounts included in consents will be adjusted over time.

#### 6.3.1 Contribution rates in this plan

Council will, without the necessity of preparing a new or amending contributions plan, make changes to the contribution rates set out in this plan to reflect annual movements in the value of land acquisition and works.

The Producer Price Index: Road and Bridge Construction New South Wales (Catalogue No. 6427.3101), as published by the Australian Bureau of Statistics, will be used to update the contribution rates in this plan.

#### 6.3.2 Contribution amounts in consents

A monetary contribution amount required by a condition of development consent imposed in accordance with this plan will be indexed between the date of the grant of the consent and the date on which the contribution is paid in accordance with annual movements in the Producer Price Index: Road and Bridge Construction New South Wales (Catalogue No. 6427.3101) as published by the Australian Bureau of Statistics.

### 6.4 Pooling of contributions funds

This plan authorises monetary contributions paid for different purposes in accordance with development consent conditions authorised by this plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes.



## Narrabri Shire Section 94 Contributions Plan 2016

Narrabri Shire Council

## 6.5 Accountability and access to information

In accordance with the EP&A Act and EP&A Regulation a contributions register will be maintained by Council and may be inspected upon request.

The register will be maintained at regular intervals and will include the following:

- Particulars sufficient to identify each development consent for which contributions have been sought
- Nature and extent of the contribution required by the relevant condition of consent
- Name of the contributions plan under which the condition of consent was imposed
- Date the contribution was received, for what purpose and the amount.

Separate accounting records will be maintained for each contribution type in this plan and published every year in Council's financial accounts. They will contain details concerning contributions received and expended, including interest for each service or amenity to be provided. The records are held at Council's Administration Office and may be inspected upon request.

## 6.6 Dictionary

Words and phrases used in this plan have the same meaning as the terms defined in Narrabri Local Environmental Plan 2012 or the EP&A Act, except as provided for below.

In this plan, the following words and phrases have the following meanings:

**CDC** means complying development certificate.

**Consent Authority** has the same meaning as in the EP&A Act but also includes an accredited certifier responsible for issuing a CDC.

**Council** means Narrabri Shire Council.

**EP&A Act** means the Environmental Planning and Assessment Act 1979.

**EP&A Regulation** means the Environmental Planning and Assessment Regulation 2000.

**ESA** means equivalent standard axle.

**LGA** means local government area.

**Schedule** means the schedule that appears at the back of this plan.



Narrabri Shire Section 94 Contributions Plan 2016  
Narrabri Shire Council

## **SCHEDULE**

### **Urban Roads Contributions Projects**



**SCHEDULE**  
**URBAN ROADS CONTRIBUTIONS PROJECTS**

**Lynn Street, Boggabri**

Urban roads project number	<b>B1-2016</b>
Affected land	Refer to contributions catchment map
Development on affected land that may be levied a contribution	Subdivision to create additional allotments with a dwelling right
Public amenities and services required to meet the development of the land	Construction and sealing of Lynn Street between Clare Street and Kamilaroi Highway, Boggabri
Cost of the public amenities and services	\$309,000
Contribution rates	\$20,000 per dwelling lot
Staging / timing of the public amenities and services	To be determined – dependent on the rate of development in the contributions catchment
Works location map	Refer to works map

**Background**

Lynn Street is unsealed between Clare Street and Kamilaroi Highway.

Land on the western side of this section of road is zoned R1 General Residential under Narrabri Local Environmental Plan 2012. This land contains residential dwellings and has the potential to be developed for more residential dwellings in the future. The total expected development potential is 12 dwelling house lots, assuming an average allotment size of 800 square metres.

Safe and convenient access to this development would require the sealing of the subject section of Lynn Street. Council has estimate the cost of this work at \$309,000.

The contribution rate formula is as follows:

$$\text{Contribution rate per lot} = \$300,000 / 12 \text{ lots}$$

$$= \$25,750 \text{ per lot or dwelling}$$

Regardless of this amount, the contribution rate that will be imposed on residential development shall be \$20,000 per residential lot or dwelling, reflecting the cap imposed by the Minister under the section 94E direction issued on 21 August 2012.



## SCHEDULE

### URBAN ROADS CONTRIBUTIONS PROJECTS

Works map for B1-2016



**Narabari Council**  
is committed  
to providing  
efficient, effective  
and sustainable  
services to the community.



#### Disclaimer

This map is not a professional engineering drawing. It is for information only and should not be used for any purpose other than that intended. The Council is not responsible for any errors or omissions. The Council is not responsible for any damage or loss resulting from the use of this map. The Council is not responsible for any damage or loss resulting from the use of this map.



**GDA**

**Important**

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Contour Interval:

Projection: GDA94

Date: 18/08/2018

Drawn By: GIS

## LYNN ST PROPOSED CUL-DE-SAC

Scale 1: 1,500





**SCHEDULE**  
**URBAN ROADS CONTRIBUTIONS PROJECTS**

**Derby, Oakham and Merton Streets, Boggabri**

Urban roads project number	<b>B2-2016</b>
Affected land	Refer to contributions catchment map
Development on affected land that may be levied a contribution	Subdivision to create additional allotments with a dwelling right
Public amenities and services required to meet the development of the land	Construction and sealing of Derby, Oakham and Merton Streets, Boggabri
Cost of the public amenities and services	\$803,000
Contribution rates	\$5,695.04 per dwelling lot
Staging / timing of the public amenities and services	To be determined – dependent on the rate of development in the contributions catchment
Works location map	Refer to works map

**Background**

Derby Street and the southernmost sections of Oakham Street and Merton Streets are unsealed roads.

Certain land fronting these roads is zoned R1 General Residential under Narrabri Local Environmental Plan 2012. This land contains residential dwellings and has the potential to be developed for more residential dwellings in the future. The total expected development potential is 141 dwelling house lots, assuming an average allotment size of 800 square metres.

Safe and convenient access to this development would require the sealing of the subject section of Lynn Street. Council has estimate the cost of this work at \$803,000.

The contribution rate formula is as follows:

$$\begin{aligned}\text{Contribution rate per lot} &= \$803,000 / 141 \text{ lots} \\ &= \$5,695.04 \text{ per lot or dwelling}\end{aligned}$$

## SCHEDULE

### URBAN ROADS CONTRIBUTIONS PROJECTS

Contributions catchment map for B2-2016



Narabri State Council  
of Narabri  
Council of the Narabri  
State Council of the Narabri  
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State Council of the Narabri

#### Disclaimer

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Contour Interval:

Projection: GDA94

Date: 22/06/2016

Drawn By: GIS

### OAKHAM ST, DERBY ST & MERTON ST DEVELOPABLE LANDS

Scale 1: 2,500





### Works map for B2-2016

Narrabri Shire Section 94 Contributions Plan 2016  
Narrabri Shire Council

**APPENDIX A**  
**Alternative to Roads Maintenance**  
**Contribution - Transport Study**  
**Requirements**



## **Justification of any alternative to paying the Roads Maintenance Contribution**

### **Transport Study Requirements**

1. Identify the route over which haulage is proposed.
2. Identify the type and number of vehicles used to haul material.
3. An engineering assessment of the road condition and alignment over the entire length that haulage is proposed, including:
  - a. existing pavement condition, and seal widths
  - b. existing shoulder conditions
  - c. existing pavement composition and structural capacity
  - d. existing alignment, specifically detailing those areas which fail to meet current standards
  - e. the number of overtaking opportunities and climbing lanes and the impact that increased truck traffic will have on existing travel times and accident rates
  - f. an analysis in accordance with AUSTROADS principles of the existing road length showing current levels of service, and any assumptions made in their calculation.
4. The impact that road haulage will have on the existing road condition, including:
  - a. the expected rate of pavement deterioration over each year that haulage is proposed, assessed in conjunction with the expected number of heavy vehicle movements (expressed as Equivalent Standard Axles)
  - b. the reduction in pavement life which may be expected from the haulage
  - c. the cost to the community to repair the pavement damage resulting from the haulage, and to maintain the pavement in an acceptable condition
  - d. the cost to the community of the reduced pavement life resulting from the haulage.

# **Narrabri Shire**

## **Section 7.11**

### **Contributions Plan**

#### **2016**



**NARRABRI SHIRE**  
DISCOVER THE POTENTIAL

## Narrabri Shire

### Section 7.11 Contributions Plan 2016

#### Document history and status

This document was originally prepared by GLN Planning Pty Ltd Project No. 10486).  
Amendments since 28 February 2017 have been made by Narrabri Shire Council.

Version	Issued To	Qty	Date	Prepared by:	Reviewed by:
Draft	T Meppem	1-e	23/08/2016	GLN	MC
Final	C Stoltenberg	1-e	28/2/2017	GLN	MC
Revised Draft	N/A		10/07/2019	MH	ED

MINUTE NUMBER	MEETING DATE	DESCRIPTION OF CHANGE
23/2017	21 February 2017	Adopted by Council

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## Schedule

Urban Roads Contributions Projects

## Appendices

Appendix A     Alternative to Roads Maintenance Contribution - Transport Study Requirements

## 1. Introduction

Section 7.11 of the Environmental Planning and Assessment Act 1979 (**EP&A Act**) authorises a Consent Authority to grant consent to a development subject to a condition requiring the applicant to make a monetary contribution to the local council for the purpose of providing public amenities and public services that are required or demanded by that development.

Such a condition can only be imposed if it is in accordance with a contributions plan adopted by the local council.

This plan is to enable Narrabri Shire Council (**Council**) and other Consent Authorities to require developers of land within Narrabri Shire to make contributions for the purpose of providing certain public amenities and public services in the Shire.

The types of developments and amenities covered by this plan are shown in **Table 1**.

**Table 1 Contributions required under this plan**

Development	Contribution required and the amenities to be provided
(a) Mines, extractive industries and other developments that result in increased numbers of laden heavy vehicles causing pavement damage on rural roads managed by the Council	A monetary contribution will be required to meet the cost of Council maintaining the haul routes
(b) Development on land shown in the <b>Schedule</b> fronting certain unformed roads in towns and villages	A monetary contribution will be required to meet the cost of Council upgrading the roads to an urban sealed standard

This contributions plan contains the following:

- Details of public amenities and services that will be provided by the Council.
- A schedule of contribution rates for various classes of development subject to the plan.
- Information on how the contribution rates were calculated.
- Council's policies on how and when developers can settle their contributions obligations, including opportunities for developers to provide land and works 'in kind'.
- Specific provisions on the role of accredited certifiers in imposing and collecting section 7.11 contributions.
- Various other provisions related to the fair and transparent administration of section 7.11 contributions involving development affected by the plan.

## 2. Plan summary

### 2.1 How to use this plan

This plan has been broken up into the following sections to allow easy navigation by Council staff, developers and private certifiers:

#### Section 2 – Plan Summary

This section identifies both the land and development that this plan applies to as well as the contribution rates that apply to development.

#### Section 3 – How are the contributions rates calculated?

This section explains how the contributions for development are calculated, and the nexus between the expected development and the infrastructure to be provided.

#### Section 4 – How and when will contributions be imposed on development?

This section explains how conditions of consent will be used to collect contributions levied under this plan and provisions to index the contributions payable to reflect changes in land acquisition and construction costs. It also describes accredited certifiers' obligations to address the requirements of this plan in the issuing of construction certificates and complying development certificates.

#### Section 5 – How and when a contribution requirement can be settled?

This section explains how consent conditions requiring the payment of contributions can be settled.

#### Section 6 – Other administration matters

This section outlines other administrative arrangements surrounding the operation of this plan, including a Dictionary of terms used in this plan.

#### Schedule

This section contains details and maps related to Urban Roads projects levied for under this plan.

#### Appendices

This section includes information supporting the body of the plan.

## 2.2 Name and commencement of plan

This plan is called Narrabri Shire Section 7.11 Contributions Plan 2016.

This plan commences on the date on which public notice was given under clause 31(2) of the EP&A Regulation or the date specified in that notice if it is a different date.

## 2.3 What is this plan's purpose?

The primary purpose of this plan is to authorise:

- the Council, when granting consent to an application to carry out development to which this plan applies; or
- an accredited certifier, when issuing a complying development certificate (**CDC**) for development to which this plan applies,

to require a section 7.11 contribution to be made towards the provision, extension or augmentation of public amenities and services that are required as a consequence of the development, or which were provided in anticipation of, or to facilitate, such development.

Other purposes of this plan are as follows:

- To provide a clear and transparent basis for levying contributions under the provisions of section 7.11 of the EP&A Act.
- To provide the framework for the efficient and equitable determination, collection and management of section 7.11 contributions.
- To establish the relationship between the expected development and the public amenities and services included in this plan, to demonstrate the required contributions are reasonable.
- To allow for the provision of the required public amenities and services by alternative means where this is acceptable to the developer and the Council (for example; through a planning agreement).
- To ensure that the broader Narrabri Shire community is not unreasonably burdened by the provision of public amenities and services required as a result of development affected by this plan.

## 2.4 What land and development does this plan apply to?

This plan applies to all land in the Narrabri Local Government Area.

This plan applies to the following developments:

- (a) Mines, extractive industries and other development that result in increased numbers of laden heavy vehicles using Council's road network.
- (b) Development on land fronting certain unformed roads in towns and villages shown in the contribution catchments maps in the **Schedule** to this plan.

## 2.5 What development is exempted?

This plan DOES NOT apply to the following types of developments:

- Development proposed by or on behalf of the Council.
- Development exempted from section 7.11 contributions by way of a direction made by the Minister for Planning under section 7.17 of the EP&A Act.

## 2.6 What public amenities and services will be provided under this plan?

The public amenities and services which are covered by this plan include the following:

- Pavement damage to rural roads caused by mines, extractive industries and other 'heavy haulage' developments
- Urban roads that were unformed or unsealed at the time this plan was made.

The costs of administering this plan will also be met by contributions imposed under this plan.

More details on the public amenities and services, and their relationship with the expected developments are included in **Part 3** of this plan.

## 2.7 What are the contribution rates?

**Table 2** summarises the contribution rates for the various categories of public amenities and services in this plan.

**Table 2 Contribution rates**

Development	Contribution rate
(a) Mines, extractive industries and other developments that result in increased numbers of laden heavy vehicles using Council's road network	\$0.31 per Equivalent Standard Axle (ESA) per km of haul road or \$0.053 per tonne of hauled material per km of haul road
(b) Development on land shown in the <b>Schedule</b> fronting certain unsealed or unformed roads in towns and villages	Refer to <b>Schedule</b> at the back of this plan

### 3. How are the contribution rates calculated?

This part of the plan describes the development that will demand the public amenities and services required under this plan and explains how each of the contribution rates were calculated.

#### 3.1 Rural roads pavement damage

##### 3.1.1 Overview

This plan authorises a contribution rate of either 5.3 cents / tonne / km of hauled material, or 31 cents / ESA / km.

This *contribution rate* enables the Consent Authority, in any particular case, to impose a *contribution amount* on a development relating to the length of local and regional roads that will be used by heavy vehicles for the haulage of material.

The consent condition will contain both a contribution rate and an assumed haul road length. The consent condition will require the development to make periodic payments to Council based on tonnage or ESA returns in the preceding quarter.

##### 3.1.2 What is the nexus between the expected types of development and the demand for public amenities and services?

Roads have a design life after which they need reconstruction. Heavy vehicles can significantly reduce the life of a road. The heavy vehicles have a disproportionately greater impact on the life of roads compared to other light vehicles, notwithstanding their greater numbers.

Major roads and highways are generally designed and constructed to accommodate heavy vehicles and the damage associated with heavy trucks is recouped through registration and general taxation. Roads within the local road network managed by the local council conversely often have a lower design standard and are more susceptible to wear and tear associated with heavy vehicles resulting in the need for more frequent reconstruction work.

Council has the responsibility of maintaining most of the roads in the Narrabri Shire to an acceptable standard. The standard is to ensure the roads:

- are kept to an appropriate level of safety for the road user; and
- remain trafficable for the duration of their design life.

The additional heavy vehicle loadings on a road due to developments involving laden heavy vehicle movements will accelerate the deterioration of that road's pavement. The consequence is that in order for the roads authority to maintain the road pavement at its existing level of service, additional maintenance spending will be required sooner than would be the case without that development. In short, the use of a road by heavy vehicles will require the replacement of that road's pavement sooner.

From time to time Council receives development applications that involve the haulage of material and goods using heavy vehicles. These developments typically include quarries and other forms of extractive industry but can also include rural industries. These developments can be located anywhere within the LGA.



Concentrated heavy vehicle movements generated by these developments will accelerate the deterioration of road pavements that were designed to meet demands of rural rather than industrial or commercial developments.

Councils are not generally able to impose additional fees, charges or rates to meet the extra costs associated with accelerated deterioration of roads caused by heavy vehicle movements from these developments, except for section 7.11 contributions imposed under the EP&A Act.

Council considers that it is reasonable to expect that developments which generate unusually high truck movements or truck movements which have the effect to significantly reduce the life of the road construction and / or increase the cost of maintaining a road should make a monetary contribution. The amount should be based on the cost to Council of bringing forward the need for works or based on the increased cost to Council of maintaining the road.

This plan therefore authorises Consent Authorities to require contributions from developments that generate additional laden heavy vehicle movements to meet the additional cost burden of providing and maintaining roads caused by those developments.

Council shall allocate any monies received under this plan to the particular haul roads that developments have contributed towards. As heavy haulage developments can occur anywhere in the LGA, and this plan operates to respond to the impacts of yet-to-be-identified developments, it is not possible to identify those roads in this plan.

### 3.1.3 Calculation of the contribution rate

The contribution rates that will be applied to developments that cause pavement damage to rural roads are based on the methodologies applied by other northern NSW councils on such development.<sup>1</sup>

The methodology used is to determine the ratio of the cost to replace the asset to the design traffic loading, which gives a replacement cost per ESA. This ratio forms the basis of further calculations to determine loss of life in dollars per tonne of material hauled.

The following steps were followed for determining the contribution rates by these councils:

1. Determine design ESA
2. Estimate the cost to reconstruct / maintain 1 lane-km for the above ESA
3. Calculate the contribution rate in \$ / ESA / km

*At this point the ESA contribution rate is known. To determine the tonnage contribution, rate the following additional two steps were undertaken:*

4. Calculate \$ / typical vehicle ESA
5. Calculate \$ / tonne / km

---

<sup>1</sup> Contributions levied by Ballina Shire Council under Ballina Shire Heavy Haulage Contributions Plan 2011, and by Lismore City Council under Lismore City Section 94 Contributions Plan 2014.

**Table 3** summarises the calculations that were performed to determine the contribution rates for a sealed rural road with a medium level of traffic of 1,000 vehicles per day per lane. In Narrabri it is more likely that there would be lower levels of traffic on both sealed and unsealed roads. However, use of these road types in the methodology yielded higher contribution rates. The medium traffic sealed road contribution is more conservative and has been adopted by Narrabri Shire Council for the purposes of this plan.

**Table 3 Summary of calculation of contribution rates for rural roads pavement damage**

Step	Workings for sealed road with medium traffic <sup>2</sup>
Determine design ESA	Treat damage to pavement and damage to wearing course separately: <ul style="list-style-type: none"> <li>• Design life of pavement: 873,743 ESAs over 30 years</li> <li>• Pavement spray-seal: 262,795 ESAs over 10 years</li> </ul>
Estimate the cost to reconstruct / maintain 1 lane-km for the above ESA	Pavement reconstruction: \$200,000 per lane per km Surfacing spray-seal: \$20,000 per lane km
Calculate the contribution rate in \$ / ESA / km	Pavement = $\$200,000 / 873,743 = \$0.23$ per ESA per km Spray-seal = $\$20,000 / 262,795 = \$0.08$ per ESA per km Total = $\$0.23 + \$0.08 = \$0.31$ per ESA per km
Calculate \$ / typical vehicle ESA	The typical vehicle assumed to be a 'class 4 + dog trailer' No. of ESAs per typical vehicle = 2.6 Contribution per typical vehicle = $\$0.31 \times 2.6 = \$0.80$ per vehicle
Calculate \$ / tonne / km	The typical load in a typical vehicle is assumed to be 15 tonnes Contribution = $\$0.80 / 15 = \$0.053$ per tonne per km

### 3.1.4 Calculation of the quarterly contribution payment

The process for calculating and collecting the contribution will generally be as follows:

1. Identify the length of local and regional roads (i.e. haul routes) that the development's laden heavy vehicles will utilise. Classified roads that are the sole maintenance responsibility of the NSW Government are excluded from consideration. The length of haul route(s) in kilometres will be determined from information submitted by the applicant with the development application. Any development application for mines, extractive industries or other

<sup>2</sup> 1,000 vehicles per day per lane with a growth rate of 1% per annum

developments involving the haulage of material or goods by heavy vehicles on any land in Narrabri LGA must include details of haul routes.

2. Consent Authority imposes a development consent condition requiring payment based on:
  - (a) the \$ rate per tonne per km, or the \$ rate per ESA per km (from this plan);
  - (b) the total length of all haul routes (from 1. above); and
  - (c) the amount of material hauled (in tonnes), or the volume of vehicles accessing the site (in ESAs) over the preceding quarter.
3. No later than twenty-eight (28) days after the end of March, June, September and December over the life of the development, the operator of the development:
  - (a) submits to Council independently verified tonnage (or ESA) returns for the development over the preceding quarter, and
  - (b) pays the roads maintenance contribution to Council reflecting the \$ rate per tonne (or per ESA) and total haul route length contained in the development consent.

### Worked example

For example, where in a development application it is stated that a development's haul trucks will utilise 3.5 kilometres of public roads in the LGA, and that estimate of haul route use is considered by the Consent Authority to be a reasonable estimate, then the contribution amount that would be imposed on the development consent would be:

3.5 km X 5.3 cents per tonne per kilometre

= 18.55 cents per tonne of haulage material, calculated quarterly and indexed quarterly in accordance with the Producer Price Index described in **Section 6.3**

Then, after the first full quarter of operations, the operator submitted an independently verified statement showing that there had been 7,100 tonnes of extractive material transported from the development. The Council in response would issue to the operator a tax invoice showing the following details and payment amount:

18.55 centres per tonne X 7,100 tones

= \$1,317.05

### 3.1.5 Application information to be relied on

There may be circumstances where the likely length or lengths of roads to be used by laden heavy vehicles in development vary, and therefore the contribution amount for that development, is difficult to quantify. In such cases, Council will determine the length or lengths of road to be levied based on the information submitted with the development application. It is the duty of the applicant to provide sufficient and accurate information on likely haul route use at the application stage.

### 3.1.6 Matters to be addressed during the operation of the development

The consent will identify the haul route length and the contribution rate applicable to the development. Council acknowledges that the haul routes used by a development may change over the life of the development. The consent will therefore include a condition that requires the proponent to prepare a statement of haulage routes at least every three years. The statement will identify the local and regional roads that are used by heavy vehicles transporting material and goods to / from the development, as well as the proportion of the development's total heavy vehicles using each road length.

The contribution rate in the consent will be automatically adjusted in accordance with annual movements in the Producer Price Index: Road and Bridge Construction New South Wales (Catalogue No. 6427.3101) as published by the Australian Bureau of Statistics.

Where an ESA-based contribution rate is imposed on the development, the following matters shall be addressed by way of conditions of consent to be implemented at the start of and throughout the development's life:

- A traffic classifier is to be installed (at the applicant's cost) at a suitable location to classify and count the number of loaded heavy vehicles that enter or exit the development site over each quarter. The purpose of the classifier is to record the number of ESAs that are subject to contributions.
- Responsibility for keeping the traffic classifier in good working order throughout the life of the development will rest with the operator.
- Council officers are to be provided access to the traffic classifier data on a regular (i.e. at least quarterly) basis.
- In the event of the traffic data being corrupted, then the Council at its discretion may determine the ESAs and therefore the contribution amount for the preceding period.

### 3.1.7 Roadworks may be required to be undertaken in addition to contributions required under this plan

The Shire's local and regional road network has been constructed and is maintained by Council as necessary to ensure an acceptable standard of service.

It is possible that some of these roads may not be able to accommodate additional heavy vehicle loading generated by mines and extractive industries without immediate upgrade. There may be upgrades to roads or traffic facilities that are directly required by a development and without which the development could not or should reasonably occur. New roads, or upgrades to sections of the existing road network, including ongoing maintenance, may be required to accommodate the additional heavy vehicle loading.

Where a development requires works to the road network to be undertaken, the requirement will be by way of a condition imposed on the development consent under section 4.17(1)(f) of the EP&A Act. This will be in addition to road maintenance contributions for haul routes imposed under this plan.

### 3.2 Urban roads

Most of the road network in the Shire's towns and villages is of a sealed standard.

There are however sections of road that have not been sealed.

Land fronting these sections has either been subdivided for urban purposes or is yet to be subdivided. Not all of the subdivided lots have been developed for urban (principally residential) purposes.

The local community generally expects that the roads directly servicing dwellings in towns and villages will be sealed.

This plan therefore authorises Consent Authorities to require monetary contributions from the first development of lots fronting unsealed roads in urban areas.

The particular urban road projects, their costs, their nexus with expected developments, and their contributions catchments and calculations of contribution rates are shown in the **Schedule** to this plan.



#### 4. How and when will contributions be imposed on developments?

##### 4.1 Monetary contributions

This plan authorises the Council or an accredited certifier, when determining an application for development or an application for a CDC, and subject to other provisions of this plan, to impose a condition requiring a contribution under section 7.11 of the EP&A Act on that approval for:

- the provision, extension or augmentation of public amenities and services to be provided by Council; and / or
- the recoupment of the previous costs incurred by Council in providing existing public amenities and services.

Accredited certifiers should also refer to **Section 4.4** of this plan as to their obligations in assessing and determining applications.

##### 4.2 Cap on monetary section 7.11 contributions for residential development

The Minister for Planning has issued a Direction to Council that caps section 7.11 contributions for residential development.<sup>3</sup>

The Direction requires:

*A council (or planning panel) must not grant development consent ... subject to a condition under section 7.11 (1) or (3) of the Environmental Planning and Assessment Act 1979 requiring the payment of a monetary contribution that:*

*(a) in the case of a development consent that authorises one or more dwellings, exceeds \$20,000 for each dwelling authorised by the consent, or*

*(b) in the case of a development consent that authorises subdivision into residential lots, exceeds \$20,000 for each residential lot authorised to be created by the development consent.*

This plan is consistent with the Minister's Direction in that it authorises section 7.11 contributions on residential development not to exceed the cap.

Where the sum of the contributions for a particular development calculated under this plan and any other contributions plan adopted by the Council exceeds \$20,000 per residential lot or dwelling, the total amount included in the consent shall not exceed the cap.

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<sup>3</sup> The most recent Direction issued by the Minister was dated 21 August 2012. A copy of the Direction is able to be viewed on the Department of Planning Environment website.



### 4.3 Latest rates to be used

The section 7.11 contribution imposed on a development will reflect the latest, indexed contributions rates authorised by this plan.

The monetary section 7.11 contribution rates shown in **Section 2.7** reflect the contribution rates at the date that this plan commenced. These rates are regularly adjusted for inflation (see **Section 6.3**).

Applicants and accredited certifiers should inquire at the Council for information on the latest contribution rates.

### 4.4 Obligations of accredited certifiers

#### 4.4.1 Complying development certificates

This plan requires that, in relation to an application made to an accredited certifier for a CDC relating to development affected by this plan:

- the accredited certifier must, if a CDC is issued, impose a condition requiring a monetary contribution, if such a contribution is authorised by this plan
- the amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this section
- the terms of the condition be in accordance with this section.

#### Procedure for determining the contribution amount

The procedure for an accredited certifier to determine the amount of the section 7.11 monetary contribution for complying development is as follows:

1. If, and only if specified in writing in the application for a CDC, the applicant has requested a credit under section 7.11(6) of the EP&A Act, or an exemption or part or the whole of the development under **Section 2.5** of this plan, the accredited certifier must:
  - (a) make a request in writing to the Council for the Council's advice on whether the request is granted, or the extent to which it is granted; and
  - (b) in calculating the monetary contribution, comply with the Council's written advice or if no such advice has been received prior to the granting of the CDC refuse the applicant's request.
2. Determine the unadjusted contributions in accordance with the rates included in **Section 2.7** of this plan taking into account any exempt development specified in **Section 2.5** and any advice issued by the Council under paragraph 1(b) above.
3. Adjust the calculated contribution in accordance with **Section 6.3** to reflect the indexed cost of the provision of the public amenities and services.
4. Subtract any infrastructure demand credit advised by the Council under paragraph 1(b) for any assumed demand relating to existing development.

#### 4.4.2 Construction certificates

It is the responsibility of an accredited certifier issuing a construction certificate for building work or subdivision work to ensure that each condition requiring the payment of a monetary contribution before work is carried out has been complied with in accordance with the CDC or development consent.

The accredited certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with section 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

The only exceptions to the requirement are where a work in kind, material public benefit, dedication of land and/or deferred payment arrangement has been agreed by the Council. In such cases the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

#### 4.5 Variation to contributions authorised by this plan

The Council may, after considering a written application, reduce the section 7.11 contribution otherwise calculated in accordance with the provisions of this plan.

A developer's request for variation to a contribution calculated in accordance with this plan must be supported by written justification included with the development application. Such request will be considered as part of the assessment of the application.

An accredited certifier other than the Council cannot vary a section 7.11 contribution calculated in accordance with this plan, without Council's written approval.

## 5. How and when can a contribution requirement be settled?

### 5.1 Timing of payments

A monetary contribution required to be paid by a condition imposed on the development consent in accordance with this plan is to be paid at the time specified in the condition.

Generally, the condition will provide for payment as follows:

- For development where no further approvals are required – before the development consent is issued.
- For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate for any works.
- For works authorised under a CDC, the contributions are to be paid prior to any work authorised by the certificate commences, as required by section 136L of the EP&A Regulation.

At the time of payment, it will be necessary for monetary contributions amounts to be updated in accordance with the relevant indexes (see **Section 6.3**).

### 5.2 Process for deferred payments

Council may accept the deferred or periodic payment of a monetary contribution required under this plan if the applicant, or any other person entitled to act upon the relevant consent, makes a written request and can satisfy the Council of non-compliance with the payment provisions.

Council must be satisfied that:

- there are valid reasons for the deferral or periodic payment;
- the granting of the request will not adversely impact on the administration, operation or cash flows of the plan;
- the granting of the request will not jeopardise the timely provision of works or land identified within the plan; and
- the proposed arrangement remains consistent with the purpose of the plan.

The decision to accept a deferred or periodic payment of a monetary contribution is at the sole discretion of Council. Any deferral will generally be limited to a period of no more than 24 months.

Where Council allows a deferral of contributions, an appropriate bank guarantee shall be secured for the amount of contributions to be deferred. The conditions under which the Council may accept deferred settlement by way of lodgement of a bank guarantee are that:

- the bank guarantee be by an Australian bank for the amount of the total contribution, or the amount of the outstanding contribution, plus an amount equal to thirteen (13) months interest;

- the bank unconditionally pays the guaranteed sum to the Council if the Council so demands in writing not earlier than twelve (12) months from the provision of the guarantee or completion of the work whichever occurs first;
- the bank must pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development in accordance with the development consent; and
- the bank's obligations are discharged when payment to the Council is made in accordance with this guarantee or when Council notifies the bank in writing that the guarantee is no longer required.

Any deferred or outstanding component of the monetary contribution will be adjusted in accordance with **Section 6.3** of this plan.

The applicant will be required to pay any charges associated with establishing or operating the bank guarantee. Council will not cancel the bank guarantee until the outstanding contribution as indexed and any accrued charges are paid.

Where Council agrees to a request for deferred or periodic payment, the applicant will be required to lodge, and pay for, a section 4.55 application to modify the development consent to specify the new payment arrangements.

### 5.3 Are there alternatives to paying the contribution?

#### 5.3.1 Mines, extractive industries and other heavy haulage developments

Applicants may propose an alternative contribution rate that more accurately reflects the likely road impacts of the particular development. Any alternate contribution rate must be agreed to by Council prior to the due date for a contribution payment or the commencement of any works as part of that alternate payment method.

Applicants may also propose alternative arrangements to the payment of a periodic contribution to Council for excessive road wear and tear. This could include, for example, reconstruction of the road pavement up-front and no ongoing maintenance contribution.

Justification of any alternative must be addressed in a transport study on the proposed development. The study should address all of the relevant matters listed in **Appendix A**.

#### 5.3.2 Other development

A person may make an offer to the Council to carry out works or provide another kind of material public benefit or dedicate land, in part or full satisfaction of a section 7.11 contribution required by a condition of consent imposed under this plan.

If a developer wishes to deliver infrastructure that is included in this plan instead of the Council delivering that infrastructure, then the developer can approach this either one of two ways:

- (a) The developer may offer to enter into a planning agreement to undertake works, make monetary contributions, dedicate land, or provide some other material public

benefit. Planning agreements are the most appropriate mechanism for offers made prior to the issue of a development consent for the development.

- (b) If the developer has already received a development consent containing a condition requiring a section 7.11 contribution, the developer may offer to undertake works in kind through a works in kind agreement, or offer to dedicate land through a land dedication agreement.

Any offer for works in kind or other material public benefit shall be made in writing to the Council prior to the commencement of any works proposed as part of that offer. Retrospective works in kind agreements will not be accepted.

Works in kind or the dedication of land will be accepted by Council only under the following circumstances:

- Council will generally only accept offers of works or land that are the specific public amenities and services included in this plan; and
- Council determines that the works in kind are, or the land to be dedicated is, appropriate; and
- The value of the works to be undertaken or the land to be dedicated is at least equal to the value of the contribution assessed in accordance with this plan, or where the value of the proposed works in kind or the land to be dedicated is less than the monetary value of the contribution, the difference will be met by way of a monetary contribution.

Should an offer of works in kind or land dedication be accepted, Council will establish with the applicant the following as relevant:

The decision to accept the settlement of a contribution by way of works in kind or the dedication of land is at the sole discretion of Council and will be subject to any reasonable requirement of the Council in relation to the facility specification, program for delivery, and a suitable defects liability period.

## **6. Other administration matters**

### **6.1 Relationship of this plan to other contributions plans**

This plan does not affect any other contributions plan adopted by the Council.

### **6.2 Savings and transitional arrangements**

This plan applies to a development application or application for a CDC submitted after the date on which this plan took effect.

A development application or application for a CDC that was submitted, but not yet determined, on or before the date on which this plan took effect, shall be assessed under the contributions plan or plans that applied at the date of submission of the application.

### **6.3 Adjustment of contributions to address the effects of inflation**

To ensure that the value of contributions for the construction and delivery of infrastructure is not eroded over time by inflation or significant changes in land values, this plan authorises that contribution rates and the contribution amounts included in consents will be adjusted over time.

#### **6.3.1 Contribution rates in this plan**

Council will, without the necessity of preparing a new or amending contributions plan, make changes to the contribution rates set out in this plan to reflect annual movements in the value of land acquisition and works.

The Producer Price Index: Road and Bridge Construction New South Wales (Catalogue No. 6427.3101), as published by the Australian Bureau of Statistics, will be used to update the contribution rates in this plan.

#### **6.3.2 Contribution amounts in consents**

A monetary contribution amount required by a condition of development consent imposed in accordance with this plan will be indexed between the date of the grant of the consent and the date on which the contribution is paid in accordance with annual movements in the Producer Price Index: Road and Bridge Construction New South Wales (Catalogue No. 6427.3101) as published by the Australian Bureau of Statistics.

### **6.4 Pooling of contributions funds**

This plan authorises monetary contributions paid for different purposes in accordance with development consent conditions authorised by this plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes.



## 6.5 Accountability and access to information

In accordance with the EP&A Act and EP&A Regulation a contributions register will be maintained by Council and may be inspected upon request.

The register will be maintained at regular intervals and will include the following:

- Particulars sufficient to identify each development consent for which contributions have been sought
- Nature and extent of the contribution required by the relevant condition of consent
- Name of the contributions plan under which the condition of consent was imposed
- Date the contribution was received, for what purpose and the amount.

Separate accounting records will be maintained for each contribution type in this plan and published every year in Council's financial accounts. They will contain details concerning contributions received and expended, including interest for each service or amenity to be provided. The records are held at Council's Administration Office and may be inspected upon request.

## 6.6 Dictionary

Words and phrases used in this plan have the same meaning as the terms defined in Narrabri Local Environmental Plan 2012 or the EP&A Act, except as provided for below.

In this plan, the following words and phrases have the following meanings:

**CDC** means complying development certificate.

**Consent Authority** has the same meaning as in the EP&A Act but also includes an accredited certifier responsible for issuing a CDC.

**Council** means Narrabri Shire Council.

**EP&A Act** means the Environmental Planning and Assessment Act 1979.

**EP&A Regulation** means the Environmental Planning and Assessment Regulation 2000.

**ESA** means equivalent standard axle.

**LGA** means local government area.

**Schedule** means the schedule that appears at the back of this plan.

SCHEDULE

Urban Roads Contributions Projects

## SCHEDULE

### URBAN ROADS CONTRIBUTIONS PROJECTS

#### **Lynn Street, Boggabri**

Urban roads project number	<b>B1-2016</b>
Affected land	Refer to contributions catchment map
Development on affected land that may be levied a contribution	<ul style="list-style-type: none"> <li>• Subdivision to create additional allotments with a dwelling right; and</li> <li>• all new dwellings on existing allotments where a contribution has not previously been levied in accordance with this schedule of the plan.</li> </ul>
Public amenities and services required to meet the development of the land	Construction and sealing of Lynn Street between Clare Street and Kamilaroi Highway, Boggabri
Cost of the public amenities and services	\$309,000
Contribution rates	\$20,000 per dwelling/lot
Staging / timing of the public amenities and services	To be determined – dependent on the rate of development in the contributions catchment
Works location map	Refer to works map

#### **Background**

Lynn Street is unsealed between Clare Street and Kamilaroi Highway.

Land on the western side of this section of road is zoned R1 General Residential under Narrabri Local Environmental Plan 2012. This land contains residential dwellings and has the potential to be developed for more residential dwellings in the future. The total expected development potential is 12 dwelling house lots, assuming an average allotment size of 800 square metres.

Safe and convenient access to this development would require the sealing of the subject section of Lynn Street. Council has estimate the cost of this work at \$309,000.

The contribution rate formula is as follows:

$$\begin{aligned}\text{Contribution rate per lot} &= \$309,000 / 12 \text{ lots} \\ &= \$25,750 \text{ per lot or dwelling}\end{aligned}$$

Regardless of this amount, the contribution rate that will be imposed on residential development shall be \$20,000 per residential lot or dwelling, reflecting the cap imposed by the Minister under the section 7.17 direction issued on 21 August 2012.

### Contributions catchment map for B1-2016



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 DISTRICT 14 PC & 111A

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They may want

CAUTION: MUST HAVE 1954 (GDM) which has supported the Australian Geographical Council of 1954 (GDM). May be an alternative to the Australian Geographical Council (GDM).

**Scale 1: 1,500**





## Works map for B1-2016



PROPOSED CUL-DE-SAC  
AT END OF LYNN ST  
(TO BE DESIGNED WITHIN  
SPECIFICATIONS)

**LYNN ST  
PROPOSED  
CUL-DE-SAC**

**Scale 1: 1,500**



### Disclaimer

This study is not a general survey instrument.

All users are advised in the preparation of this plan, however, it remains the user's sole responsibility to accept no responsibility for any negligent errors, omissions or inaccuracies. The information contained within this page is for informational purposes only. Do not make automatic measurements and do not be misled by any.

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**Beaver Sand**

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Contour interval:

Projection: GDA94

Date: 16/08/2016

Drawn By: GIS

## SCHEDULE

### URBAN ROADS CONTRIBUTIONS PROJECTS

#### **Derby, Oakham and Merton Streets, Boggabri**

Urban roads project number	<b>B2-2016</b>
Affected land	Refer to contributions catchment map
Development on affected land that may be levied a contribution	<ul style="list-style-type: none"> <li>• Subdivision to create additional allotments with a dwelling right; and</li> <li>• all new dwellings on existing allotments where a contribution has not previously been levied in accordance with this schedule of the plan.</li> </ul>
Public amenities and services required to meet the development of the land	Construction and sealing of Derby, Oakham and Merton Streets, Boggabri
Cost of the public amenities and services	\$803,000
Contribution rates	\$5,695.04 per dwelling/lot
Staging / timing of the public amenities and services	To be determined – dependent on the rate of development in the contributions catchment
Works location map	Refer to works map

#### **Background**

Derby Street and the southernmost sections of Oakham Street and Merton Streets are unsealed roads.

Certain land fronting these roads is zoned R1 General Residential under Narrabri Local Environmental Plan 2012. This land contains residential dwellings and has the potential to be developed for more residential dwellings in the future. The total expected development potential is 141 dwelling house lots, assuming an average allotment size of 800 square metres.

Safe and convenient access to this development would require the sealing of the subject section of Lynn Street. Council has estimate the cost of this work at \$803,000.

The contribution rate formula is as follows:

$$\begin{aligned}
 \text{Contribution rate per lot} &= \$803,000 / 141 \text{ lots} \\
 &= \$5,695.04 \text{ per lot or dwelling}
 \end{aligned}$$



## SCHEDULE

### URBAN ROADS CONTRIBUTIONS PROJECTS

Contributions catchment map for B2-2016

**Disclaimer**

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**Important**

This map was produced by the GEOCENTRIC DATA PROCESSING UNIT, which is a part of the NARRABRI SHIRE Council. The map is not to be used for any purpose other than that for which it was prepared. The information contained herein is not to be used for any purpose other than that for which it was prepared.

Contour Interval:

Projection: GDA94

Date: 22/06/2016

Drawn By: GIG

### OAKHAM ST, DERBY ST & MERTON ST DEVELOPABLE LANDS

Scale 1: 2,500





APPENDIX A

Alternative to Roads Maintenance Contribution - Transport  
Study Requirements

## **Justification of any alternative to paying the Roads Maintenance Contribution**

### **Transport Study Requirements**

1. Identify the route over which haulage is proposed.
2. Identify the type and number of vehicles used to haul material.
3. An engineering assessment of the road condition and alignment over the entire length that haulage is proposed, including:
  - a. existing pavement condition, and seal widths
  - b. existing shoulder conditions
  - c. existing pavement composition and structural capacity
  - d. existing alignment, specifically detailing those areas which fail to meet current standards
  - e. the number of overtaking opportunities and climbing lanes and the impact that increased truck traffic will have on existing travel times and accident rates
  - f. an analysis in accordance with AUSTROADS principles of the existing road length showing current levels of service, and any assumptions made in their calculation.
4. The impact that road haulage will have on the existing road condition, including:
  - a. the expected rate of pavement deterioration over each year that haulage is proposed, assessed in conjunction with the expected number of heavy vehicle movements (expressed as Equivalent Standard Axles)
  - b. the reduction in pavement life which may be expected from the haulage
  - c. the cost to the community to repair the pavement damage resulting from the haulage, and to maintain the pavement in an acceptable condition
  - d. the cost to the community of the reduced pavement life resulting from the haulage.









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### 9.3 PROPOSED AMENDMENT OF FIXED DEVELOPMENT CONSENT LEVIES CONTRIBUTIONS PLAN (PREVIOUS SECTION 94A PLAN)

**Responsible Officer:** Daniel Boyce, Director Development and Economic Growth

**Author:** Daniel Boyce, Director Development and Economic Growth

**Attachments:**

1. Schedule of Works  
2. Draft Fixed Development Consent Levies Contributions Plan  

#### DELIVERY PROGRAM ALIGNMENT

##### 2. Environment

**Objective** 2.1 We will maintain our open spaces, natural environment and heritage for future generations

**Strategy** 2.1.3 Passive recreational open spaces are well maintained and accessible for public use

#### EXECUTIVE SUMMARY

Council adopted the Narrabri Shire Council Section 94A Development Contributions Plan (“**the Plan**”) in 2011. The Plan included a Schedule of Works, which identified projects within the Shire that the development contributions could fund.

At its Ordinary Council meeting on 25th June 2019, Council resolved to adopt a new Schedule of Works (Attachment 1) to the Plan (Minute 118/2019).

Since that time external funding for some projects at Dangar Park, Wee Waa has been obtained from the Stronger Country Communities Fund (“**SCCF**”)

As such Council is now able to amend the Schedule of Works to reallocate the funds originally committed to those projects to the Narrabri Shared Cycle/Pedestrian Pathway Project.

The need to further amend the Schedule of Work presents an opportunity for Council to make the necessary “housekeeping” changes to the Plan to align it with changes to clause numbers and terminology in the *Environmental Planning and Assessment Act 1979* (“**EPA Act**”).

Following resolution by Council the Amended Plan, now known as the Fixed Development Levies Contributions Plan, and Schedule of Works (Attachment 2) can be placed on public exhibition. After which time, Council will receive a further report and consider any submissions.

#### RECOMMENDATION

1. That Council endorse the amended Narrabri Shire Fixed Development Consent Levies Contributions Plan, as attached, for the purpose of public exhibition.
2. That Council place on exhibition the amended Narrabri Shire Fixed Development Consent Levies Contributions Plan for a minimum period of 28 days.

#### BACKGROUND

Council adopted the Plan in 2011 including a Schedule of Works, which identified projects within the Shire that the development contributions could fund.

At its Ordinary Council meeting on 25th June 2019, Council resolved to adopt a new Schedule of Works (Attachment 1) to the Plan (MINUTE 118/2019).

Since that time external funding for the following projects has been obtained from SCCF:

Project	Estimate (\$)
Wee Waa - Dangar Park - construct shelters	45,000
Wee Waa - Dangar Park - install basketball half court & rebound wall	50,000
Wee Waa - Dangar Park - install new outdoor gym equipment	40,000
Wee Waa - Dangar Park - install pathway to link entry to facilities	15,000
Wee Waa - Dangar Park - install shade sail to playground	35,000
Wee Waa - Dangar Park - playground equipment	50,000
<b>Total</b>	<b>235,000</b>

As such Council is now able to amend the Schedule of Works to reallocate the funds originally committed to the above projects to the following projects:

Project	Estimate (\$)
Narrabri Shared Cycle/Pedestrian Pathway Project	235,000
<b>Total</b>	<b>235,000</b>

The need to further amend the Schedule of Work presents an opportunity for Council to make the necessary “housekeeping” changes to the Plan to align it with changes to clause numbers and terminology in the EPA Act.

## CURRENT SITUATION

Following resolution by Council the Amended Plan, now known as the Fixed Development Levies Contributions Plan, and Schedule of Works (Attachment 2) can be placed on public exhibition. After which time, Council will receive a further report and consider any submissions.

## FINANCIAL IMPLICATIONS

Levies are collected on all developments within the Shire requiring development or Complying Development consent, prior to works commencing, with a value over \$100,000 at the rate of:

Proposed cost of the development	Percentage of levy
\$100,001 - \$200,000	0.5%
Greater than \$200,000	1.0%

## STATUTORY AND POLICY IMPLICATIONS

The Amended Plan and Schedule of Works must be placed on public exhibition in accordance with the *Environmental Planning and Assessment Regulation 2000*.

## CONSULTATION

### External Consultation

Following resolution by Council the Amended Plan and Schedule of Works will be publicly exhibited for a period of twenty-eight (28) days.

### Internal Consultation

- Director Infrastructure Delivery.
- Community Facilities Manager.



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### Fixed Development Consent Levies Contributions Plan Schedule of Works

Priority	Description
Low (L)	Capital Works prioritised and expected to be needed from 7 – 10 years
Medium (M)	Capital Works prioritised and expected to be needed from 3 – 7 years
High (H)	Capital Works prioritised and expected to be needed from 1 – 3 years

Item	Infrastructure	Location	Priority	Estimate (\$)
1	Community Facilities Upgrades	Narrabri - Cooma Oval - playground area additional seating	H	5,000
2	Community Facilities Upgrades	Narrabri - Cooma oval shelters - Covered seating areas on the edge of field	H	45,000
3	Community Facilities Upgrades	Narrabri - Collins Park - four new seating structures for the riverbank area	H	15,000
4	Community Facilities Upgrades	Narrabri - Pirate Playground - additional shelter & BBQ area	H	45,000
5	Community Facilities Upgrades	Narrabri - Pirate Playground - shade shelter over playground	H	30,000
6	Community Facilities Upgrades	Narrabri - Cooma Oval - widen access area to Ugoa Street Carpark	H	5,000
7	Communities Facilities Upgrade	Narrabri - Narrabri creek accessible jetty - All accessible concrete jetty next to boat ramp	H	90,000
8	Communities Facilities Upgrade	Narrabri - Gately field - Covered seating areas on the edge of field	H	45,000
9	Communities Facilities Upgrade	Narrabri - leash free park - Construct a leash free dog park	H	50,000
10	Communities Facilities Upgrade	Boggabri - Middle Park - install additional picnic table and shelter	H	20,000
11	Communities Facilities Upgrade	Boggabri - Vickery Park Gym equipment - Two cover gym stations and connecting pathway	H	85,000
12	Communities Facilities Upgrade	Boggabri - New fence and gate and pathway to link equipment and park furniture	H	60,000
13	Communities Facilities Upgrade	Wee Waa - Dangar Park - construct shelters	H	45,000
14	Communities Facilities Upgrade	Wee Waa - Dangar Park - install basketball half court & rebound wall	H	50,000
15	Communities Facilities Upgrade	Wee Waa - Dangar Park - install new outdoor gym equipment	H	40,000
16	Communities Facilities Upgrade	Wee Waa - Dangar Park - install pathway to link entry to facilities	H	15,000
17	Communities Facilities Upgrade	Wee Waa - Dangar Park - install shade sail to playground	H	35,000

18	Communities Facilities Upgrade	Wee Waa - Dangar Park - playground equipment	H	50,000
19	Communities Facilities Upgrade	Wee Waa - Ludowici Park - install BBQ into sheltered area	H	8,000
20	Communities Facilities Upgrade	Wee Waa - Ludowici Park - install pathway to link new shelter to playground	H	25,000
21	Communities Facilities Upgrade	Wee Waa - Ludowici Park - install shade shelter	H	35,000
22	Communities Facilities Upgrade	Wee Waa - Ludowici Park - replace swing set	H	8,000
23	Communities Facilities Upgrade	Gwabegar - Anzac Park - renew playground equipment	H	60,000
24	Communities Facilities Upgrade	Gwabegar - Anzac Park - install shade shelter	H	25,000
25	Communities Facilities Upgrade	Pilliga - Anzac Park - install new playground equipment	H	50,000
26	Communities Facilities Upgrade	Pilliga - Anzac Park - install shade shelter	H	25,000
27	Communities Facilities Upgrade	Pilliga - Rural Transaction Centre - replace amenities	H	60,000
28	Communities Facilities Upgrade	Baan Baa – Hall – new playground and shade	H	60,000
29	Communities Facilities Upgrade	Bellata – Public Toilet - toilet installed at playground or camping site	H	100,000
30	Communities Facilities Upgrade	Bellata – Picnic Shelter and seat	H	40,000
31	Footpath	Killarney Street from Tibbereena Street to Barwan Street	H	51,000
32	Footpath	Barwan Street from Bowen Street to Denison Street	H	51,000
33	Footpath	Gibbons Street from Wandji Place to Existing Footpath	H	28,000
34	Footpath	Boheena Street Wukawa Street to Cooma Road	H	73,000
35	Footpath	Wee Waa Street from Brent Street to Caxton Street	H	64,000
36	Pools Boggabri	Pools - Boggabri Pool - Tables & Chairs for BBQ Area	H	5,000
37	Pools Narrabri	Pools - Narrabri Aquatic Centre - Outdoor Tables & Chairs for Canteen Area	H	10000
38	Pools Wee Waa	Pools - Wee Waa Pool - Tables & Chairs for BBQ Area	H	5,000
39	Footpath	Narrabri Jetty Area pathway to link arterial pathway	H	35,000
40	Community Facilities Upgrades	Narrabri Lake additional seating	H	15,000
41	Community Facilities Upgrades	Boggabri Vickery Park flying fox	H	30,000





**NARRABRI SHIRE COUNCIL** ABN: 95 717 801 656

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### Fixed Development Consent Levies Contributions Plan Amended Schedule of Works

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12	Communities Facilities Upgrade	Boggabri - New fence and gate and pathway to link equipment and park furniture	H	60,000
13	Communities Facilities Upgrade	Narrabri Shared Cycle/Pedestrian Pathway Projec	H	235,000
19	Communities Facilities Upgrade	Wee Waa - Ludowici Park - install BBQ into sheltered area	H	8,000
20	Communities Facilities Upgrade	Wee Waa - Ludowici Park - install pathway to link new shelter to playground	H	25,000
21	Communities Facilities Upgrade	Wee Waa - Ludowici Park - install shade shelter	H	35,000
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41	Community Facilities Upgrades	Boggabri Vickery Park flying fox	H	30,000

# **Narrabri Shire Section 7.12 – Fixed Development Consent Levies Contributions Plan 2011**



**NARRABRI SHIRE**  
DISCOVER THE POTENTIAL

Narrabri ShireSection 7.12 Fixed Development Consent Levies Contributions Plan 2011**Document history and status**

This document was originally prepared by Hill PDA (Job Ref No: C11092).

Amendments since have been made by Narrabri Shire Council.

Version	Issued To	Date	Prepared by:	Reviewed by:
Draft	Narrabri Shire Council	01/07/2011	DB	SH
Revised Draft	N/A	10/07/2019	MH	DB

MINUTE NUMBER	MEETING DATE	DESCRIPTION OF CHANGE
669/2011	18 October 2011	Adopted by Council

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Appendix 1 - Procedure for Council to Determine the Levy Amount

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Table 1 - Summary of Section 7.12 Levies for Narrabri Shire



## 1. Introduction

### 1.1 Legislative Context

Section 7.12 - Fixed Development Consent Levies, of the Environmental Planning and Assessment Act 1979 provides as follows:

- (1) A consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development.
- (2) A consent authority cannot impose as a condition of the same development consent a condition under this section as well as a condition under section 7.11.
- (2A) A consent authority cannot impose a condition under this section in relation to development on land within a special contributions area without the approval of:
  - (a) the Minister, or
  - (b) a development corporation designated by the Minister to give approvals under this subsection.
- (3) Money required to be paid by a condition imposed under this section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan.
- (4) A condition imposed under this section is not invalid by reason only that there is no connection between the development the subject of the development consent and the object of expenditure of any money required to be paid by the condition.
- (5) The regulations may make provision for or with respect to levies under this section, including:
  - (a) the means by which the proposed cost of carrying out development is to be estimated or determined, and
  - (b) the maximum percentage of a levy.

### 1.2 The Purpose of the Plan

In accordance with the above this Section 7.12 Contributions Plan (the Plan) has been prepared by Narrabri Shire Council (from here on referred to as the Council) to:

- Authorise the imposition of a condition on certain development consents and complying development certificates requiring the payment of a contribution pursuant to Section 7.12 of the Environmental Planning and Assessment Act 1979;
- require a certifying authority to impose, as a condition of issuing a complying development

certificate or a construction certificate, a requirement that the applicant pay to Council a levy determined in accordance with this Plan;

- assist Council to provide the appropriate public facilities which are required to maintain and enhance amenity and service delivery within the area; and
- To publicly identify the purposes for which the levies are required.

### 1.3 References and Definitions

In this plan, unless the context or subject matter otherwise indicates or requires the following definitions apply:

- **ABS** means the Australian Bureau of Statistics;
- **EP&A Act** means the Environmental Planning and Assessment Act 1979;
- **EP&A Regulation or Regulation** means the Environmental Planning and Assessment Regulation 2000;
- **Council** means Narrabri Shire Council;
- **Development contributions** means a development contribution required to be paid by a condition of development consent imposed pursuant to Section 7.12 of the Act;
- **Levy** means a levy under Section 7.12 of the Act authorised by this Plan; and
- **Public Facility** and **Public Infrastructure** means a public amenity or public service.

## 2. Summary Schedules

The following schedules are included in this plan:

1. Schedule of Works; and
2. Summary of Levies.

### 2.1 Schedule of Works

The detailed schedule of works is provided at Appendix 2 and identifies the public facilities for which Section 7.12 levies will be required together with a summary of the anticipated expenditure on the respective items and priority for delivery.

### 2.2 Summary of the Levies

Levies paid to Council under this Plan will be applied towards meeting the costs of provision, or augmentation, of new public facilities as summarised in the Schedule of Works.

The Plan will be reviewed on an annual basis to ensure income from the levy is able to match proposed expenditure.

Narrabri Shire Council  
Section 7.12 Fixed Development Consent Levies  
Contributions Plan 2011

**Table 1 - Summary of Section 7.12 Levies for Narrabri Shire**

Type of Development	Estimated Cost of Development	Levy (%)
Residential accommodation, commercial development, business and retail development, tourist and visitor accommodation, industrial and storage premises development, primary production, any project declared to be a project to which Part 3A of the EP & A Act applies, extractive industries, utility installations, subdivisions and all other forms of development not specifically exempted under this plan.	\$0 - \$100,000	Nil
	\$100,001 - \$200,000	0.5%
	More than \$200,000	1.0%

### 3. ADMINISTRATION OF THE PLAN

#### 3.1 What is the Name of this Plan?

This development contributions plan is called the Narrabri Shire Council Section 7.12 Fixed Development Consent Levies 2011.

#### 3.2 Application of this Plan

This Plan applies to all land within the Narrabri Shire Local Government Area (LGA).

The Plan applies to all applications for development consent and complying development certificates required to be made by or under Part 4 of the Environmental Planning and Assessment Act 1979 with respect to development on land to which this Plan applies.

In determining a development application, Council may impose a condition of consent requiring the payment of a levy, or dedication of land, in accordance with the provisions of this Plan.

The contribution rates for different types of development are provided in Table 1 (above).

#### 3.3 When does this Plan Commence?

This plan came into effect when adopted by minute number 669/2011 at the Ordinary Council meeting conducted on the 18 October 2011.

## 4. OPERATION OF THE PLAN

### 4.1 Are There Any Exemptions to the Levy?

The levy will not be imposed in respect of development:

- where the proposed cost of carrying out the development is \$100,000 or less;
- for the purposes of disabled access;
- for the sole purpose of providing affordable housing;
- for the purpose of reducing consumption of mains supplied potable water, or reducing the energy consumption of a building;
- for the sole purpose of the adaptive reuse of an item of environmental heritage;
- Other than the subdivision of land, where a condition under section 7.11 of the Act has been imposed under a previous development consent relating to the subdivision of the land on which the development is proposed be carried out;
- Seniors housing, as defined in the State Environmental Planning Policy (Seniors Living) 2004, which is undertaken by a social housing provider;
- School developments that are a Federal Building the Education Revolution Project; or
- Any other Ministerial Direction released following the adoption of this plan.

There are no additional exemptions at the time of commencement of this Plan, however, Council may consider exempting other categories of developments, or components of developments from the requirement for a levy, but only by resolution of Council.

Consideration will be given to requests for exemption for the following types of development:

- works undertaken for charitable purposes or by a registered charity (as defined by the ATO);
- places of worship;
- public infrastructure for or on behalf of the NSW Government including but not limited to hospitals, public transport, police and fire stations and education facilities;
- public community infrastructure such as but not limited to libraries, community facilities, child care facilities, recreational areas, recreational facilities or car parks;
- privately funded community infrastructure, such as but not limited to education facilities, universities, and private hospitals;
- industrial, retail or commercial development, where there is no increase in floor space within an existing building;
- the continued operation of a coal mine, where rail transport is used for the transportation of coal; or
- Demolition (where there is no replacement building or development).

For an exemption to be considered any such development will need to submit a written request making the case for exemption and including details of:

- Under which point in Section 4.1 of this Plan the exemption claimed is to be considered;
- The mechanism ensuring that such development will remain in the form proposed in the future (i.e. not to increase future demand on public amenities and services); and
- Other items if applicable such as: How the development will incorporate the maintenance of the item of heritage significance? How the development will contribute to the public benefit of the community? Works in the public domain included in the development? How the residents/users will utilise existing private facilities attached to the development that replicate those types provided by Council?

#### **4.2 Pooling of Levies**

This Plan expressly authorises Section 7.12 levies be paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes. The priorities for the expenditure of the levies are shown in the works schedule (refer to Appendix 2).

#### **4.3 Construction Certificates and the Obligation of Accredited Certifiers**

In accordance with Clause 146 of the Environmental Planning and Assessment (EP&A) Regulation 2000, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of levies has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that levies have been fully paid and copies of such receipts must be included with copies of the certified plans provided to Council in accordance with Clause 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid.

The only exceptions to the requirement are where a works in kind, material public benefit, dedication of land or deferred payment arrangement has been agreed by the Council. In such cases, Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

#### 4.4 How will the Levy be Calculated?

The levy will be determined based on the rate as set out in the Summary Schedule (refer to Table 2).

The levy will be calculated as follows:

<b>Levy</b>	<b>=</b>	<b>%C</b>	<b>x</b>	<b>\$C</b>
Where:				
- %C is the levy rate applicable;				
- \$C is the proposed cost of carrying out the				

The proposed cost of carrying out the development will be determined in accordance with Clause 25J of the EP&A Regulations 2000. The procedure set out in Appendix 1 to this Plan must be followed to enable Council to determine the amount of the levy to be paid.

The value of the works must be provided by the applicant at the time of the request and if appropriate must be independently certified by a quantity surveyor, who is registered with the Australian Institute of Quantity Surveyors, or a person who can demonstrate equivalent qualifications.

Without limitation to the above, Council may review the valuation of works and may seek the services of an independent person to verify the costs. If the result of a review indicates the value of the works differ from that provided, Council may determine the value of the works to be applied as the basis for any levy payable.

Contribution amounts payable can be checked with Council by contacting (02) 6799 6866 during office hours.

#### 4.5 When is the Levy Payable?

A levy must be paid to Council at the time specified in the condition that imposes the levy. If no such time is specified, the levy must be paid prior to the issue of a construction certificate or complying development certificate.

#### 4.6 How will the Levy be Adjusted?

Contributions required as a condition of consent under the provisions of this Plan will be adjusted at the time of payment of the contribution in accordance with the following formula:



Narrabri Shire Council  
Section 7.12 Fixed Development Consent Levies  
Contributions Plan 2011

**Contribution = \$Co + A at time of payment**

Where:

- \$ Co is the original contribution as set out in the consent; and

- A is the adjustment amount which is:

**$\$Co \times \frac{([Current\ Index^5 - Base\ Index^6])}{[Base\ Index]}$**

**[Base Index]**

**Note:** In the event that the Current Index is less than the Base Index the Current Index shall be taken as not less than the Base Index.

<sup>5</sup> Current Index (6401.0 - Consumer Price Index Australia) is the Consumer Price Index, Australia CPI: Groups, Weighted Average of Eight Capital Cities, Index Numbers and Percentage Changes as published for the last quarter by the Australian Bureau of Statistics available at the time of review of the contribution rate.

<sup>6</sup> Base Index (6401.0 - Consumer Price Index Australia) is Consumer Price Index, Australia CPI: Groups, Weighted Average of Eight Capital Cities, Index Numbers and Percentage Changes as published by the Australian Bureau of Statistics published at the date of adoption of this plan which is July 2011.

#### 4.7 Can Deferred or Periodic Payments be Made?

Deferred or periodic payments may be permitted in the following circumstances:

- When the deferred or periodic payment of the contribution will not prejudice the timing or the manner of the provision of public facilities included in the works program; and
- In other circumstances considered reasonable by Council.

If Council agrees to accept deferred or periodic payment, Council may require the applicant to provide a bank guarantee for the full amount of the contribution or the outstanding balance on condition that:

- the bank guarantee be for the amount of the total contribution, or the amount of the outstanding contribution, plus an amount equal to thirteen (13) months interest plus any charges associated with establishing or operating the bank security;
- the bank unconditionally pays the guaranteed sum to the Council if the Council so demands in writing not earlier than 12 months from the provision of the guarantee or completion of the work;
- the bank must pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development;
- the bank's obligations are discharged when payment to the Council is made in accordance with this guarantee or when Council notifies the bank in writing that the guarantee is no longer required; and

- Where a bank guarantee has been deposited with Council, the guarantee shall not be cancelled until such time as the original contribution and accrued interest are paid.

#### 4.8 Accountability

Financial management and accountability are important components of a Section 7.12 Development Contributions Plan. Council is responsible for the maintenance of an accurate and up to date register of all contributions. Monetary contributions received under this Plan are kept in a separate account specifically for this plan. Accounting records show the contributions received and expended, including any interest earned on invested funds for each account. These records are updated on a monthly basis.

Separate accounting records are maintained for all Council's Contributions Plans. Information on Section 7.12 accounts and funds relating to this Plan will be provided in a condensed format within Narrabri Shire Council's Annual Reports in accordance with the requirements of the EP&A Regulations 2000. Information is also available from Council's contribution register relating to this Plan, which can be inspected at Council during ordinary office hours.

#### 4.9 Offer to Enter into a Voluntary Planning Agreement

An applicant may offer to enter into a voluntary planning agreement (VPA) with Council under Section 7.4 of the EP&A Act in connection with the making of a development application, rather than pay a contribution in relation to a development. Under the planning agreement, the applicant may offer to:

- pay money;
- dedicate land;
- carry out works; or
- provide other material public benefits for public purposes.

The applicant's provision under a VPA may be additional to, or instead of, paying a contribution in accordance with a condition of development consent authorised by this Plan. This will be a matter for negotiation with Council. An approach should be made to Council at an early stage in the project, prior to lodgement of any development application, to finalise any negotiations required to avoid delays as part of the development assessment process. The offer to enter into the VPA together with a copy of the draft agreement should accompany the relevant development application.

Council will publicly notify the draft VPA and an explanatory note relating to the draft agreement along with the development application and will consider the VPA as part of its assessment of that application. If Council agrees to enter into the VPA, it may impose a condition of development consent under Section 7.7(3) of the EP&A Act 1979 requiring the agreement to be entered into and performed.

If Council does not agree to enter into the VPA, it may grant consent subject to a condition authorised by this Plan requiring the payment of a contribution.

## Appendix 1 - PROCEDURE FOR COUNCIL TO DETERMINE THE LEVY AMOUNT

### Procedure

A cost summary report is required to be submitted to allow Council to determine the contribution that will be required. The following should be provided:

- Minor works that are demonstrated to comprise works less than \$50,000 in value do not require a cost report to be completed;
- A cost summary report must be completed for works with a value between \$50,000 and \$500,000 (refer to template over page); or
- A quantity surveyor's Detailed Cost Report must be completed by a registered quantity surveyor for works with a value greater than \$500,000 (refer to template over page).

To avoid doubt, Section 25J of the Environmental Planning and Assessment Regulation 2000 states that the proposed cost of carrying out development is to be determined by adding up all of the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:

- the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of, or incidental to, erecting the building, or carrying out the work, including the costs (if any) of, and incidental to, demolition, excavation and site preparation, decontamination or remediation;
- the development involves a change of use of land—the costs of or incidental to doing anything necessary to enable the use of the land to be changed; and
- The development involves the subdivision of land—the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.

The Regulation makes clear that the following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:

- the cost of the land on which the development is to be carried out;
- the costs of any repairs to any building or works on the land that are to be retained in connection with the development;
- the costs associated with marketing or financing the development (including interest on any loans);
- the costs associated with legal work carried out or to be carried out in connection with the development;
- project management costs associated with the development;
- the cost of building insurance in respect of the development;
- the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land);

- the costs of commercial stock inventory;
- any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law;
- the costs of enabling access by disabled persons in respect of the development;
- the costs of energy and water efficiency measures associated with the development;
- the cost of any development that is provided as affordable housing; and
- the costs of any development that is the adaptive reuse of a heritage item.

### Sample Cost Summary Report (Development Cost No Greater than \$500,000)

Council References		
Development Application No:		
Reference:		
Complying Development Certificate Application No:		
Construction Certificate No:	Date:	
Applicants Details		
Applicant's Name:		Applicant's Address:
Development Details		
Development Name:		Development Address:
Description of Development Cost	Cost Estimate (\$)	
Demolition and alterations		
Hydraulic services		
Structure		
Mechanical services		
External walls, windows and doors		
Fire services		
Internal walls, screens and doors		
Lift services		
Wall finishes		
External works		
Floor finishes		
External services		

Ceiling finishes	
Other related work	
Fittings and equipment	
<b>Sub-total</b>	
Sub-total above carried forward	
Preliminaries and margin	
<b>Sub-total</b>	
Consultant Fees	
Other related development costs	
<b>Sub-total</b>	
Goods and Services Tax	
<b>Total Development Cost</b>	

I certify that I have:

<ul style="list-style-type: none"> <li>Inspected the plans the subject of the application for development consent or construction certificate.</li> <li>Calculated the development costs in accordance with the definition of development costs in clause 25J of the Environmental Planning and Assessment Regulation 2000 at current prices.</li> <li>Included GST in the calculation of development cost.</li> </ul>
Signed:
Name:
Position and Qualifications:
Date:

### Sample Cost Summary Report (Development Cost more than \$500,000)

This report must be completed by a Registered Quantity Surveyor (A member of the Australian Institute of Quantity Surveyors)

Council References		
Development Application No:		
Reference:		
Complying Development Certificate Application No:		
Construction Certificate No:	Date:	
Applicants Details		
Applicant's Name:	Applicant's Address:	
Development Details		
Development Name:		
Development Address:		
Gross Floor Area – Commercial		sqm
Gross Floor Area – Residential		sqm
Gross Floor Area – Retail		sqm
Gross Floor Area – Other		sqm
Gross Floor Area – Car Parking		sqm
<b>Total Gross Floor Area</b>		sqm
<b>Total Site Area</b>		sqm
Total Number of Car Parking Spaces		
<b>Total Development Cost</b>	\$	
<b>Total Construction Cost</b>	\$	
<b>Total GST</b>	\$	
Estimate Details:		
<b>Professional Fees</b>	\$	
% Of Development Cost		



% Of Construction Cost	
<b>Excavation</b>	\$
Cost per sqm of Site Area	\$
<b>Car Park</b>	\$
Cost per sqm of site area	\$
Cost Per Space	\$
<b>Demolition and Site Preparation</b>	\$
Cost per sqm of site area	\$
<b>Construction – Commercial</b>	\$
Cost per sqm of commercial area	\$
<b>Fit-Out – Commercial</b>	\$
Cost per sqm of commercial area	\$
<b>Construction – Residential</b>	\$
Cost per sqm of Residential area	\$
<b>Fit-Out – Residential</b>	\$
Cost per sqm of Residential area	\$
<b>Construction – Retail</b>	\$
Cost per sqm of Retail area	\$
<b>Fit-Out – Retail</b>	\$
Cost per sqm of Retail area	\$

I certify that I have:

- inspected the plans the subject of the application for development consent or construction certificate;
- prepared and attached an elemental estimate generally prepared in accordance with the Australian Cost Management Manuals from the Australian Institute of Quantity Surveyors;
- calculated the development costs in accordance with the definition of development costs in the S7.12 Development Contributions Plan of the council of [insert] at current prices;
- included GST in the calculation of development cost; and
- Measured gross floor areas in accordance with the Method of Measurement of Building Area in the AIQS Cost Management Manual Volume 1, Appendix A2.

Signed:

Name:

Position and Qualifications:

Date:

## Appendix 2 - SCHEDULE OF WORKS

### Fixed Development Consent Levies Contributions Plan Schedule of Works

Priority	Description
Low (L)	Capital Works prioritised and expected to be needed from 7 – 10 years
Medium (M)	Capital Works prioritised and expected to be needed from 3 – 7 years
High (H)	Capital Works prioritised and expected to be needed from 1 – 3 years

Item	Infrastructure	Location	Priority	Estimate (\$)
1	Community Facilities Upgrades	Narrabri - Cooma Oval - playground area additional seating	H	5,000
2	Community Facilities Upgrades	Narrabri - Cooma oval shelters - Covered seating areas on the edge of field	H	45,000
3	Community Facilities Upgrades	Narrabri - Collins Park - four new seating structures for the riverbank area	H	15,000
4	Community Facilities Upgrades	Narrabri - Pirate Playground - additional shelter & BBQ area	H	45,000
5	Community Facilities Upgrades	Narrabri - Pirate Playground - shade shelter over playground	H	30,000
6	Community Facilities Upgrades	Narrabri – Cooma Oval – widen access area to Ugoa Street Carpark	H	5,000
7	Community Facilities Upgrades	Narrabri - Narrabri creek accessible jetty - All accessible concrete jetty next to boat ramp	H	90,000
8	Communities Facilities Upgrade	Narrabri - Gately field - Covered seating areas on the edge of field	H	45,000
9	Community Facilities Upgrades	Narrabri - leash free park - Construct a leash free dog park	H	50,000
10	Community Facilities Upgrades	Boggabri – Middle Park – install additional picnic table and shelter	H	20,000
11	Community Facilities Upgrades	Boggabri - Vickery Park Gym equipment - Two cover gym stations and connecting pathway	H	85,000
12	Community Facilities Upgrades	Boggabri - New fence and gate and pathway to link equipment and park furniture	H	60,000
13	Community Facilities Upgrades	Narrabri Shared Cycle/Pedestrian Pathway Project	H	235,000
14	Community Facilities Upgrades	Wee Waa - Ludowici Park - install BBQ into sheltered area	H	8,000
15	Community Facilities Upgrades	Wee Waa - Ludowici Park - install pathway to link new shelter to playground	H	25,000
16	Community Facilities Upgrades	Wee Waa - Ludowici Park - install shade shelter	H	35,000
17	Community Facilities Upgrades	Wee Waa - Ludowici Park - replace swing set	H	8,000
18	Community Facilities Upgrades	Gwabegar - Anzac Park - renew playground equipment	H	60,000

19	Community Facilities Upgrades	Gwabegar - Anzac Park - install shade shelter	H	25,000
20	Community Facilities Upgrades	Pilliga - Anzac Park - install new playground equipment	H	50,000
21	Community Facilities Upgrades	Pilliga - Anzac Park - install shade shelter	H	25,000
22	Community Facilities Upgrades	Pilliga - Rural Transaction Centre - replace amenities	H	60,000
23	Community Facilities Upgrades	Baan Baa – Hall – new playground and shade	H	60,000
24	Community Facilities Upgrades	Bellata – Public Toilet - toilet installed at playground or camping site	H	100,000
25	Community Facilities Upgrades	Bellata – Picnic Shelter and seat	H	40,000
26	Footpath	Killarney Street from Tibbereena Street to Barwan Street	H	51,000
27	Footpath	Barwan Street from Bowen Street to Denison Street	H	51,000
28	Footpath	Gibbons Street from Wandii Place to Existing Footpath	H	28,000
29	Footpath	Boheena Street Wukawa Street to Cooma Road	H	73,000
30	Footpath	Wee Waa Street from Brent Street to Caxton Street	H	64,000
31	Pools Boggabri	Pools - Boggabri Pool - Tables & Chairs for BBQ Area	H	5,000
32	Pools Narrabri	Pools - Narrabri Aquatic Centre - Outdoor Tables & Chairs for Canteen Area	H	10,000
33	Pools Wee Waa	Pools - Wee Waa Pool - Tables & Chairs for BBQ Area	H	5,000
34	Footpath	Narrabri Jetty Area pathway to link arterial pathway	H	35,000
35	Community Facilities Upgrades	Narrabri Lake additional seating	H	15,000
36	Community Facilities Upgrades	Boggabri Vickery Park flying fox	H	30,000

For the purposes of section 7.12 (3) of the Act, the cost of providing public amenities or public services is to be indexed annually (as specified in the relevant contributions plan) in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.



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**10 OUR ECONOMY**

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## THEME 3: OUR ECONOMY

### STRATEGIC DIRECTION 3: PROGRESSIVE AND DIVERSE ECONOMY

*By 2027, we will have developed a strong, diverse economy that attracts, retains and inspires business, industry and tourism growth.*

#### COMMUNITY ENGAGEMENT

Through extensive community engagement, the Narrabri Shire community identified several economic priority areas to be actioned over the 2017 - 2018 financial year.

#### COMMUNITY SERVICES

Current services provided within the Narrabri Shire community include:

- Economic development
- Planning and development
- Entertainment and conferences
- Local and regional tourism and events
- Saleyards
- Airport

#### COMMUNITY OUTCOMES

In partnership with the community, government and non-government agencies, the Operational Plan will work towards achieving the following economic strategic outcomes:

- Increased community events, conferences and entertainment
- Increased employment through industry innovation, investment and value adding
- Established freight hub for the Northern Inland Region
- Increased housing availability and affordability
- Broadened economic base



**10.1 WEE WAA LEVEE ANNUAL INSPECTION 2019**

**Responsible Officer:** Darren Raeck, Director Infrastructure Delivery

**Author:** Darren Raeck, Director Infrastructure Delivery

**Attachments:** Nil

**DELIVERY PROGRAM ALIGNMENT****2. Environment**

Objective 2.2 We will protect our environment through sustainable planning and well-resourced emergency services

Strategy 2.2.1 Community emergency service providers are well resourced to adequately prepare and respond to natural disasters and emergencies

**EXECUTIVE SUMMARY**

The Wee Was Town Levee Maintenance Policy stipulates that an Annual Safety Inspection will be carried out by the Director of Engineering Services, this position is now fulfilled by the Director Infrastructure Delivery.

On 5 June 2019, a comprehensive inspection of the Wee Waa Levee was undertaken by the Director Infrastructure Delivery (Darren Raeck) for Council. In its current form, there were no significant defects or elements that would result in a premature catastrophic failure of the levee. Catastrophic failure would be dependent above average rainfall and higher than normal levels of water.

The Levee appears to have three distinct zones that have varying degrees of state.

The Northern section of levee is in unacceptable rating from access gate 1 (western entrance to town), chainage 4836 to access gate 7 chainage 8818 the fence is in poor condition providing little or no restriction to animals and or vehicles. The soils appear to be dispersive with surface cracking, steep embankments and limited cover which also makes it susceptible to erosion. The mechanical elements of the levee are in good condition. Fencing is recommended.

The Eastern (access gate 7 to access Gate 10, chainage 8818 - 8516) and Southern sections (access Gate 10 to the Railway cutting, chainage 0-2479) are marginal rating with some sections of poor fencing. The soils in this region appear to be less impacted by erosion however have areas of slumping identified and have little or no animal traffic. The mechanical elements of the levee are in good condition. Fence repair is recommended.

The western section is in good condition overall (Railway cutting, chainage 0-2479 to Access gate 1, chainage 4836) fencing and mechanical elements all appear to be in good condition.

Short to medium term projects to improve to the soil structure in the north section and reinstatement of the fences to restrict access should be considered.

**RECOMMENDATION**

1. That Council note the Wee Waa Levee Annual Inspection Report 2019.

**BACKGROUND**

The Wee Waa ring levee was constructed in 1976 after flood events in 1964, 1971 and 1974 with additional works being constructed in 1995. The Wee Waa Town Levee Maintenance Policy stipulates that Annual Safety Inspection be conducted every 12 months by the Director

Infrastructure Delivery and a Failure Impact Assessment be undertaken every five (5) years by an experienced dam and/or levee bank engineer. Routine inspections are also undertaken quarterly by operational staff.

An Annual Safety Inspection aims to identify physical deficiencies of the levee by visual examination (e.g. adequate slope protection, cracking, depressions and sinkholes, piping etc) and review of observations with prevailing knowledge. The inspection includes all physical aspects of the levee including difficult or confined areas. All operating equipment must be examined and tested.

In November 2017, a five (5) yearly visual inspection of the levee at Wee Waa was undertaken by NSW Public Works Advisory. In February 2018, the findings of the report were presented to Council, whereby Council resolved to complete the identified works (DO/17/01). Whilst most of these works are complete some of the works are ongoing as they are considered routine maintenance.

### **CURRENT SITUATION**

Since the NSW Public Works Advisory report was presented, Council has installed a number of check valves on the outer banks of the levee to reduce the risk of gate failure (providing a contingent point of failure to each gate). There has been regular inspection of the assets in accordance with our maintenance plan. No significant issues have arisen since the completion of this report however Council has failed to act on the “significant surface damage from cattle (stock) grazing on levee”.

All works identified in the report will be programmed for completion as soon as resources permit.

Provided under separate cover to Councillors is a series of inspection photographs taken as part of the 2019 annual inspection.

### **FINANCIAL IMPLICATIONS**

Cost estimates for all works have not yet been finalised however the costs are not expected to be significant and will generally fall under the maintenance budget for the Wee Waa Levee.

### **STATUTORY AND POLICY IMPLICATIONS**

Levees in NSW are managed by their owners.

### **CONSULTATION**

#### **External Consultation**

Nil.

#### **Internal Consultation**

- Operational Staff associated with management of the levee.

**10.2 DEVELOPMENT APPLICATION 85/2019 - PROPOSED WHOLESALE TREE NURSERY AT 21 WEE WAA ROAD, NARRABRI**

**Responsible Officer:** Daniel Boyce, Director Development and Economic Growth

**Author:** Daniel Boyce, Director Development and Economic Growth

**APPLICATION DETAILS**

**Applicant:** Trevor Alan Hook

**Owner:** Trevor Alan Hook

**Proposal:** Wholesale tree nursery and associated works

**Location:** Lot 37 Section 15 DP 978, 21 Wee Waa Road, Narrabri

**Attachments:**

1. Development Assessment Report [↓](#) 
2. Draft Conditions of Consent [↓](#) 
3. DA85.2019 Development Plans [↓](#) 

**RECOMMENDATION**

That Council determine the Development Application 85/2019 for a plant nursery and associated works on Lot 37 Section 15 DP 978, 21 Wee Waa Road, Narrabri by granting consent to the application subject to conditions in Attachment 2.

**EXECUTIVE SUMMARY****Proposal**

The proposed development on Lot 37 Section 15 DP 978, 21 Wee Waa Road, Narrabri ("**the Land**") is a small scale wholesale tree nursery with the application comprising:

- Proposed use (Plant nursery)
- 8 x 5.4m workshop with amenities
- 5,000L rainwater tank
- 200m<sup>2</sup> tube stock storage area

**Reason for consideration by Council**

The development has been referred to Council for determination due to the significant flood issues associated with the land and the precedential effect of the determination.

**Permissibility**

The land is zoned RU1 Primary Production pursuant to *Narrabri Local Environmental Plan 2012* ("**the LEP**"). Plant nursery is permissible with consent in the RU1 zone.

**Consultation**

No specific notification required by the Development Control Plan ("**the DCP**").

**Main issues**

Flood risk management is the main issue arising from the assessment.

The *Namoi River, Mulgate Creek and Long Gully Flood Study 2016* (“**the Flood Study**”) indicates that the 1% Annual Exceedance Probability event level is 212.8m AHD, is high hazard and the Land lies in a Floodway.

Floodways are areas of the floodplain where a significant discharge of water occurs during floods and that, even if only partially blocked, would cause a significant redistribution of flood flow, or a significant increase in flood levels.

For this reason most Floodplain Risk Management Plans prohibit all new buildings in a designated floodway.

Notwithstanding the general preference to exclude development from floodways the small scale and nature of the development is generally compatible with the flood conditions on the Land for the following reasons:

- Flood hazard is acceptable for buildings.
- Development will result in little to no additional impact on flow or flood levels outside the property.
- Development is a commercial operation with an itinerant site presence and ample opportunities to evacuate and therefore does not represent a significant risk to life.
- Development has low environmental impact.
- Development is not likely to result in unsustainable social and economic costs.

## Conclusion

The development has been assessed with regard to the relevant prescribed matters for consideration outlined in Section 4.15 of the *Environmental Planning & Assessment Act 1979* (“**EPA Act**”) (Attachment 1).

The development is permissible with consent in the RU1 zone and consistent with the objectives for development in the RU1 zone. Weight must be given to the RU1 zoning in the “resolution of a dispute as to the appropriate development” of the land.

The development is a suitable use of the land having regard to the flood conditions.

Notwithstanding the general preference to exclude development from floodways, under the circumstances of the specific development it is considered a suitable use of the land and is not likely to result in an unacceptable precedent.

The development complies with the relevant planning instruments.

With the imposition of the recommended conditions the development will not have any unacceptable impacts on the surrounding area, environment and adjoining development.

It is recommended that Development Application 85/2019 be approved subject to the conditions provided in Attachment 2.

## BACKGROUND

### Existing Sites Features and Surrounding Development

The Land is a 0.24ha rural allotment located on the fringe of Narrabri, between Wee Waa Road and the Namoi River. It is zoned RU1 Primary Production. The size of the land would not enable typical standalone agricultural land uses. It is surrounded by commercial industrial land uses.

**DESCRIPTION OF PROPOSAL**

A Development Application (“DA”) has been lodged with Council for a small scale wholesale tree nursery on Lot 37 Section 15 DP 978, 21 Wee Waa Road, Narrabri comprising:

- Proposed use (Plant nursery)
- 8 x 5.4m workshop with amenities
- 5,000L rainwater tank
- 200m<sup>2</sup> tube stock storage area

**Social Impacts**

Council must take into consideration in so far as is relevant to the proposed development the likely impacts of that development, including (amongst other things) the social impacts (Farrier & Stein, 2016).

No significant adverse social impacts have been identified in the assessment.

**Public Interest**

Council must take into consideration in so far as is relevant “the public interest”. When determining the public interest, a Council is not confined to statutory planning instruments (Farrier & Stein, 2016).

The public interest is best served through the promotion of orderly and economic use and development of land, ensuring application of ecologically sustainable development principles, protecting the health and safety of building occupants and the environment.

The Land is located within a floodway and consequently is rendered severely constrained in terms of potential development.

The primary objective from a floodplain risk management perspective is to preserve the important flood conveyance function of floodways, however, this must be balanced by the (albeit secondary) need to ensure that land is not “sterilised”.

In this regard, this relatively small-scale development strikes an appropriate balance by enabling development that is generally compatible with the flood conditions of the Land while ensuring that:

- Development will result in minimal impact on flow or flood levels.
- Development does not represent a significant risk to life.
- Development has low environmental impact.
- Development is not likely to result in unsustainable social and economic costs.

The development is considered to be in the public interest.

**STATUTORY ASSESSMENT**

The development is permissible with consent in the RU1 zone and consistent with the objectives for development in the RU1 zone.

**Section 4.15 Assessment**

The development has been assessed with regard to the relevant prescribed matters for consideration outlined in Section 4.15 of the EPA Act (Attachment 1) with the main issue being flood hazard and impact.

## Flood risk management

The Flood Study enabled the extent of floodways to be clearly defined (Figure 1) and indicates that the 1% Annual Exceedance Probability event level is 212.8m AHD, is high hazard and the Land lies in a Floodway.



Figure 1 Flood Function

According to the Australian Disaster Resilience Guideline 7-5 Flood Information to Support Land-use Planning (AIDR, 2017):

*Some areas of the floodplain are flow conveyance and flood storage areas. These areas have an important flood function and, if the floodplain is modified by development or filling, this behaviour can change. Within these areas, excluding the intensification of land use or limiting intensification to land uses compatible with these functions can limit the effects on flood behaviour and on the existing community.*

*Filling of flood storage areas reduces their ability to attenuate downstream flood flows and, as a result, flood flows and flood levels may increase.*

Floodways are areas of the floodplain where a significant discharge of water occurs during floods and that, even if only partially blocked, would cause a significant redistribution of flood flow, or a significant increase in flood levels.

For this reason most Floodplain Risk Management Plans prohibit all new buildings in a designated floodway.

In addition to assessing the impact of the development on flood function the proposed land use must be compatible with the flood hazard. According to the AIDR (2017):

*Flood hazard classification provides a description of how hazardous the physical conditions produced by a flood can be, independent of the population at risk. It is typically based on benchmarking the depth and velocity of the floodwaters against thresholds to determine how hazardous this combination may be to people, cars, infrastructure and buildings, if they were exposed to the flooding.*



It recommends grouping the floodplain into the following categories:

- *H1—generally safe for people, vehicles and buildings*
- *H2—unsafe for small vehicles*
- *H3—unsafe for vehicles, children and older people*
- *H4—unsafe for all people and vehicles*
- *H5—unsafe for vehicles and people, and all buildings are vulnerable to structural damage*
- *H6—unsafe for vehicles and people, and all building types are vulnerable to structural failure.*

The likely 1% AEP flood depths and velocities at the building site are 1.8m and 0.5m/s respectively.

The expected depth and velocity combination lies inside the H4 category, determined to be unsafe for people and vehicles. However, the hazard combination is determined to be within acceptable limits for buildings (Figure 2).

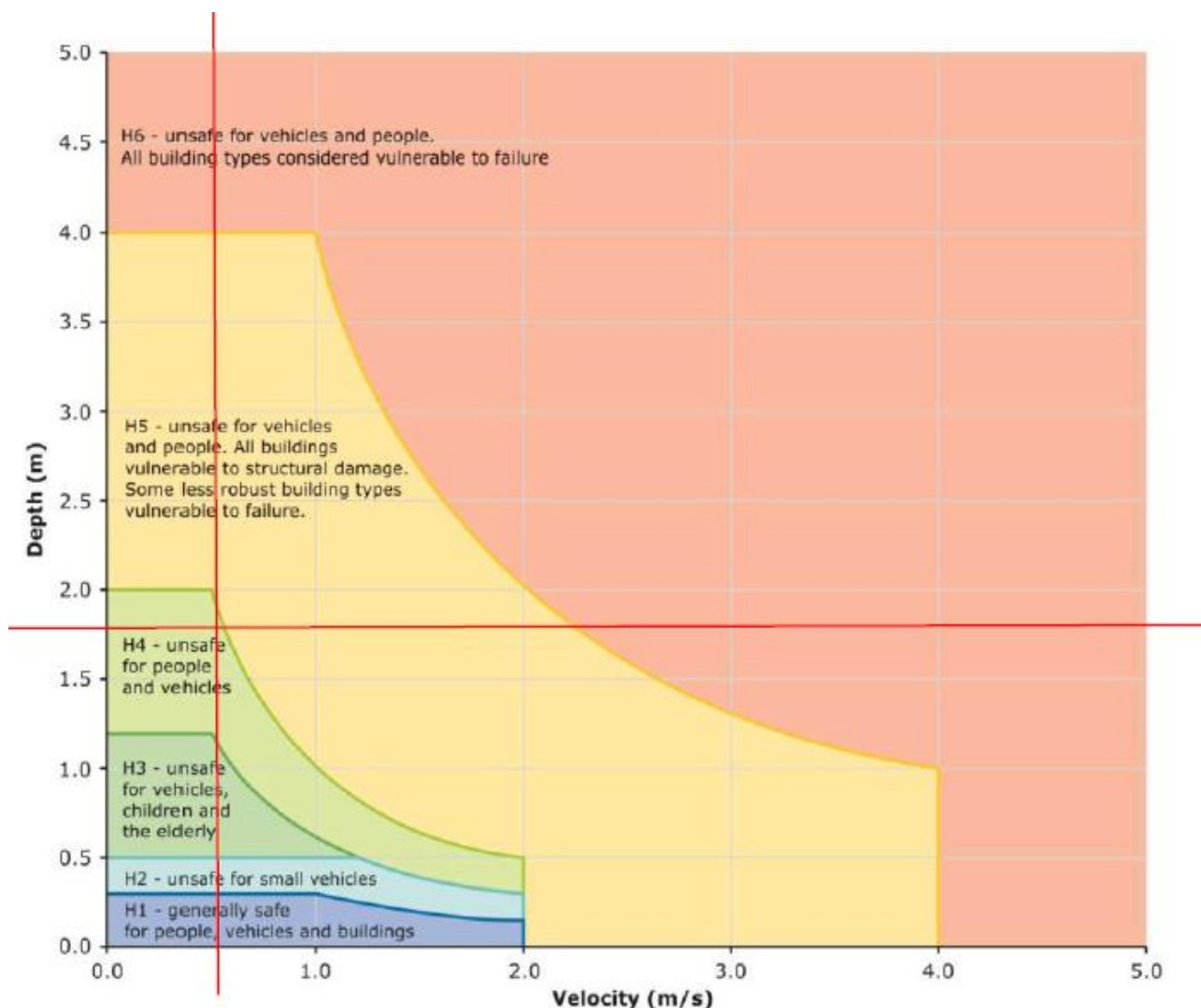


Figure 2 Flood Hazard

Flood hazard is generally considered as various combinations of depth and velocity (Hydraulic Hazard) and the capacity to take evasive action. In the case of the proposed infrequent commercial use, the capacity to take evasive action for occupants of the site is very high due to the likely long warning time associated with a Namoi River (Narrabri Creek) flood event.

The risk to property is acceptable given the H4 category and with the application of the following conditions:

8. Prior to the issue of a Construction Certificate building work below the 1:100 year flood height is to be certified by a structural engineer stating that it is able to withstand flood velocities for that area. All materials below the 1:100 year flood event are to comply with the NSW Flood Manual.

(Reason: To protect the occupants from the danger of flooding.)

25. Any new work constructed below the known flood level being constructed in materials and finishes that are resistant to damage from floodwaters. Any new machinery or equipment, electrical circuitry or fitting, storage unit or similar items likely to be damaged by floodwaters being installed above the said height or alternatively being of materials and functional capability resistant to the effects of floodwaters, all in accordance with the provisions of the NSW Flood Plain Development Manual. Structures on the site will need to be structurally certified to be able to withstand flood flows across the site.

(Reason: To minimise the extent of property damage and the risk of injury in the event of flooding of the site)

The proposed development is in accordance with Clause 6.2 of the LEP (Table 1).

**Table 1 Assessment against Clause 6.2 of the Narrabri Local Environmental Plan 2012**

<b>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:</b>	<b>Staff Comment</b>
(a) is compatible with the flood hazard of the land, and	<p>The expected depth and velocity combination lies inside the H4 category, determined to be unsafe for people and vehicles. However, the hazard combination is determined to be within acceptable limits for buildings.</p> <p>Flood hazard is generally considered as various combinations of depth and velocity (Hydraulic Hazard) and the capacity to take evasive action. In the case of the proposed infrequent commercial use, the capacity to take evasive action for occupants of the site is very high due to the likely long warning time associated with a Namoi River (Narrabri Creek) flood event.</p>
(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and	<p>Examination of the existing development pattern on nearly all upstream properties (9-19 Wee Waa Road) indicates that generally, flow will be impeded to some extent by through the upstream sites. In comparison, the proposed development is very minor and represents only a fraction of resistance to flow implicit in the</p>

	upstream properties. It is therefore likely that there will be little to no additional impact on flow or flood levels outside the property.
(c) incorporates appropriate measures to manage risk to life from flood, and	The proposed development is a commercial operation with an itinerant site presence. The Namoi River is a large river system with a long response time and accordingly, there are ample opportunities to evacuate the site prior to the arrival of the flood peak. There is a continually rising route away from peak flood waters. It is therefore assessed that the proposed development does not represent a significant risk to life.
(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and	The proposed development is set back from the river bank, outside waterfront land and is of a low scale with low associated environmental impact.
(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding	<p>Having regard to the relatively small-scale development, the proposal represents an appropriate use that is generally compatible with the site's flood behaviour and is therefore consistent with the principle outlined in the floodplain development manual that encourages appropriate use (as opposed to sterilisation) of flood prone land.</p> <p>Subject to the recommended conditions of consent the flood hazard and impact on flood behaviour can be satisfactorily managed and the social and economic costs can be mitigated.</p>

### Land and Environment Court Planning Principles

#### Zones (Weight to be given to the zoning)

When a planning instrument provides that development for a particular purpose is permissible provided that development consent is first obtained, there is a presumption that some version of that development will be approved (albeit subject, perhaps, to stringent conditions) (Farrier & Stein, 2016).

In *BGP Properties Pty Ltd v Lake Macquarie City Council* [2004] NSWLEC 399, the Chief Judge of the Land and Environment Court stated (at [117]):

In the ordinary course, where by its zoning land has been identified as generally suitable for a particular purpose, weight must be given to that zoning in the resolution of a dispute as to the appropriate development of any site. Although the fact that a particular use may be permissible is a neutral factor (see *Mobil Oil Australia Ltd v Baulkham Hills Shire Council* (No 2) [1971] 28 LGRA 374 at 379), planning decisions must generally reflect an assumption that, in some form, development which is consistent with the zoning will be permitted (at [117]).

The development is permissible with consent in the RU1 zone and consistent with the objectives for development in the RU1 zone. Weight must be given to the RU1 zoning in the “resolution of a dispute as to the appropriate development” of the land.

### **Zones (Development at zone interface)**

In *Stockland Development Pty Ltd v Manly Council* [2004] NSWLEC 472 Commissioner Bly stated (at [25]):

As a matter of principle, at a zone interface as exists here, any development proposal in one zone needs to recognise and take into account the form of existing development and/or development likely to occur in an adjoining different zone. In this case residents living in the 2(b) zone must accept that a higher density and larger scale residential development can happen in the adjoining 2(c) or 2(d) zones and whilst impacts must be within reason they can nevertheless occur. Such impacts may well be greater than might be the case if adjacent development were in and complied with the requirements of the same zone. Conversely any development of this site must take into account its relationship to the 2(b) zoned lands to the east, south-east, south and south-west and the likely future character of those lands must be taken into account. Also in considering the likely future character of development on the other side of the interface it may be that the development of sites such as this may not be able to achieve the full potential otherwise indicated by applicable development standards and the like (at [25]).

The Land is within the RU1 zone at the interface with the IN2 Light Industrial zone. The objectives of the IN2 zone are:

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses

The development is compatible with the form of existing development and development likely to occur in an adjoining IN2 zone.

### **Public Participation**

No specific notification required by the DCP.

### **Referrals**

Nil.

### **DEVELOPMENT CONTRIBUTIONS APPLICABLE**

Nil.

### **CONCLUSION**

Development Application 85/2019 has been assessed in accordance with Section 4.15 of the EPA Act and should be determined by way of approval subject to conditions (Attachment 2) for the following reasons:

**Reasons for the decision**

1. The development is permissible with consent in the RU1 zone and consistent with the objectives for development in the RU1 zone.
2. Notwithstanding the general preference to exclude development from floodways, under the circumstances of the specific development it is considered a suitable use of the land and is not likely to result in an unacceptable precedent.
3. The development complies with the relevant planning instruments.
4. With the imposition of the recommended conditions the development will not have any unacceptable impacts on the surrounding area, environment and adjoining development.

## DEVELOPMENT APPLICATION ASSESSMENT

### 1 Preliminary Scoping

#### 1.1 Application Details

<b>DA No.</b>	DA 85/2019
<b>Lot/DP</b>	Lot 37 Section 15 DP 978
<b>Street Address</b>	21 Wee Waa Road, Narrabri
<b>Site Area</b>	0.24ha
<b>Applicant</b>	Trevor Alan Hook
<b>Land Owner(s)</b>	Trevor Alan Hook
<b>Proposed Development</b>	Wholesale tree nursery
<b>Land Use Description</b>	Plant nursery
<b>Date</b>	26 June 2019
<b>Officer</b>	Erika Dawson

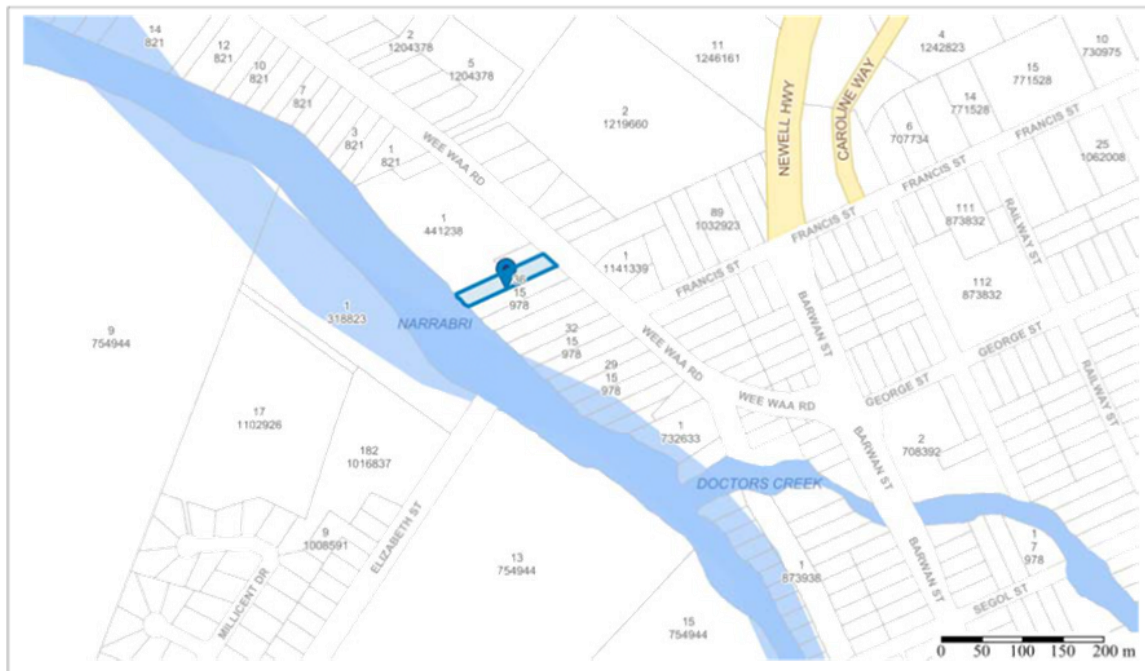


Figure 1: Site Location Plan





Figure 2: Site Aerial Photograph

## 1.2 History

Nil known.

## 1.3 Constraints

Issue	Yes	No	Issue	Yes	No
Bushfire Prone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Heritage (State Heritage Register)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Flood Prone</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Heritage (LEP)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Flora & Fauna/Native vegetation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Indigenous Heritage	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any easements other applicable restrictions on use etc?	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

### Comments:

- High hazard 1% AEP Flood hazard
- AHIMS Search – no items/areas recorded on site.

## 1.4 Applicable Environmental Planning Instruments

### 1.4.1 Local Environmental Plan (LEP)

<b>LEP Name:</b>	Narrabri LEP 2012
<b>Map Sheet No.:</b>	4A
<b>Zoning:</b>	RU1 Primary Production
<b>Proposed Land Use/Development</b>	Plant Nursery
<b>Minimum Lot Size</b> (relevant to the development, i.e.	AB2 = 4oha

might relate to MDH or dual occ MLS)					
<b>Check LEP maps for the following:</b>					
<b>Issue</b>	<b>Yes</b>	<b>No</b>	<b>Issue</b>	<b>Yes</b>	<b>No</b>
LEP Heritage Conservation Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Obstacle Limitation Surface</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
LEP Heritage Item	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Active Street Frontages	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Flood Planning Area</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Additional permitted uses	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Land Reservation Acquisition	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
<b>List other LEP clauses needing to be addressed:</b>	2.3 Zone Objectives & Land Use Table Land use table 6.1 Earthworks 6.2 Flood planning 6.3 Airspace operations 6.5 Essential services				



Figure 3: LEP Zoning Map



Figure 4: LEP Minimum Lot Size Map

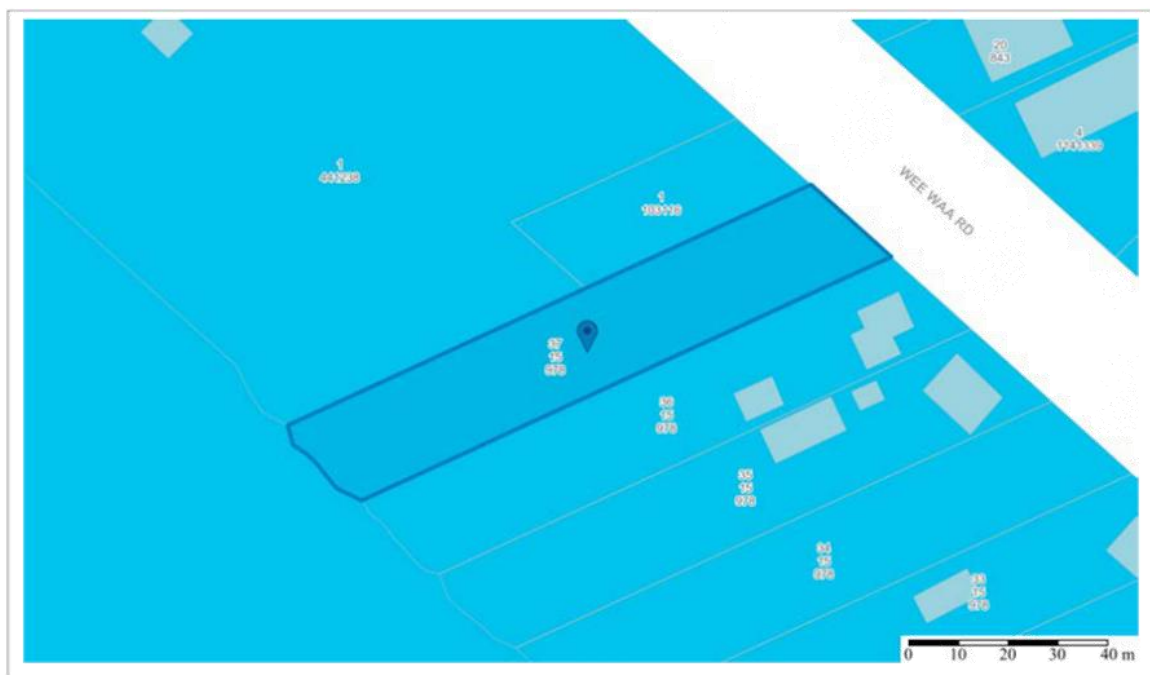


Figure 5: LEP Flood Planning Area Map

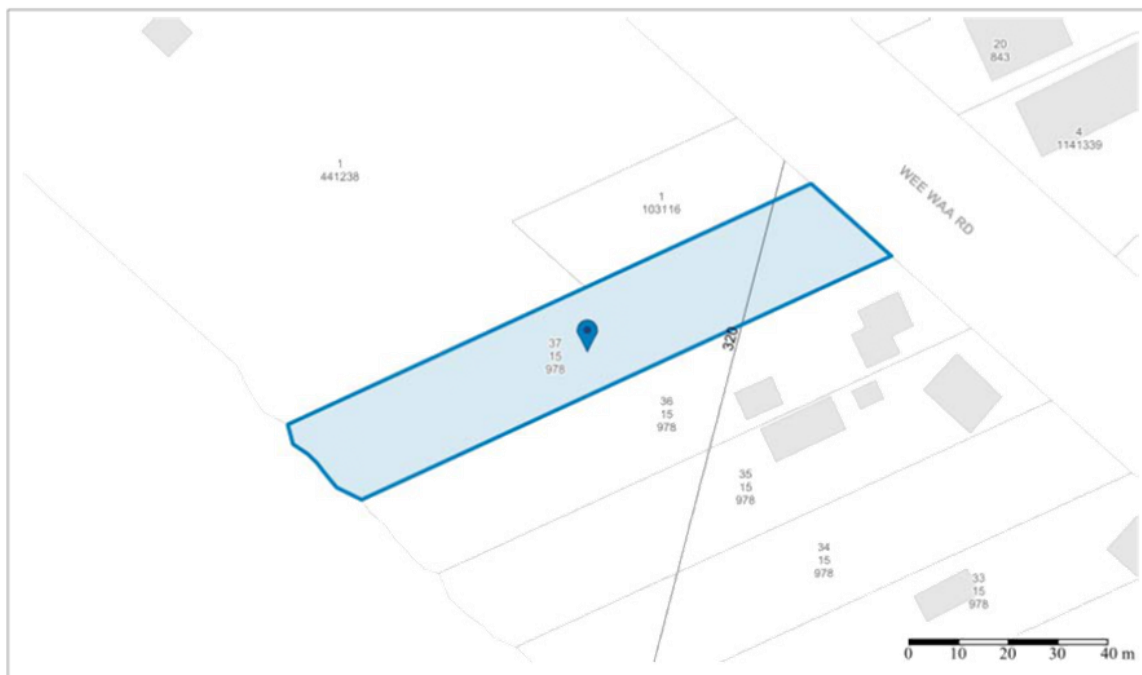


Figure 6: LEP Obstacle Limitation Surface Map

### 1.4.2 State Environmental Planning Policies (SEPPs)

The following outlines the SEPPs that are applicable to the development.

SEPP	Yes	No	SEPP	Yes	No
SEPP 1- Development Standards	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP 19 – Bushland in Urban Areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP 21 – Caravan Parks	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP 33 – Hazardous & Offensive Development	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP 36 – Manufactured Home Estates	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP 44 – Koala Habitat Protection	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP 47 – Moore Park Showground	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP 50 – Canal Estate Development	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>SEPP 55 – Remediation of Land</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEPP 64 – Advertising & Signage	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP 65 – Design Quality of Residential Apartment Development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP 70 – Affordable Housing (Revised Schemes)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP Aboriginal Land 2019	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP Affordable Rental Housing 2009	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP BASIX 2004	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP Coastal Management 2018	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP Concurrences 2018	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP Educational Establishments & CC Facilities 2017	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP Exempt & Complying Development Codes 2008	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP Gosford City Centre 2018	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP Housing for Seniors & People with a Disability 2004	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>SEPP Infrastructure 2007</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SEPP Kosciuszko – Alpine Resorts 2007	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP Kurnell Peninsula 1989	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP Mining, Petroleum Production & Extractive Industries 2007	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP Miscellaneous Consent Provision 2007	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP Penrith Lakes Scheme 1989	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP Primary Production & Rural Development 2019	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SEPP	Yes	No	SEPP	Yes	No
SEPP State & Regional Development 2011	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP State Significant Precincts 2005	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP Sydney Drinking Water Catchment 2011	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP Sydney Region Growth Centres 2006	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP Three Ports 2013	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP Urban Renewal 2010	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP Vegetation in Non-Rural Areas 2017	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP Western Sydney Employment Area 2009	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP Western Sydney Parklands 2009	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

## 1.5 Integrated Development

The following outlines which other approvals are required which would constitute “integrated development” for the purpose of Section 4.46 of the EP&A Act.

Issue	Yes	No	Issue	Yes	No
Coal Mine Subsidence Compensation Act 2017	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Petroleum (Onshore) Act 1991	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fisheries Management Act 1994	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POEO Act 1997	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Heritage Act 1977	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Roads Act 1993	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mining Act 1992	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Rural Fires Act 1997	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NPWS Act 1974	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Management Act 2000	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## 1.6 Other Matters for consideration

Issue	Yes	No
Is the development Designated Development (check schedule 3 of EP&A Regs)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the development Crown Development (check Division 4.6 EP&A Act)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the development for a Concept DA (check Division 4.4 EP&A Act)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the development Regional Development (check SRD SEPP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the development State Significant Development (check SRD SEPP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the development for an existing use (check Division 4.11 EP&A Act)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## 1.7 Permissibility

Plant nursery is permissible with consent in the RU1 zone.

## 1.8 DA Documentation

This section determines whether sufficient information been provided with the DA to enable assessment. Checklist in **Appendix A** to cover items in Schedule 1 Part 1 of EP&A Regs.

**Comments:**

ok.

## 1.9 Internal Referrals

### 1.9.1 Flooding

#### 1.9.1.1 Flood Environment

Narrabri Creek is part of the Namoi River system and is subject to flooding from time to time.



In 2016, WRM Water and Environment produced a flood study for the Namoi River, Mulgate Creek and Long Gully system. The flood study indicates that the 1% Annual Exceedance Probability event level at the site is 212.8m AHD, is high hazard and the site lies at the boundary between the Floodway and Flood Storage Area hydraulic category, refer below:



Figure 7: Flood Hydraulic Category

Council's flood information certificate indicates that peak velocity on the site may reach 0.6m/s in a 1% AEP flood.

### 1.9.1.2 The Development

The proposed development is a small scale wholesale tree nursery with the application comprising:

- Proposed use
- 8 x 5.4m workshop with amenities
- 5,000L rainwater tank
- 200m<sup>2</sup> tube stock storage area

The proposed building is to be setback 16m from the Wee Waa Road property boundary and will be constructed from cold formed steel frame and sheeting.

### 1.9.1.3 Assessment criteria

Section 6.2 of the Narrabri Local Environmental Plan (2012) relates to Flood Planning. It is noted that the site is identified as Flood Planning Area on the Flood Planning Map under the LEP.

*Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:*

- (a) *is compatible with the flood hazard of the land, and*
- (b) *is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) *incorporates appropriate measures to manage risk to life from flood, and*
- (d) *is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*
- (e) *is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*



### 1.9.1.4 Flood hazard

Flood hazard is generally considered as various combinations of depth and velocity (Hydraulic Hazard) and the capacity to take evasive action. In the case of the proposed infrequent commercial use, the capacity to take evasive action for occupants of the site is very high due to the likely long warning time associated with a Namoi River (Narrabri Creek) flood event.

Residual hazard is therefore addressed for property at the 1% AEP event.

From the applicant's site plan, it is determined that the likely 1% AEP flood depths and velocities at the building site are 1.8m and 0.5m/s respectively.

The University of NSW commissioned by the NSW Office of Environment and Heritage has published guidelines for Delineating Hazardous Flood Conditions to People and Property (Sept. 2014) which in turn have been adopted by the Australian Institute for Disaster Resilience in their Guide to Best Practice in Flood Risk Management in Australia.

Figure 5.5 shows flood hazard curves and supersedes the guidelines in Appendix L of the NSW Floodplain Development Manual 2005. Hazard for the site of the proposed building is indicated below:

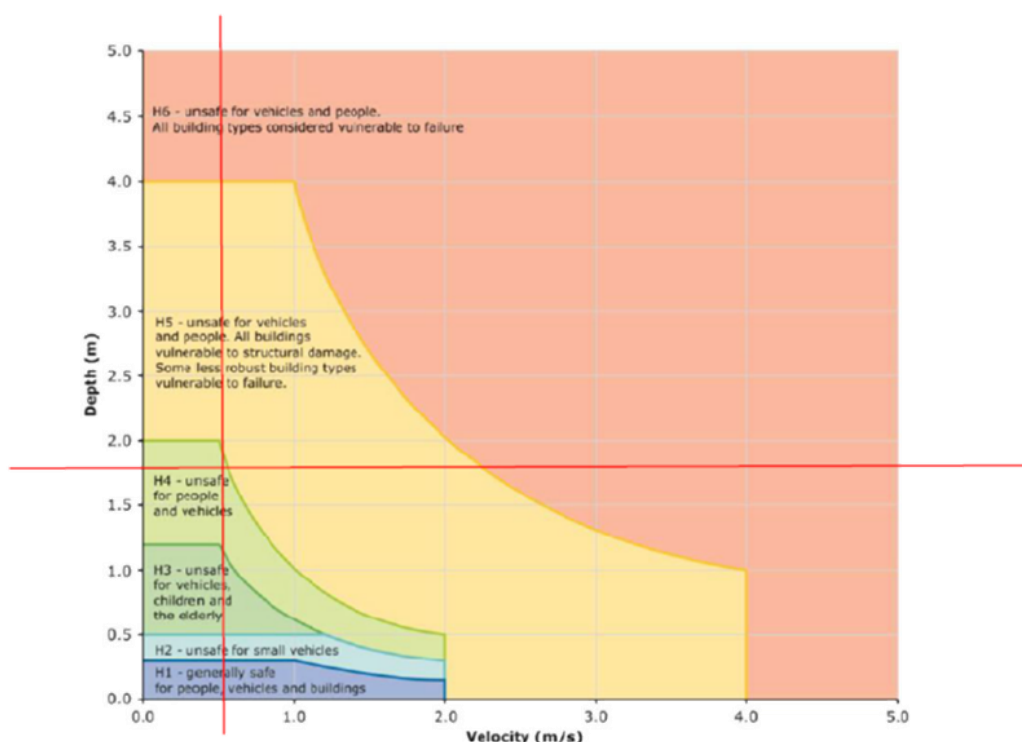


Figure 8: Flood Hazard Curve

It can be seen that the expected depth and velocity combination lies just inside the H4 category, determined be unsafe for people and vehicles. However, the hazard combination is determined to be (just) ok for buildings.

Accordingly, having regard to the capacity for the site to be evacuated, the proposed development is considered to be compatible with the flood hazard at the site.

It should be noted that generally state-wide best practice with regard to floor heights above the flood planning levels are only applicable for the habitable parts of residential buildings. There is no reason why the proposed development could not be approved with a floor level lower than the flood planning level of 213.3m AHD.

### 1.9.1.5 Effect on external flood behaviour

The site is identified as being just inside the Floodway Hydraulic Impact Category, the definition of which is performance based thus:

*areas conveying a significant proportion of the flood flow and where partial blocking will adversely affect flood behaviour to a significant and unacceptable extent. It is essential that this be investigated across the full range of potential floods as the definition of the floodway is one of the critical steps in the floodplain risk management process.*

Accordingly, further consideration of the potential effect on external flood behaviour is required.

Examination of the existing development pattern on nearly all upstream properties (9-19 Wee Waa Road) indicates that generally, flow will be impeded to some extent by through the upstream sites. In comparison, the proposed development is very minor and represents only a fraction of resistance to flow implicit in the upstream properties. It is therefore likely that there will be little to no additional impact on flow or flood levels outside the property.

#### **1.9.1.6 Risk to Life**

The proposed development is a commercial operation with an itinerant site presence. The Namoi River is a large river system with a long response time and accordingly, there are ample opportunities to evacuate the site prior to the arrival of the flood peak. There is a continually rising route away from peak flood waters. It is therefore assessed that the proposed development does not represent a significant risk to life.

#### **1.9.1.7 Environmental Risk**

The proposed development is set back from the river bank, outside waterfront land and is of a low scale with low associated environmental impact.

#### **1.9.1.8 Social and Economic Cost**

Having regard to the relatively small-scale development, the proposal represents an appropriate use that is generally compatible with the site's flood behaviour and is therefore consistent with the principle outlined in the floodplain development manual that encourages appropriate use (as opposed to sterilisation) of flood prone land.

#### **1.9.1.9 Conclusion**

The proposed development is in accordance with Clause 6.2 of the Narrabri Local Environmental Plan 2012.

Conditions should be made with regard to electrical fittings and internal building materials and the like within the proposed building to ensure they are flood compatible.

### **1.10 External Referrals**

Nil required

## 2 DA Assessment (s.4.15 EP&A Act)

### 2.1 Environmental Planning Instruments (EPI)

The following provides an assessment of the applicable EPIs as identified in **Section 1.4.2**.

#### 2.1.1 SEPP 44 – Koala Habitat Protection

*Table 1 – SEPP 44 Assessment*

Provision	Comment/Response	Compliance
<b>6 Land to which this Part applies</b>		
This Part applies to land: (a) that is land to which this Policy applies, and (b) that is land in relation to which a development application has been made, and (c) that: (i) has an area of more than 1 hectare, or (ii) has, together with any adjoining land in the same ownership, an area of more than 1 hectare, whether or not the development application applies to the whole, or only part, of the land.	SEPP 44 applies to Narrabri LGA and the land subject to the DA has an area of less than 1 hectare. No further consideration of SEPP 44 is required.	N/A

#### 2.1.2 SEPP 55 – Remediation of Land

*Table 2 – SEPP 55 Assessment*

Provision	Comment/Response	Compliance
<b>7 Contamination and remediation to be considered in determining development application</b>		
(1) A consent authority must not consent to the carrying out of any development on land unless: (a) it has considered whether the land is contaminated, and	The site is not known to be contaminated by virtue of previous known land uses.	✓

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Table 2 – SEPP 55 Assessment

Provision	Comment/Response	Compliance
(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and  (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.		
(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.	The site is not known to be contaminated by virtue of previous known land uses. No further consideration of SEPP 55 is considered required.	✓

### 2.1.3 SEPP Infrastructure 2007

Table 3 – SEPP Infrastructure 2007

Provision	Comment/Response	Compliance
<b>101 Development with frontage to classified road</b>		
(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that: (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of: (i) the design of the vehicular access to the land, or (ii) the emission of smoke or dust from the development, or (iii) the nature, volume or frequency of vehicles using the	The site gains access from Wee Waa Road, which is a classified road. It has no other access available.  The development is a small scale development, with a maximum traffic generation expected of four (4) vehicle trips per day by a light vehicle, potentially with a trailer at times.  The development is not expected to impact on the safety, efficiency and ongoing operation of the classified road.  The development is not considered to be a noise sensitive development.	✓

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Table 3 – SEPP Infrastructure 2007

Provision	Comment/Response	Compliance
classified road to gain access to the land, and (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.		

## 2.1.4 LEP

The relevant LEP clauses identified in **Section 1.4.1** are addressed below.

Table 4 – Narrabri LEP 2012

Provision	Comment/Response	Compliance
<b>2.3 Zone objectives and Land Use Table</b>		
(1) The Land Use Table at the end of this Part specifies for each zone: (a) the objectives for development, and (b) development that may be carried out without development consent, and (c) development that may be carried out only with development consent, and (d) development that is prohibited.	<p>The objectives of the RU1 zone are:</p> <ul style="list-style-type: none"> <li>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</li> <li>To encourage diversity in primary industry enterprises and systems appropriate for the area.</li> <li>To minimise the fragmentation and alienation of resource lands.</li> <li>To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> <li>To allow for non-agricultural land uses that will not restrict the use of other land for agricultural purposes.</li> </ul> <p>The proposed development is considered to be consistent with the zone objectives.</p> <p>Plant nurseries are permissible with consent in the RU1 zone.</p>	✓
(2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.		

Table 4 – Narrabri LEP 2012		
Provision	Comment/Response	Compliance
<b>6.1 Earthworks</b>		
(3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:		
(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,	The development is not expected to disrupt or detrimentally effect any drainage patterns or soil stability in the locality.	✓
(b) the effect of the development on the likely future use or redevelopment of the land,	The development is consistent with the future use of the land.	✓
(c) the quality of the fill or the soil to be excavated, or both,	Fill to be clean. No known excavation.	✓
(d) the effect of the development on the existing and likely amenity of adjoining properties,	No adverse impacts anticipated.	✓
(e) the source of any fill material and the destination of any excavated material,	Source of fill not yet known. No known excavation.	✓
(f) the likelihood of disturbing relics,	Not likely, however, unexpected finds condition to be imposed.	✓
(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,	No expected impacts on waterway, drinking water catchment or environmentally sensitive area.	✓
(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.	Outlined above.	✓
<b>6.2 Flood planning</b>		
(2) This clause applies to: (a) land identified as “Flood planning area” on the Flood Planning Map, and (b) other land at or below the flood planning level.	The site is mapped as being within the Flood Planning Area.	✓
(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development: (a) is compatible with the flood hazard of the land, and (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and	See assessment in <b>Section 1.9.1</b>	✓

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Table 4 – Narrabri LEP 2012		
Provision	Comment/Response	Compliance
(c) incorporates appropriate measures to manage risk to life from flood, and (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.		
<b>6.3 Airspace operations</b>		
(2) If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application.	Not expected to penetrate the OLS.	N/A
(3) The consent authority may grant development consent for the development if the relevant Commonwealth body advises that: (a) the development will penetrate the Limitation or Operations Surface but it has no objection to its construction, or (b) the development will not penetrate the Limitation or Operations Surface.	Not expected to penetrate the OLS.	N/A
(4) The consent authority must not grant development consent for the development if the relevant Commonwealth body advises that the development will penetrate the Limitation or Operations Surface and should not be constructed.	Not expected to penetrate the OLS.	N/A
<b>6.5 Essential services</b>		
Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:		
(a) the supply of water,	Reticulated water supply is available in the road reserve of Wee Waa Road. Condition connection to development.	✓
(b) the supply of electricity,	Above ground electricity available adjacent to site. Condition consultation with electricity service provider.	✓

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Table 4 – Narrabri LEP 2012		
Provision	Comment/Response	Compliance
(c) the disposal and management of sewage,	The site has connection to a sewer gravity pipe running along Wee Waa Road. Condition connection to development.	✓
(d) stormwater drainage or on-site conservation,	Standard condition regarding stormwater. All outlets to be more than 40m from the TOB of the river unless CAA obtained.	✓
(e) suitable vehicular access.	Condition standard driveway requirement.	✓

## 2.2 Proposed EPIs

Nil known to be applicable.

## 2.3 DCPs

### 2.3.1 DCP Notification Policy

#### 2.3.1.1 Requirements

No specific notification required.

#### 2.3.1.2 Provided

N/A.

### 2.3.2 DCP Parking Code No.1

#### 2.3.2.1 Requirements

Parking provision to comply with RTS's *Guide to Traffic Generating Developments*. Plant nurseries require whichever is the greater of:

- 15 spaces; or
- 0.5 spaces/100<sup>2</sup> site area.

This is based on customers attending the site. In this instance it is considered reasonable to adopt a merit approach, whereby only one (1) employee will access site and parking to be provided for service vehicles.

The design of tenant/customer parking is to conform to Australian Standard AS2890.1 – Car Parking.

All parking areas are to be paved, and the manoeuvring and parking spaces are to be clearly delineated. The parking area is to be drained to Council's stormwater network.

#### 2.3.2.2 Provided

Condition:

- provision of one (1) parking space;
- compliance with Australian Standard AS2890.1;
- all vehicles to enter and exit the site in a forward direction.

### 2.3.3 DCP Building Line

Table 5 – DCP Building Line		
Required	Provided	Compliance
Land zoned <b>general business</b> under a Local Environmental Plan applicable to the subject land shall not be required to observe a building line.	N/A	N/A
Land zoned <b>1(a) General Rural</b> under a Local Environmental Plan applicable to the subject land Council recommends a minimum distance from a <b>gravel/natural earth road</b> of 200metres.	<ul style="list-style-type: none"> <li>• Wee Waa Road is a bitumen sealed road.</li> <li>• Building to be set back ~16m from front boundary.</li> <li>• Existing adjacent buildings appear to be set back 4m – 6m from the front boundary along Wee Waa Road.</li> </ul>	✓
All other buildings are to be erected a minimum of 6m from the front boundary of an allotment, however, the Director of Environmental Services may vary this requirement under the following	N/A	N/A

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Table 5 – DCP Building Line

Required	Provided	Compliance
<p>circumstances:-</p> <ul style="list-style-type: none"> <li>Properties having frontages to two streets must observe the building line to the street which the building faces only.</li> <li>Open type structures such as verandahs, patios, pergolas, trellises and carports may extend into the building line setback if Council considers there will be no significant detrimental affect on adjoining properties or the streetscape and that there are no other reasonable opportunities elsewhere on the allotment.</li> <li>Existing buildings in the street are generally erected at a lesser distance and the proposed structure is intended to be erected in conformity with existing buildings.</li> <li>Where there are no other viable opportunities on the site the application will be considered having regard to the likely affect on adjoining properties and streetscape.</li> <li>The topography of the land and shape of the allotment will also be considered.</li> </ul>		

### 2.3.4 Drainage to Buildings DCP

Table 6 – DCP Drainage to Buildings

Required	Provided	Compliance
<b>Roof Water Drainage</b>		
<p>All buildings, (except those exempted from the need to obtain approval in the circumstances listed in Part 1.2) shall be fitted with roof guttering, downpipes and drainage system connected to either:-</p> <ul style="list-style-type: none"> <li>The street gutter (using an approved outlet); or</li> <li>A Council stormwater main (at an approved point of connection or to Council's direction); or where is not possible to comply with Subclause 2.1.1 or 2.1.2.</li> <li>An absorption trench (located a minimum of 3 metres from any buildings and the boundaries of the allotment); or</li> <li>3 metres from the Building in a downhill direction and splayed for even distribution (buildings on rural land only).</li> </ul>	<p>Condition compliance with :</p> <ul style="list-style-type: none"> <li>rainwater tank and 6 metres from the Building in a downhill direction and splayed for even distribution (buildings on rural land only).</li> </ul>	✓
<b>Sanitary Drainage</b>		
<p>Where an application is received to erect or alter a building, all soil and waste fixtures shall be connected to either:</p>	<p>Condition compliance with :</p> <ul style="list-style-type: none"> <li>connection to the sewer.</li> </ul>	

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Table 6 – DCP Drainage to Buildings

Required	Provided	Compliance
2.2. The sewer if sewer is available or 2.2.2 A septic tank (or sullage trench in the case of approved waste fixtures) if sewer is not available.		
<b>Effluent Disposal</b>		
Effluent is to be piped to a transpiration area of a type specified in AS 1547 – Small Septic Tanks and NSW Department of Health Guidelines or disposed of in accordance with written directions given by Council's Environmental Services Department to suit the particular conditions of the site. The number of persons deemed to occupy a dwelling shall be the greater of:- <ul style="list-style-type: none"> <li>the number of person specified in the application; or</li> <li>one person for each bedroom plus one person.</li> </ul>	N/A	N/A

## 2.4 Planning Agreements Entered into

Nil know to be in existence.

## 2.5 The Regulations

No provisions relevant to the proposed development.

## 2.6 Likely Impacts of the Development

### 2.6.1 Context & Setting

The proposed development is considered to be consistent with the existing and desired context and setting.

### 2.6.2 Access, Transport & Traffic

#### 2.6.2.1 Access

The development will have one (1) employee, who will access the site in a light vehicle with a trailer. He will bring all raw materials to site in that vehicle. It is expected that the development would generate a maximum of four (4) vehicle trips per day.

Based on the low traffic generation, no intersection upgrades are considered warranted. A standard rural type access should be provided for the development. All vehicles are to enter and exit the development in a forward direction.

#### 2.6.2.2 Parking

The development is to provide for one (1) parking space on site. No parking is to be provided outside of the property.

### 2.6.3 Public Domain

No impact expected.

### 2.6.4 Utilities

The development will be connected to reticulated water and sewerage. No known issues with capacity.

## **2.6.5 Heritage**

### **2.6.5.1 Aboriginal Heritage**

A search of the AHIMS register has not identified that any:

- Aboriginal sites have recorded in or near the searched location; or
- Aboriginal places have been declared in or near the searched location.

### **2.6.5.2 European Heritage**

The site is not listed as being a local heritage item under the LEP or listed on the state heritage register.

### **2.6.5.3 Conditions**

- It is however recommended that a condition be imposed requiring works to cease and OEH to be contacted should any items suspected of being Aboriginal in origin discovered during works.

## **2.6.6 Other Land Resources**

Given the size and location of the site, the proposed land use is considered to be suitable for the agricultural land zoning.

## **2.6.7 Water**

### **2.6.7.1 Water Supply**

The development is to be connected to the reticulated water supply. The development would also be connected to a minimum 5,000L rainwater tank. This is considered to be suitable for the proposed development.

### **2.6.7.2 Stormwater Management**

Roofwater is to be directed to the rainwater tank. Overflow from the tank would be discharged on site as overland flow in accordance with Council's standard requirements.

All stormwater outlets are to be located more than 40m from the top of the bank of the river, unless a Controlled Activity Approval is obtained from the Natural Resource Access Regulator (NRAR).

## **2.6.8 Soils**

Areas around the dwelling are to be revegetated post construction works to minimise erosion. Stormwater is to be appropriately managed to minimise any potential soil erosion.

## **2.6.9 Air & Microclimate**

The development is not expected to result in any adverse air or microclimate impacts.

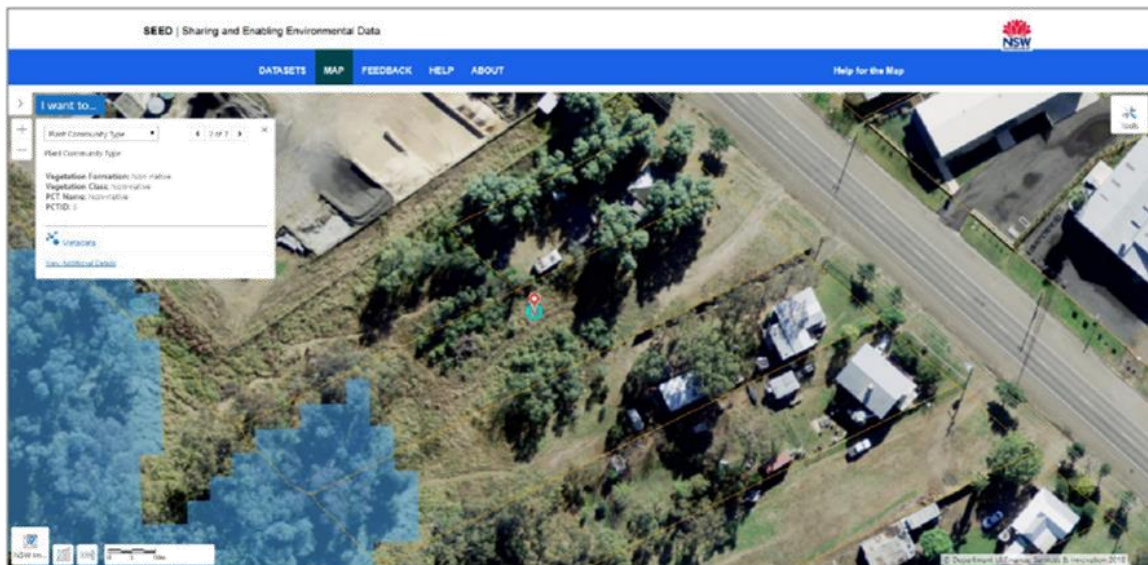
## **2.6.10 Flora & Fauna**

As shown in **Figure 9**, the area the proposed development is to be located in is identified as "non-native" vegetation on the Plant Community Type (PCT) mapping of the State Vegetation Type Map – Border Rivers Gwydir/Namoi.

A search of the BioNet database revealed that no recordings have been located on site or in the immediate vicinity of the site (refer **Figure 10**).

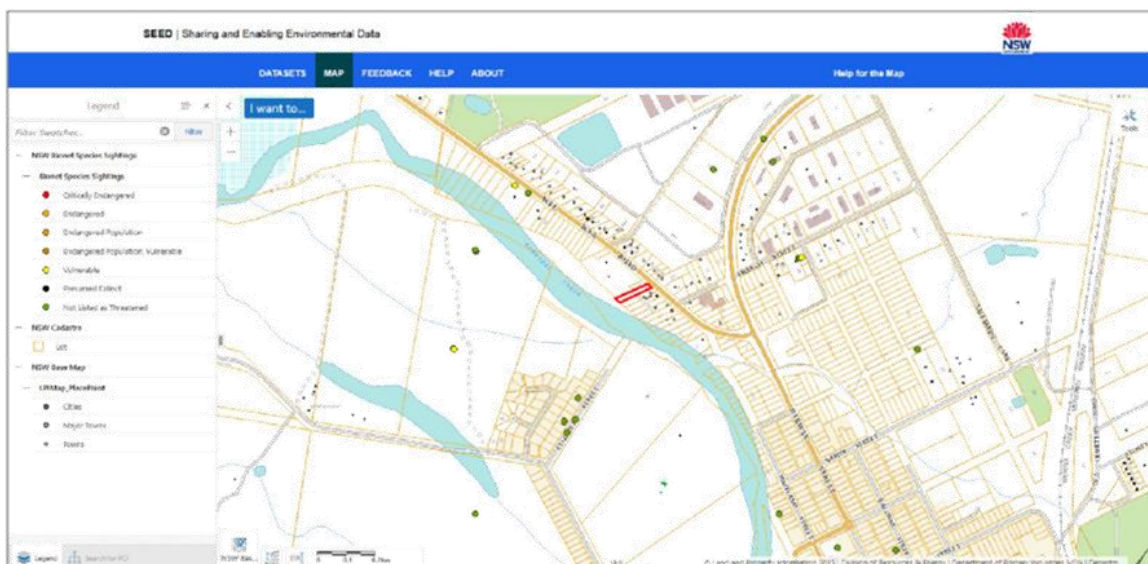
The development is not expected to impact on any flora and fauna. It is a small scale development that will involve the raising of seedlings and tubestock.





Source: (NSW Government)

Figure 9: Plant Community Type (PCT) Map



Source: (NSW Government)

Figure 10: BioNet Species Sightings Records

## 2.6.11 Waste

### 2.6.11.1 Solid Waste

The development will generate minimal waste.

### 2.6.11.2 Effluent

The development is to be connected to the reticulated sewerage system that is located within the Wee Waa Road road reserve.

### **2.6.12 Noise & Vibration**

The development is not expected to result in any adverse noise and vibration impacts.

### **2.6.13 Natural Hazards**

#### **2.6.13.1 Bushfire**

The site is not mapped as being bushfire prone.

#### **2.6.13.2 Flooding**

See assessment in Section 1.9.1. It concludes that the site is suitable for the development given the flood risk.

### **2.6.14 Social Impacts in the Locality**

No adverse social impacts expected in the locality

### **2.6.15 Economic Impacts in the Locality**

No adverse economic impacts expected in the locality.

### **2.6.16 Construction**

Appropriate standard conditions to be imposed on the approval to manage any potential adverse impacts from construction of the dwelling and associated infrastructure.

### **2.6.17 Cumulative Impacts**

No expected adverse cumulative impacts.

## **2.7 Suitability of the Site for the Development**

The site is a small parcel of land located on the fringe of Narrabri, between Wee Waa Road and the Namoi River. It is zoned RU1 Primary Production. The size of the land would not enable typical standalone agricultural land uses. It is considered that the small scale plan nursery is considered to be a suitable use for the site given its constraints.

On balance of the issues raised above, the site is considered suitable for the proposed development.

## **2.8 Submissions**

Nil.

## **2.9 The Public Interest**

The development is considered to be in the public interest.

### 3 Other Matters for Consideration

#### 3.1 Biodiversity Conservation Act 2016

##### 3.1.1 Introduction

The *Biodiversity Conservation Act 2016* (BC) contains a number of matters that are required to be considered as part of a DA. These are outlined below.

##### 3.1.2 Likely to significantly affect threatened species

The first consideration is whether the development is likely to significantly affect threatened species (s7.2 BC Act). There are three considerations to determine this:

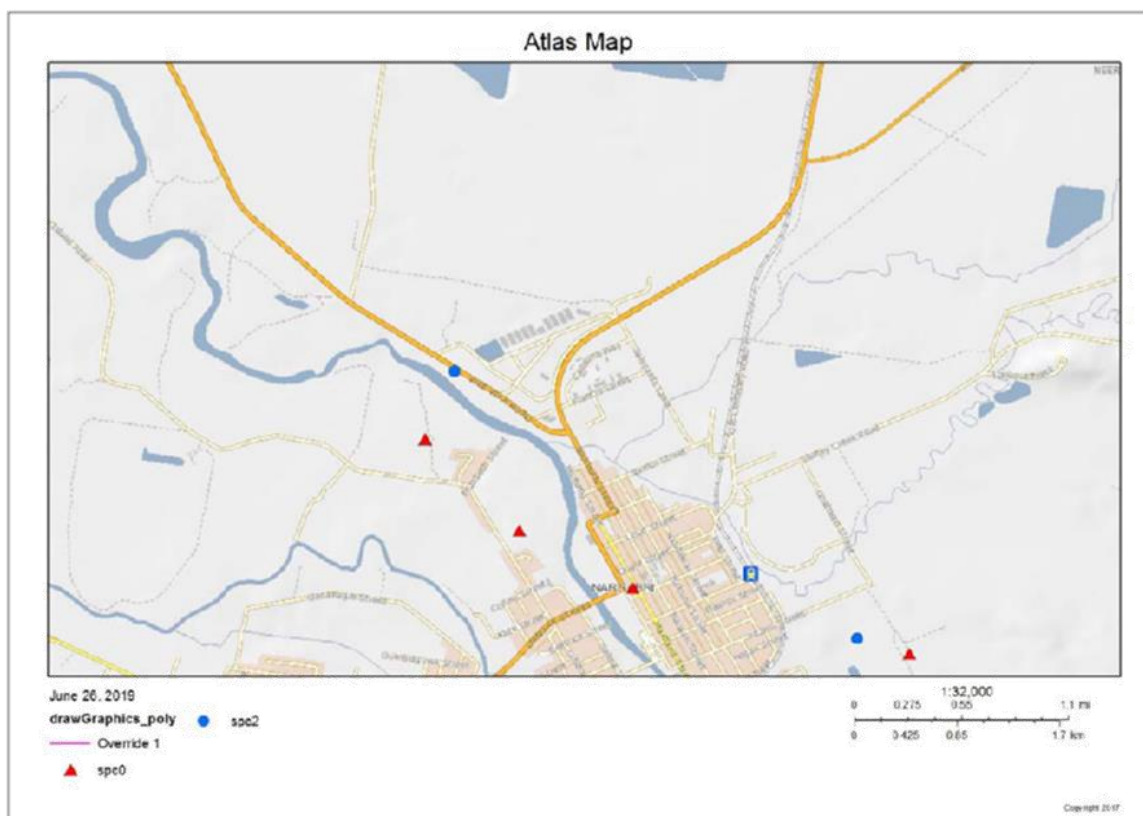
1. Is the development likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3?
2. Does the development exceed the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values?
3. Is the development to be carried out in a declared area of outstanding biodiversity value?

Each of these considerations are addressed below.

##### 3.1.2.1 Likely to significantly affect threatened species or ecological communities, or their habitats (7.3 Test)

A search of BioNet Public Report of all Valid Records of Threatened (listed on TSC Act 1995) or Commonwealth listed Entities in selected area [North: -30.26 West: 149.73 East: 149.83 South: -30.36] returned a total of 24 records of 15 species. **Figure 11** provides a map of the search results. No records are located on the site or immediately surrounding the site.

Given the highly disturbed nature of the site, it is not expected that the development would significantly affect threatened species or ecological communities, or their habitats.



Source: (NSW Environment & Heritage)

Figure 11: BioNet Atlas Search

### 3.1.2.2 Biodiversity Offsets Scheme (BOS) Threshold

A proposed development exceeds the BOS threshold for the purposes of Part 7 of the BC Act if it is or involves:

- the clearing of native vegetation of an area declared by clause 7.2 as exceeding the threshold, or
- the clearing of native vegetation, or other action prescribed by clause 6.1, on land included on the Biodiversity Values Map published under clause 7.3.

#### Clearing Threshold

The site has a minimum lot size (MLS) of 40 ha under the Narrabri LEP.

Table 7: Clearing Thresholds

Minimum lot size of land	Area of clearing
Less than 1 hectare	0.25 hectare or more
Less than 40 hectares but not less than 1 hectare	0.5 hectare or more
Less than 1,000 hectares but not less than 40 hectares	1 hectare or more
1,000 hectares or more	2 hectares or more

Source: Clause 7.2 of BC Regulation 2017

Based on the MLS, the applicable clearing threshold for the development site is 1.0 hectares.

The site affected by the development footprint is mapped as non-native (refer **Figure 9**). Based on this, the assessment concluded that the proposal would not trigger the area threshold of  $\geq 1.0$ ha.



### Biodiversity Values Map

As shown in **Figure 12**, the site is not mapped as being on the Biodiversity Values Map.



Source: (NSW Department of Planning and Environment)

**Figure 12: Biodiversity Values Map**

#### 3.1.2.3 Declared Area of Outstanding Biodiversity Value (AOBV)

Areas of declared critical habitat under the Threatened Species Conservation Act 1995 have become the first AOBVs in NSW with the commencement of the Biodiversity Conservation Act. The Critical habitat declarations in NSW are (NSW Office of Environment & Heritage):

- • Gould's Petrel - critical habitat declaration (PDF 1.45MB)
- • Little penguin population in Sydney's North Harbour - critical habitat declaration
- • Mitchell's Rainforest Snail in Stotts Island Nature Reserve - critical habitat declaration
- • Wollemi Pine - critical habitat declaration (PDF 2.21MB)

The site is not known to be an AOBV.

#### 3.1.3 Biodiversity Development Assessment Report (BDAR)

A BDAR is to be submitted with all DAs that are likely to significantly affect threatened species. As outlined in **Section 3.1.2**, the development is **not** likely to significantly affect threatened species. Therefore a BDAR is not required for this DA.

## 4 Conclusion

### 4.1 Recommendation

It is recommended that DA 2019/85 be approved subject to the draft conditions contained in Attachment 2.

*Erika Dawson*

\_\_\_\_\_  
**Signature of Assessing Officer**

Erika Dawson

\_\_\_\_\_  
**Name of Assessing Officer**

26 June 2019

\_\_\_\_\_  
**Date assessment completed**

### 4.2 Peer Review

I, the undersigned, have sighted and reviewed the Section 79c Assessment Report, Site Inspection Report, Draft Development Consent and File and the following comments have been made:

Consent may only be granted once the peer review officer has signed below.

\_\_\_\_\_  
**Planning Officer**  
(approval sighted, conditions checked)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
**Building Officer**  
(approval sighted, conditions checked)

\_\_\_\_\_  
(Name)



## Appendix A – DA Document Requirements

Requirement	Yes	No	N/A
<b>1 Information to be included in development application</b>			
(1) A development application must contain the following information:			
(a) the name and address of the applicant,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) a description of the development to be carried out,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) the address, and formal particulars of title, of the land on which the development is to be carried out,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) an indication as to whether the land is, or is part of, critical habitat,	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) an indication as to whether the development is likely to significantly affect threatened species, populations or ecological communities, or their habitats, unless the development is taken to be development that is not likely to have such an effect because it is biodiversity compliant development,	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ea) for biodiversity compliant development, an indication of the reason why the development is biodiversity compliant development,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) a list of any authorities from which concurrence must be obtained before the development may lawfully be carried out or from which concurrence would have been required but for section 4.13 (2A) or 4.41,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f1) in the case of an application that is accompanied by a biodiversity development assessment report, the reasonable steps taken to obtain the like-for-like biodiversity credits required to be retired under the report to offset the residual impacts on biodiversity values if different biodiversity credits are proposed to be used as offsets in accordance with the variation rules under the Biodiversity Conservation Act 2016,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f2) if the land is subject to a private land conservation agreement under the Biodiversity Conservation Act 2016, a description of the kind of agreement and the area to which it applies,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) a list of any approvals of the kind referred to in section 4.46 (1) of the Act that must be obtained before the development may lawfully be carried out,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g1) in the case of State significant development, a list of any authorisations that must be provided under section 4.42 of the Act in relation to the development,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) the estimated cost of the development,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(h1) in the case of State significant development, the capital investment value of the development,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) evidence that the owner of the land on which the development is to be carried out consents to the application, but only if the application is made by a person other than the owner and the owner's consent is required by this Regulation,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(j) a list of the documents accompanying the application.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>2 Documents to accompany development application</b>			
(1) A development application must be accompanied by the following documents:			
(a) a site plan of the land,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) a sketch of the development,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) a statement of environmental effects (in the case of development other than designated development or State significant development),	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) in the case of development that involves the erection of a building, an A4 plan of the building that indicates its height and external configuration, as erected, in relation to its site (as referred to in clause 56 of this Regulation),	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Requirement	Yes	No	N/A
(e) an environmental impact statement (in the case of designated development or State significant development),	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) a species impact statement (in the case of land that is, or is part of, critical habitat or development that is likely to significantly affect threatened species, populations or ecological communities, or their habitats), but not if the development application is for State significant development,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) if the development involves any subdivision work, preliminary engineering drawings of the work to be carried out,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) if an environmental planning instrument requires arrangements for any matter to have been made before development consent may be granted (such as arrangements for the provision of utility services), documentary evidence that such arrangements have been made,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) if the development involves a change of use of a building (other than a dwelling-house or a building or structure that is ancillary to a dwelling-house and other than a temporary structure):			
(i) a list of the Category 1 fire safety provisions that currently apply to the existing building, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(ii) a list of the Category 1 fire safety provisions that are to apply to the building following its change of use,			
(j) if the development involves building work to alter, expand or rebuild an existing building, a scaled plan of the existing building,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(k) if the land is within a wilderness area and is the subject of a wilderness protection agreement or conservation agreement within the meaning of the Wilderness Act 1987, a copy of the consent of the Minister for the Environment to the carrying out of the development,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(k1) in the case of development comprising mining for coal (within the meaning of section 380AA of the Mining Act 1992)—documentary evidence that the applicant holds an authority under the Mining Act 1992 in respect of coal and the land concerned or has the written consent of the holder of such an authority to make the development application,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(l) in the case of development to which clause 2A applies, such other documents as any BASIX certificate for the development requires to accompany the application,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(m) in the case of BASIX optional development—if the development application is accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 2A for it to be so accompanied), such other documents as any BASIX certificate for the development requires to accompany the application,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(n) if the development involves the erection of a temporary structure, the following documents:			
(i) documentation that specifies the live and dead loads the temporary structure is designed to meet,			
(ii) a list of any proposed fire safety measures to be provided in connection with the use of the temporary structure,			
(iii) in the case of a temporary structure proposed to be used as an entertainment venue—a statement as to how the performance requirements of Part B1 and NSW Part H102 of Volume One of the Building Code of Australia are to be complied with (if an alternative solution, to meet the performance requirements, is to be used),	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iv) documentation describing any accredited building product or system sought to be relied on for the purposes of section 4.15 (4) of the Act,			
(v) copies of any compliance certificates to be relied on,			

Requirement	Yes	No	N/A
(o) in the case of a development involving the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant—a statement that specifies the maximum number of persons proposed to occupy, at any one time, that part of the building to which the use applies.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) The site plan referred to in subclause (1) (a) must indicate the following matters: (a) the location, boundary dimensions, site area and north point of the land, (b) existing vegetation and trees on the land, (c) the location and uses of existing buildings on the land, (d) existing levels of the land in relation to buildings and roads, (e) the location and uses of buildings on sites adjoining the land.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) The sketch referred to in subclause (1) (b) must indicate the following matters: (a) the location of any proposed buildings or works (including extensions or additions to existing buildings or works) in relation to the land's boundaries and adjoining development, (b) floor plans of any proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building, (c) elevations and sections showing proposed external finishes and heights of any proposed buildings (other than temporary structures), (c1) elevations and sections showing heights of any proposed temporary structures and the materials of which any such structures are proposed to be made (using the abbreviations set out in clause 7 of this Schedule), (d) proposed finished levels of the land in relation to existing and proposed buildings and roads, (e) proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate), (f) proposed landscaping and treatment of the land (indicating plant types and their height and maturity), (g) proposed methods of draining the land, (h) in the case of development to which clause 2A applies, such other matters as any BASIX certificate for the development requires to be included on the sketch, (i) in the case of BASIX optional development—if the development application is accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 2A for it to be so accompanied), such other matters as any BASIX certificate for the development requires to be included on the sketch.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) A statement of environmental effects referred to in subclause (1) (c) must indicate the following matters: (a) the environmental impacts of the development, (b) how the environmental impacts of the development have been identified, (c) the steps to be taken to protect the environment or to lessen the expected harm to the environment, (d) any matters required to be indicated by any guidelines issued by the Planning Secretary for the purposes of this clause.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5) In addition, a statement of environmental effects referred to in subclause (1) (c) or an environmental impact statement in respect of State significant development must include the following, if the development application relates to residential apartment development to which State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development applies: (a) an explanation of how: (i) the design quality principles are addressed in the development, and (ii) in terms of the Apartment Design Guide, the objectives of that guide have been achieved in the development,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Requirement	Yes	No	N/A
(b) drawings of the proposed development in the context of surrounding development, including the streetscape, (c) development compliance with building heights, building height planes, setbacks and building envelope controls (if applicable) marked on plans, sections and elevations, (d) drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed building or buildings, and the surrounding development and its context, (e) if the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts, (f) photomontages of the proposed development in the context of surrounding development, (g) a sample board of the proposed materials and colours of the facade, (h) detailed sections of proposed facades, (i) if appropriate, a model that includes the context.			
(5A) The species impact statement referred to in subclause (1) (f) is not required in relation to the effect of the development on any threatened species, populations or ecological communities, or their habitats, if the development is taken to be development that is not likely to significantly affect those threatened species, populations or ecological communities, or their habitats, because it is biodiversity compliant development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(6) In the case of development to which clause 2A applies, the explanation referred to in subclause (5) (a) need not deal with the design quality principles referred to in that paragraph to the extent to which they aim: (a) to reduce consumption of mains-supplied potable water, or reduce emissions of greenhouse gases, in the use of the building or in the use of the land on which the building is situated, or (b) to improve the thermal performance of the building.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2A BASIX certificate required for certain development</b>			
(1) In addition to the documents required by clause 2, a development application for any BASIX affected development must also be accompanied by a BASIX certificate or BASIX certificates for the development, being a BASIX certificate or BASIX certificates that has or have been issued no earlier than 3 months before the date on which the application is made. (2) If the proposed development involves the alteration, enlargement or extension of a BASIX affected building that contains more than one dwelling, a separate BASIX certificate is required for each dwelling concerned.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Appendix 2 – Draft Conditions



Our Reference: XX:XX;DA85/2019  
Your Reference: DA85/2019  
Contact Name: ??  
Telephone: (02) 6799 6866

10 January 2018

ADDRESS

ADDRESS

NARRABRI NSW 2390

Dear Sir/Madam,

**Re: Development Application No. 85 /2019**

**HAVE YOU OBTAINED CONSTRUCTION CERTIFICATE APPROVAL?**

Please find enclosed Council's Notice of Determination for development application DA 85/2019 pursuant to Section 4.16(1)(a) of the *Environmental Planning and Assessment Act, 1979*.

You are advised to read the Notice of Determination carefully and observe/implement all conditions of consent.

YOU ARE REMINDED THAT THIS IS A DEVELOPMENT CONSENT ONLY AND DOES NOT AUTHORISE THE COMMENCEMENT OF BUILDING WORK. A CONSTRUCTION CERTIFICATE FROM EITHER COUNCIL OR PRIVATE CERTIFYING AUTHORITY IS REQUIRED PRIOR TO WORK BEING UNDERTAKEN ON THE SITE.

Failure to comply with the requirements of this determination is an offense under *Environmental Planning and Assessment Act, 1979* and Council will take action in accordance with its responsibility under the Act.

Yours faithfully,

Luke Flood / Cara Stoltenberg

TOWN PLANNER



**NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION**

Issued Under Section 4.16 of the *Environmental Planning and Assessment Act 1979*

<b>DEVELOPMENT APPLICATION:</b>	DA 85/2019
<b>APPLICANT NAME:</b>	Trevor Alan Hook
<b>APPLICANT ADDRESS:</b>	
<b>LAND TO BE DEVELOPED:</b>	Lot37 Section 15 DP 978 21 Wee Waa Road, Narrabri
<b>PROPOSED DEVELOPMENT:</b>	Wholesale Tree Nursery (Plant Nursery)
<b>BUILDING CLASSIFICATION:</b>	N/A
<b>DATE OF DETERMINATION:</b>	2018
<b>DETERMINATION :</b>	Consent granted subject to conditions as set out in the Schedule below.
<b>CONSENT OPERATES FROM:</b>	2018
<b>CONSENT LAPSES ON:</b>	2023
<b>PUBLIC HEARING HELD BY THE PLANNING ASSESSMENT COMMISSION:</b>	No
<b>GENERAL TERMS OF APPROVAL OBTAINED FROM THE FOLLOWING EXTERNAL BODIES:</b>	None
<b>APPROVAL GRANTED UNDER S 68 OF THE LOCAL GOVERNMENT ACT 1993:</b>	Yes (See Attachment A)

**SCHEDULE OF DEVELOPMENT CONSENT CONDITIONS****Conditions that Identify Approved Plans**

1. The development being carried out in accordance with the development application, the drawings referenced below, and Statement of Environmental Effects dated 7 March 2019, except where amended by the following conditions.

DRAWING NO'S	REVISION	DRAWN BY	DATE
Floor Plan (1 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Wall Layout (2 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Truss Layout (3 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Elevation Plans (4 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Corodek Roof Sheeting Layout (5 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Horizontal Wall Sheeting Layout (6 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Corner, Window & Door Flashings Layout (7 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Hold Down, Connection and Bracing details (8 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Roof Details (9 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Slab, Footing & Foundation Details (10 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Site Plan (11 of 11)	As amended in hand	Palmer Steel Frame & Truss	24/01/2019
Additional information from applicant in handwriting		applicant	No date

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

2. A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

**Operational Conditions imposed under EP&A Act and Regulations and other Relevant Legislation**

3. All building work must be carried out in accordance with the provisions of the *Building Code of Australia* and any Australian Standards adopted there under.

(Reason: Prescribed – Statutory)

4. The building shall comply with the requirements of the *Commonwealth Disability (Access to Premise Standard) 2010*.

(Reason: Prescribed – Statutory)

**Conditions that must be Completed Prior to Issue of a Construction Certificate**

5. Prior to the issue of a construction certificate, the applicant shall obtain approval from Council pursuant to Section 68 of the *Local Government Act 1993* for any water supply, sewerage, and/or stormwater drainage works.

(Reason: Statutory requirement).

6. Prior to the issue of a construction certificate an application shall be lodged with the relevant roads authority under section 138 of the *Roads Act 1993* for the building of any kerb, crossover or driveway.

(Reason: Statutory requirement).

7. Prior to the issue of any Construction Certificate evidence is to be provided demonstrating payment of the prescribed Long Service Levy fee.

(Reason: To ensure that the requirements of the Long Service Levy Corporation are satisfied).

8. Prior to the issue of a Construction Certificate building work below the 1:100 year flood height is to be certified by a structural engineer stating that it is able to withstand flood velocities for that area. All materials below the 1:100 year flood event are to comply with the NSW Flood Manual.

(Reason: To protect the occupants from the danger of flooding.)

9. Prior to the issue of any Construction Certificate the applicant shall design one (1) off-street parking spaces to comply with the requirements of Australian Standard AS.2890.1 2004 Parking Facilities and the relevant provisions of AS1428.1 and AS1428.4.

**Note:** All parking areas must be designed to allow all traffic to exit the site in a forward direction

(Reason: Ensure provision of proper parking and vehicle access facilities, and compliance with Council's DCP – Car Parking Code No 1)

**Conditions That Must Be Addressed Prior To Any Commencement**

10. No works shall commence on site until such time as a Construction Certificate has been issued for either part or all of the works. If a certificate is issued for part of the works it must cover the works being undertaken onsite.

**Note:** A Construction Certificate issued by an Accredited Certifying Authority must be deposited with Council at least 48 hours prior to the commencement of any earthworks, engineering or building work on the site.

(Reason: Prescribed Statutory)

11. Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, adequate measures for erosion and sediment control shall be provided. As a minimum control techniques are to be in accordance with 'The Blue Book' published by Landcom provisions on Erosion and Sediment Control, or a suitable effective alternative method.

All required sedimentation control techniques are to be properly installed prior to the commencement of any site works and maintained in a functional and effective condition throughout the construction activities until the site is stabilised.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

12. Toilet facilities must be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site.

Each toilet provided must:

- be a standard flushing toilet, connected to a public sewer, or
- if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or
- a portable toilet.

The provision of toilet facilities must be completed before any other work is commenced.

(Reason: To ensure the health and safety of the community and workers on the site)

13. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
  - (a) stating that unauthorised entry to the work site is prohibited;
  - (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
  - (c) showing the name, address and telephone number of the Principal Certifying Authority for the work.

Any such sign must be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed.

This condition does not apply to building works being carried out inside an existing building.

(Reason: Statutory requirement)

14. A water meter as issued and installed by Narrabri Shire Council must be connected to the town's reticulated water supply prior to any commencement.

**Note:** Contact Council's Engineering Services Department on 6799 6866 where a new water meter installation is required to obtain further information

(Reason: To ensure adequate water supply is provided to the site)

**Conditions That Must Be Complied With During Demolition and Building Work**

15. Unless otherwise approved by this development consent the maximum height of all fill shall be 1 metre above the natural ground level and no fill shall be placed on the land within 1 metre of adjoining property boundaries. Where retaining walls are not used to hold the fill in place, the edges of the fill shall have a gradient that does not exceed the following:

- (a) 1:3 any fill adjoining side boundaries;
- (b) 1:4 any fill adjoining a rear boundary; and
- (c) 1:6 any fill adjoining a boundary with a public road.

All fill batters is to be stabilised and maintained to prevent surface erosion which may affect the stability of the site or create dust hazards for adjoining properties. All fill is to be sourced from a reputable supplier. No soil subject to contamination is to be used as fill in conjunction with this development.

(Reason: To ensure compliance with Council's Landfill Development Control Plan)

16. The person acting with this consent shall provide dust suppression as appropriate by continually dampening the site to ensure neighbouring properties are not inconvenienced by the effects of dust during construction activities.

(Reason: To minimise construction impact on adjoining properties)

17. Unless otherwise approved by Council any person acting on this consent shall ensure that construction works involving electric or pneumatic tools, or other noisy operations, shall be restricted to the following hours:

- |     |                                |                          |
|-----|--------------------------------|--------------------------|
| (a) | Monday to Saturday (inclusive) | <b>7.00am to 6.00pm,</b> |
| (b) | Sunday                         | <b>Nil</b>               |
| (c) | Public Holidays                | <b>Nil</b>               |

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

18. No trees on public property (footpaths, roads, reserves etc.) shall be removed or damaged during the carrying out of construction works unless specifically approved by this consent.

(Reason: Ensure protection of public assets)

19. Builder's sheds, waste containers and building materials to be utilised during construction shall be stored entirely within the site during the construction phase. Equipment must not be operated on the footpath or roadway, unless prior written approval has been obtained



from council. All waste must be appropriately disposed of to a waste management facility and temporary building structures removed before the issuing of the Occupation Certificate.

(Reason: To ensure that public places and road reserves are not obstructed)

20. Should Aboriginal relics be discovered work shall cease immediately and application be made for an Aboriginal Heritage Impact Permit under the provisions of the NSW National Parks and Wildlife Act 1974.

(Reason: To ensure compliance with the *NSW National Parks and Wildlife Act 1974*)

21. The applicant shall bear the cost of all restoration works to Council's property damaged by the applicant or his/her contractors during the course of this development and the cost of all works associated with the development that occur on Council property.

(Reason: To ensure protection of public infrastructure)

22. Any necessary alterations to, or relocations of, utility services must be carried out at no cost to Council or the relevant public authority.

(Reason: To ensure costs associated with the development are not transferred public authorities)

**Conditions which must be complied with prior to Issue of Occupation Certificate**

23. The building is not to be used or occupied until a final inspection has been carried out and an Occupation Certificate has been obtained from the Principle Certifying Authority.

(Reason: To ensure the requirements of the Environmental Planning & Assessment Act 1979 are satisfied)

24. Prior to issuance of the Final Occupation Certificate, the owner of the building shall furnish the Principal Certifying Authority with a Final Fire Safety Certificate which states that each essential fire safety measure, specified in the fire safety schedule:

- a) Has been assessed by a competent fire safety practitioner, and
- b) Was found, when it was assessed, to be capable of performing to a standard not less than required by the current fire safety schedule.

(Reason: To ensure compliance with the requirements of the Environmental Planning and Assessment Act and Regulations)

25. Any new work constructed below the known flood level being constructed in materials and finishes that are resistant to damage from floodwaters. Any new machinery or equipment, electrical circuitry or fitting, storage unit or similar items likely to be damaged by floodwaters being installed above the said height or alternatively being of materials and functional capability resistant to the effects of floodwaters, all in accordance with the provisions of the NSW Flood Plain Development Manual. Structures on the site will need to be structurally certified to be able to withstand flood flows across the site.

(Reason: To minimise the extent of property damage and the risk of injury in the event of flooding of the site)

26. Prior to the issue of any Occupation Certificate the applicant shall construct one (1) off-street parking space. The parking spaces shall be designed and constructed to comply with the requirements of Australian Standard AS.2890.1 2004 Parking Facilities and the relevant provisions of AS1428.1 and AS1428.4.

**Note:** All parking areas must be designed to allow all traffic to exit the site in a forward direction

**Note:** Council's fees and charges (Section 94 Contributions) are reviewed each June in accordance with CPI fluctuations and the fees quoted may be varied in accordance with that review. As this consent is valid for five (5) years from the date of this approval the charges required to be paid will be those applicable in the financial year that the Occupation Certificate is sought.

(Reason: Ensure provision of proper parking and vehicle access facilities, and compliance with Council's DCP – Car Parking Code No 1)

27. Prior to the issue of an occupation certificate, evidence shall be provided to the PCA that the development has been connected to the:
- (a) Council reticulated water supply system;
  - (b) Council's sewerage system; and
  - (c) Essential Energy's electricity network.

(Reason: To ensure provision of utilities)

28. The applicant shall meet all costs in providing a point of sewer connection from Council's reticulated sewerage system in accordance with Council's *Sewer Junction Connection Policy* [the policy], standard plans and procedures. The point of connection shall terminate within the boundary of the property to be serviced. The premises shall be connected to the sewerage system in accordance with the Policy and all works to comply with performance standards of AS/NZS 3500. A works as executed plan (drawn by an appropriately qualified Contractor), on the Department of Fair Trading's approved form is to be submitted to Council prior to the final drainage inspection and prior to any Occupation Certificate being issued.

**Note:** Should fall not permit compliance with the requirements of AS3500 the applicant shall install an E one pump which is to be connected to the existing pressure sewer main provided to the site by Council.

**Note:** Application to connect to Council's Sewer Main Infrastructure can be obtained by contacting Infrastructure Delivery on (02) 6799 6877.

(Reason: To ensure compliance with the Australian Standard & Local Authority requirements)

29. Prior to the issue of any Occupation Certificate a vehicle access shall be constructed as a minimum from the kerb and gutter to the property boundary. The access shall be installed in

accordance with the specifications, Council's standard access drawing SD-102 and the requirements of this consent.

**Note:** Please contact Council's Engineering Department on (02) 6799 6866 to arrange a copy of the relevant diagrams and specifications, and to organise an inspection of the driveway **at the completion of works**.

(Reason: To ensure appropriate vehicle access provided to new development)

30. Prior to the issue of any Occupation Certificate the owner/operator shall enter into a Trade Waste Agreement with Narrabri Shire Council for the management of liquid waste associated with the operation of the premises.

**Note:** **This agreement may require the construction of pre-treatment facilities on-site.** It is therefore suggested that you make contact with Council's Compliance Officer on (02) 6799 6866 as soon as possible in the pre-construction phase.

(Reason: To ensure compliance with Narrabri Shire Council's environmental protection requirements)

#### Conditions that must be complied with at All Times

31. The owner of the land shall certify to Council every year that the essential services installed in all buildings for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard. This purpose of this condition is to ensure that there is adequate safety of persons in the building in the event of fire and for the prevention of fire, the suppression of fire and the prevention of spread of fire.

(Reason: Statutory requirement)

32. The premise may be open for business only between the following hours:-

Monday to Friday: 7:00am to 4:00pm  
Saturday: 7:00am to 4:00pm  
Sunday: closed

(Reason: Information to ensure that amenity of the surrounding locality is maintained and hours of operation are consistent with those in surrounding locality)

33. At all times the trade waste water shall be disposed of in accordance with the requirements of the Trade Waste Agreement between the owner/operator and Narrabri Shire Council.

(Reason: To ensure compliance with Narrabri Shire Council's environmental protection requirements)

34. All loading and unloading operations shall be carried out wholly within the confines of the site or the loading bays designated by the approved plans. No unloading/loading is permitted to be undertaken within the footpath or roadway unless approved by Council.

(Reason: To ensure that deliveries can occur safely within the site and does not adversely affect traffic or pedestrian amenity)

35. All external lighting shall comply with the provisions of Australian Standard 4282-1997 – 'Control of the obtrusive effects of outdoor lighting'.

(Reason: To protect the amenity of the area)

36. No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 6am on any day.

(Reason: To ensure the acoustic amenity of surrounding properties)

37. Unless otherwise approved by Council at all times stormwater from the development including all hard standing and overflows from rainwater tanks is to be collected and disposed of by way of properly constructed stormwater lines to:

- (a) The rainwater tank, then a minimum distance of 6m clear of the proposed and adjoining buildings;

**Note:** An approval under Section 68 of the Local Government Act is required where stormwater work is to be undertaken.

(Reason: To ensure suitable disposal of stormwater)

38. The applicant/persons acting with this consent shall ensure the development does not cause or permit the emission of any offensive odour as defined by the *Protection of Environmental Operations Act 1997*

(Reason: To protect the amenity of the locality)

39. Any materials, which may present a hazard to the environment during a flood event, are to be stored above the 1% flood level at all times.

(Reason: To protect the locality in the event of flooding)

#### Advisory Notes

- Prior to construction work commencing you should ensure that all services have been clearly located and identified by contacting "Dial before you Dig" by telephoning 1100.
- All advertising signs which are not exempt development specified by an Environmental Planning Instrument shall be subject to a separate development application which is to be submitted to and approved by Council.
- Access gates must be hung so they do not encroach on the footpath or roadway.
- It is brought to your attention that standards exist under the Discrimination Act 1992 and property owners must take them into consideration when upgrading the access and amenity

facilities within the premises. The objective of this legislation is to provide equal access for both disabled and non-disabled patrons.

**Right of Review**

Section 8.2 of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to review the determination. The request must be made in writing within six (6) months *after receipt of this Notice of Determination*, together with payment of the appropriate fees. It is recommended that the applicant discuss any request for a review of the determination with Council Officers before lodging such a request. Section 8.2 review does not apply to designated or integrated development.

**Right of Appeal**

If you are dissatisfied with this decision, Section 8.7 of the Environmental Planning and Assessment Act, 1979 gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.

**Signed on behalf of the Consent Authority**

Yours faithfully

Mr Daniel Boyce  
**MANAGER PLANNING AND DEVELOPMENT**

**Attachment A – Schedule of Local Approval Conditions**

I refer to the application made under Section 68 of the *Local Government Act 1993* for the carrying out of water, sewer and stormwater work and advise that consent has been granted subject to the following conditions:

**Approval to carry out Water, Sewer and Stormwater Work**

1. The following applicable works shall be inspected and passed by an officer of Council, irrespective of any other inspection works undertaken by an accredited certifier, prior to them being covered. In this regard, at least 48 hours notice shall be given to Council for inspection of such works. When requesting an inspection, please telephone Council's Corporate Services Department on 6799 5855 and quote Council reference number.

- Internal Sewer Inspection – Internal drainage under hydrostatic test.
- Hot and Cold Rough in – Water pipes through the wall under 1500kpa test and lagged through frame.
- External Sewer Inspection – External sewer to connection point, under hydrostatic test.
- When all plumbing and drainage works are complete.
- When all stormwater pipework has been installed and prior to the covering of any pipework.

**Note:** Prior to a stormwater pipework inspection a 'works as executed' drawing must be submitted to Council.

(Reason: Statutory provision and Council requirement being the water and sewerage authority)

2. All sanitary plumbing and drainage and water plumbing work shall be carried out by a licensed plumber and drainer.

(Reason: Statutory requirement of Section 634 Local Government Act 1993)

3. The person who is to carry out water supply, sewerage, drainage or stormwater work must not begin such work unless this person is the holder of a permit issued in accordance with the Plumbing Code of Australia. The name and license details of the plumber/installer must be provided to Council prior to the commencement of works.

(Reason: To ensure compliance with relevant New South Wales Legislation)

4. The hot water delivered to the outlets of the hand-basins and shower shall not exceed 50°C.

(Reason: Statutory requirement of the Plumbing Code of Australia)

5. The drainage and plumbing installation shall comply with the provisions of the *Local Government (General) Regulation, 2005* and the requirements of Council as the water and sewer authority. The applicant shall meet all costs in providing a point of sewer connection from Council's reticulated sewerage system in accordance with Council's Sewer Junction Connection Policy [the policy], standard plans and procedures. The point of connection shall terminate within the boundary of the property to be serviced. The premises shall be connected to the sewerage system in accordance with the Policy and all works to comply



with performance standards of AS/NZS 3500. A works as executed plan (drawn by an appropriately qualified Contractor), on the Department of Fair Trading's approved form is to be submitted to Council prior to the final drainage inspection and prior to any Occupation Certificate being issued.

**Note:** Should fall not permit compliance with the requirements of AS3500 the applicant shall install an E one pump which is to be connected to the existing pressure sewer main provided to the site by Council.

**Note:** Application to connect to Council's Sewer Main Infrastructure can be obtained by contacting Infrastructure Delivery on (02) 6799 6877.

(Reason: Statutory and Council requirement)

6. All work and materials used in the stormwater installation work being of an approved type in accordance with *AS3500 – 2000 National Plumbing and Drainage Code*, and *Plumbing Code of Australia*.

(Reason: To ensure unsanitary conditions are not created through the use of unauthorised materials and workmanship)

7. A works as executed plan (drawn by an appropriately qualified Contractor), on Department of Fair Trading's approved form is to be submitted to Council prior to the final drainage inspection. The works as executed plan must be professionally drawn consistent with the Department of Fair Trading's Sewer Service Diagram Requirements.

**Note:** Further information standard a works as executed plan is to be completed can be obtained from Council or online at the Department of Fair Trading's website. Council may require works as executed plans to be resubmitted where they are not completed to an adequate standard.

(Reason: To enable the update of Councils drainage diagram register)

#### Right of Review and Appeal

An applicant may request Council to review a determination in accordance with Section 100 of the *Local Government Act 1993* within twenty-eight (28) days of the date of determination.

If you are dissatisfied with the Council's determination of this application, either initially or upon review, you may appeal to the Land and Environment Court, under section 176 of the *Local Government Act 1993* within twelve (12) months. Section 107 of the *Local Government Act 1993*, also provides that the Council may determine to extend or renew this approval if satisfied there is good cause for doing so.

#### Signed on behalf of the Consent Authority

Yours faithfully

Mr Daniel Boyce

MANAGER PLANNING AND DEVELOPMENT

Notice of Determination for DA 85/2018

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## Appendix 3 – Local Development Performance Monitoring Checklist

*(To be filled out by Assessing Officer at time of Approval)*

DA Number: DA2019/85

Assessing Officer: [name]

1.	Concurrence:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.	Section 4.55 Category (modification):	<input checked="" type="checkbox"/> Not Relevant <input type="checkbox"/> Other Section 96 <input type="checkbox"/> Minor Error or Misdescription <input type="checkbox"/> Minimal Environmental impact <input type="checkbox"/> Other Modification
3.	Private Assessment:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4.	Use of Independent Hearing and Assessment Panel (IHAP):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5.	Pre DA Meeting Held:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6.	Change of Use:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7.	Number of Submissions:	Nil
8.	Integrated/Designated/Local:	<input type="checkbox"/> Designated <input type="checkbox"/> Integrated/Designated <input type="checkbox"/> Integrated <input checked="" type="checkbox"/> Local
9.	Appeal Arbitrator Decision: if No, go to Q.13	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10.	Date Planning Arbitrator Appointed:	
11.	Date Determined by Planning Arbitrator:	
12.	Planning Arbitrator Decision:	<input type="checkbox"/> Approved <input type="checkbox"/> Refused <input type="checkbox"/> Withdrawn/Cancelled
13.	Codes SEPP for CDC:	<input type="checkbox"/> SEPP <input type="checkbox"/> Council Control

Our Reference: XX:XX;DA85/2019  
Your Reference: DA85/2019  
Contact Name: ??  
Telephone: (02) 6799 6866

10 January 2018

ADDRESS

ADDRESS

**NARRABRI NSW 2390**

Dear Sir/Madam,

Re: **Development Application No. 85 /2019**

**HAVE YOU OBTAINED CONSTRUCTION CERTIFICATE APPROVAL?**

Please find enclosed Council's Notice of Determination for development application DA 85/2019 pursuant to Section 4.16(1)(a) of the *Environmental Planning and Assessment Act, 1979*.

You are advised to read the Notice of Determination carefully and observe/implement all conditions of consent.

YOU ARE REMINDED THAT THIS IS A DEVELOPMENT CONSENT ONLY AND DOES NOT AUTHORISE THE COMMENCEMENT OF BUILDING WORK. A CONSTRUCTION CERTIFICATE FROM EITHER COUNCIL OR PRIVATE CERTIFYING AUTHORITY IS REQUIRED PRIOR TO WORK BEING UNDERTAKEN ON THE SITE.

Failure to comply with the requirements of this determination is an offense under *Environmental Planning and Assessment Act, 1979* and Council will take action in accordance with its responsibility under the Act.

Yours faithfully,

**Luke Flood / Cara Stoltenberg**

**TOWN PLANNER**

**NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION**Issued Under Section 4.16 of the *Environmental Planning and Assessment Act 1979*

<b>DEVELOPMENT APPLICATION:</b>	DA 85/2019
<b>APPLICANT NAME:</b>	Trevor Alan Hook
<b>APPLICANT ADDRESS:</b>	
<b>LAND TO BE DEVELOPED:</b>	Lot37 Section 15 DP 978 21 Wee Waa Road, Narrabri
<b>PROPOSED DEVELOPMENT:</b>	Wholesale Tree Nursery (Plant Nursery)
<b>BUILDING CLASSIFICATION:</b>	N/A
<b>DATE OF DETERMINATION:</b>	2018
<b>DETERMINATION :</b>	Consent granted subject to conditions as set out in the Schedule below.
<b>CONSENT OPERATES FROM:</b>	2018
<b>CONSENT LAPSES ON:</b>	2023
<b>PUBLIC HEARING HELD BY THE PLANNING ASSESSMENT COMMISSION:</b>	No
<b>GENERAL TERMS OF APPROVAL OBTAINED FROM THE FOLLOWING EXTERNAL BODIES:</b>	None
<b>APPROVAL GRANTED UNDER S 68 OF THE LOCAL GOVERNMENT ACT 1993:</b>	Yes (See Attachment A)

Notice of Determination for DA 85/2018

Page 3 of 15



**SCHEDULE OF DEVELOPMENT CONSENT CONDITIONS****Conditions that Identify Approved Plans**

1. The development being carried out in accordance with the development application, the drawings referenced below, and Statement of Environmental Effects dated 7 March 2019, except where amended by the following conditions.

DRAWING NO'S	REVISION	DRAWN BY	DATE
Floor Plan (1 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Wall Layout (2 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Truss Layout (3 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Elevation Plans (4 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Corodek Roof Sheeting Layout (5 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Horizontal Wall Sheeting Layout (6 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Corner, Window & Door Flashings Layout (7 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Hold Down, Connection and Bracing details (8 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Roof Details (9 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Slab, Footing & Foundation Details (10 of 11)	-	Palmer Steel Frame & Truss	24/01/2019
Site Plan (11 of 11)	As amended in hand	Palmer Steel Frame & Truss	24/01/2019
Additional information from applicant in handwriting		applicant	No date

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

2. A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

**Operational Conditions imposed under EP&A Act and Regulations and other Relevant Legislation**

3. All building work must be carried out in accordance with the provisions of the *Building Code of Australia* and any Australian Standards adopted there under.

(Reason: Prescribed – Statutory)

4. The building shall comply with the requirements of the *Commonwealth Disability (Access to Premise Standard) 2010*.

(Reason: Prescribed – Statutory)

**Conditions that must be Completed Prior to Issue of a Construction Certificate**

5. Prior to the issue of a construction certificate, the applicant shall obtain approval from Council pursuant to Section 68 of the *Local Government Act 1993* for any water supply, sewerage, and/or stormwater drainage works.

(Reason: Statutory requirement).

6. Prior to the issue of a construction certificate an application shall be lodged with the relevant roads authority under section 138 of the *Roads Act 1993* for the building of any kerb, crossover or driveway.

(Reason: Statutory requirement).

7. Prior to the issue of any Construction Certificate evidence is to be provided demonstrating payment of the prescribed Long Service Levy fee.

(Reason: To ensure that the requirements of the Long Service Levy Corporation are satisfied).

8. Prior to the issue of a Construction Certificate building work below the 1:100 year flood height is to be certified by a structural engineer stating that it is able to withstand flood velocities for that area. All materials below the 1:100 year flood event are to comply with the NSW Flood Manual.

(Reason: To protect the occupants from the danger of flooding.)

9. Prior to the issue of any Construction Certificate the applicant shall design one (1) off-street parking spaces to comply with the requirements of Australian Standard AS.2890.1 2004 Parking Facilities and the relevant provisions of AS1428.1 and AS1428.4.

**Note:** All parking areas must be designed to allow all traffic to exit the site in a forward direction

(Reason: Ensure provision of proper parking and vehicle access facilities, and compliance with Council's DCP – Car Parking Code No 1)

**Conditions That Must Be Addressed Prior To Any Commencement**

10. No works shall commence on site until such time as a Construction Certificate has been issued for either part or all of the works. If a certificate is issued for part of the works it must cover the works being undertaken onsite.

**Note:** A Construction Certificate issued by an Accredited Certifying Authority must be deposited with Council at least 48 hours prior to the commencement of any earthworks, engineering or building work on the site.

(Reason: Prescribed Statutory)

11. Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, adequate measures for erosion and sediment control shall be provided. As a minimum control techniques are to be in accordance with 'The Blue Book' published by Landcom provisions on Erosion and Sediment Control, or a suitable effective alternative method.

All required sedimentation control techniques are to be properly installed prior to the commencement of any site works and maintained in a functional and effective condition throughout the construction activities until the site is stabilised.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

12. Toilet facilities must be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site.

Each toilet provided must:

- be a standard flushing toilet, connected to a public sewer, or
- if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or
- a portable toilet.

The provision of toilet facilities must be completed before any other work is commenced.

(Reason: To ensure the health and safety of the community and workers on the site)

13. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a) stating that unauthorised entry to the work site is prohibited;
- (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- (c) showing the name, address and telephone number of the Principal Certifying Authority for the work.

Any such sign must be maintained while building work or demolition work is being carried out, but must be removed when the work has been completed.

This condition does not apply to building works being carried out inside an existing building.

(Reason: Statutory requirement)

14. A water meter as issued and installed by Narrabri Shire Council must be connected to the town's reticulated water supply prior to any commencement.

**Note:** Contact Council's Engineering Services Department on 6799 6866 where a new water meter installation is required to obtain further information

(Reason: To ensure adequate water supply is provided to the site)

**Conditions That Must Be Complied With During Demolition and Building Work**

15. Unless otherwise approved by this development consent the maximum height of all fill shall be 1 metre above the natural ground level and no fill shall be placed on the land within 1 metre of adjoining property boundaries. Where retaining walls are not used to hold the fill in place, the edges of the fill shall have a gradient that does not exceed the following:

- (a) 1:3 any fill adjoining side boundaries;
- (b) 1:4 any fill adjoining a rear boundary; and
- (c) 1:6 any fill adjoining a boundary with a public road.

All fill batters is to be stabilised and maintained to prevent surface erosion which may affect the stability of the site or create dust hazards for adjoining properties. All fill is to be sourced from a reputable supplier. No soil subject to contamination is to be used as fill in conjunction with this development.

(Reason: To ensure compliance with Council's Landfill Development Control Plan)

16. The person acting with this consent shall provide dust suppression as appropriate by continually dampening the site to ensure neighbouring properties are not inconvenienced by the effects of dust during construction activities.

(Reason: To minimise construction impact on adjoining properties)

17. Unless otherwise approved by Council any person acting on this consent shall ensure that construction works involving electric or pneumatic tools, or other noisy operations, shall be restricted to the following hours:

- |     |                                |                          |
|-----|--------------------------------|--------------------------|
| (a) | Monday to Saturday (inclusive) | <b>7.00am to 6.00pm,</b> |
| (b) | Sunday                         | <b>Nil</b>               |
| (c) | Public Holidays                | <b>Nil</b>               |

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

18. No trees on public property (footpaths, roads, reserves etc.) shall be removed or damaged during the carrying out of construction works unless specifically approved by this consent.

(Reason: Ensure protection of public assets)

19. Builder's sheds, waste containers and building materials to be utilised during construction shall be stored entirely within the site during the construction phase. Equipment must not

be operated on the footpath or roadway, unless prior written approval has been obtained from council. All waste must be appropriately disposed of to a waste management facility and temporary building structures removed before the issuing of the Occupation Certificate.

(Reason: To ensure that public places and road reserves are not obstructed)

20. Should Aboriginal relics be discovered work shall cease immediately and application be made for an Aboriginal Heritage Impact Permit under the provisions of the NSW National Parks and Wildlife Act 1974.

(Reason: To ensure compliance with the *NSW National Parks and Wildlife Act 1974*)

21. The applicant shall bear the cost of all restoration works to Council's property damaged by the applicant or his/her contractors during the course of this development and the cost of all works associated with the development that occur on Council property.

(Reason: To ensure protection of public infrastructure)

22. Any necessary alterations to, or relocations of, utility services must be carried out at no cost to Council or the relevant public authority.

(Reason: To ensure costs associated with the development are not transferred public authorities)

**Conditions which must be complied with prior to Issue of Occupation Certificate**

23. The building is not to be used or occupied until a final inspection has been carried out and an Occupation Certificate has been obtained from the Principle Certifying Authority.

(Reason: To ensure the requirements of the Environmental Planning & Assessment Act 1979 are satisfied)

24. Prior to issuance of the Final Occupation Certificate, the owner of the building shall furnish the Principal Certifying Authority with a Final Fire Safety Certificate which states that each essential fire safety measure, specified in the fire safety schedule:

- a) Has been assessed by a competent fire safety practitioner, and
- b) Was found, when it was assessed, to be capable of performing to a standard not less than required by the current fire safety schedule.

(Reason: To ensure compliance with the requirements of the Environmental Planning and Assessment Act and Regulations)

25. Any new work constructed below the known flood level being constructed in materials and finishes that are resistant to damage from floodwaters. Any new machinery or equipment, electrical circuitry or fitting, storage unit or similar items likely to be damaged by floodwaters being installed above the said height or alternatively being of materials and functional capability resistant to the effects of floodwaters, all in accordance with the provisions of the NSW Flood Plain Development Manual. Structures on the site will need to be structurally certified to be able to withstand flood flows across the site.

(Reason: To minimise the extent of property damage and the risk of injury in the event of flooding of the site)

26. Prior to the issue of any Occupation Certificate the applicant shall construct one (1) off-street parking space. The parking spaces shall be designed and constructed to comply with the requirements of Australian Standard AS.2890.1 2004 Parking Facilities and the relevant provisions of AS1428.1 and AS1428.4.

**Note:** All parking areas must be designed to allow all traffic to exit the site in a forward direction

**Note:** Council's fees and charges (Section 94 Contributions) are reviewed each June in accordance with CPI fluctuations and the fees quoted may be varied in accordance with that review. As this consent is valid for five (5) years from the date of this approval the charges required to be paid will be those applicable in the financial year that the Occupation Certificate is sought.

(Reason: Ensure provision of proper parking and vehicle access facilities, and compliance with Council's DCP – Car Parking Code No 1)

27. Prior to the issue of an occupation certificate, evidence shall be provided to the PCA that the development has been connected to the:

- (a) Council reticulated water supply system;
- (b) Council's sewerage system; and
- (c) Essential Energy's electricity network.

(Reason: To ensure provision of utilities)

28. The applicant shall meet all costs in providing a point of sewer connection from Council's reticulated sewerage system in accordance with Council's *Sewer Junction Connection Policy* [the policy], standard plans and procedures. The point of connection shall terminate within the boundary of the property to be serviced. The premises shall be connected to the sewerage system in accordance with the Policy and all works to comply with performance standards of AS/NZS 3500. A works as executed plan (drawn by an appropriately qualified Contractor), on the Department of Fair Trading's approved form is to be submitted to Council prior to the final drainage inspection and prior to any Occupation Certificate being issued.

**Note:** Should fall not permit compliance with the requirements of AS3500 the applicant shall install an E one pump which is to be connected to the existing pressure sewer main provided to the site by Council.

**Note:** Application to connect to Council's Sewer Main Infrastructure can be obtained by contacting Infrastructure Delivery on (02) 6799 6877.

(Reason: To ensure compliance with the Australian Standard & Local Authority requirements)

29. Prior to the issue of any Occupation Certificate a vehicle access shall be constructed as a minimum from the kerb and gutter to the property boundary. The access shall be installed in



accordance with the specifications, Council's standard access drawing SD-102 and the requirements of this consent.

**Note:** Please contact Council's Engineering Department on (02) 6799 6866 to arrange a copy of the relevant diagrams and specifications, and to organise an inspection of the driveway **at the completion of works**.

(Reason: To ensure appropriate vehicle access provided to new development)

30. Prior to the issue of any Occupation Certificate the owner/operator shall enter into a Trade Waste Agreement with Narrabri Shire Council for the management of liquid waste associated with the operation of the premises.

**Note:** **This agreement may require the construction of pre-treatment facilities on-site.** It is therefore suggested that you make contact with Council's Compliance Officer on (02) 6799 6866 as soon as possible in the pre-construction phase.

(Reason: To ensure compliance with Narrabri Shire Council's environmental protection requirements)

**Conditions that must be complied with at All Times**

31. The owner of the land shall certify to Council every year that the essential services installed in all buildings for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard. This purpose of this condition is to ensure that there is adequate safety of persons in the building in the event of fire and for the prevention of fire, the suppression of fire and the prevention of spread of fire.

(Reason: Statutory requirement)

32. The premise may be open for business only between the following hours:-

Monday to Friday: 7:00am to 4:00pm  
Saturday: 7:00am to 4:00pm  
Sunday: closed

(Reason: Information to ensure that amenity of the surrounding locality is maintained and hours of operation are consistent with those in surrounding locality)

33. At all times the trade waste water shall be disposed of in accordance with the requirements of the Trade Waste Agreement between the owner/operator and Narrabri Shire Council.

(Reason: To ensure compliance with Narrabri Shire Council's environmental protection requirements)

34. All loading and unloading operations shall be carried out wholly within the confines of the site or the loading bays designated by the approved plans. No unloading/loading is permitted to be undertaken within the footpath or roadway unless approved by Council.

(Reason: To ensure that deliveries can occur safely within the site and does not adversely affect traffic or pedestrian amenity)

35. All external lighting shall comply with the provisions of Australian Standard 4282-1997 – 'Control of the obtrusive effects of outdoor lighting'.

(Reason: To protect the amenity of the area)

36. No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 6am on any day.

(Reason: To ensure the acoustic amenity of surrounding properties)

37. Unless otherwise approved by Council at all times stormwater from the development including all hard standing and overflows from rainwater tanks is to be collected and disposed of by way of properly constructed stormwater lines to:

- (a) The rainwater tank, then a minimum distance of 6m clear of the proposed and adjoining buildings;

**Note:** An approval under Section 68 of the Local Government Act is required where stormwater work is to be undertaken.

(Reason: To ensure suitable disposal of stormwater)

38. The applicant/persons acting with this consent shall ensure the development does not cause or permit the emission of any offensive odour as defined by the *Protection of Environmental Operations Act 1997*

(Reason: To protect the amenity of the locality)

39. Any materials, which may present a hazard to the environment during a flood event, are to be stored above the 1% flood level at all times.

(Reason: To protect the locality in the event of flooding)

#### Advisory Notes

- Prior to construction work commencing you should ensure that all services have been clearly located and identified by contacting "Dial before you Dig" by telephoning 1100.
- All advertising signs which are not exempt development specified by an Environmental Planning Instrument shall be subject to a separate development application which is to be submitted to and approved by Council.
- Access gates must be hung so they do not encroach on the footpath or roadway.
- It is brought to your attention that standards exist under the Discrimination Act 1992 and property owners must take them into consideration when upgrading the access and amenity

facilities within the premises. The objective of this legislation is to provide equal access for both disabled and non-disabled patrons.

**Right of Review**

Section 8.2 of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to review the determination. The request must be made in writing within six (6) months *after receipt of this Notice of Determination*, together with payment of the appropriate fees. It is recommended that the applicant discuss any request for a review of the determination with Council Officers before lodging such a request. Section 8.2 review does not apply to designated or integrated development.

**Right of Appeal**

If you are dissatisfied with this decision, Section 8.7 of the Environmental Planning and Assessment Act, 1979 gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.

**Signed on behalf of the Consent Authority**

Yours faithfully

Mr Daniel Boyce  
**MANAGER PLANNING AND DEVELOPMENT**

**Attachment A – Schedule of Local Approval Conditions**

I refer to the application made under Section 68 of the *Local Government Act 1993* for the carrying out of water, sewer and stormwater work and advise that consent has been granted subject to the following conditions:

**Approval to carry out Water, Sewer and Stormwater Work**

1. The following applicable works shall be inspected and passed by an officer of Council, irrespective of any other inspection works undertaken by an accredited certifier, prior to them being covered. In this regard, at least 48 hours notice shall be given to Council for inspection of such works. When requesting an inspection, please telephone Council's Corporate Services Department on 6799 5855 and quote Council reference number.

- Internal Sewer Inspection – Internal drainage under hydrostatic test.
- Hot and Cold Rough in – Water pipes through the wall under 1500kpa test and lagged through frame.
- External Sewer Inspection – External sewer to connection point, under hydrostatic test.
- When all plumbing and drainage works are complete.
- When all stormwater pipework has been installed and prior to the covering of any pipework.

**Note:** Prior to a stormwater pipework inspection a 'works as executed' drawing must be submitted to Council.

(Reason: Statutory provision and Council requirement being the water and sewerage authority)

2. All sanitary plumbing and drainage and water plumbing work shall be carried out by a licensed plumber and drainer.

(Reason: Statutory requirement of Section 634 Local Government Act 1993)

3. The person who is to carry out water supply, sewerage, drainage or stormwater work must not begin such work unless this person is the holder of a permit issued in accordance with the Plumbing Code of Australia. The name and license details of the plumber/installer must be provided to Council prior to the commencement of works.

(Reason: To ensure compliance with relevant New South Wales Legislation)

4. The hot water delivered to the outlets of the hand-basins and shower shall not exceed 50°C.

(Reason: Statutory requirement of the Plumbing Code of Australia)

5. The drainage and plumbing installation shall comply with the provisions of the *Local Government (General) Regulation, 2005* and the requirements of Council as the water and sewer authority. The applicant shall meet all costs in providing a point of sewer connection from Council's reticulated sewerage system in accordance with Council's Sewer Junction Connection Policy [the policy], standard plans and procedures. The point of connection shall terminate within the boundary of the property to be serviced. The premises shall be connected to the sewerage system in accordance with the Policy and all works to comply

with performance standards of AS/NZS 3500. A works as executed plan (drawn by an appropriately qualified Contractor), on the Department of Fair Trading's approved form is to be submitted to Council prior to the final drainage inspection and prior to any Occupation Certificate being issued.

**Note:** Should fall not permit compliance with the requirements of AS3500 the applicant shall install an E one pump which is to be connected to the existing pressure sewer main provided to the site by Council.

**Note:** Application to connect to Council's Sewer Main Infrastructure can be obtained by contacting Infrastructure Delivery on (02) 6799 6877.

(Reason: Statutory and Council requirement)

6. All work and materials used in the stormwater installation work being of an approved type in accordance with AS3500 – 2000 National Plumbing and Drainage Code, and Plumbing Code of Australia.

(Reason: To ensure unsanitary conditions are not created through the use of unauthorised materials and workmanship)

7. A works as executed plan (drawn by an appropriately qualified Contractor), on Department of Fair Trading's approved form is to be submitted to Council prior to the final drainage inspection. The works as executed plan must be professionally drawn consistent with the Department of Fair Trading's Sewer Service Diagram Requirements.

**Note:** Further information standard a works as executed plan is to be completed can be obtained from Council or online at the Department of Fair Trading's website. Council may require works as executed plans to be resubmitted where they are not completed to an adequate standard.

(Reason: To enable the update of Councils drainage diagram register)

#### Right of Review and Appeal

An applicant may request Council to review a determination in accordance with Section 100 of the *Local Government Act 1993* within twenty-eight (28) days of the date of determination.

If you are dissatisfied with the Council's determination of this application, either initially or upon review, you may appeal to the Land and Environment Court, under section 176 of the *Local Government Act 1993* within twelve (12) months. Section 107 of the *Local Government Act 1993*, also provides that the Council may determine to extend or renew this approval if satisfied there is good cause for doing so.

#### Signed on behalf of the Consent Authority

Yours faithfully

Mr Daniel Boyce

MANAGER PLANNING AND DEVELOPMENT

Notice of Determination for DA 85/2018

Page 15 of 15









*Palmer*  
*Steel Frame*  
*& Truss*

15 Kaputar rd Namib  
PO Box 254  
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Fax 0267624112  
Email [info@pawerframes.co.za](mailto:info@pawerframes.co.za)  
Web: [www.pawerframes.co.za](http://www.pawerframes.co.za)

DRAWN Drew	
DATE DRAWN 24-01-2019	
DWG FILE Hook Trevor_TL_24	
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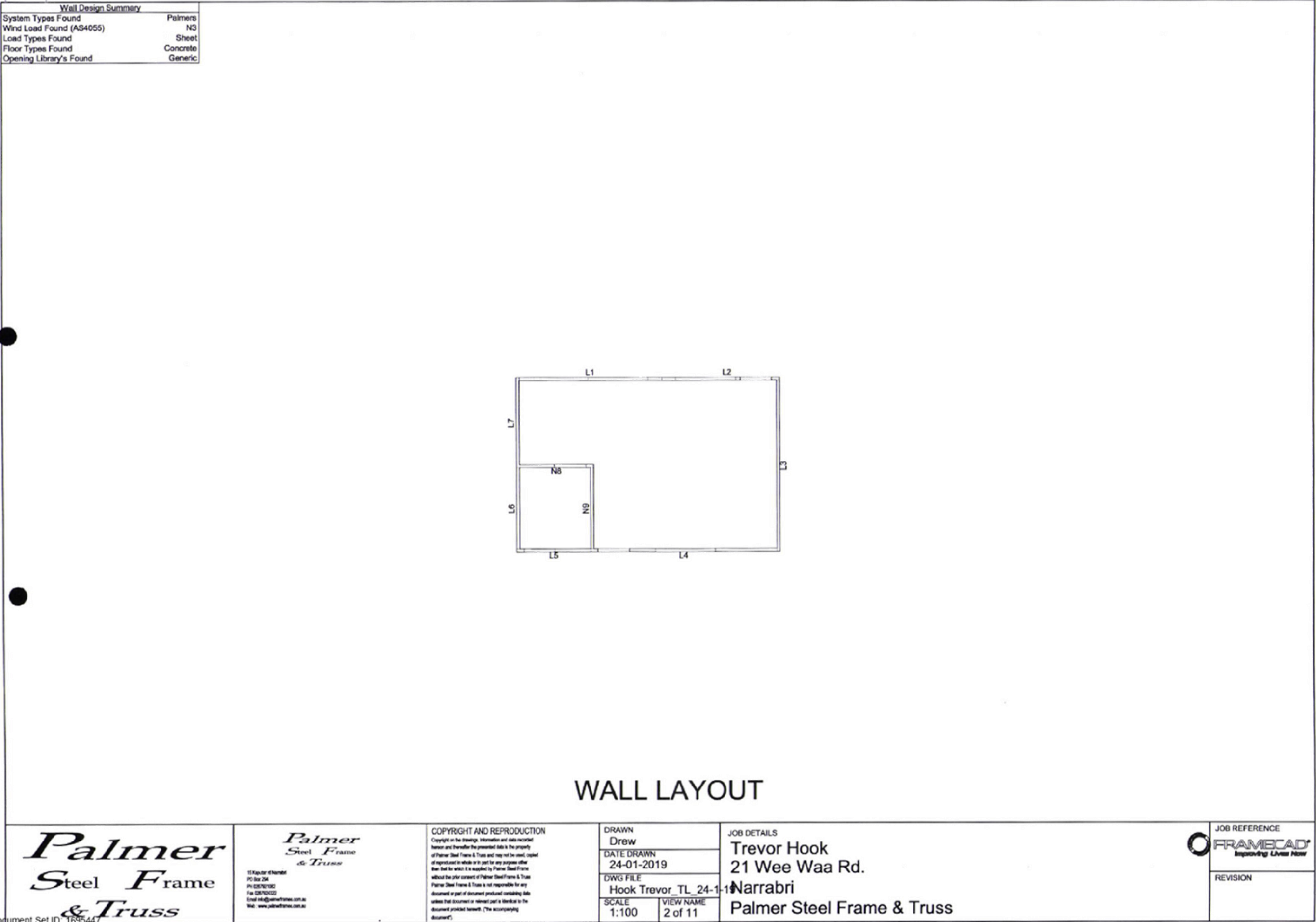
Trevor Hook  
21 Wee Waa Rd.  
Narrabri

Palmer Steel Frame & Truss



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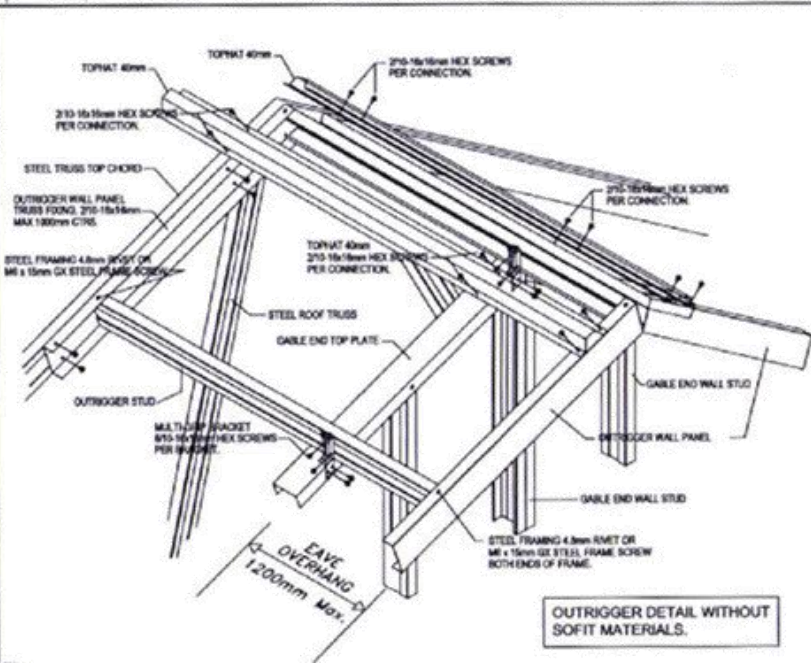
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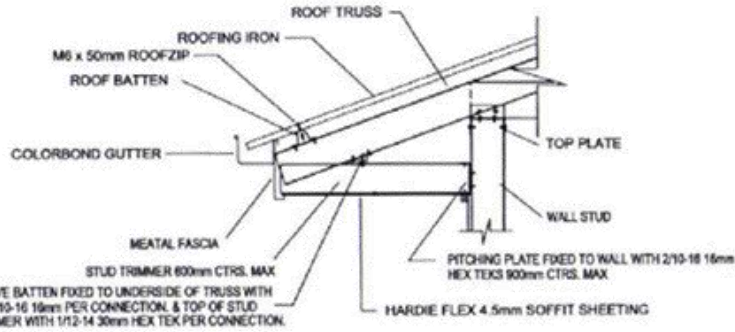
Document Set ID: 1685447  
Version: 1.0



Roof Area Statistics  
Base Pitch = 20.000°  
Plan Area = 43.902m2  
Pitch Area = 46.720m2

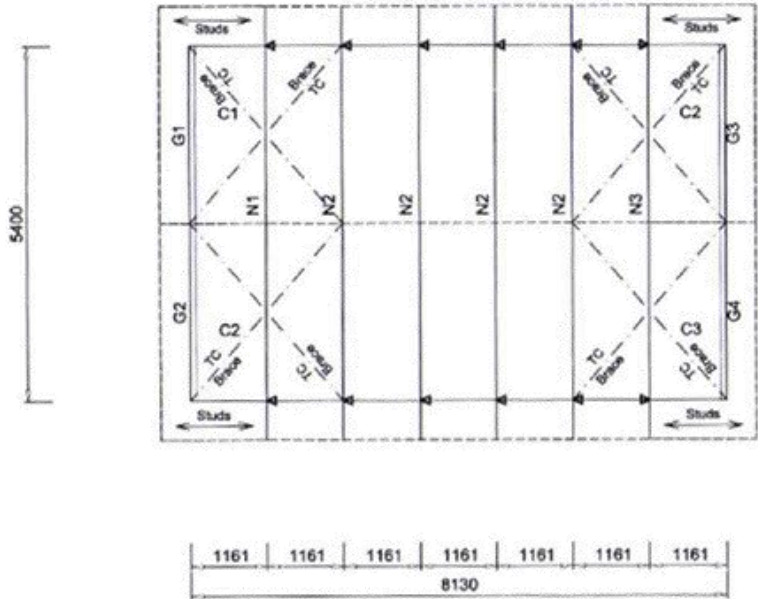


OUTRIGGER WALL PANEL  
USING 90mm STEEL WALL FRAME TO FORMED EAVE.  
NOTE: 16 16x16mm TEKS DRIVEN THROUGH 90mm OUTRIGGER WALL PANEL  
& INTO GABLE END FRAME. OUTRIGGER WALL PANEL IS FIXED IN PLACE WITH  
MULTIGRIP BRACKET AS DETAIL. TOPHAT 40mm ROOF BATTEN IS THEN FIXED  
ON TOP OF THE OUTRIGGER WALL PANEL AT 1800mm BATTEN SPACING & FIXED  
AS DETAIL.



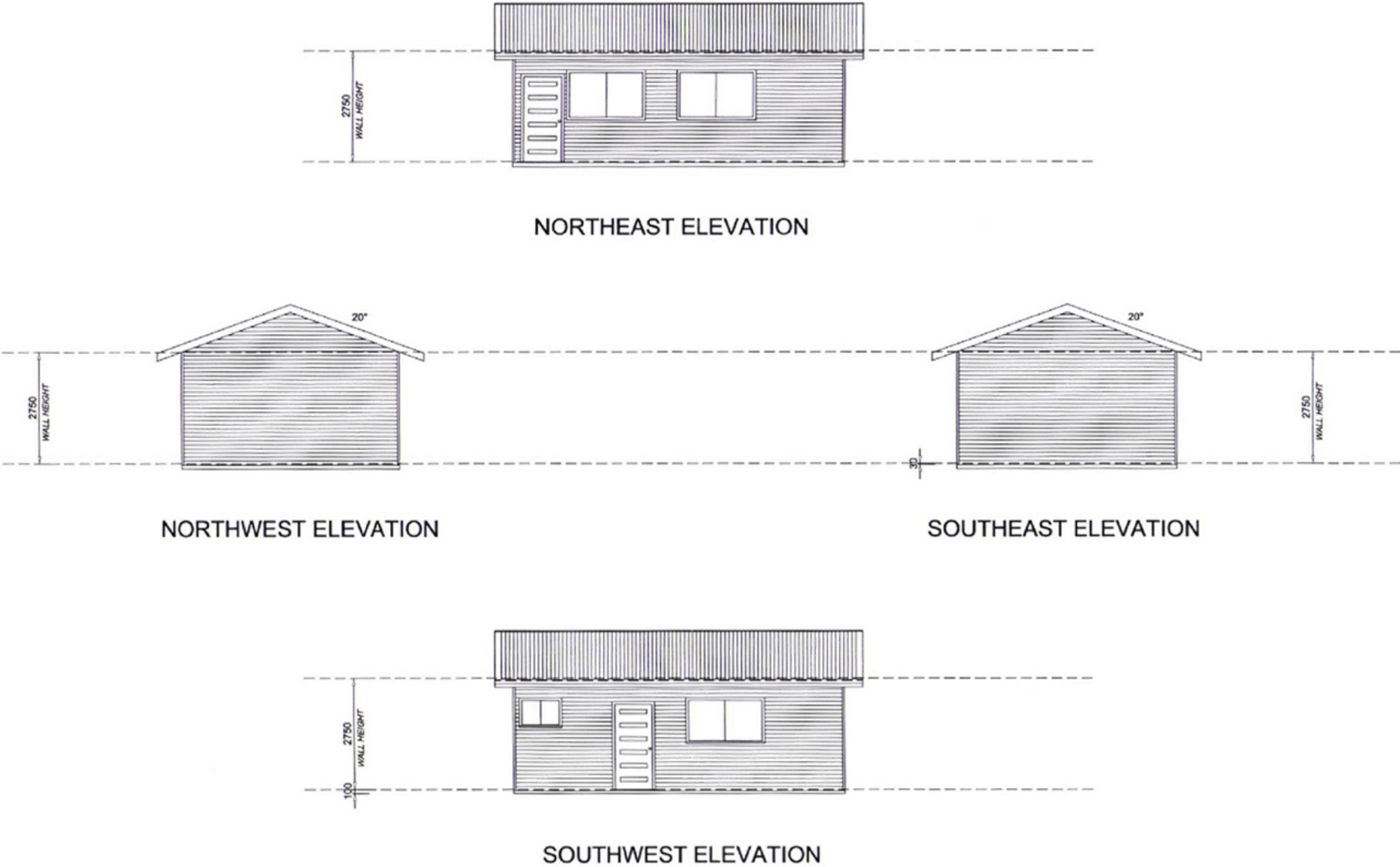
TYPICAL EAVE DETAIL (STEEL FRAME)


PITCHING PLATE FIXED TO STEEL FRAME WITH 2/10-16x16mm HEX TEKS  
@ 900mm CTRS MAX. EAVE STUD TRIMMERS AT 600mm MAX CTRS. &  
FIXED IN PLACE WITH 20mm EAVE BATTEN AS PER DETAIL.



TRUSS LAYOUT

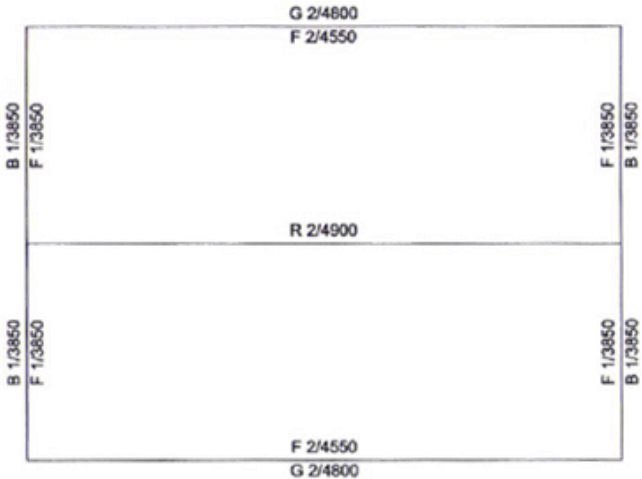
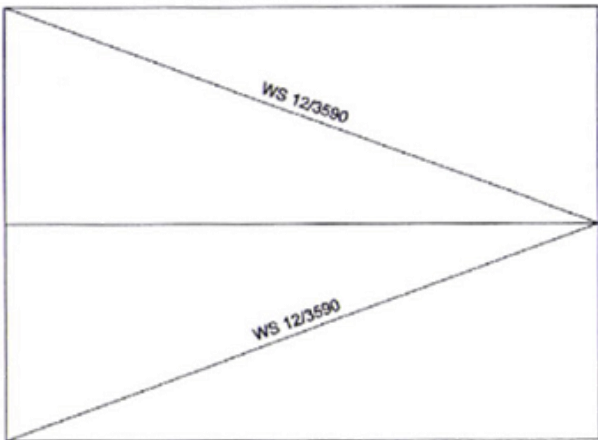
<p><b>Palmer</b> Steel Frame &amp; Truss</p> <p>16 Reginald Street PO Box 254 P1 026701002 P1 026701002 Email: info@palmersteel.com.au Web: www.palmersteel.com.au</p>	<p><b>Palmer</b> Steel Frame &amp; Truss</p>	<p><b>COPYRIGHT AND REPRODUCTION</b> Copyright in the drawings, information and data recorded herein and thereafter the present data is the property of Palmer Steel Frame &amp; Truss and may not be used, copied or reproduced in whole or in part for any purpose other than that for which it is supplied by Palmer Steel Frame &amp; Truss without the prior consent of Palmer Steel Frame &amp; Truss. Palmer Steel Frame &amp; Truss is not responsible for any document or part of document produced containing data unless that document or relevant part is identical to the document provided hereunder. (The accompanying document).</p>	<p><b>DRAWN</b> Drew <b>DATE DRAWN</b> 24-01-2019 <b>DWG FILE</b> Hook Trevor_TL_24-1-19 <b>SCALE</b> 1:100 <b>VIEW NAME</b> 3 of 11</p>	<p><b>JOB DETAILS</b> Trevor Hook 21 Wee Waa Rd. Narrabri Palmer Steel Frame &amp; Truss</p>	<p><b>JOB REFERENCE</b> <b>FRAMECAD</b> Improving Lives Now <b>REVISION</b></p>
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<b>Palmer</b> Steel Frame & Truss	<b>Palmer</b> Steel Frame & Truss <small>15 Kipparid Road PO Box 294 PAU (287) 701960 Fax (287) 704122 Email info@palmerframes.com.au Web www.palmerframes.com.au</small>	<b>COPYRIGHT AND REPRODUCTION</b> <small>Copyright in the drawings, information and data recorded herein and therefore the presented data is the property of Palmer Steel Frame &amp; Truss and may not be used, copied or reproduced in whole or in part for any purpose other than that for which it is supplied by Palmer Steel Frame &amp; Truss without the prior consent of Palmer Steel Frame &amp; Truss. Palmer Steel Frame &amp; Truss is not responsible for any document or part of document produced containing data unless that document or relevant part is identical to the document provided herewith. (The accompanying document).</small>	<b>DRAWN</b> Drew	<b>JOB DETAILS</b> Trevor Hook 21 Wee Waa Rd. Narrabri Palmer Steel Frame & Truss	<b>JOB REFERENCE</b>  Improving Lives Now
			<b>DATE DRAWN</b> 24-01-2019		

Document Set ID: 1695447  
Version 4, Version Date: 20/07/2019



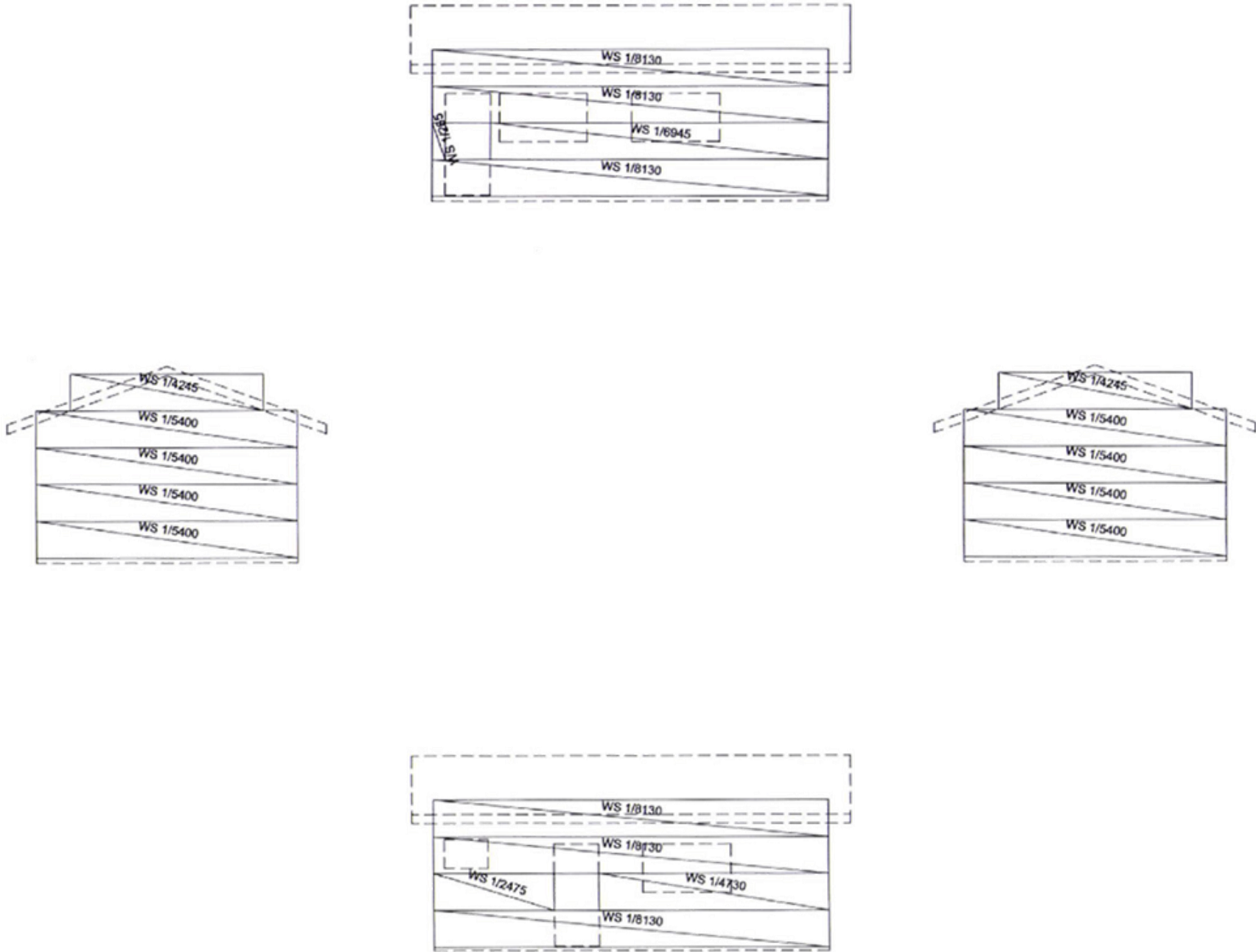


CORODEK ROOF SHEETING LAYOUT

<div><div>Palmer</div><div>Steel Frame</div><div>&amp; Truss</div></div> <div>15 Kiparui rd Narrabri PO Box 264 PH 0267621062 Fax 0267624322 Email info@palmerframes.com.au Web: www.palmerframes.com.au</div>	<div>Palmer</div> <div>Steel Frame</div> <div>&amp; Truss</div>	<div>COPYRIGHT AND REPRODUCTION</div> <div>Copyright in the drawings, information and data recorded herein and hereafter the presented data is the property of Palmer Steel Frame &amp; Truss and may not be used, copied or reproduced in whole or in part for any purpose other than that for which it is supplied by Palmer Steel Frame &amp; Truss. Palmer Steel Frame &amp; Truss is not responsible for any document or part of document produced containing data unless that document or relevant part is identical to the document provided herewith. (The accompanying document).</div>		<div>DRAWN</div> <div>Drew</div>		<div>JOB DETAILS</div> <div>Trevor Hook</div> <div>21 Wee Waa Rd.</div>		<div><div></div><div>FRAMECAD</div><div>Improving Lives Now</div></div> <div>JOB REFERENCE</div>	
				<div>DATE DRAWN</div> <div>24-01-2019</div>		<div>Narrabri</div> <div>Palmer Steel Frame &amp; Truss</div>			<div>REVISION</div>
				<div>DWG FILE</div> <div>Hook Trevor_TL_24-1-19</div>					
				<div>SCALE</div> <div>1:100</div>	<div>VIEW NAME</div> <div>5 of 11</div>				

Document Set ID: 1695447  
Version 4, Version Date: 06/07/2019

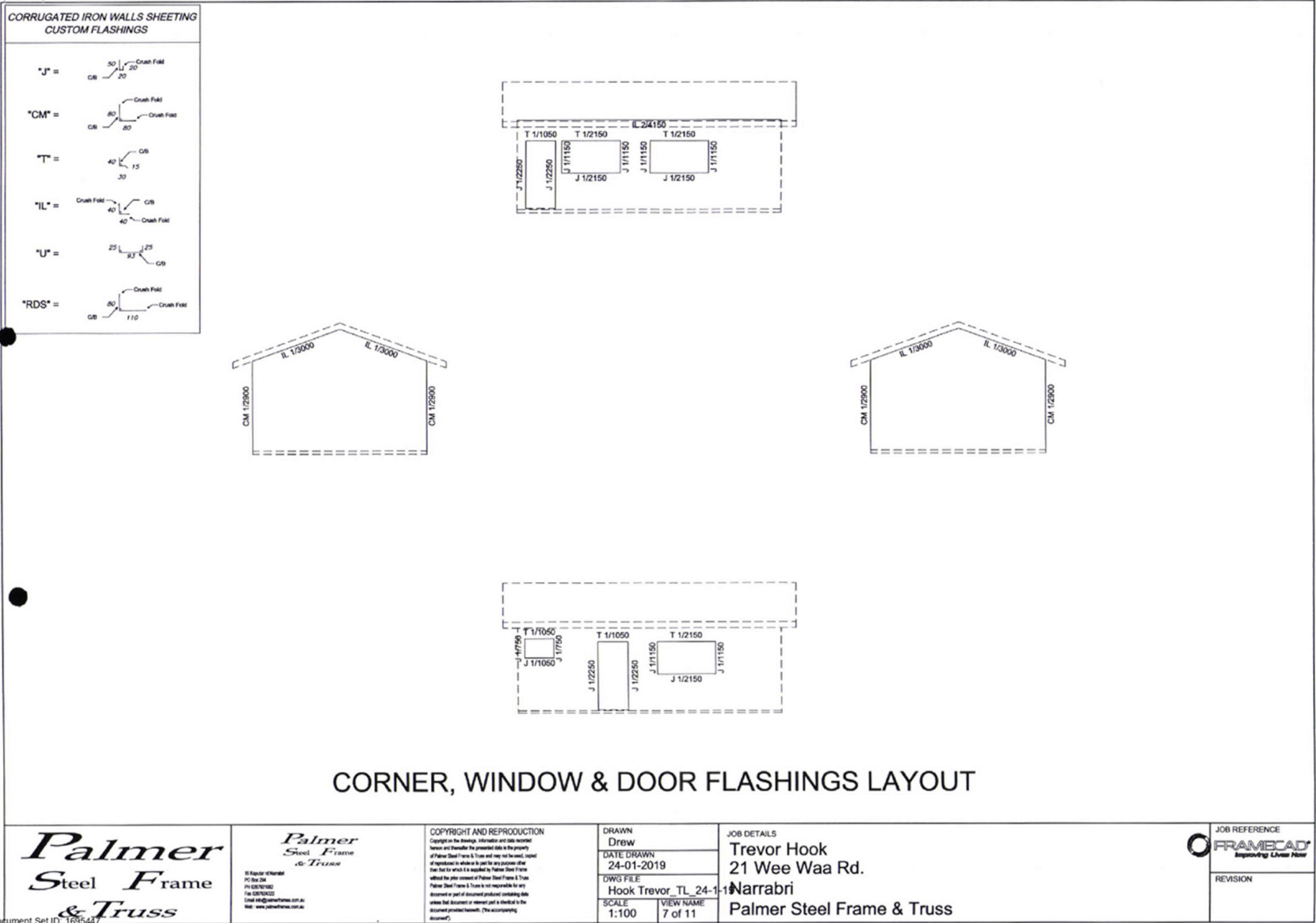




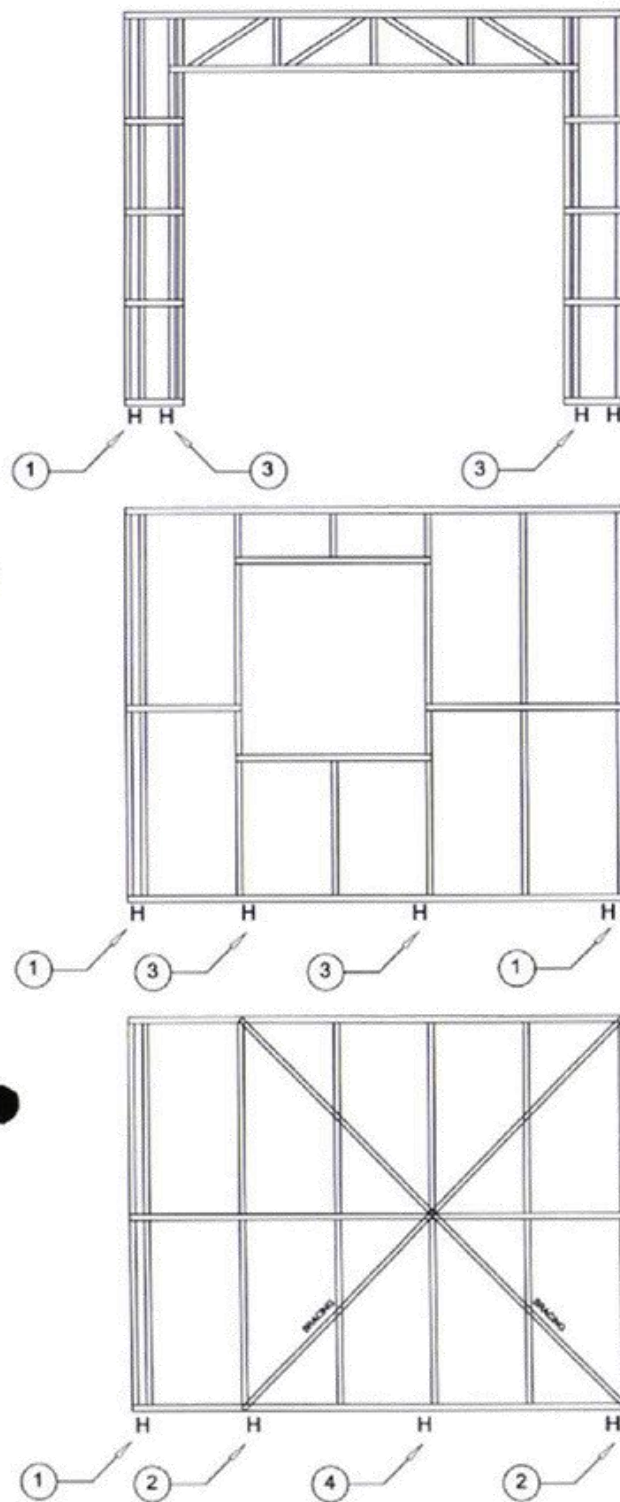
HOROZONTAL WALL SHEETING LAYOUT

<p><b>Palmer</b> <b>Steel Frame</b> <b>&amp; Truss</b></p>	<p><b>Palmer</b> <b>Steel Frame</b> <b>&amp; Truss</b></p> <p>10 Kapsar rd Narrabri PO Box 294 PH 0267210302 FAX 0267210332 Email info@palmersteel.com.au Web : www.palmersteel.com.au</p>	<p><b>COPYRIGHT AND REPRODUCTION</b> Copyright in the drawings, information and data recorded hereon and hereafter the printed data is the property of Palmer Steel Frame &amp; Truss and may not be used, copied or reproduced in whole or in part for any purpose other than that for which it is supplied by Palmer Steel Frame &amp; Truss without the prior consent of Palmer Steel Frame &amp; Truss. Palmer Steel Frame &amp; Truss is not responsible for any document or part of document produced containing data unless that document or relevant part is directed to the document producer herewith. (The accompanying document).</p>	<p><b>DRAWN</b> Drew</p> <p><b>DATE DRAWN</b> 24-01-2019</p> <p><b>DWG FILE</b> Hook Trevor_TL_24-1</p> <p><b>SCALE</b> 1:100</p> <p><b>VIEW NAME</b> 6 of 11</p>	<p><b>JOB DETAILS</b></p> <p>Trevor Hook 21 Wee Waa Rd. Narrabri Palmer Steel Frame &amp; Truss</p>	<p><b>JOB REFERENCE</b> <b>FRAMECAD</b> Improving Lives Now</p> <p><b>REVISION</b></p>
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Document Set ID: 1695447  
Version 4, Revision Date: 20/07/2019





**HOLD DOWN DETAILS****①- End Panel Anchor**

1 x Shot Fired Masonry Nail 50mm x 3.2mm (Spacings Not To Exceed 1200mm).

Or

1 x M6 x 50mm Anchor Screw (Spacings Not To Exceed 1200mm).

**②- Bracing Anchor**

1 x 12/80 Tru Bolt & 22mm Washer

**③- Opening Anchor**

1 x M6 x 50mm Anchor Screws (Non Load Bearing Walls Only)

Or

1 x 12/80 Tru Bolt & 22mm Washer (Load Bearing Walls Only)

**④- Intermediate Anchor**

1 x Shot Fired Masonry Nail 50mm x 3.2mm (Spacings Not To Exceed 1200mm).

Or

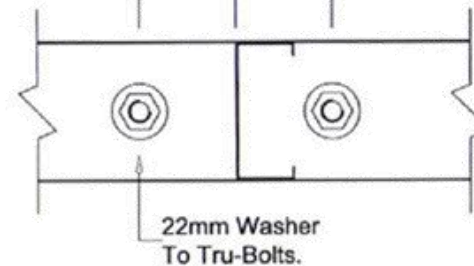
1 x M6 x 50mm Anchor Screw (Spacings Not To Exceed 1200mm).

Alternative  
Anchor Location

Anchor Location

100mm  
Max.

100mm  
Max.



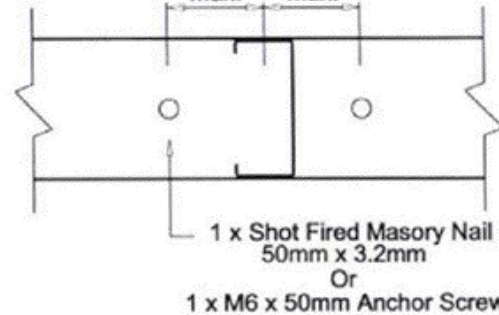
22mm Washer  
To Tru-Bolts.

Alternative  
Anchor Location

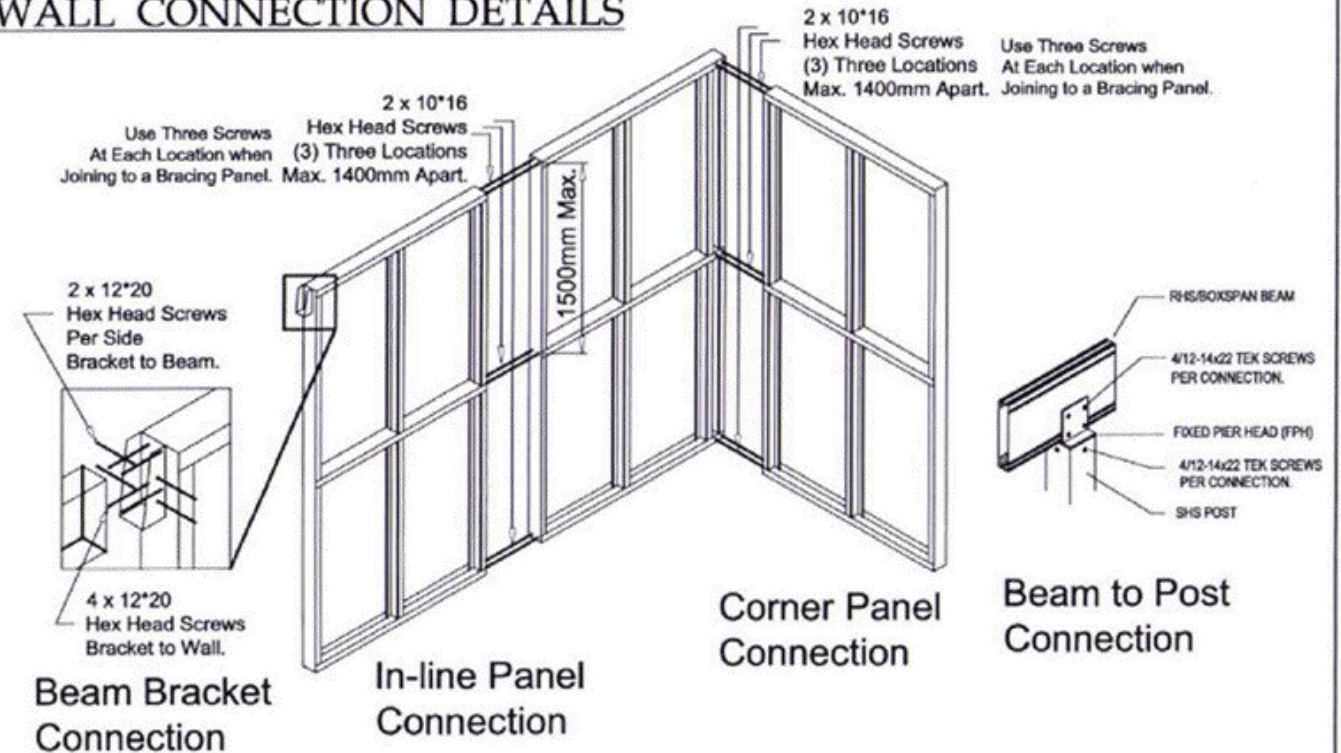
Anchor Location

100mm  
Max.

100mm  
Max.



1 x Shot Fired Masonry Nail  
50mm x 3.2mm  
Or  
1 x M6 x 50mm Anchor Screw

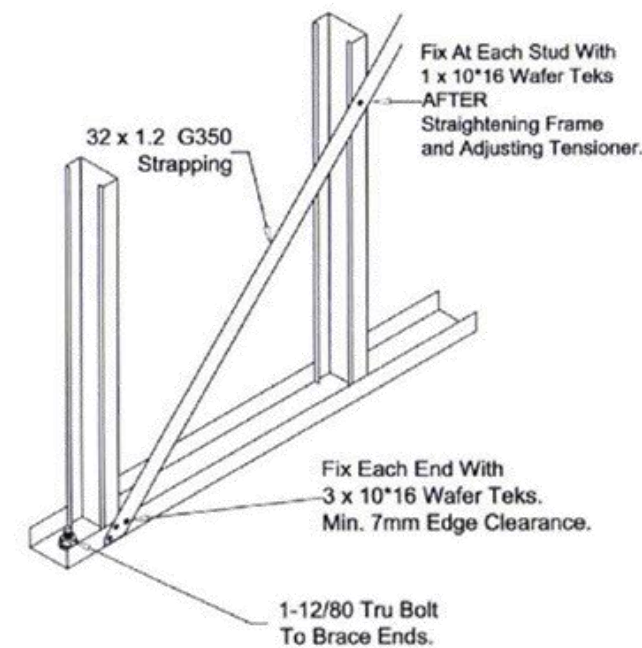
**WALL CONNECTION DETAILS**

Beam Bracket  
Connection

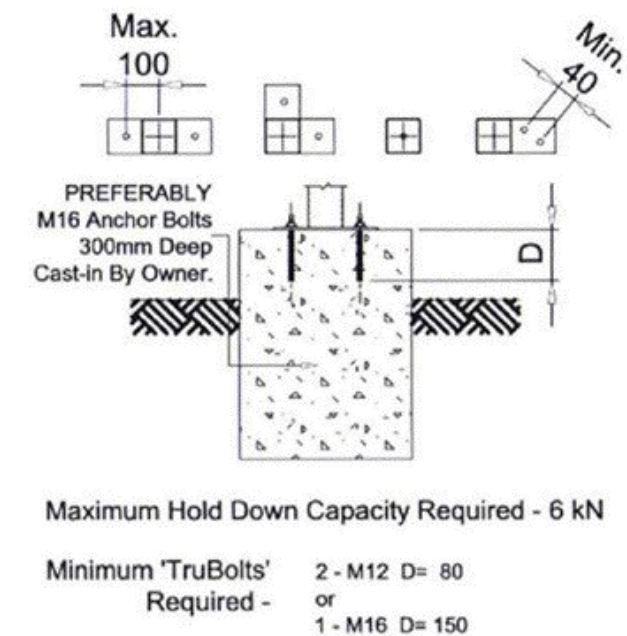
In-line Panel  
Connection

Corner Panel  
Connection

Beam to Post  
Connection



**BRACE CONNECTION DETAILS**



Maximum Hold Down Capacity Required - 6 kN

Minimum 'TruBolts'  
Required - 2 - M12 D= 80  
or  
1 - M16 D= 150

**PIER FOOTING HOLD DOWN DETAILS**

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Steel Frame  
& Truss

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PO Box 254  
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**DRAWN**

**Drew**

**DATE DRAWN**  
24-01-2019

**DWG FILE**  
Hook Trevor\_TL\_24-1

**SCALE**  
1:100

**VIEW NAME**  
8 of 11

**JOB DETAILS**

**Trevor Hook**  
21 Wee Waa Rd.

**Narrabri**

**Palmer Steel Frame & Truss**

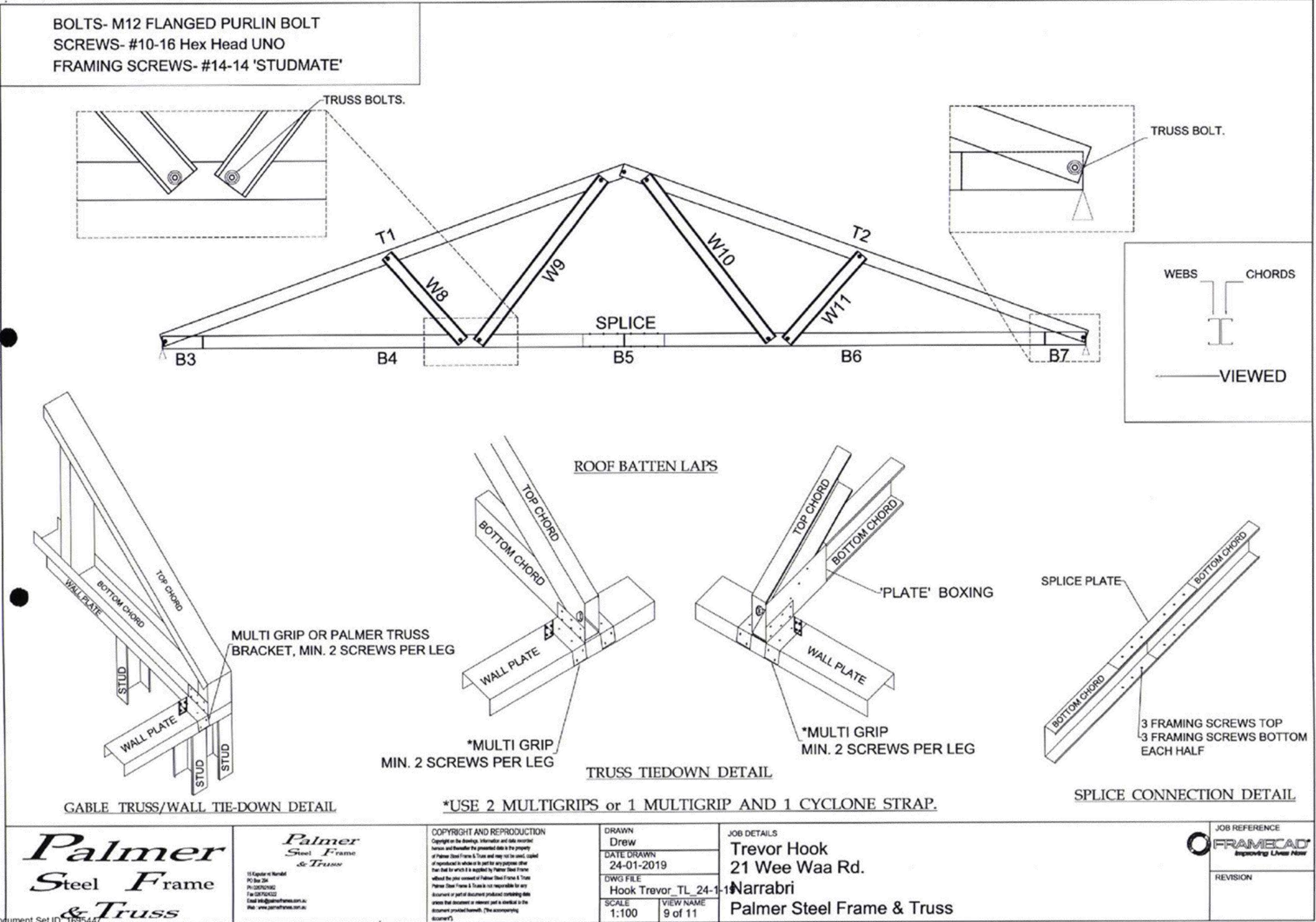
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Document Set ID: 1695447

Version 4.0 - Update Date: 06/07/2016







<p>Class - A, S</p> <p>EDGE BEAM-1 (EB1)</p>	<p>Class - A, S</p> <p>INTERMEDIATE BEAM-1 (IB1)</p>	<p><b>NOTES</b></p> <p><b>DESIGN LOADS</b> Domestic Storage- Up To 3kPa. Garages Mainly for Private Cars- Up To 4.5t GVM.</p> <p><b>CONCRETE STRENGTH</b> 25 MPa.</p> <p><b>SLAB THICKNESS</b> 100mm Minimum.</p> <p><b>SLAB REINFORCEMENT</b> SL72 Mesh On Bar Chairs, 30mm Cover.</p> <p><b>EDGE BEAM REINFORCEMENT</b> 1 Layer of 3-11TM-200 Trench Mesh On Bar Chairs at Bottom of Trench, 50mm Cover.</p> <p><b>DAMP-PROOFING MEMBRANE</b> 0.2mm Plastic Vapour Barrier. (Optional BUT Recommended).</p> <p><b>UNDER SLAB BEDDING</b> 30mm Crusher Dust.</p> <p><b>UNDER SLAB COMPACTED FILL</b> Approved fill material compacted to a minimum 95% dry density ratio (based on standard compaction) to be tested in accordance with AS3798-2007 "Guidelines on Earthworks for Commercial &amp; Residential Developments". ( For Site Classes other than those listed- Refer to Engineer for Custom Design of Slab. )</p>	<p><b>GENERAL NOTES</b></p> <p><b>EARTHWORKS</b></p> <p>Remove topsoil from the building site. At all times water must drain away from the building. Ponding must not occur near the building. Gutter and downpipes must be installed immediately after roof and drained to the kerb. The bottom of service trenches are to slope away from the building. If fill under slab is required it will be CBR25 gravel base and in layers of no more than 150mm and compacted to a minimum of 95% dry density ratio. All earthworks will be in accordance with AS3798-2007.</p> <p><b>CONCRETE</b></p> <p>Concrete will be N25 MPa, 20mm max aggregate, 80mm slump for slab and footings. Concrete slab will be placed on 30mm of clean level bedding. All concrete will be mechanically vibrated during placement and cured by an approved method for a minimum of 3 days. Concrete will not be poured in temperatures above 35°C or below 5°C. Reinforcement will be supported on bar chairs at 800 c/s maximum in both directions. Reinforcement Mesh will be lapped by 1 grid plus 25mm, Trench Mesh will be lapped by 600mm. Placement and details of all concrete will be in accordance with AS3600.</p> <p><b>LANDSCAPE &amp; MAINTANCE</b></p> <p>It is the responsibility of the owner maintain the area around the building after completion. Trees must be kept at a distance of no less than the height of a mature tree or 1.5 times the height for a clump of trees. Surface water must drain away from the building.</p>																									
<p>Class - M, M-D</p> <p>EDGE BEAM-2 (EB2)</p>	<p>Class - M, M-D</p> <p>INTERMEDIATE BEAM-2 (IB2)</p>																											
<p>Class - H1, H1-D</p> <p>EDGE BEAM-3 (EB3)</p>	<p>Class - H1, H1-D</p> <p>INTERMEDIATE BEAM-3 (IB3)</p>																											
<p>Class - H2, H2-D</p> <p>EDGE BEAM-3 (EB3)</p>	<p>Class - H2, H2-D</p> <p>INTERMEDIATE BEAM-3 (IB3)</p>	<p><b>FILL UNDER SLAB</b></p> <p><b>PIER FOOTING (P1)</b> (If Required)</p> <table border="1"> <thead> <tr> <th colspan="2">BAY WIDTH</th> <th rowspan="2">Reinforcement</th> </tr> <tr> <th>SPAN</th> <th>DEPTH REQUIRED</th> </tr> </thead> <tbody> <tr> <td>3100</td> <td>450</td> <td>600</td> <td>Nil</td> </tr> <tr> <td>3900</td> <td>900</td> <td>1100</td> <td>Nil</td> </tr> <tr> <td>7700</td> <td>900</td> <td>1100</td> <td>Nil</td> </tr> <tr> <td>9200</td> <td>1100</td> <td>1300</td> <td>Nil</td> </tr> <tr> <td>11500</td> <td>1500</td> <td>1800</td> <td>4 / N12 Bars R6 ligs at 450 c/s.</td> </tr> </tbody> </table>	BAY WIDTH		Reinforcement	SPAN	DEPTH REQUIRED	3100	450	600	Nil	3900	900	1100	Nil	7700	900	1100	Nil	9200	1100	1300	Nil	11500	1500	1800	4 / N12 Bars R6 ligs at 450 c/s.	<p>* Use Edge Beam &amp; Intermediate Beam Drawings to determine Foundation &amp; Slab Sizes.</p> <p><b>SLAB &amp; FOUNDATION LAYOUT</b></p> <p>(Scale 1:100)</p> <p>* SLABS UNDER 12m WILL HAVE A MAXIMUM BEAM SPACING 4m</p>
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<p><b>Palmer Steel Frame &amp; Truss</b></p> <p>15 Capital Hill PO Box 264 Ph: 08721932 Fax: 08721932 Email: info@palmerframes.com.au Web: www.palmerframes.com.au</p>	<p><b>Palmer Steel Frame &amp; Truss</b></p> <p>Copyright and Reproduction Copyright in the drawings, information and data recorded herein and otherwise the intellectual property of Palmer Steel Frame &amp; Truss and may not be used, copied or reproduced in whole or in part for any purpose other than that for which it is supplied by Palmer Steel Frame &amp; Truss without the prior consent of Palmer Steel Frame &amp; Truss. Palmer Steel Frame &amp; Truss is not responsible for any document or part of document produced containing data values that document or relevant part is identical to the document provided herewith. (The accompanying document).</p>	<p><b>DRAWN</b> Drew</p> <p><b>DATE DRAWN</b> 24-01-2019</p> <p><b>DWG FILE</b> Hook Trevor_TL_24-1</p> <p><b>SCALE</b> 1:100</p> <p><b>VIEW NAME</b> 10 of 11</p>	<p><b>JOB DETAILS</b></p> <p>Trevor Hook 21 Wee Waa Rd. Narrabri Palmer Steel Frame &amp; Truss</p>	<p><b>JOB REFERENCE</b></p> <p>FRAMECAD Improving Lives Now</p> <p><b>REVISION</b></p>																								

Document Set ID: 1695447

Version 4.0 - 2019-07-23





Document Set ID: 1695447  
Version 4, Version Date: 20/07/2019





**10.3 COMMUNITY STRATEGIC PLAN AMENDMENT**

**Responsible Officer:** Stewart Todd, General Manager

**Author:** Daniel Boyce, Director Development and Economic Growth

**Attachments:** Nil

**DELIVERY PROGRAM ALIGNMENT****3. Economy**

Objective 3.2 We will become a logistics hub for the northern inland region

Strategy 3.2.1 Promote Narrabri Shire as a Regional Logistics Hub

**EXECUTIVE SUMMARY**

A Community Strategic Plan (“CSP”) represents the highest level of strategic planning undertaken by a council. All other plans developed by a council as part of the Integrated Planning and Reporting framework must reflect and support the implementation of the CSP.

The Community Strategic Plan should identify the main priorities and aspirations of the community, providing a clear set of strategies to achieve this vision of the future.

Council adopted the Narrabri Industrial and Logistics Hub Strategic Business Case at the April 2019 Ordinary Meeting of Council.

Through the strategic business case development process it emerged that value-adding and manufacturing industries can establish themselves within the Narrabri Industrial and Logistics Hub.

Council should now consider relevant amendments to its CSP.

**RECOMMENDATION**

1. That Council adopt the following amended strategies as part of the Community Strategic Plan 2017-2021:

**Strategic Direction 3: Progressive and Diverse Economy**

To achieve our community outcomes, we will work together to achieve the following strategic objectives:

**Objective 3.2**

We will become a manufacturing and logistics hub for the northern inland region.

**Strategies:**

- 3.2.1 Promote Narrabri Shire as a national and state significant Manufacturing and Logistics Hub.
- 3.2.2 Develop at least one flood free manufacturing and intermodal logistics site that has access to quality infrastructure and the proposed inland rail network.
- 3.2.3 Explore opportunities for increasing efficiency of freight movements.

## BACKGROUND

A Community Strategic Plan (“CSP”) represents the highest level of strategic planning undertaken by a council. All other plans developed by a council as part of the Integrated Planning and Reporting framework must reflect and support the implementation of the CSP.

The Community Strategic Plan should identify the main priorities and aspirations of the community, providing a clear set of strategies to achieve this vision of the future.

As part of the Integrated Planning and Reporting Framework and in accordance with section 402 to 406 of the Local Government Act 1993, Council prepared a Community Strategic Plan, which was subsequently adopted at the June 2017 Ordinary Council Meeting.

## CURRENT SITUATION

Council has now completed a Feasibility Study, Strategic Business Case and Prospectus for the Narrabri Industrial and Logistics Hub. With the Strategic Business Case having been adopted at the April 2019 Ordinary Meeting of Council.

It is now prudent for Council to review the relevant strategies currently in Council’s CSP and ensure alignment and continuity exists.

The relevant strategies for the work recently undertaken by Council are:

### Strategic Direction 3: Progressive and Diverse Economy

*To achieve our community outcomes, we will work together to achieve the following strategic objectives:*

#### Objective 3.2

*We will become a logistics hub for the northern inland region.*

#### *Strategies*

*3.2.1 Promote Narrabri Shire as a Regional Logistics Hub.*

*3.2.2 Develop at least one flood free intermodal site that has access to quality infrastructure and the proposed inland rail network.*

*3.2.3 Explore opportunities for increasing efficiency of freight movements.*

Through the strategic business case development process it emerged that value-adding and manufacturing industries can establish themselves within the Narrabri Industrial and Logistics Hub. The necessary elements are available for the Hub including ample land and relevant utilities. With other utilities currently proposed potentially adding further competitive advantages for industry to establish in Narrabri Shire.

With all this in mind, Council should consider the following amendments to the CSP:

### Strategic Direction 3: Progressive and Diverse Economy

*To achieve our community outcomes, we will work together to achieve the following strategic objectives:*

#### Objective 3.2

*We will become a **manufacturing and** logistics hub for the northern inland region.*

#### *Strategies*

- 3.2.1 Promote Narrabri Shire as a **national and state significant Manufacturing and Logistics Hub**.
- 3.2.2 Develop at least one flood free **manufacturing and** intermodal **logistics** site that has access to quality infrastructure and the proposed inland rail network.
- 3.2.3 Explore opportunities for increasing efficiency of freight movements.

#### FINANCIAL IMPLICATIONS

Nil.

#### STATUTORY AND POLICY IMPLICATIONS

This report recommends amending the Council's CSP to include references to manufacturing and bringing the deserving national and state recognition to the Narrabri Industrial and Logistics Hub.

#### CONSULTATION

##### External Consultation

Nil.

##### Internal Consultation

- Economic Development Manager.

**10.4 DEVELOPMENT APPLICATION 98/2019 - PROPOSED CARPORT AT 20 GIBBONS STREET, NARRABRI**

**Responsible Officer:** Daniel Boyce, Director Development and Economic Growth

**Author:** Daniel Boyce, Director Development and Economic Growth

**APPLICATION DETAILS**

**Applicant:** Samatha Egan

**Owner:** Robert and Christine Cantrill

**Proposal:** Construction of an attached carport

**Location:** Lot 1 DP 199763, 20 Gibbons Street, Narrabri

**Attachments:**

1. Development Assessment Report [↓](#) 
2. Draft Conditions of Consent [↓](#) 
3. DA98.2019 Development Plans [↓](#) 

**RECOMMENDATION**

1. That Council determine the Development Application 98/2019 for an attached carport on Lot 1 DP199763, 20 Gibbons Street, Narrabri by granting consent to the application subject to conditions in Attachment 2.

**EXECUTIVE SUMMARY****Proposal**

The proposed development is for the construction of an attached carport on Lot 1 DP199763, 20 Gibbons Street, Narrabri (**“the Carport”**).

**Reason for consideration by Council**

The Carport does not comply with the minimum six (6) metre setback from the front boundary required by the Development Control Plan (**“the DCP”**) and proposes a front setback of 0.64 metres.

**Permissibility**

The land is zoned R1 General Residential pursuant to *Narrabri Local Environmental Plan 2012* (**“the LEP”**). The Carport is ancillary residential development and is permitted with consent by the LEP.

**Consultation**

Adjoining and adjacent land owners were notified of the Carport for a period of fourteen (14) days between 23 May 2019 and 7 June 2019. No submissions were received.

**Main issues**

The non-compliant front setback and its resultant impact on the streetscape are the main issues arising from the assessment.

**Conclusion**

The Carport has been assessed with regard to the relevant prescribed matters for consideration outlined in Section 4.15 of the *Environmental Planning & Assessment Act 1979* (“EPA Act”) (Attachment 1).

The Carport is permissible with consent in the R1 zone and consistent with the objectives for development in the R1 zone. Weight must be given to the R1 zoning in the “resolution of a dispute as to the appropriate development” of the land.

The Carport is a suitable use of the land.

The Carport complies with the relevant planning instruments.

The Carport complies with the local planning controls in all respects apart from the front setback. Under the circumstance of the specific development this departure is considered acceptable and is not likely to result in an unacceptable precedent.

With the imposition of the recommended conditions the development will not have any unacceptable impacts on the surrounding area, environment and adjoining development.

It is recommended that Development Application 98/2019 be approved subject to the conditions provided in Attachment 2.

**BACKGROUND****Existing Sites Features and Surrounding Development**

Lot 1 in DP 199763 (“**the Land**”) is a 2,600 m<sup>2</sup> residential allotment containing an existing residential dwelling and existing ancillary residential structures. The Land is surrounded by residential allotments which also contain residential buildings.

**DESCRIPTION OF PROPOSAL**

A Development Application (“**DA**”) has been lodged with Council for the construction of an attached residential carport on Lot 1 in DP 199763, 20 Gibbons Street, Narrabri.

The Carport will be attached to the existing residential dwelling located on the land and will be constructed forward of the building line.

**Social Impacts**

Council must take into consideration in so far as is relevant to the proposed development the likely impacts of that development, including (amongst other things) the social impacts in the locality (Farrier & Stein, 2016).

No significant adverse social impacts have been identified in the assessment.

**Public Interest**

Council must take into consideration in so far as is relevant “the public interest”. When determining the public interest, a Council is not confined to statutory planning instruments. (Farrier & Stein, 2016).

The public interest is best served through the promotion of orderly and economic use and development of land and good design and amenity of the built environment.

The Carport makes use of the front setback area of the Land for off street parking and whilst the setback does not comply with the DCP it is located in the only practical position given the constraints of the Land and positioning of existing dwelling and ancillary structures.

The pitched roof design of the Carport will match the character and angles of the roof line of the existing residential dwelling located on the property and the roof lines of neighbouring dwellings thus maintaining the existing character and the streetscape.

The development is considered to be in the public interest.

## **STATUTORY ASSESSMENT**

The land is zoned R1 General Residential pursuant to the LEP. The Carport is ancillary residential development and is permitted with consent by the LEP and considered consistent with the zone objectives.

### **Section 4.15 Assessment**

The Carport has been assessed with regard to the relevant prescribed matters for consideration outlined in Section 4.15 of the EPA Act (Attachment 1) with the main issue being the front setback.

#### **Front setback**

The Carport does not comply with the minimum 6 metre setback from the front boundary required by the DCP and proposes a front setback of 0.64 metres.

Although proposed to be constructed well forward of the existing building line in the locality, and well within the required 6 metre front setback, the Carport is unlikely to have a significant detrimental impact on the streetscape or adjoining development. The Carport is designed with a pitched roof, which will match the character and angles of the roof line of the existing residential dwelling located on the property and the roof lines of neighbouring dwellings.

The Carport complies in all other respects with local planning controls.

## **Land and Environment Court Planning Principles**

### **Zones**

When a planning instrument provides that development for a particular purpose is permissible provided that development consent is first obtained, there is a presumption that some version of that development will be approved (albeit subject, perhaps, to stringent conditions) (Farrier & Stein, 2016).

In *BGP Properties Pty Ltd v Lake Macquarie City Council* [2004] NSWLEC 399, the Chief Judge of the Land and Environment Court stated (at [117]):

In the ordinary course, where by its zoning land has been identified as generally suitable for a particular purpose, weight must be given to that zoning in the resolution of a dispute as to the appropriate development of any site. Although the fact that a particular use may be permissible is a neutral factor (see *Mobil Oil Australia Ltd v Baulkham Hills Shire Council* (No 2) [1971] 28 LGRA 374 at 379), planning decisions must generally reflect an assumption that, in some form, development which is consistent with the zoning will be permitted (at [117]).

The Carport is permissible with consent in the R1 zone and consistent with the objectives for development in the R1 zone. Weight must be given to the R1 zoning in the “resolution of a dispute as to the appropriate development” of the land.

### General impact

In *Davies v Penrith City Council* [2013] NSWLEC 1141, Senior Commissioner Moore of the Land and Environment Court stated (at [121]):

I have, therefore, undertaken the internal consultation process for consideration of the establishment of a new planning principle or the revision of an existing planning principle. As a result of that consultation, it is appropriate to refine the published planning principle to delete the words "necessary and/or" so that the revised planning principle will, in future, read:

Revised planning principle: criteria for assessing impact on neighbouring properties

The following questions are relevant to the assessment of impacts on neighbouring properties:

- How does the impact change the amenity of the affected property? How much sunlight, view or privacy is lost as well as how much is retained?
- How reasonable is the proposal causing the impact?
- How vulnerable to the impact is the property receiving the impact? Would it require the loss of reasonable development potential to avoid the impact?
- Does the impact arise out of poor design? Could the same amount of floor space and amenity be achieved for the proponent while reducing the impact on neighbours?
- Does the proposal comply with the planning controls? If not, how much of the impact is due to the non-complying elements of the proposal? (at [121]).

**Table 1 Assessment against the "General impact" Planning Principle**

Planning principle	Staff Comment
How does the impact change the amenity of the affected property? How much sunlight, view or privacy is lost as well as how much is retained?	Due to the scale and use of the Carport it does not impact adjoining properties by way of sunlight, view or privacy.
How reasonable is the proposal causing the impact?	The Carport is of a size and scale that is reasonable given the character and zoning.
How vulnerable to the impact is the property receiving the impact? Would it require the loss of reasonable development potential to avoid the impact?	The adjoining development is not vulnerable to impact from development of the scale of the Carport.
Does the impact arise out of poor design? Could the same amount of floor space and amenity be achieved for the proponent while reducing the impact on neighbours?	The Carport makes use of the front setback area of the Land for off street parking and whilst the setback does not comply with the DCP it is located in the only practical position given the constraints of the Land and positioning of existing dwelling and ancillary structures.
Does the proposal comply with the planning controls? If not, how much of the impact is due to the non-complying elements of the proposal?	The Carport does not comply with the minimum 6 metre setback from the front boundary required by the DCP and proposes a front setback of 0.64 metres. Any impact is entirely the result of the non-compliance with the



	planning controls, however, given the scale of the Carport the resultant impact on streetscape and adjoining development are acceptable.
--	--

### DCPs and Council policies

In *Stockland Development Pty Ltd v Manly Council* [2004] NSWLEC 472. Chief Justice McClellan stated (at [87]):

Consideration was also given to the approach to be adopted to a development control plan by the Court of Appeal in *North Sydney Council v Ligon 302 Pty Ltd* (1995) 87 LGERA 435 and in the later decision *North Sydney Council v Ligon 302 Pty Ltd (No 2)* (1996) 93 LGERA 23. These decisions, and others, provide the principles relevant to consideration of development control plans. In summary they are:

- A development control plan is a detailed planning document which reflects a council's expectation for parts of its area, which may be a large area or confined to an individual site. The provisions of a development control plan must be consistent with the provisions of any relevant local environmental plan. However, a development control plan may operate to confine the intensity of development otherwise permitted by a local environmental plan.
- A development control plan adopted after consultation with interested persons, including the affected community, will be given significantly more weight than one adopted with little or no community consultation.
- A development control plan which has been consistently applied by a council will be given significantly greater weight than one which has only been selectively applied.
- A development control plan which can be demonstrated, either inherently or perhaps by the passing of time, to bring about an inappropriate planning solution, especially an outcome which conflicts with other policy outcomes adopted at a State, regional or local level, will be given less weight than a development control plan which provides a sensible planning outcome consistent with other policies.
- Consistency of decision-making must be a fundamental objective of those who make administrative decisions. That objective is assisted by the adoption of development control plans and the making of decisions in individual cases which are consistent with them. If this is done, those with an interest in the site under consideration or who may be affected by any development of it have an opportunity to make decisions in relation to their own property which is informed by an appreciation of the likely future development of nearby property.

**Table 2 Assessment against the "DCPs and Council policies" Planning Principle**

Planning principle	Staff Comment
The provisions of a development control plan must be consistent with the provisions of any relevant local environmental plan. However, a development control plan may operate to confine the intensity of development otherwise permitted by a local environmental plan.	The building line provisions of the DCP are not inconsistent with the LEP.

<p>A development control plan adopted after consultation with interested persons, including the affected community, will be given significantly more weight than one adopted with little or no community consultation.</p>	<p>The DCP was adopted in 1996 following public consultation but has not been amended or exhibited since this time. As such, less weight would be given to such a DCP because it has not been subject to recent public consultation.</p>
<p>A development control plan which has been consistently applied by a council will be given significantly greater weight than one which has only been selectively applied.</p>	<p>The building line provisions of the DCP have not been consistently applied by Council.</p> <p>Council has varied the 6 metre front setback control where there are existing buildings in the vicinity that have already been constructed at less than 6 metres to the front boundary.</p> <p>There are structure on neighbouring properties and others in the vicinity of the Carport that have already been constructed at less than 6 metres to the front boundary.</p> <p>There is an existing carport in close proximity to the Land that has been constructed at a front setback of 1 metre (Figure 1).</p> <p>In applying this Planning Principle the building line control would be given less weight as it has been “selectively applied”.</p>
<p>A development control plan which can be demonstrated, either inherently or perhaps by the passing of time, to bring about an inappropriate planning solution, especially an outcome which conflicts with other policy outcomes adopted at a State, regional or local level, will be given less weight than a development control plan which provides a sensible planning outcome consistent with other policies.</p>	<p>Front setbacks permitted under the <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> for dwellings are the “average setback from the primary road of the 2 nearest dwelling houses”. This reflects a more contemporary development standard.</p> <p>The average setback from of the 2 nearest dwelling houses / carports is 4 metres and there is an existing carport in the vicinity that is setback at 1 metre (Figure 1).</p>
<p>Consistency of decision-making must be a fundamental objective of those who make administrative decisions. That objective is assisted by the adoption of development control plans and the making of decisions in individual cases which are consistent with them. If this is done, those with an interest in the site under consideration or who may be affected by any development of it have an opportunity to make decisions in relation to their own property which is informed by an appreciation of the likely future development of nearby property.</p>	<p>The building line provisions of the DCP have not been consistently applied by Council.</p>

Having regard for the consistency with which the DCP has been applied and the setback of existing development within the area the Carport is consistent with the above planning principle.

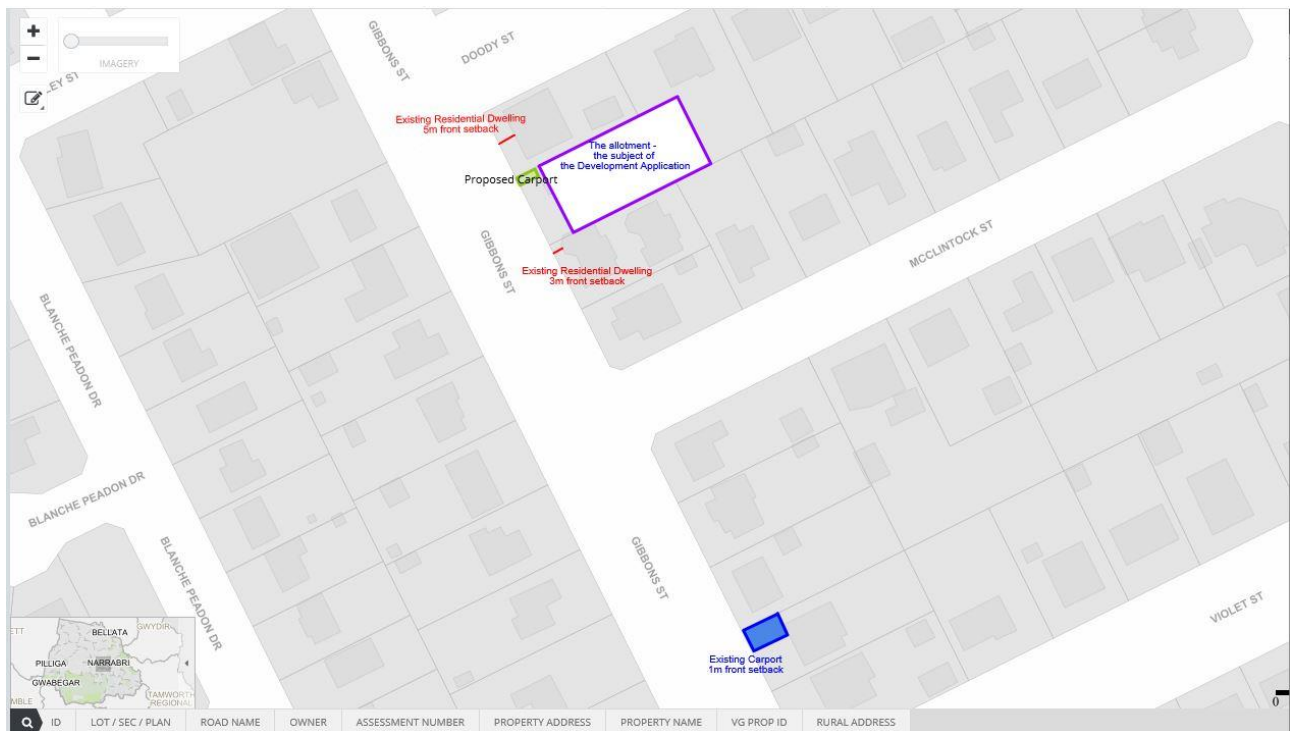


Figure 1 Existing setbacks

## Public Participation

Pursuant to Section 4.13 of the EPA Act, the DA was notified as required by the provisions of Council's Notification Policy Development Control Plan.

The DA was notified to all adjoining and adjacent land owners for a period of fourteen (14) days between 23 May 2019 and 7 June 2019.

During the notification period no submissions were received by Council.

## Referrals

Nil.

## DEVELOPMENT CONTRIBUTIONS APPLICABLE

Nil.

## CONCLUSION

Development Application 98/2019 has been assessed in accordance with Section 4.15 of the EPA Act and should be determined by way of approval subject to conditions (Attachment 2) for the following reasons:

### Reasons for the decision

1. The development is permissible with consent in the R1 zone and consistent with the objectives for development in the R1 zone.

2. The development is a suitable use of the land.
3. The development complies with the relevant planning instruments.
4. With the imposition of the recommended conditions the development will not have any unacceptable impacts on the surrounding area, environment and adjoining development.
5. The development complies with the local planning controls in all respects apart from the front setback. Under the circumstance of the specific development this departure is considered acceptable and is not likely to result in an unacceptable precedent.

**PLANNING AND DEVELOPMENT  
ASSESSMENT REPORT SUMMARY & RECOMMENDATION COVER SHEET**

<b>DA Number</b>	DA98/2019
<b>Local Government Area</b>	Narrabri Shire Council
<b>Proposed Development</b>	Attached Residential Carport
<b>Location</b>	Lot 1 in DP199763 – 20 Gibbons Street NARRABRI NSW 2390
<b>Applicant/Owner</b>	Applicant - Samantha Egan – Picton Bros Owner – Robert and Christine Cantrill
<b>Number of Submissions</b>	Nil
<b>List of All Relevant 79C(1)(a) Matters</b>	<ul style="list-style-type: none"> <li>- Narrabri Local Environmental Plan 2012</li> <li>- DCP Building Line</li> <li>- DCP Drainage to Buildings</li> <li>- The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>- The suitability of the site for the development.</li> <li>- Any submissions made in accordance with the Environmental Planning &amp; Assessment Act or Environmental Planning &amp; Assessment Regulation.</li> <li>- The public interest.</li> </ul>
<b>List all documents submitted with this report</b>	Statement of Environmental Effects and plans relevant to the development
<b>Recommendation</b>	That DA No. 98/2019 be approved subject to the imposition of conditions contained in Attachment 1.
<b>Report by</b>	Luke Flood – Town Planner
<b>Signature</b>	.....
<b>Report endorsed</b>	Resolution of Council

**PLANNING REPORT**

**Preamble**

**1. Land and Environment Court planning principles**

Planning principles are a set of guiding considerations arising from the judgement of the Land and Environment Court of NSW. The purpose of planning principles is to provide a list of appropriate matters to be considered in making a planning decision.

Planning principles are widely used by Councils and the Department of Planning and in the assessment of this development relevant planning principles have been taken into consideration – Please see report to Council for comments relating to Planning Principles.

**2. Description of proposal**

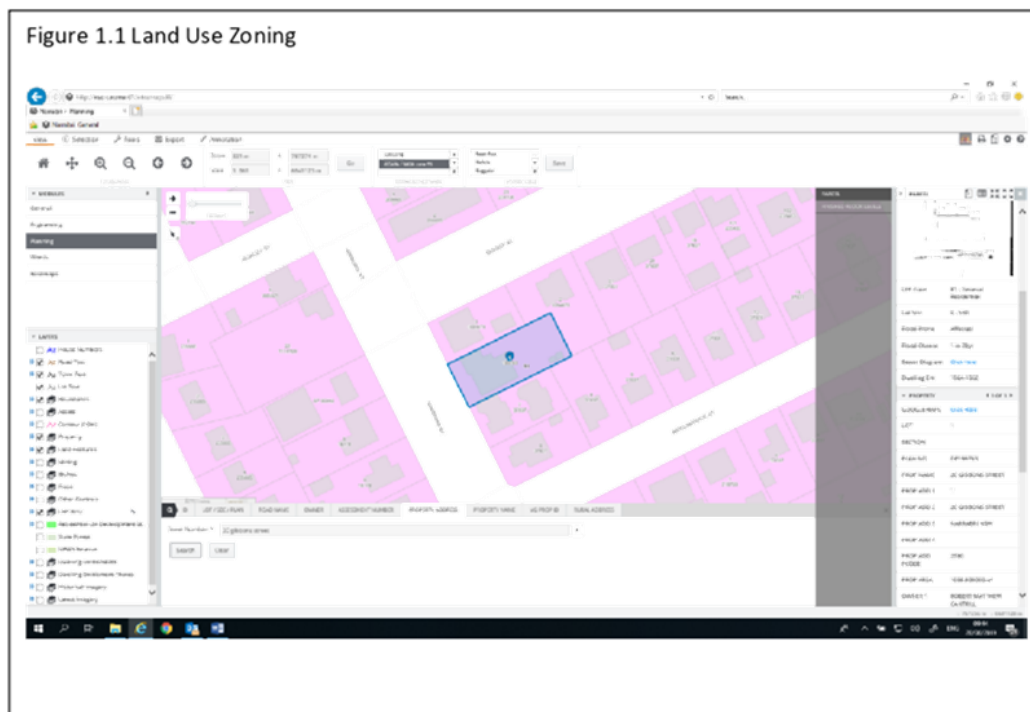
The proposed development is for the construction of an attached residential carport.

**3. Statutory development assessment framework**

**3.1. Permissibility**

### Local – As evaluated below

As can be seen in the figure below, the site is zoned **R1 General Residential** under Narrabri Local Environmental Plan 2012 (LEP). The development proposal is permissible development pursuant to the LEP Land Use Table.



### 3.2. Public Participation

Pursuant to s79A of the *Environmental Planning and Assessment Act 1979 (EPA Act)*, the development application (DA) was publicly notified as required by the provisions of the Narrabri Shire Plains Development Control Plan (DCP).

The DA was publicly notified for a period of fourteen (14) days commencing on 23 May 2019 and closing on 7 June 2019. The notification included letters to property owners/occupiers if, in the opinion of the Planning and Development Department, the enjoyment of land adjoining the development may be detrimentally affected by the proposed development. Those properties that were notified are indicated in the figure below.

During the notification period NIL number submissions were received.

### 3.3. Referrals

External - Nil

Internal – Nil

### 3.4. Section 79C assessment

In determining a DA, a consent authority is to take into consideration matters referred to in s79C(1) of the EPA Act as are of relevance to the development the subject of the application. The relevant matters for this application are detailed below:

- a) **Section 79C (1) (a)(i)(ii)(iii)(iv)(v) - environmental planning instruments; any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority, any development control plan, and any planning agreement entered into under Section 93F or any draft planning agreement that a developer has offered to enter into under Section 93F, the Regulations, any coastal zone management plan;**

#### **State Environmental Planning Policies**

##### **State Environmental Planning Policy No 33 – Hazardous and Offensive Development**

The proposed development is not considered “potentially hazardous” or “potentially offensive” pursuant to clause 3 SEPP 33. Therefore, no further action is required.

##### **State Environmental Planning Policy No 44—Koala Habitat Protection**

Investigations revealed that the site does not contain core or potential koala habitat. It is therefore considered that the development can proceed having satisfactorily complied with the requirements of SEPP 44.

##### **State Environmental Planning Policy No. 64 – Advertising and Signage**

Not Applicable

##### **State Environmental Planning Policy No. 55 – Remediation of Land**

Not Applicable

##### **State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

Not Applicable

##### **State Environmental Planning Policy (Infrastructure) 2007**

Not Applicable

##### **State Environmental Planning Policy Rural Lands 2008**

Not Applicable

##### **Environmental Planning and Assessment Regulations 2000**

Not Applicable

##### **Narrabri Local Environmental Plan 2012 (LEP)**

###### **Land Use Table**

The land is zoned R1 General Residential under the LEP. The zone objectives as provided in the Land Use Table are:

###### **Objectives of zone**

- To provide for the housing needs of the community.



- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

Under clause 2.3(2) of the LEP, the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. It is considered that the proposed attached carport is consistent with the objectives of the land use zone.

The development is defined as ancillary residential development and is permissible with consent in the zone.

### ***Clause 6.3 Airspace Operations***

Not applicable.

### ***Clause 6.2 Flood Planning***

- Clause 6.2 Flood Planning is applicable to the development, as the property is identified by Narrabri LEP 2012 as being a flood planning area and as such the provisions of clause 6.2 shall be applied.

Clause 6.2 states that in assessing a development on a property, Council must consider the objectives of the clause, and be satisfied that the development;

- (a) to minimise the flood risk to life and property associated with the use of land -
- (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,
- (c) to avoid significant adverse impacts on flood behaviour and the environment.

The Australian Disaster Resilience Handbook Collection - Flood Information to Support Land-use Planning, provides guidelines for consideration of land use applications against the flood risk of the identified property.

Clause 2.4 of the guideline – Flood Hazard, provides useful information to be considered when determining land use approvals. Flood hazard classification provides a description of how hazardous the physical conditions produced by a flood can be, independent of the population at risk. It is typically based on benchmarking the depth and velocity of the floodwaters against thresholds to determine how hazardous this combination may be to people, cars, infrastructure and buildings, if they were exposed to the flooding.

As with flood function, flood hazard can vary according to the magnitude of the flood event and location within the floodplain for the same flood event. Consideration may need to be given to a range of flood events, including those rarer than the DFE, to identify areas that require specific constraints and management. Australian Disaster Resilience Guideline 7-3 Flood Hazard (AIDR 2017) supports this delineation, and recommends grouping the floodplain into the following categories:

- H1—generally safe for people, vehicles and buildings
- H2—unsafe for small vehicles
- H3—unsafe for vehicles, children and older people
- H4—unsafe for all people and vehicles
- H5—unsafe for vehicles and people, and all buildings

are vulnerable to structural damage

- H6—unsafe for vehicles and people, and all building types are vulnerable to structural failure.

A flood hazard assessment conducted as part of a flood study often provides baseline information for general consideration as part of an initial scoping exercise for a floodplain management study. In such a preliminary assessment of risks or as part of a constraints analysis for strategic land-use planning, a combined set of hazard vulnerability curves such as those presented in Figure 6 of AUSTRALIAN EMERGENCY MANAGEMENT HANDBOOK SERIES - Technical flood risk management guideline: Flood hazard - can be used as a general classification of flood hazard on a floodplain.

Considering the above, the site is determined as being suitable for the proposed use and compliant with the provisions of Clause 6.2 of Narrabri LEP 2012.

***Narrabri Shire Council Development Control Plan's (DCP)***

DEVELOPMENT CONTROL PLAN	YES/NO/NA	Prescribed Standard	Comments
DCP Building Line	YES	<ol style="list-style-type: none"> <li>1. Land zoned business under the Local Environmental Plan (LEP) shall not be required to observe a building line.</li> <li>2. All other buildings are to be constructed a minimum of 6m from the front boundary of an allotment, unless varied by resolution of the Council.</li> </ol>	<p>– Not Applicable to the development.</p> <p>– Applicable to this development. – See report and resolution of Council</p>
DCP Building near Sewer and Stormwater Mains	NA		
DCP Drainage to Buildings	YES	That all buildings be provided with drainage appropriate to the use of the building.	A condition will be placed on the development consent (DRAFT) ensuring appropriate stormwater drainage.

DCP Encroachments onto Public Roads	NA		
DCP Exempt and Complying Development	NA		
DCP Industrial Development Code	NA		
DCP Landfill Development	NA		
DCP Medium Density Development	NA		
DCP Notification Policy	NA		
DCP Outdoor Advertising	NA		
DCP Parking Code	NA		
DCP Rainwater Tank Policy	NA		
DCP Subdivision Code	NA		
DCP Transportable Homes	NA		
DCP Water Supply to Buildings	NA		

The proposed development does not comply with all aspects of all relevant and applicable Development Control Plans. As such, the development has been reported to Council's ordinary meeting (July 2019) for a decision (resolution of Council).

Narrabri Shire currently has a draft Development Control Plan for all of the Shire. The proposed development does not comply with all aspects of the current draft Development Control Plan. As such, the development has been reported to Council's ordinary meeting (July 2019) for a decision (resolution of Council).

**b) Section 79C (1)(b) – the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality:**

It is considered that the likely impacts of the development including design, height, overshadowing, privacy, car parking, traffic and drainage have been satisfactorily addressed.

The proposed development has been designed in compliance with the acceptable solutions of the DCP and it is believed that the proposed development will not have any unfavourable social or environmental impacts.

**c) Section 79C (1)(c) - the suitability of the site for development;**

The subject site is zoned R1 General Residential and permits residential and ancillary uses. The proposed development is on a Flood Control Lot however the submitted design measures and the imposition of the conditions contained in Attachment 1 address this issue. The site is therefore considered suitable for the proposed development subject to the imposition of the conditions contained in Attachment 1.

**d) Section 79C (1) (d) – any submissions made in accordance with the Act or the Regulations;**

As discussed earlier.

**e) Section 79C (1) (e) – the public interest.**

The proposal has been designed in line with the adopted standards of the DCP and as such, development consent of this proposal will not undermine the public interest.

**4. Recommendation**

It is recommended that DA98/2019 be approved subject to the draft conditions contained in Attachment 1.

\_\_\_\_\_  
Signature of Assessing Officer

\_\_\_\_\_  
Name of Assessing Officer

\_\_\_\_\_  
Date assessment completed

## Attachment 1 – Draft Conditions

BUILDING CLASS – 10a

APPROVED DEVELOPMENT: Attached Residential carport

RECOMMENDED CONDITIONS:

Template	
Delete Conditions	
Amend Conditions	
New Conditions	Section:
BASIX Certificate No.	
Finished Floor level RL	
Finished floor level – non habitable rooms	
Section 94(A) applicable	\$
Section 94 applicable	\$

## Peer Review

I, the undersigned, have sighted and reviewed the Section 79c Assessment Report, Site Inspection Report, Draft Development Consent and File and the following comments have been made:

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Consent may only be granted once the peer review officer has signed below.

\_\_\_\_\_  
**Planning Officer**

(approval sighted, conditions checked)

\_\_\_\_\_  
 (Name)

\_\_\_\_\_  
**Building Officer**

(approval sighted, conditions checked)

\_\_\_\_\_  
 (Name)

## Attachment 2 – Local Development Performance Monitoring Checklist

*(To be filled out by Assessing Officer at time of Approval)*

DA Number: DA98/2019

Assessing Officer: Luke Flood

1. Concurrence:	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Section 96 Category:	<input type="checkbox"/> Not Relevant <input type="checkbox"/> Other Section 96 <input type="checkbox"/> Minor Error or Misdescription <input type="checkbox"/> Minimal Environmental impact <input type="checkbox"/> Other Modification
3. Private Assessment:	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Use of Independent Hearing and Assessment Panel (IHAP):	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Pre DA Meeting Held:	<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Change of Use:	<input type="checkbox"/> Yes <input type="checkbox"/> No
7. Number of Submissions:	
8. Integrated/Designated/Local:	<input type="checkbox"/> Designated <input type="checkbox"/> Integrated/Designated <input type="checkbox"/> Integrated <input type="checkbox"/> Local
9. Appeal Arbitrator Decision: <i>if No, go to Q.13</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
10. Date Planning Arbitrator Appointed:	
11. Date Determined by Planning Arbitrator:	
12. Planning Arbitrator Decision:	<input type="checkbox"/> Approved <input type="checkbox"/> Refused <input type="checkbox"/> Withdrawn/Cancelled
13. Codes SEPP for CDC:	<input type="checkbox"/> SEPP <input type="checkbox"/> Council Control

**DRAFT - SCHEDULE OF DEVELOPMENT CONSENT CONDITIONS****Conditions that Identify Approved Plans**

1. The development being carried out in accordance with the development application, the drawings referenced below, and Statement of Environmental Effects dated 15/4/2019 except where amended by the following conditions.

DRAWING NO'S	REVISION	DRAWN BY	DATE
Architectural Plan		Picton Bros Improvements	19 March 2019
Site Plan		Picton Bros Improvements	19 March 2019

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

2. A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

3. Alterations to, and demolition of the existing building shall be limited to that documented on the approved plans (by way of notation). No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is shown to be retained.

(Reason: To ensure compliance with the approved development)

**Operational Conditions imposed under EP&A Act and Regulations and other Relevant Legislation**

4. All building work must be carried out in accordance with the provisions of the *Building Code of Australia* and any Australian Standards adopted there under.

(Reason: Prescribed – Statutory)

5. Home Building Act Requirements:

- (1) Building work that involves residential building work (within the meaning and exemptions provided in the Home Building Act) must not be carried out unless the Principal Certifying Authority for the development to which the work relates:

- (a) in the case of work to be done by a licensee under that Act:
  - (i) has been informed in writing of the licensee's name and contractor licence number, and
  - (ii) is satisfied that the licensee has complied with the requirements of the Home Building Act, or



(b) in the case of work to be done by any other person:

- (i) has been informed in writing of the person's name and owner-builder permit number, or
- (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in section 29 of that Act, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

**Note:** The amount referred to in paragraph (b)(ii) is prescribed by regulations under the Home Building Act 1989. As at the date on which this Regulation was Gazetted, that amount was \$10,000. As those regulations are amended from time to time, that amount may vary.

- (2) A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.
- (3) If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to Council is out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

(Reason: Prescribed – Statutory)

#### Conditions That Must Be Addressed Prior To Any Commencement

- 6. No works shall commence on site until such time as a Construction Certificate has been issued for either part or all of the works. If a certificate is issued for part of the works it must cover the works being undertaken onsite.

**Note:** A Construction Certificate issued by an Accredited Certifying Authority must be deposited with Council at least 48 hours prior to the commencement of any earthworks, engineering or building work on the site.

(Reason: Prescribed Statutory)

- 7. Toilet facilities must be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site.

Each toilet provided must:

- be a standard flushing toilet, connected to a public sewer, or
- if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or
- a portable toilet.

The provision of toilet facilities must be completed before any other work is commenced.

(Reason: To ensure the health and safety of the community and workers on the site)

8. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- (a) stating that unauthorised entry to the work site is prohibited;
  - (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
  - (c) showing the name, address and telephone number of the Principal Certifying Authority for the work.

Any such sign must be maintained while building work or demolition work is being carried out, but must be removed when the work has been completed.

This condition does not apply to building works being carried out inside an existing building.

(Reason: Statutory requirement)

#### Conditions That Must Be Complied With During Demolition and Building Work

9. Unless otherwise approved by Council any person acting on this consent shall ensure that construction works involving electric or pneumatic tools, or other noisy operations, shall be restricted to the following hours:

(a)	Monday to Saturday (inclusive)	<b>7.00am to 6.00pm,</b>
(b)	Sunday	<b>Nil</b>
(c)	Public Holidays	<b>Nil</b>

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

10. Builder's sheds, waste containers and building materials to be utilised during construction shall be stored entirely within the site during the construction phase. Equipment must not be operated on the footpath or roadway, unless prior written approval has been obtained from council. All waste must be appropriately disposed of to a waste management facility and temporary building structures removed before the issuing of the Occupation Certificate.

(Reason: To ensure that public places and road reserves are not obstructed)

11. Should Aboriginal relics be discovered work shall cease immediately and application be made for an Aboriginal Heritage Impact Permit under the provisions of the NSW National Parks and Wildlife Act 1974.

(Reason: To ensure compliance with the NSW National Parks and Wildlife Act 1974)

12. The applicant shall bear the cost of all restoration works to Council's property damaged by the applicant or his/her contractors during the course of this development and the cost of all works associated with the development that occur on Council property.

(Reason: To ensure protection of public infrastructure)

13. Any necessary alterations to, or relocations of, utility services must be carried out at no cost to Council or the relevant public authority.

(Reason: To ensure costs associated with the development are not transferred public authorities)

**Conditions which must be complied with prior to Issue of Occupation Certificate**

14. The building is not to be used or occupied until a final inspection has been carried out and an Occupation Certificate has been obtained from the Principle Certifying Authority.

(Reason: To ensure the requirements of the Environmental Planning & Assessment Act 1979 are satisfied)

**Conditions that must be complied with at All Times**

15. The owner of the land shall ensure that at all times the carport is to always remain an open carport. No approval is granted for the enclosure of the side or end walls of carport.

(Reason: To ensure that the development remains what has been approved by Council).

16. The owner of the land is to ensure that at all times the access to the carport remains open as is the current arrangement. No fence/ access gate is to be installed across the driveway portion of the front boundary of the allotment.

(Reason: To ensure safe movement of pedestrians using the footpath).

17. Unless otherwise approved by Council at all times stormwater from the development including all hard standing and overflows from rainwater tanks is to be collected and disposed of by way of properly constructed stormwater lines to:

(a) the kerb and gutter (piped), in Gibbons Street, Narrabri.

(Reason: To ensure suitable disposal of stormwater)

**Advisory Notes**

- Prior to construction work commencing you should ensure that all services have been clearly located and identified by contacting “Dial before you Dig” by telephoning 1100.

**Right of Review**

Section 8.2 of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to review the determination. The request must be made in writing within six (6) months *after receipt of this Notice of Determination*, together with payment of the appropriate fees. It is recommended that the applicant discuss any request for a review of the determination with Council Officers before lodging such a request. Section 8.2 review does not apply to designated or integrated development.

**Right of Appeal**

If you are dissatisfied with this decision, Section 8.7 of the Environmental Planning and Assessment Act, 1979 gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.

**Signed on behalf of the Consent Authority**

Yours faithfully

Mr Luke Flood  
**TOWN PLANNER**

**Attachment A – Schedule of Local Approval Conditions**

I refer to the application made under Section 68 of the *Local Government Act 1993* for the carrying out of stormwater work and advise that consent has been granted subject to the following conditions:

**Approval to carry out Stormwater Work**

1. All work and materials used in the stormwater installation work being of an approved type in accordance with *AS3500 – 2000 National Plumbing and Drainage Code*, and *Plumbing Code of Australia*.

(Reason: To ensure unsanitary conditions are not created through the use of unauthorised materials and workmanship)

2. Inspections are required to be undertaken by Council at the following stages of the project:

- When all stormwater pipework has been installed and prior to the covering of any pipework.

(Reason: To ensure compliance)

Inspections may be booked through Council's Planning and Development Services Department on 6799 5855. A minimum of **forty-eight hours' notice** is required when booking inspections.

3. A works as executed plan (drawn by an appropriately qualified Contractor), on Department of Fair Trading's approved form is to be submitted to Council prior to the final drainage inspection.

(Reason: Statutory requirement)

**Right of Review and Appeal**

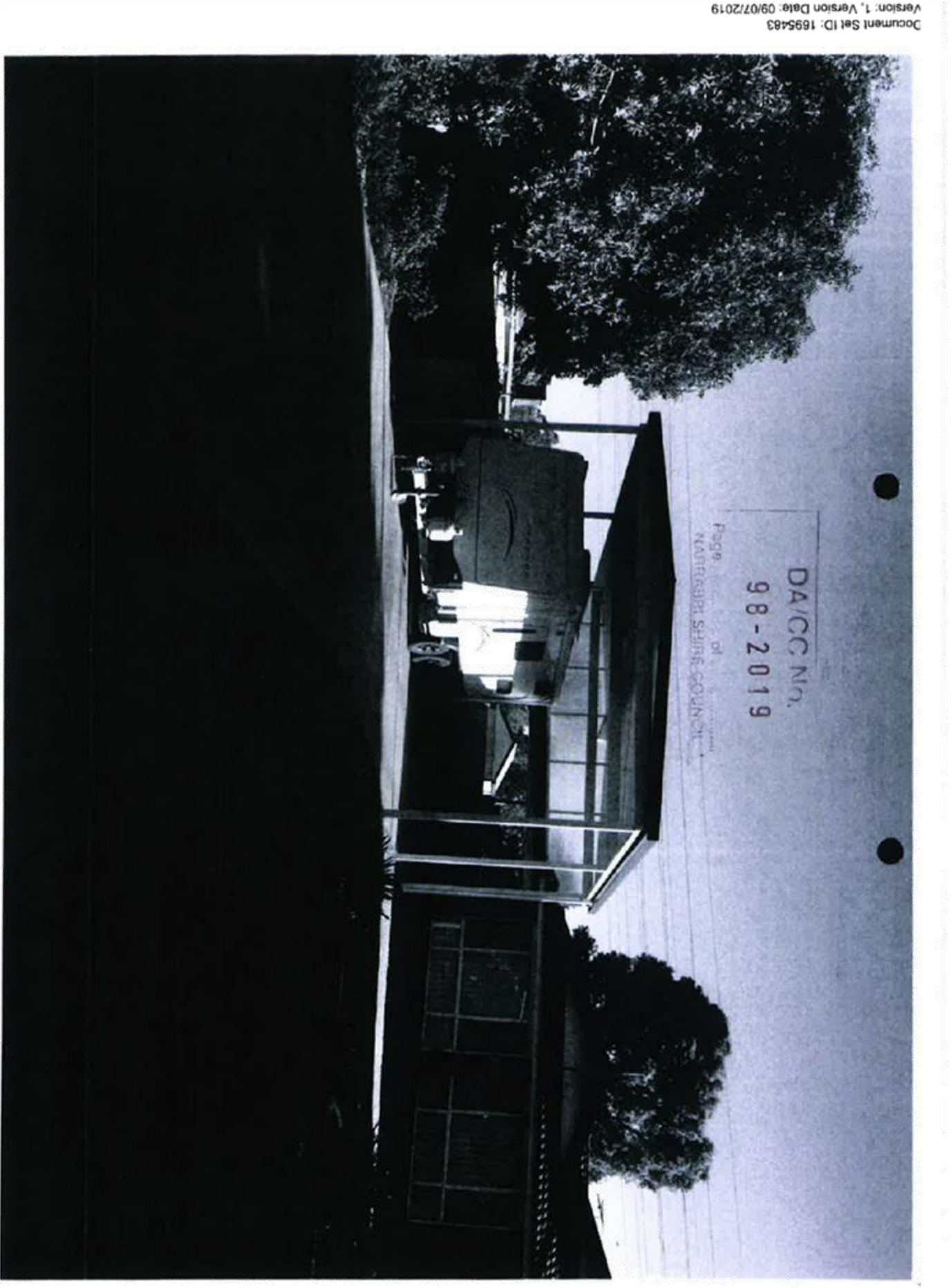
An applicant may request Council to review a determination in accordance with Section 100 of the *Local Government Act 1993* within twenty-eight (28) days of the date of determination.

If you are dissatisfied with the Council's determination of this application, either initially or upon review, you may appeal to the Land and Environment Court, under section 176 of the *Local Government Act 1993* within twelve (12) months. Section 107 of the *Local Government Act 1993*, also provides that the Council may determine to extend or renew this approval if satisfied there is good cause for doing so.

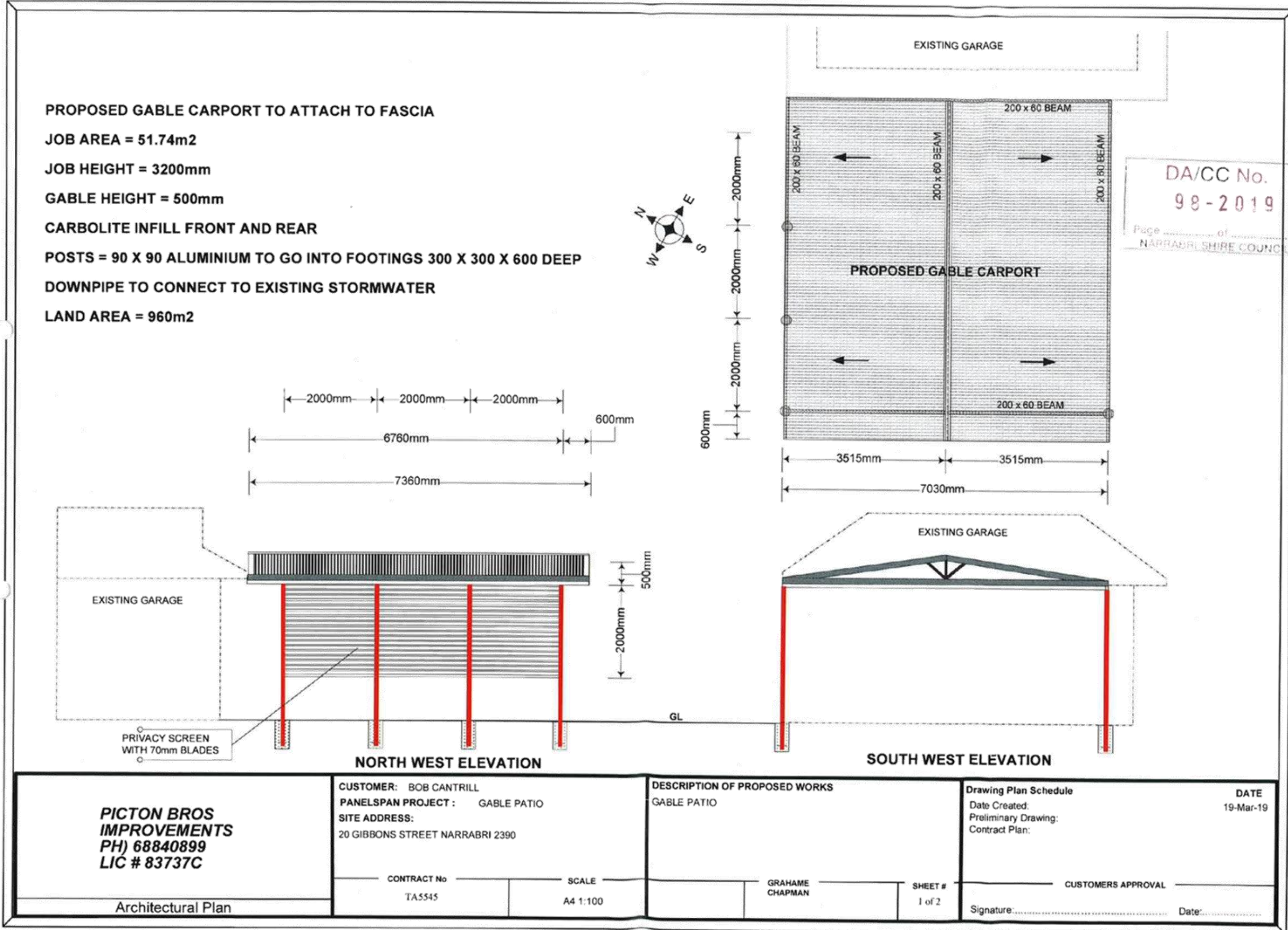
**Signed on behalf of the Consent Authority**

Yours faithfully

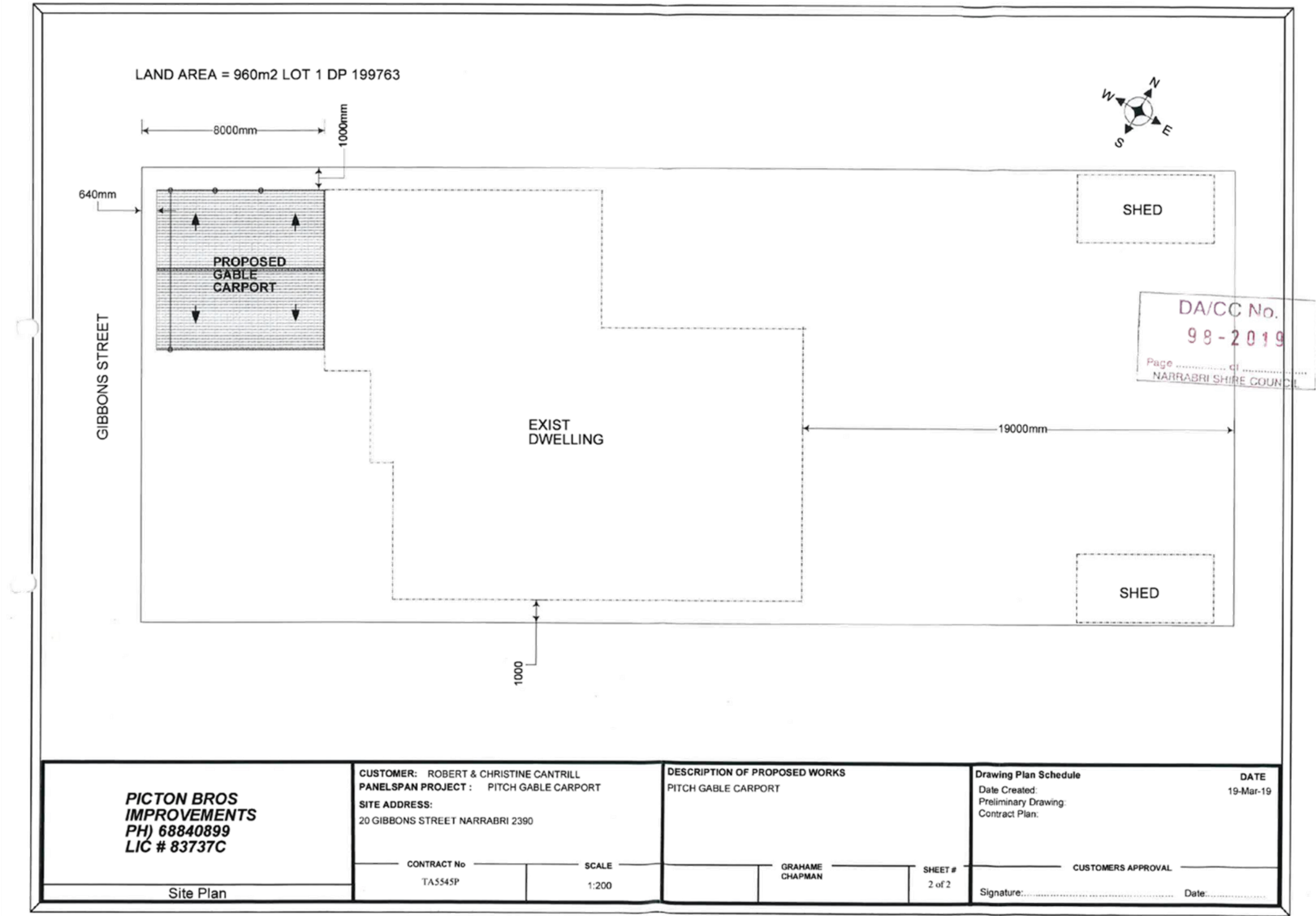
Mr Luke Flood  
**TOWN PLANNER**











## 11 OUR CIVIC LEADERSHIP



### THEME 4: OUR CIVIC LEADERSHIP

#### STRATEGIC DIRECTION 4: COLLABORATIVE AND PROACTIVE LEADERSHIP

*By 2027, we will proactively together to achieve our shared vision with strong strategic direction.*

##### COMMUNITY ENGAGEMENT

Through extensive community engagement, the Narrabri Shire community identified several civic leadership priority areas to be actioned over the 2017 - 2018 financial year.

##### COMMUNITY SERVICES

Current services provided within the Narrabri Shire community include:

- Integrated strategic planning and reporting
- Community engagement and consultation
- Representation and governance
- Human resource management
- Customer services
- Information services
- Financial services
- Risk management
- Compliance and regulation

##### COMMUNITY OUTCOMES

In partnership with the community, government and non-government agencies, the Operational Plan will work towards achieving the following civic leadership strategic outcomes:

- Improved community engagement and decision-making processes
- Well established community, industry, government and non-government partnerships
- Well maintained core infrastructure and service provision that delivers public value
- Transparent and accountable planning and reporting
- Financial efficiency and sustainability

**11.1 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR CAMPEY**

**Responsible Officer:** Stewart Todd, General Manager

**Author:** Delece Hartnett, Personal Assistant to GM & Mayor

**Attachments:** Nil

**DELIVERY PROGRAM ALIGNMENT****4. Leadership**

Objective 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

Strategy 4.4.2 Ensure effective and sound local governance practice

**EXECUTIVE SUMMARY**

Council has received a request for leave of absence from Councillor Campey for the period 20 August 2019 to 30 September 2019 inclusive. During this period, two (2) Ordinary Meeting(s) of Council are scheduled.

**RECOMMENDATION**

**That Council grant leave of absence for Councillor Campey for the period 20 August 2019 to 30 September 2019 inclusive, the period includes two (2) Ordinary Meetings of Council.**

**BACKGROUND**

A Leave of Absence is formal permission granted by way of Council resolution to a councillor excusing that councillor's attendance at a particular meeting or official duties.

Leave of Absence is sought by way of application to the Council. A Leave of Absence is recognised in both the *Local Government Act 1993* ("**the Act**") and in the *Local Government (General) Regulation 2005* ("**Regulation**").

Whilst the practice of tendering an apology is recognised as a component of good meeting practice, it has no recognition in either the Act or the Regulation.

The acceptance of an apology is a positive acknowledgement of the courtesy of the person who tendered it. It does not amount to the granting of a Leave of Absence.

The tendering of an apology is an accepted convention by which those present at a meeting are notified that the person tendering the apology will not be attending the meeting. It is a form of courtesy to those attending the meeting. The purpose of an Apology is to aid the efficient conduct of meetings by informing the chairperson as to who will not be attending. This avoids delaying the opening of a meeting pending the arrival of such persons.

**CURRENT SITUATION**

Council has received a request for leave of absence from Councillor Campey. The Councillor's request conforms with [clause 235A](#) of *Local Government (General) Regulation 2005*.

Councillor Campey has requested leave of absence for the period 9 August 2018 to 17 September 2018 inclusive. The reason for the Councillor's request is that he will be travelling overseas during the specified dates of leave, and will unfortunately be unable to attend to official Council duties.

During the requested leave of absence period there is two (2) Ordinary Meeting(s) of Council scheduled.

**FINANCIAL IMPLICATIONS**

Nil.

**STATUTORY AND POLICY IMPLICATIONS**

The Councillor's request conforms with [clause 235A](#) of *Local Government (General) Regulation 2005*.

**CONSULTATION****External Consultation**

Nil.

**Internal Consultation**

- Mayor Redding has been advised of the request for leave.

**11.2 DELEGATES REPORT - NEW ENGLAND JOINT ORGANISATION MEETING - JUNE 2019**

**Responsible Officer:** Catherine Redding, Mayor

**Author:** Delece Hartnett, Personal Assistant to GM & Mayor

**Attachments:** 1. Minutes - New England Joint Organisation Meeting - 27 May 2019 [↓](#)

**DELIVERY PROGRAM ALIGNMENT****4. Leadership**

Objective 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

Strategy 4.4.2 Ensure effective and sound local governance practice

**RECOMMENDATION**

**That Council note Mayor Redding's Delegates Report on the New England Joint Organisation (NEJO) Meeting held on Monday 27 May 2019.**

**DELEGATES REPORT**

The New England Joint Organisation (NEJO) held a Meeting in Uralla on Monday 27 May 2019.

The Minutes from the meeting are attached.

MINUTES OF THE NEW ENGLAND JOINT ORGANISATION OF COUNCILS (NEJO) MEETING HELD ON 27 MAY 2019 IN THE COUNCIL CHAMBERS, URALLA SHIRE COUNCIL, 32 SALISBURY STREET, URALLA COMMENCING AT 10.30AM

Present: Cr Michael Pearce (Chairperson) and Mr Andrew Hopkins (Uralla Shire Council), Cr Simon Murray and Ms Susan Law (Armidale Regional Council), Cr Carol Sparks and Mr Graham Price (Glen Innes Severn Council), Cr Paul Harmon and Mr Paul Henry (Inverell Shire Council), Cr Peter Petty and Mr Terry Dodds (Tenterfield Shire Council), Cr Cathy Redding and Mr Stewart Todd (Narrabri Shire Council), Cr Katrina Humphries (Moree Plains Shire Council), Ms Alison McGaffin (Director New England & North West, DPC Regional), Jodie Healy (Office Local Government).

Jodie Healy arrived 10.50am.

Meeting opened at 10.30am

1 APOLOGIES

An apology was received from Lester Rogers (Moree Plains Shire Council).

Moved: Inverell Seconded: Tenterfield

That the apology from Lester Rogers be received and noted.

2 DISCLOSURE OF CONFLICT OF INTEREST/PECUNIARY AND NON-PECUNIARY INTERESTS

No disclosures were made by members.

3 MINUTES OF THE PREVIOUS MEETING HELD 22 FEBRUARY, 2019

Moved: Tenterfield Seconded: Inverell

That the minutes of the meeting held 22 February, 2019 be adopted as a true and accurate record.

4 REPORTS

4.1 NORTHERN INLAND REGIONAL WASTE GROUP - STRATEGIC PARTNERSHIP

Moved: Inverell Seconded: Armidale

1/19 RESOLUTION

- A. That NEJO endorse the establishment of a strategic partnership with NIRW,
- B. That NIRW be requested to:
  - i) Prepare a Position Paper for the Board on the 20YWS Discussion Paper when this document is released by the NSW EPA, and
  - ii) Consider which elements of the waste stream could be utilised for an alternate use and that a business case be prepared for the reuse of this material.



Minutes of the NEJO Meeting – 27 May 2019

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- C. *That an MOU be prepared to establish the parameters of this strategic partnership and that a General Manager of a member Council be requested to be the 'sponsor' of the relationship with NIRW.*

Note: The General Manager of Inverell Shire Council has consented to be the 'sponsor' of this issue.

CARRIED

4.2 MEMBERSHIP APPLICATION – NEW ENGLAND WEEDS AUTHORITY (NEWA) WORK PLAN – EXECUTIVE OFFICER

Moved: Tenterfield Seconded: Armidale

Motion

- A. That the application from NEWA be accepted,
- B. That Clause 3.2 of the NEJO Charter be amended to include NEWA as an 'other member',
- C. That NEWA have no voting entitlements, and
- D. That the membership fee for NEWA in 2019/20 be \$2.5K.

After debate this motion was withdrawn.

Moved: Narrabri Seconded: Moree

2/19 RESOLUTION

- A. *That the Executive Officer prepare a set of eligibility criteria for the Board to utilise when assessing applications for organisations wishing to be granted 'other member' status,*
- B. *That the application from NEWA be considered after determination of the eligibility criteria.*

CARRIED

4.3 APPOINTMENT OF EXECUTIVE OFFICER (LISTING)

Moved: Inverell Seconded: Tenterfield

3/19 RESOLUTION

*That the matter be referred to Closed Committee for consideration as:*

- 1 *the report includes 'Personnel matters concerning particular individuals (other than councillors)' (Section 10A(2)(a) of the Local Government Act, 1993); and*
- 2 *on balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting.*

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Minutes of the NEJO Meeting – 27 May 2019

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CARRIED

4.4 TRANSPORT STUDY BRIEF

Moved: Inverell      Seconded: Armidale

4/19 RESOLUTION

- A. *That the draft Consultant Brief be endorsed, subject to including information in relation to the Deputy Premier's proposal 'Paddock to Plane' initiative,*
- B. *That the membership of the assessment panel be endorsed – being the Chairperson, Executive Officer and the Senior Regional Planning (Northern) of RMS, and*
- C. *That the Chairperson be delegated authority to appoint the consultant to carry out the brief, following an assessment of Expressions of Interest by the assessment team.*

CARRIED

4.5 AUDIT SERVICES

Moved: Moree      Seconded: Narrabri

5/19 RESOLUTION

- A. *That the information be noted, and*
- B. *That representations be made to the Audit Office for a review of the quoted fee.*

CARRIED

4.6 QUARTERLY FINANCIAL REVIEW

Moved: Armidale      Seconded: Moree

6/19 RESOLUTION

- A. *That the Income and Expenditure Statement be received and noted, and*
- B. *That the Chairperson be authorised to approve the administrative services contribution to Inverell Shire Council covering the period December 2018 to commencement of duties by the Executive Officer.*

CARRIED

4.7 2019/20 OPERATIONAL PLAN

Moved: Tenterfield      Seconded: Inverell

7/19 RESOLUTION

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Minutes of the NEJO Meeting – 27 May 2019

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- A. *That the Draft Operational Plan 2019/20 be adopted,*
- B. *That member Councils be provided with a copy of the document and be permitted 28 days to comment on the document,*
- C. *That Member Councils place the NEJO Draft Operational Plan on their Council's website for 28 days public exhibition, and*
- D. *The Board meet by 'teleconference' to adopt the Operational Plan.*

CARRIED

5. NEJO MEETING DATES (26 AUGUST & 25 NOVEMBER 2019) - VENUES TO BE DETERMINED

The Board determined that the next meetings of NEJO be:

26 August, 2019            Narrabri Council Chambers  
25 November, 2019      Tenterfield Council Chambers

6. GENERAL BUSINESS

1. Armidale

Suggested that NEJO could initiate a joint procurement process for the benefit of members.

**Action** That Armidale prepare a discussion paper for consideration by GMAC.

2. Uralla

Noted that Water Security is a significant issue for most members and NEJO needs to develop a position on this issue.

**Action**

- a) That GMAC ascertain the following information:
  - What is the status of water supplies in each members area, and
  - What is the State Government's position on increasing water storage capacity within the State
- b) That GMAC suggest a position on Water Security for the Board to consider.

3. Tenterfield

Expressed concern with the process for obtaining timely decision on actions/solutions for addressing town water supply problems. Supported by Armidale.

Moved:            Moree            Seconded:        Tenterfield

8/19                RESOLUTION

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Minutes of the NEJO Meeting – 27 May 2019

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*That NEJO request the Department Industry (Water) to review Departmental policy guidelines which set out the process for Councils to obtain approval for proposals that provide alternative water supply solutions for communities facing critical water shortages. The guidelines to be amended to require the Department to provide a determination of Council 's alternative supply proposals prior to the existing supplies being exhausted, rather than the 'complete depletion' of existing supplies being the trigger for a decision.*

CARRIED

4. Inverell

Requests that a letter of congratulations be sent to Minister Hancock on her appointment.

5. Moree

Recent Emergency Services Levy increases are a matter of great concern to Councils, particularly after draft Operational Plans have been prepared.

Moved: Moree                      Seconded: Armidale

9/19                      RESOLUTION

*That the Minister for Emergency Services reviews the recently announced increases in the Emergency Services Levy and rescinds the increases.*

6. Department Premier & Cabinet

Drew attention to options for funding the Joint Organisations. The three (3) options proposed were not acceptable to the Board. The preferred option is for the State Government to make an untied grant to the JO's to meet operating costs.

CONFIDENTIAL REPORTS IN CLOSED MEETING

At 12.46pm, the Organisation proceeded to consider the motion to close the meeting to the press and public.

CLOSED COMMITTEE REPORTS

Moved: Inverell                      Seconded: Tenterfield

10/19                      RESOLUTION

*That the Organisation proceed into Closed Committee to discuss the matters referred to it, for the reasons stated in the motion of referral.*

CARRIED

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Minutes of the NEJO Meeting – 27 May 2019

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Upon resuming Open Meeting at 12.49pm, the Chair verbally reported that the Organisation had met in Closed Committee, with the Press and Public excluded, and had resolved to recommend the following:

4.8 APPOINTMENT OF EXECUTIVE OFFICER (CONFIDENTIAL)

- A. *That Brooke Southwell be offered the position of Executive Officer,*
- B. *That the terms of employment be in accordance with the details contained in this report.*

ADOPTION OF RECOMMENDATIONS

Moved: Inverell      Seconded: Armidale

11.2/19      RESOLUTION

*That the recommendations of Closed Committee be adopted.*

CARRIED

There being no further business the meeting closed at 12.50pm.



CR MICK PEARCE

CHAIRPERSON

**11.3 DELEGATES REPORT - NARRABRI GAS PROJECT COMMUNITY CONSULTATIVE COMMITTEE  
- 14 MAY 2019**

**Responsible Officer:** Ron Campbell, Councillor

**Author:** Delece Hartnett, Personal Assistant to GM & Mayor

**Attachments:** 1. Minutes - Narrabri Gas Project Community Consultative Committee Meeting - 14 May 2019  

**DELIVERY PROGRAM ALIGNMENT****4. Leadership**

Objective 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

Strategy 4.4.2 Ensure effective and sound local governance practice

**RECOMMENDATION**

1. That Council note Cr Campbell's Delegates Report from the Narrabri Gas Project Community Consultative Committee Meeting held on Tuesday 14 May 2019.

**DELEGATES REPORT**

The Narrabri Gas Project Community Consultative Committee held a Meeting on Tuesday 14 May 2019.

The Minutes from the meeting are attached.



**Narrabri Gas Project CCC - Meeting # 38****14 May 2019**

Date/Time:	Tuesday 14 May 2019, 11.00am – 1.00pm		
Location:	Narrabri RSL, 7 Maitland Street Narrabri		
Attendees:	<ul style="list-style-type: none"><li>• Jock Laurie – Land and Water Commissioner (Chair)</li><li>• Cr Ann Loder – Narrabri Shire Council</li><li>• Cr Ron Campbell – Narrabri Shire Council</li><li>• Jocelyn Cameron – Country Women’s Association</li><li>• Jack Warnock – Lower Namoi Cotton Growers Association</li><li>• Tony Pickard – People for the Plains</li><li>• David Scilley – NSW Farmers</li><li>• Russell Stewart – Narrabri Chamber of Commerce</li></ul>	<ul style="list-style-type: none"><li>• Sarah Carr – Environment Protection Authority</li><li>• Megan Prowse – Environment Protection Authority</li><li>• Neale House – Santos</li><li>• Todd Dunn – Santos</li><li>• Annie Moody – Santos</li></ul>	
Guests:	<ul style="list-style-type: none"><li>• Nil</li></ul>		
Apologies:	<ul style="list-style-type: none"><li>• Conrad Bolton – North West Local Land Services</li><li>• Lynn Trindall – Narrabri Local Aboriginal Land Council</li><li>• Stephen O’Donoghue – Department of Planning and Environment</li><li>• Andrew Cowan – Environment Protection Authority</li></ul>		
Meeting Chair:	Jock Laurie		
Secretariat:	Annie Moody		
Agenda Item			
Discussion/Outcomes		Action	
Santos Update	<ul style="list-style-type: none"><li>• Santos Monthly Activity Update for May 2019 was distributed in hard copy to members and emailed out of session on 9 May 2019. The April Monthly Activity Update was emailed out of session to members on 5 April 2019 and the March Monthly Activity Update was emailed out of session to members on 11 March 2019.</li><li>• A member referred to the Santos announcement of 9 May 2019 in relation to signing a non-binding memoranda of understanding with Weston Energy and Brickworks for a supply of natural gas from the Narrabri Gas Project and asked what Weston Energy would be using the gas for. The Weston Energy company website has information on their products and customers available at <a href="https://www.westonenergy.com.au/">https://www.westonenergy.com.au/</a></li><li>• There was a discussion in relation to irrigation at Leewood.</li><li>• Santos representative apologized to the committee for a delay in providing response to questions from PFTP from the previous meeting.</li></ul>		

	<p><b>Presentation/Handout/Links:</b></p> <ol style="list-style-type: none"> <li>1. Santos Monthly Activity Updates are available from <a href="https://narrabrigasproject.com.au/community/consultative-committee/">https://narrabrigasproject.com.au/community/consultative-committee/</a> for the relevant month and also at <a href="https://narrabrigasproject.com.au/about/monthly-updates/">https://narrabrigasproject.com.au/about/monthly-updates/</a></li> <li>2. Santos Media Release dated 9 May 2019 titled <i>Santos signs MOUs with Brickworks and Weston Energy for Narrabri gas</i> is available from <a href="https://www.santos.com/media/4748/190509-santos-signs-mous-with-brickworks-and-weston-energy-for-narrabri-gas.pdf">https://www.santos.com/media/4748/190509-santos-signs-mous-with-brickworks-and-weston-energy-for-narrabri-gas.pdf</a></li> </ol>	
EPA Update	<ul style="list-style-type: none"> <li>• An EPA representative provided a draft Narrabri CCC EPA Newsletter February, March and April 2019 with final newsletter available on EPA website and through newsletter subscription.</li> <li>• A member referred to the information provided at last meeting in relation to the number of complaints and complainants referred to in the EPA Newsletter running log and asked if the EPA could provide a breakdown of how many of those complaints were from local organisations and/or individuals</li> </ul> <p><b>Presentation/Handout/Links:</b></p> <ol style="list-style-type: none"> <li>3. Final Narrabri CCC EPA Newsletter February, March and April 2019 will be available from <a href="http://www.epa.nsw.gov.au/licensing-and-regulation/gas-industry/gas-industry-in-nsw/community-involvement">http://www.epa.nsw.gov.au/licensing-and-regulation/gas-industry/gas-industry-in-nsw/community-involvement</a></li> </ol>	EPA
DPE Update	<ul style="list-style-type: none"> <li>• DPE representative advised that they were a late apology for the meeting due to an unplanned staff absence.</li> <li>• DPE advised that information will be provided to the committee on Social Impact Assessment Guidelines at a future meeting to respond to a question received by DPE out of session from PFTP representative.</li> </ul>	DPE
General Business	<ul style="list-style-type: none"> <li>• A copy of the CSIRO Gas Industry Social and Environmental Research Alliance (GISERA) NSW Update for March 2019 provided in hard copy and emailed to the committee on 15 May 2019.</li> <li>• Email request from representative from PFTP dated 18 March 2019 tabled in relation to changing secretariat arrangements. Outcome from committee discussion and majority vote by show of hands (State Government and Santos representatives did not participate) was that current arrangements to be retained. PFTP representative requested that it be recorded that he was opposed.</li> <li>• PFTP representative stated that he considered that the Narrabri Shire Council were entitled to have only one representative in attendance at Narrabri Gas Project CCC meetings.</li> <li>• Representative from PFTP requested that PFTP be able to have two representatives in attendance at future meetings. Outcome from committee discussion was that current arrangement of representative numbers be retained.</li> <li>• Representative from PFTP had a number of questions in relation to the Santos Water Portal and graphs from the Water Portal website. The questions have been directed to Santos for response.</li> <li>• Representative from PFTP advised that he had questions relating to a document referencing Saltel Industries in Queensland in relation to bacteria. The Chair advised that there was no action required from the Narrabri Gas</li> </ul>	

	<p>Project CCC secretariat or the committee in relation to the document. The Chair advised the PFTP representative that members could ask for a copy of the report from the member directly if they were interested.</p> <ul style="list-style-type: none"> <li>PFTP representative tabled further documents with questions directed to Santos and NSW Government.</li> </ul> <p><b>Presentation/Handout/Links:</b></p> <ol style="list-style-type: none"> <li>CSIRO Gas Industry Social and Environmental Research Alliance (GISERA) NSW Update for March 2019 will be available from <a href="https://narrabrigasproject.com.au/community/consultative-committee/may-2019/">https://narrabrigasproject.com.au/community/consultative-committee/may-2019/</a></li> <li>Questions from PFTP directed to Santos – Action Item 38.1_Water Portal</li> <li>Questions from PFTP directed to Santos – Action Item 38.2_Media Release on Ammonium Nitrate Plant</li> <li>Questions from PFTP directed to Santos – Action Item 38.3_Bacteria</li> <li>Questions from PFTP directed to Santos – Action Item 38.4_General</li> <li>Questions from PFTP directed to Government – Action Item 38.5_Bacteria</li> <li>Questions from PFTP directed to DPE – Action Item 38.6_Narrabri Gas Project CCC</li> </ol>	
<b>Next Meeting</b>	Tuesday 9 July 2019, Narrabri RSL Club 11.00am – 2.00pm	
<b>Meeting closed</b>	12.35pm	

**Action Items**

REF	Action	Entity/Person	Status
<b>38.1</b>	Questions from PFTP directed to Santos – Water Portal	Santos	
<b>38.2</b>	Questions from PFTP directed to Santos – Media Release on Ammonium Nitrate Plant	Santos	
<b>38.3</b>	Questions from PFTP directed to Santos – Bacteria	Santos	
<b>38.4</b>	Questions from PFTP directed to Santos – General	Santos	
<b>38.5</b>	Questions from PFTP directed to Government – Bacteria	Government	
<b>38.6</b>	Questions from PFTP directed to DPE – Narrabri Gas Project CCC	DPE	
<b>37.1</b>	Questions to GISERA in relation to current funding program and longevity; future framework in NSW; research priorities and RRAC meetings. NSW Update March 2019 provides information	GISERA (via Secretariat)	Complete 14/5/19
<b>37.2</b>	Questions from People for the Plains directed to Santos:		
<b>37.2a</b>	Questions referred to verbally at November CCC meeting, tabled February meeting	Santos	
<b>37.2b</b>	Questions tabled at February CCC meeting	Santos	

37.2c	Question emailed out of session 13 February 2019 - Dewhurst North Pilot	Santos	Complete 14/5/19
37.3	Copy of social media posts referring to Narrabri Gas Project CCC	Secretariat	Complete 14/3/19



**Future Agenda Items**

REF	Agenda Item	Entity/Person	Status
38.1	Provide information to the committee on Social Impact Assessment Guidelines.	DPE	TBA
36.1	Update on the framework of the Regional Community Benefit Fund and overview on royalty payments associated with the Petroleum (Onshore) Regulation 2016. (Refers to Action Item 35.1e - Suggestions for future presentations to NGP CCC)	DRG	TBA
36.2a	GISERA presentation: <i>Decommissioning pathways for CSG projects</i> project. (Refers to Action Item 35.1e - Suggestions for future presentations to NGP CCC). GISERA has advised that this project is now complete with links to Final Report, Factsheet and Journal Paper provided in the NSW Update March 2019	GISERA	Complete 14/5/19
36.2b	GISERA presentation: <i>Uncertainty analysis of CSG-induced GAB flux and water balance changes in the Narrabri Gas Project area</i> project. (Refers to Action Item 35.1e - Suggestions for future presentations to NGP CCC). GISERA has provided links to the Interim Report, Factsheet, Final Report and Journal Paper in the NSW Update March 2019	GISERA	Complete 14/5/19
33.2	Update on progress on implementing Recommendation 9 of the <i>Final Report of the Independent Review of Coal Seam Gas Activities in NSW</i> in relation to <i>Environmental risk &amp; responsibility and insurance arrangements for the NSW CSG industry</i> .	EPA	TBA

**11.4 DELEGATES REPORT - NARROMINE TO NARRABRI (N2N) INLAND RAIL COMMUNITY CONSULTATIVE COMMITTEE - 22 MAY 2019**

**Responsible Officer:** Ron Campbell, Councillor

**Author:** Delece Hartnett, Personal Assistant to GM & Mayor

**Attachments:** 1. N2N Inland Rail Community Consultative Committee Meeting Minutes - 22 May 2019  

**DELIVERY PROGRAM ALIGNMENT****4. Leadership**

**Objective** 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

**Strategy** 4.4.2 Ensure effective and sound local governance practice

**RECOMMENDATION**

**That Council note Cr Campbell's Delegate Report from the Narromine to Narrabri (N2N) Inland Rail Community Consultative Committee held on 22 May 2019.**

**DELEGATES REPORT**

The Narromine to Narrabri (N2N) Inland Rail Community Consultative Committee held a meeting on Wednesday 22 May 2019.

The Minutes from the meeting are attached.



## MEETING MINUTES

Meeting title	
Narromine to Narrabri (N2N) Community Consultative Committee – Narrabri Sub-committee meeting 3	
Attendees	
Michael Silver OAM (Independent Chair)	Cr Denis Todd (Warrumbungle Shire Council)
Russell Stewart (Community Member)	Leanne Ryan (Warrumbungle Shire Council)
Ted Hayman (Community Member)	Patricio Munoz, Stakeholder Engagement Manager NSW - North (ARTC)
Elizabeth Tomlinson (Community Member)	Reannan Ellaby, Technical Approvals Lead (ARTC)
Jane Judd (Community Member)	Matthew Errington, Environmental Advisor (ARTC)
Cindy Neil (Community Member)	Kyle-James Giggacher, Project Delivery Engineer (ARTC)
Bruce Brierly (Community Member)	Michael Clancy – Manager, Business Development and Property (ARTC)
Cr Ron Campbell (Narrabri Shire Council)	Patrick Leahy – Property Specialist (ARTC)
Bill Birch (Narrabri Shire Council)	Andrew Skele – Environment Manager NSW (ARTC)
Observers	
Cr Cathy Redding (Mayor, Narrabri Shire Council)	Elisha Bailey (Commonwealth Department of Infrastructure, Transport, Cities and Regional Development- Dubbo)
Cr Cameron Staines (Narrabri Shire Council)	Hannah Baldry, Manager, Stakeholder Engagement, Freight, Strategy and Planning, Transport for NSW
Peter Dampney	Ella Somerset, Transport for NSW
David Scillett	
Apologies	
Stewart Todd (Narrabri Shire Council)	Scott Divers, Senior Project Manager (ARTC)
Christina Deans (Community Member)	
Location	Date & start time
Crossing Theatre, Narrabri	22 May 2019, 12.40 pm

Topic	Discussion
1. Welcome	<ul style="list-style-type: none"> <li>The Chair welcomed all to the meeting noting the presence of the Mayor of Narrabri, Cr Redding, community observers and representatives of the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development and Transport for NSW.</li> </ul>
2. Declarations of Interest	<ul style="list-style-type: none"> <li>Michael Silver – pecuniary interest - expenses of Independent Chair borne by ARTC.</li> <li>Cindy Neil - non-pecuniary interest. Property located within study area.</li> </ul>
3. Chair's Minute	<ul style="list-style-type: none"> <li>The Chair spoke to his report regarding out of pocket expenses for community members and particularly a travel protocol for the claiming of travel expenses. It was agreed that a rate of 65 cents per kilometre be implemented for claims for travel expenses to/from meetings subject to a community member only being eligible to make a claim where the distance from the community member's residence to the meeting venue is greater than 15 kilometres. It was noted that a claim for travel expenses was a matter for the individual community member make and would need to be declared at the next meeting as a pecuniary interest. There was general</li> </ul>



	<p>acceptance of the proposal. Following a question from Jane Judd, it was agreed that the Chair and ARTC would establish a claim process for community members.</p> <ul style="list-style-type: none"> <li>The Chair confirmed with the Sub-committee the purpose of the CCC, having regard to the CCC Guidelines and the requirements of the Secretary's Environmental Assessment Requirements (SEARs) issued to the proponent for preparation of the Environmental Impact Statement (EIS). Mr Silver noted that the N2NCCC was formed as a requirement of the SEARs under the <i>Environmental Planning &amp; Assessment Act 1979</i>. He advised that the purpose of the CCC is to provide an interactive forum between the proponent and representatives of the community regarding issues associated with preparation of the EIS for the project. Mr Silver highlighted that matters raised by community members and questions listed in Other Agenda Items should relate to the project as it is proposed and not to historical issues which are outside the purpose of the CCC and beyond the scope of the proponent's project delivery team to answer. Mr Silver highlighted several questions listed under the Gilgandra Sub-committee that related to issues raised two years ago.</li> <li>The Chair advised that all questions in the Other Agenda Items that related to historical issues and not related to the SEARs or the current proposal would be referred by him to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development (previously the Department of Infrastructure, Regional Development and Cities) for comment.</li> <li>The Chair advised that Ms Elizabeth Tomlinson had tendered her resignation from the CCC. Mr Silver thanked Ms Tomlinson for her contribution and advised that a replacement community member would be sought following advice from the NSW Department of Planning and Environment (DPE).</li> </ul>
<b>4. Minutes of Previous Meeting</b>	<ul style="list-style-type: none"> <li>It was noted that the minutes of the second meeting of the Sub-committee had been approved on 14 April 2019 and placed on the proponent's website.</li> </ul>
<b>5. Business Arising</b>	<ul style="list-style-type: none"> <li>Liz Tomlinson noted advice from ARTC at the previous meeting that acquisitions matters are not disclosed and would not occur until the rail corridor had been confirmed. Whilst noting this advice was consistent with the Inland Rail Fact Sheet regarding acquisitions, she questioned the actual process being followed given that a local parliamentarian had indicated a property had been acquired by ARTC and this was general knowledge in the community. Reannan Ellaby indicated that this matter would be taken on notice.</li> <li>Jane Judd noted that she had been referred to ARTC's Emergency Management Plan (EMP) (on its website) regarding how emergencies are dealt with, particularly in respect of the Pilliga Forest and bushfire management. Ms Judd advised that the document was generic and made no specific reference to the Narrabri section of the Inland Rail project. Ms Ellaby responded by advising that the Inland Rail project will be added to the EMP when it exists, adding that the Safety Management System is a key document to the design and maintenance of the infrastructure. Matthew Errington also advised that the DPE will probably require a Bush Fire Management Plan to be prepared for the N2N project, whilst Andrew Skele indicated that Inland Rail will be operated in accordance with national health and safety standards.</li> <li>Cindy Neil sought clarification on noise and vibration matters and timelines highlighted at the previous meetings. Mr Errington indicated these would be answered as part of the proponent's report.</li> </ul>
<b>6. Correspondence</b>	<ol style="list-style-type: none"> <li>The Chair advised that the DPE had confirmed the appointment of four additional</li> </ol>





	<p>Community Members to the Narromine Sub-committee.</p> <p>2. The Chair advised that correspondence regarding the letter from A &amp; G Nicholls from Narromine had been sent to relevant NSW Government and Commonwealth agencies. Mr Silver indicated that the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development had advised a response would not be provided until after the Federal election. The DPE had forwarded the letter to ARTC and would be raising the matter at its next meeting with the proponent.</p>
<b>7. Previous Actions</b>	<p>7.1 That ARTC forward a summary of the biodiversity assessment methodology to the CCC members when finalised. <b>COMPLETED</b></p> <p>7.2 That ARTC present a report on the likely engineering design for the railway across the flood plain north of Narrabri at a future meeting of the Sub-committee. <b>PRELIMINARY VISUALISATIONS OF TYPICAL VIADUCT ARRANGEMENTS PRESENTED – DETAILED DESIGN TBC</b></p> <p>7.3 That ARTC deliver a report on how personal individual circumstances will be considered and addressed in the Social Impact Assessment to the next meeting of the CCC. <b>COMPLETED</b></p> <p>7.4 That ARTC provide a presentation from a suitably qualified property specialist regarding the land acquisition processes, and considerations for landholders, associated of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> as they may apply to acquisition of land for the Inland Rail corridor. <b>COMPLETED</b></p> <p>7.5 That the Chair prepare and circulate a travel allowance protocol to members prior to the May 2019 meeting of the CCC. <b>COMPLETED</b></p> <p>7.6 That Michael Clancy of ARTC be invited to present to the CCC on future freight operation matters associated with the Inland Rail project – May meeting. <b>COMPLETED</b></p>
<b>8. Proponent's Report</b>	<p><i>Patricio Munoz, Kyle-James Giggacher, Matthew Errington, Reannan Ellaby, Michael Clancy and Patrick Leahy from ARTC presented the Proponent's Report.</i></p> <p><b>General Overview</b></p> <ul style="list-style-type: none"> <li>Patricio Munoz opened the presentation and advised that he had recently been appointed as Stakeholder Engagement Manager NSW – North with ARTC following a restructure. He would be responsible for community engagement in the Parkes to Narromine, Narromine to Narrabri, and Narrabri to North Star sections of the Inland Rail project.</li> <li>Mr Munoz highlighted progress on the cadastral survey noting that the Narromine and Narrabri sections had been completed and the Gilgandra area would be finalised by the end of May 2019. Most survey work had been undertaken on-road. Where access by surveyors had been required to private property, this had not been an issue and no formal action under the <i>Surveying and Spatial Information Act 2002</i> had been necessary.</li> <li>The Sub-committee viewed a video outlining Inland Rail's Aboriginal Cultural Heritage investigation and assessment processes undertaken by ARTC.</li> <li>Ms Tomlinson questioned the extent to which project vehicles are being identified as 'ARTC' vehicles when undertaking surveys. She highlighted a specific issue with a convoy of vehicles, noting some were not badged with ARTC insignia. Mr Munoz advised that it was a requirement that all vehicles are badged. Mr Giggacher acknowledged that during a cultural heritage survey some vehicles were not badged although they were 'chauffeured' by ARTC vehicles. Mr Giggacher noted the concerns</li> </ul>



and advised it would be addressed.

- Mr Munoz highlighted Inland Rail's new community sponsorship initiative with the second round closing on 31 July 2019. The program will provide financial support (\$1000 to \$4000) to eligible community organisations. The sponsorship program has four rounds annually.
- Ms Neil commented on the proposed pop-up stalls which will operate from 10am to 3pm. She requested that ARTC consider an evening pop-up store that would cater for workers. Mr Munoz noted her comments.

#### Engineering

- Kyle-James Giggacher updated the Sub-committee on the current status of the project. He indicated that the project is still at the feasibility design phase with the development of the EIS.
- Mr Giggacher advised that due to the Commonwealth Government entering a caretaker period due to the Federal election, discussions with affected landholders regarding the narrowing of the study area to a focus area (150 metres wide) had been postponed until the Commonwealth Government resumes normal operations.
- Mr Giggacher advised that almost all geotechnical work was completed, although some further investigations are being undertaken in the Gilgandra area around Square Mountain/Black Hollow area. This work should be finalised within a week.
- Mr Giggacher confirmed that cadastral surveys are scheduled to be completed by the end of May 2019.
- Mr Giggacher advised that hydrology work is progressing as is road/rail interface and transport analysis.
- Bruce Brierley sought clarification as to likely locations of overpasses and underpasses particularly with stock and farm machinery movement in mind. Mr Giggacher advised that this level of detail will not be determined until the focus area is defined and the type and location of structures will be based on topography and specific landowner requirements. Ms Ellaby further advised that the crossing treatments will be determined using the Australian Level Crossing Assessment Model (ALCAM) relative to a risk assessment of the crossing location. She suggested that the preference is to go under the rail track, but this will be dependent on topography at specific the location.
- Ms Tomlinson questioned who was responsible for maintaining underpasses and who should be contacted if there are maintenance issues. Ms Ellaby advised that ARTC is responsible for maintenance and generally the local provisioning centre will be the maintenance contact. Mr Skele advised that private crossings will be subject to a licence agreement with the landholder.
- Michael Clancy advised that there are numerous factors that determine the location of public rail crossings including consideration of train speed, train loads, sight distance and road users.

#### Chair's note:

Detail on ALCAM: <http://alcam.com.au/>

Transport for NSW ALCAM overview:

<https://www.transport.nsw.gov.au/projects/programs/level-crossing-safety/australian-level-crossing-assessment-model>

- Mr Giggacher advised that a total of 116 borrow sites had been volunteered, with 26 short-listed for further investigation. Aboriginal heritage and ecology clearance



surveys have been completed with geotechnical testing for the suitability of material to be carried out over the next few months.

#### Environmental Assessment

- Matthew Errington provided an EIS progress update. He advised that the majority of field work had been completed, with the exception of Aboriginal heritage surveys in the Pilliga State Forest and some private properties where access has been denied.
- Mr Errington highlighted the importance of completing the Aboriginal heritage assessment as part of the EIS and encouraged CCC members to bring this to the attention of the community and share the video.
- Mr Errington noted progress on biodiversity work and indicated that targeted seasonal flora surveys will be undertaken later in the year for threatened plant species.
- Ms Tomlinson asked, what happens if you can't access properties? Mr Errington advised that ARTC would like gain access for engineering and environmental investigations to optimise the design and avoid impacts, otherwise assumptions need to be made which may be incorrect. Mr Skele advised that it is dependent on what is found. Should assumptions be used, it may be that additional surveys will be required post approval, after acquisition of the rail corridor.
- Mr Errington noted that road traffic noise monitoring will be undertaken at various locations along the alignment. Once the locations are confirmed, ARTC will provide an updated noise logger location map. Ms Neil question the location and spacing of noise loggers along the 300 kilometres length of the proposed alignment. Mr Errington advised that ARTC's noise specialist had confirmed that the logger locations were chosen to ensure they were representative of sensitive receptors along the route. He further commented that if DPE and the NSW Environment Protection Authority is dissatisfied with the noise baseline data when the EIS is submitted that additional logger data may be requested.
- Mr Errington provided a response to Action 7.2 above regarding personal individual impacts and how this will be dealt with in the Social Impact Assessment (SIA). He advised that when the one-one meetings with the 180 directly impacted landholders are undertaken, information will be gathered to support preparation of the SIA. No individual circumstances will be addressed in the EIS due to privacy issues. However, a representative sample of the 180 landholders (approximately 25) will be further evaluated through SIA meetings to identify specific potential impacts and themes in order to develop mitigation measures for inclusion in the EIS.
- Mr Errington commented that the ARTC Inland Rail Social Performance team would like to provide a presentation to the CCC. It was agreed that a presentation be made at the next meeting.
- Ms Tomlinson suggested that people not within the focus area will also be impacted – both directly and indirectly. Ms Tomlinson questioned how this will be addressed.
- Mr Errington advised that following the one-on-one meetings, opportunities will be provided to landholders outside the focus area to discuss social impact issues. This will occur at the 70% EIS phase through a public forum (format to be confirmed) which will also allow wider community consultation on the matter.
- Ms Neil indicated that members of the community are frustrated that there has been no response from ARTC to various questions recently, particularly regarding the one-on-one meetings. She alleged that ARTC was not been returning phone calls and that landholders needed answers to their questions. Mr Skele advised that the caretaker



period associated with the Federal election had impacted on ARTC's ability to respond.

- Russell Stewart complimented ARTC on the establishment of the new shop front in Narrabri. He suggested the initiative should have a positive impact with greater engagement and better communication with the community. Mr Stewart encouraged ARTC to optimise the opportunity by not closing during the lunch period. Ms Tomlinson supported Mr Stewart's comments and requested that ARTC investigate opening on Saturday morning.
- Mr Errington advised that updated SEARs would be issued by DPE with additional assessment requirements for the proposed borrow pits. He indicated that road upgrade considerations would be part of the Traffic Management Plan for the project.
- Mrs Judd asked how the finalised EIS will be presented – will it be sectional to allow the community with local interests to review the section specific to their area? Mr Errington advised that an EIS exhibition strategy was being developed, which will aim to utilise innovative methods to improve the community's accessibility to and understanding of the EIS.
- Mrs Judd noted that a minimum public exhibition period of 28 days for the would apply to the EIS.

#### **Other Agenda Items Presentation**

- Reannan Ellaby provided a brief presentation on the following matters:
  - Indicative fencing types
  - Cadastral survey
  - Elevation modelling and follow-up flood presentation
  - Typical viaduct arrangement
- Ms Ellaby confirmed that one-on-one meetings had been postponed due to the caretaker period. When this period is over the one-on-one meetings will be held in the Local Government Areas in the following order:
  - 1<sup>st</sup>: Warrumbungle & Gilgandra
  - 2<sup>nd</sup>: Gilgandra & Coonamble
  - 3<sup>rd</sup>: Narramine & Narrabri
- Ms Ellaby advised that notice and property maps will be forwarded to landholders well in advance of one-on-one meetings. Mr Munoz added that there would be no public meetings regarding the focus area. He indicated that two weeks' notice will be provided to affected landholders of a meeting with a follow-up phone call to confirm arrangements. Landholders will be provided with options regarding meeting times and locations.
- Mr Munoz highlighted that meeting 180 landholders will take time. ARTC will have multiple meeting teams undertaking the one-on-one meetings. It is anticipated each team will complete two to three meetings per day.
- Ms Neil enquired if landholders not in the focus area will be contacted. Mr Munoz advised that landholders in the focus area will be contacted first, with remaining property owners subsequently contacted to advise they are outside the focus area and will not be directly impacted.
- Mr Brierley asked whether landholders may have solicitors, accountants or professional advocates present. Mr Munoz indicated that landholders may have





whatever level of support they desire, however it will not be until the formal acquisition process commences that professional costs can be recovered from ARTC.

- Ms Neil enquired as to when publicly available Inland Rail mapping will be updated to detail the focus area. Mr Munoz advised this will not occur until all affected landholders have been contacted.
- Mr Brierley requested a copy of the latest overall Inland Rail alignment map. Mr Munoz advised he would forward a copy to CCC members.
- Ms Ellaby detailed the standard exclusion fencing advising that alternative standards could be created. Mr Skele noted that consideration needs to be given to the fauna to be excluded.
- Ms Ellaby advised the cadastral survey would be completed at the end of May 2019. She highlighted that some survey work relevant to the project may be outside the study area.
- In response to the question from Ms Neil regarding construction across the Narrabri floodplain, Ms Ellaby presented examples of typical viaduct arrangements, noting that design depends on assessed flooding impacts. Ms Tomlinson asked who is responsible for clearing debris from piers. Ms Ellaby advised that ARTC is responsible.

#### **Future Freight Operations**

*Refer to Freight Operations slide pack*

- Michael Clancy, Manager Business Development and Property provided an insight into future freight operations associated with the Inland Rail project.
- Mr Clancy provided an historical overview of the rail network in NSW, noting that tracks were laid along the alignment of least resistance, mainly following valleys floors and other flat areas. These alignments remain today over 100 years on. He commented that the existing track infrastructure is inadequate for future development and requires rebuilding.
- The Inland Rail project is based on a different operating scenario. One key issue is cost/time but there are other matters/issues to be considered and addressed in relation to the long-term benefits of the project:
  - Safety – less trucks on roads
  - General demographics – long-distance truckies now aged 40/50+ with likely future shortage of long-distance truck drivers
  - Economic viability – unviable to drive trucks long distances
  - Truck v Train – 25 tonnes on truck v 6,000 tonnes on train
  - 1 train driver required v 40 truck drivers required to move 6000 tonnes of product
- Mr Clancy advised that contrary to popular belief, all eastern seaboard ports (Brisbane, Newcastle, Sydney, Port Kembla, Melbourne) are connected by standard gauge rail – it is a matter of whether it is used or has the capacity viz, passenger v freight.
- Mr Clancy also advised that no port can accept double stacked container trains. To achieve this, brownfield corridors would need to lift bridges, adjust overhead electrical gantries, reduce station awnings as well as other infrastructure at a huge capital cost.
- Mr Clancy advised that to attract product to rail, such as supplies to major grocery stores, the Inland Rail must meet their short timeframes. This process involves product transfer off the train directly to a truck and straight to the store. This process is designed to reduce costs by removing the amount of warehouse storage required and limiting shelf space costs.
- Mr Clancy said that the future is no distribution centres with containers pre-prepared



for direct transfer to stores. In terms of the supply chain, he suggested the market will find the most efficient way to handle product.

- Mr Clancy noted that over 40 grain rail sidings are along the proposed Inland Rail route with only three privately owned – the balance being part of the ARTC NSW lease. He advised that no active sites (grain sidings) are being closed.
- Mrs Judd enquired as to where intermodal hubs will be for access to the Inland Rail.
- Mr Stewart commented that the market will determine where intermodal hubs are required, suggesting that the private sector will research and develop its opportunities.
- Mr Clancy discussed opportunities for access to the Inland Rail and also advised that the locations of intermodal hub sites would be determined by market forces and are not in the scope of Inland Rail, therefore are matters for the private sector and local government to pursue. He noted that hubs would require a separate approval.
- The Chair invited Ms Elisha Bailey of the Department of Infrastructure, Transport, Cities and Regional Development to provide advice on programs and strategies the Commonwealth government has initiated that would support maximising the opportunities provided by Inland Rail.
- Ms Bailey advised that the government is committed to building a strong regional Australia. As part of this commitment and to support regional outcomes from Inland Rail the Department of Infrastructure, Regional Development and Cities has established Inland Rail regional offices in Albury-Wodonga, Dubbo and Toowoomba. The regional offices will work with stakeholders to maximise local procurement and employment opportunities arising from the construction of Inland Rail, as well as preparing industries and regions to take advantages of the opportunities arising from the operation of Inland Rail.
- Ms Bailey said that the Inland Rail Supply Chain Mapping Study - Parkes to Narromine Pilot project in collaboration with CSIRO tested the suitability of TraNSIT to analyse existing regional freight supply chains and looked at the potential transport cost savings available from Inland Rail. The results demonstrate significant savings, when shifting specific agricultural supply chains from road to Inland Rail.
- Ms Bailey indicated that during 2019 the study will be expanded to include other supply chains and capture a broader geographic region, from Narromine (NSW) to Seymour (Victoria). The department will be working closely with State Governments, local councils and other key stakeholders to ensure the project complements local land use planning and freight network strategies.
- Ms Bailey further advised that the Federal Government has committed \$44 million to an Inland Rail Interface Improvement Program to maximise connections to the national freight rail network – integrating regional lines and connecting local communities to the benefits that flow from Inland Rail. Further, the Regional Australia Institute (RAI) has been commissioned to help communities along the route make the most of Inland Rail.
- Mr Clancy drew attention to the slide on the CSIRO Northern NSW Transport Study which analysed Local Government Authorities in the north west. It demonstrated a likely cost saving of between \$7.75 and \$9.80 per tonne utilizing larger trains with a full payload.
- Mr Clancy emphasised that the Inland Rail project is based on 24 hours transfer time with a 98% reliability. Consequently, actual time needs to be 21 hours. This is to allow a 2-3 hours buffer in the network if there are any issues. He advised that the rail network is currently operating at 79% efficiency whilst running time into Brisbane is 68% on-time.



	<ul style="list-style-type: none"> <li>Mr Clancy advised that it was intended to have connecting networks upgraded and in place before Inland Rail is completed through co-ordinated investments across all tiers of government and the private sector. This will involve having wagons with 25 tonne total axle load and trains that have a minimum length of 1350 metres. He anticipated having a standardised and robust rail network in place by 2024.</li> </ul> <p><b>Property Report</b></p> <p><i>Refer to property slide pack.</i></p> <ul style="list-style-type: none"> <li>Patrick Leahy provided a presentation regarding the land acquisition process for the Inland Rail project having regard to the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</li> <li>Mr Leahy advised that ARTC is not an acquiring authority under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>. ARTC is currently in discussions with Transport for NSW (an acquiring authority) regarding the compulsory acquisition process.</li> <li>Mr Leahy reinforced the need for the rail corridor to be defined and confirmed before any property acquisition discussions could commence.</li> <li>Mr Leahy indicated that the process followed by ARTC in acquiring land will be the same as that outlined in the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</li> <li>Mr Leahy advised that ARTC's Community Engagement team can provide information on the acquisition process.</li> <li>Bruce Brierley suggested the presentation was irrelevant until the final corridor is determined.</li> <li>Cr Todd advised that many impacted landholders wanted to sell the whole of their property. Mr Leahy responded by advising that ARTC is not a property developer and is tied to identifying and acquiring the land necessary to build the Inland Rail project.</li> <li>Cr Campbell suggested that comment and question regarding acquisition were irrelevant until the feasibility design and EIS are at the 70% stage. Ms Ellaby confirmed that the corridor will be narrowed to 40-60 metres when the feasibility design is at the 70% stage.</li> <li>Mr Leahy commented that acquisition prior to an approval may result in a proponent being left with unwanted or unnecessary property.</li> <li>The Chair suggested to the Sub-committee that the purpose of the presentation was to provide community members with an understanding of the acquisition process and not what property may be required. Mr Silver commented that there did not appear to be a clear understanding of the acquisition process and particularly the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> in the community.</li> </ul>
<b>9. Actions required</b>	<ol style="list-style-type: none"> <li>That ARTC provide CCC members with a copy of the latest map of the overall Inland Rail alignment.</li> <li>The Chair to refer Other Agenda Items questions regarding historical matters associated with the Inland Rail project to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development for comment.</li> <li>That ARTC provide a response to recent public suggestions that a property acquisition associated with the Inland Rail project has been completed prior to determination of the final corridor.</li> <li>That ARTC provide an updated noise logger location map at the next meeting of the CCC.</li> </ol>
<b>10. Other Agenda</b>	<ul style="list-style-type: none"> <li>Members' questions on matters specific to project. It was noted that 26 questions from</li> </ul>





Items	
	<p>members of all Sub-committees of the N2NCCC had been placed on the agenda. It was further noted that two questions had been listed by a member of the Narrabri Sub-committee.</p> <ul style="list-style-type: none"> <li>The Chair indicated, that having regard to the comments contained in his Chair's Minute, that questions in the Other Agenda Items considered by the Chair to fall outside the scope of the CCC will be referred by him to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development for comment.</li> <li>The following questions, as detailed in the Addendum, will be referred to the Commonwealth Department: <ul style="list-style-type: none"> <li>Q 10.1; Q10.2; 10.8; Q 10.11; Q 10.12; Q 10.13; Q 10.14; Q 10.15; Q 10.16; Q 10.17; Q 10.18; Q 10.19.</li> </ul> </li> <li>In accordance with the previously agreed convention, responses to the questions were confined only to questions of immediate concern to Narrabri community members with written responses to all questions to be provide by ARTC as an Addendum to the minutes.</li> </ul> <p>10.25 What recourse do property owners have after the Inland Rail is built regarding noise &amp; vibration problems?</p> <p>A. The EIS will identify a range of operational noise and vibration mitigation measures to be implemented at source e.g. noise walls along rail track and at receiver e.g. property treatment. During detailed design and noise model refinement, mitigation measures will be optimised in consultation with affected property owners. Once the project becomes operational, mandatory noise monitoring will verify the noise modelling results and efficacy of installed mitigation measures. If required, mitigation measures will be modified to meet the project-specific noise requirements.</p> <ul style="list-style-type: none"> <li>Ms Neil asked if a property is located one kilometre from the alignment, will it be assessed. Mr Errington advised that the noise study area extends two kilometres either side of the of the rail alignment. Mr Skele drew the Sub-committee's attention to the conditions of consent in the Parkes to Narramine Inland Rail project relative to noise impacts.</li> </ul> <p><b>Chair's note:</b> Inland Rail - Parkes to Narramine Conditions of Approval  <a href="https://majorprojects.accelo.com/public/494e74b24015bfa974a13989e6944f0e/Inland%20Rail_Parkes%20to%20Narramine_Signed%20Instrument%20of%20Approval%207June2018.pdf">https://majorprojects.accelo.com/public/494e74b24015bfa974a13989e6944f0e/Inland%20Rail_Parkes%20to%20Narramine_Signed%20Instrument%20of%20Approval%207June2018.pdf</a></p> <p>10.26 Why are not all property owners within the corridor (Narrabri area) being contacted to meet with the floodplain and utilities surveyors, so that they can give them exact flood levels at their property?</p> <p>A: The flood surveys referred to in this correspondence are for existing flood structures, such as bridges and culverts. The landowner engagement on the flood studies has not yet commenced but will be undertaken with the one-on-one conversations.</p> <ul style="list-style-type: none"> <li>Ms Neil questioned whether this will only be within the refined 150 metre wide focus area. Ms Ellaby advised discussions will also occur with other landholders within the study area. Ms Neil stated that given her property location, she can provide extensive historical flood level data.</li> </ul>



<b>9. General business</b>	<ul style="list-style-type: none"> <li>• Ms Tomlinson again expressed her concern that property acquisition had allegedly occurred prior to finalisation of the rail corridor contrary to ARTC's stated policy.</li> <li>• The Chair thanked Ms Tomlinson for her contribution to the CCC.</li> </ul>
	<p><b>Next meeting: Tentatively set for Wednesday, 28 August 2019 at Baradine.</b></p> <p><b>Meeting closed: 4.00 pm. The Chair thanked all for their attendance</b></p>
<b>11. Meeting minutes approved</b>	 <p>Michael J. Silver OAM Independent Chair 19 June 2019</p>



## ADDENDUM

**Members' questions on matters specific to the project – the questions listed are from Community Members of all Sub-committees of the N2NCCC:**

- **Narromine Sub-committee**

- Andrew Knop

**10.1 Can ARTC fully explain its comparative costing analysis that suggests up grading an existing line is more expensive than building new rail line, having regard to the existing Dubbo to Curban rail line verses the 'green field' Study Area Narromine to Curban?**

**Member Comment:** The community notes that the Senate Estimates Committee has asked similar questions over various sittings but ARTC has failed to adequately answer the committee concerns. This has noticeably frustrated the Senators and is of great concern to the community and tax-payers' funding this project. As a great deal of community dissension is directly attributable to ARTC's failure to maximise the use of existing track, this question needs to be thoroughly and critically analysed.

**A:** Chair to refer question to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development for comment.

**10.2 Given over 80km of existing track from Dubbo to Curban meets the same destination point as the green field Narromine to Curban alignment why wasn't a green field project linking Tomingley to Dubbo thoroughly analysed?**

**Member Comment:** This alignment would require less green field disturbance, would directly link the project with western NSW largest centre for retail, transport, industry, manufacturing, health, education and agriculture and would take approximately the same travel time. It would cost considerably less, with the added benefit of creating a transport corridor around Dubbo which would future proof Dubbo for greater expansion whilst relieving traffic congestion and improving community safety and living conditions. This consideration directly links to regional plans providing additional Newell Highway transport capacity across the Macquarie River floodplain. It would also avoid considerable flood plain exposure risks.

**A:** Chair to refer question to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development for comment.

**10.3 Can ARTC provide a presentation on elevation modelling, at the highest available accuracy, for the Narromine to Burroway project section relating to:**

- Backwater Cowal Catchment area;
- Backwater Cowal;
- Narromine Township;
- Macquarie River Floodplain from Tantitha Road to 15km NW of Narromine Township inclusive of the all potential concept alignment study areas.

**- with elevation mapping to be tabled at the meeting.**

**A:** A presentation on digital elevation modelling for the Narromine to Burroway project section will be provided at the next meeting of the Sub-committee.



**10.4 Can ARTC provide a follow up presentation in respect of the Narromine – Burroway component of the Flood Modelling presentation provided by JacobsGHD at the March meeting inclusive of explanatory notes on the Macquarie River and Backwater Cowl Floodplain animation and any additional findings that are now available?**

*A: A follow-up presentation for the Narromine – Burroway component of the flood modelling presentation, including explanatory notes on the Macquarie River and Backwater Cowl Floodplain animation and any additional findings, will be provided at the next meeting of the Sub-committee.*

- **Gilgandra Sub-committee**

- Stuart Mudford

**10.5 Has ARTC or the Commonwealth Government purchased any land along the alignment between Narromine and Narrabri or will entire properties be purchased where a farmer wishes to leave?**

*A: ARTC has purchased land along the alignment, the details of which are confidential.*

*On occasion, Inland Rail will purchase a total property, even though only part of it is required. Any requests by a landowner for ARTC to acquire a property will be assessed on a case by case basis, and the decision to agree to a full purchase is at the discretion of ARTC.*

**10.6 Will there be any purchase of land outside the alignment? e.g. for gravel or fill.**

*A: ARTC presently has no plans to purchase properties for material supply that are outside the proposed project.*

**10.7 Some farmers are starting to use exclusion fencing - would it be possible for ARTC to use this type of fencing where it suits the farmer?**

*A: Yes, fencing requirements will be assessed on a case by case basis.*

- Karen McBurnie

**10.8 With reference to the response to question 8.8 (detailed in the addendum to the minutes) at the March 2019 meeting: What is the cost difference between redeveloping the existing rail line and cost of new greenfield line? Is this a feasible option?**

**Member comment:** ARTC stated that it is not in the project scope and only want to discuss the greenfield. The community is of the understanding that these CCC meetings were to have community consultation and to provide information to satisfy it that ARTC were being transparent. Surely there has been a study on the costing of using the existing corridor or even to build the Inland Rail adjacent to the existing track to have freight all in the original corridor. The community would like evidence of why this is not an option, beside the 11 minutes longer claim.

*A: Chair to refer question to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development for comment.*

**10.9 Why is ARTC doing survey work outside the study area? Are ARTC concerned that there may be an inquiry into the route selection and have not done the appropriate study for the initial Inland Rail proposal?**

**Member comment:** ARTC conducted survey work on Milpulling Road on Wednesday 8 May 2019 at the boundary of the properties 'Talah' and 'Wycott' which is situated approximately 13 kilometres from





the Newell Highway. This is outside the study corridor. The owner of 'Wycott' spoke to the ARTC people as to why they were there, but they did not answer.

**A:** ARTC did survey some marks on Milpulling Road outside of the N2N study area (and in some other areas of the project also). Survey Adjusted Cadastral Models (SACM) are done using as reference existing survey marks which appear on the cadastral plans. Most of the time those marks are outside of the property in question, and hence why they can be outside of the study area even if the property is within.

**10.10 How much is the projected usage of water per day, in the greenfield section of construction. Where do ARTC propose to obtain this water?**

**A:** As we are only at 30% Feasibility stage, we are still determining the quantity of water we require to build the project. There is groundwater monitoring currently underway to inform on the potential water sources. Surface water monitoring has also been undertaken and identified as not being a potential water source at this stage. ARTC may look to purchase any existing entitlements connected to existing bores where the groundwater impact assessment within the EIS shows the proposed extraction is not beyond the approved existing entitlement volumes at given bores. The amount of water required is also related to the moisture in the soils and this is currently being tested from the recent geotechnical investigations.

**10.11 Why was the Gilmours Road Alternative original route (including Mawbey's Road section) changed to include Old Mill Road and does ARTC have evidence to support why this original path was altered?**

**A:** Chair to refer question to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development for comment.

**10.12 When was Gilmours Road Alternative (Option B) first indicated as a preference for the Burroway to Curban section of Inland Rail?**

**A:** Chair to refer question to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development for comment.

**10.13 Does ARTC have evidence to support its claim that the Gilmours Road Alternative route (Option B) had resulted from a majority of community preference- to be included for investigation?**

**A:** Chair to refer question to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development for comment.

**10.14 The Gilmours Road Alternative route (Option B) was not considered in the December 2016 MCA Workshop but was consulted on in early 2017, Why?**

**A:** Chair to refer question to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development for comment.

**10.15 Does ARTC have a map indicating where one-on-one landowner and community consultations had taken place during January to May 2017.**

**A:** Chair to refer question to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development for comment.

**10.16 Why didn't ARTC consult and include in its investigation process in early 2017 the recommended route of Option 109 from the December 2016 MCA Workshop?**



*A: Chair to refer question to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development for comment.*

**10.17 What evidence does ARTC have to support its reasoning as to why Option 109 should not be consulted on with landowners and the community, given the December 2016 MCA Report had recommended it should be?**

*A: Chair to refer question to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development for comment.*

**10.18 Why wasn't Option 109 included in the consultation process of ARTC in early 2017 yet was illustrated in a map presented to Minister Chester in late 2017 as the 'preferred study corridor' for this section? Was the Minister informed that this 'preferred study corridor' had not undergone consultation?**

*A: Chair to refer question to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development and Cities for comment.*

**10.19 Why wasn't the Burroway to Curban section of Inland Rail indicated to the Minister as being a 'contentious area' before approval was given in late 2017?**

*A: Chair to refer question to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development for comment.*

- Peter Bonnington

**10.20 Can ARTC indicate the proposed timeframe for when it expects to notify stakeholders of the compulsory acquisition processes to proceed under the Act?**

*A: ARTC is not an acquiring authority and as such, will write to landowners to request to acquire land once the project design is well enough advanced. Landowners and ARTC will have a minimum of six months to reach an agreement on an acquisition. If agreement cannot be reached, a compulsory acquisition process will then commence.*

**10.21 What is the full timeline ARTC is working to regarding compulsory acquisition in the Gilgandra section of the project?**

*A: The timeline for acquisition has not been distinguished into sections at this stage. ARTC is not an acquiring authority and as such, will write to landowners to request to acquire land once the project design is well enough advanced. Landowners and ARTC will have a minimum of six months to reach an agreement on an acquisition. If agreement cannot be reached, a compulsory acquisition process will then commence.*

**10.22 Does ARTC expect to utilise only the minimum notice period under the Act or will it provide an additional length of notice? If yes, what is the current proposed plan for the notice period?**

*A: ARTC is not an acquiring authority and as such, will write to landowners to request to acquire land once the project design is well enough advanced. Landowners and ARTC will have a minimum of six months to reach an agreement on an acquisition. If agreement cannot be reached, a compulsory acquisition process will then commence. This is a statutory process under the Land Acquisition (Just Terms Compensation) Act. Landowners will first receive a Proposed Acquisition Notice in relation to the proposed compulsory acquisition of the property, stating the intention to acquire the property after a certain time period, usually 90 days. If contracts for purchase have not been exchanged within the*



notice period, usually 120 days, an Acquisition Notice is published, or 'gazetted', in the NSW Government Gazette.

**10.23 Will ARTC be providing further specific community sessions on compulsory acquisition prior to the commencement of this process? If yes, what are the estimated timeframes? If no, what communication systems will ARTC put in place to ensure community members are kept up to date and well informed of this process?**

**A:** Community information sessions will continue to inform landowners, stakeholders and others about our project plans for the Inland Rail project.

If landowners are directly affected by the Inland Rail project, ARTC will contact them face to face to:

- confirm that their property needs to be acquired
- explain the process
- introduce the team that will assist them through the process.

**10.24 Where is ARTC up to regarding commitments made at the last meeting to meet with and inform landholders of the route refinement, discuss options regarding property division and access.**

**Member comment:** The community has been provided with broad information regarding the Just Terms Compensation provisions over the past year. It would be beneficial for stakeholders to be provided with the best estimate timelines for this process to allow for future planning for, and engagement of, relevant professional assistance for those community members who wish to do so. Managing cashflow for the engagement of external assistance by landholders will be vital for affected community members and the better placed they are to understand timeframes ahead of time the better they can plan to mitigate the timing of cash outflows.

**A:** ARTC planned to start route refinement conversations with landowners in April 2019. As the Federal Government election was called in April, ARTC has respected the caretaker period and only conducted routine stakeholder engagement activities until the Commonwealth Government resumes normal operations.

- **Narrabri Sub-committee**

- Cindy Neil

**10.25 What recourse do property owners have after the Inland Rail is built regarding noise & vibration problems?**

**A:** The EIS will identify a range of operational noise and vibration mitigation measures to be implemented at source e.g. noise walls along rail track and at receiver e.g. property treatment. During detailed design and noise model refinement, mitigation measures will be optimised in consultation with affected property owners. Once the project becomes operational, mandatory noise monitoring will verify the noise modelling results and efficacy of installed mitigation measures. If required, mitigation measures will be modified to meet the project-specific noise requirements.

**10.26 Why are not all property owners within the corridor (Narrabri area) being contacted to meet with the floodplain and utilities surveyors, so that they can give them exact flood levels at their property?**

**Member comment:** An email was received from inlandrailnsw@ARTC.com.au on the 9th May 2019 at 12.32pm. It indicated that Flood & Utilities Surveys would be completed by Sunday 12th May 2019. It said that "Flood and utilities survey work will include taking photos and recording flood levels and will inform the project Flood Study Engagement Framework. Managing flooding is a high priority for





ARTC and we recognise that the community is concerned about potential changes in flooding behaviour." A landowner was contacted who has lived in the area for less than 15 years, whilst a neighbour who can provide anecdotal evidence as the property has been owned by their family for over 100 years was not contacted.

**A:** *The flood surveys referred to in this correspondence are for existing flood structures, such as bridges and culverts. The landowner engagement on the flood studies has not yet commenced, but will be undertaken with the one-on-one conversations.*

**11.5 INVESTMENT REPORT - JUNE 2019****Responsible Officer:** Lindsay Mason, Director Corporate Services**Author:** Luke Meppem, Senior Finance Officer**Attachments:** Nil**DELIVERY PROGRAM ALIGNMENT****4. Leadership**

Objective 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

Strategy 4.4.3 Report in a clear, concise manner that is easily understood

**EXECUTIVE SUMMARY**

Council is required to consider a report on its investments in accordance with clause 212 of the *Local Government (General) Regulation 2005*.

During the month:

- Three (3) investments matured, totalling \$6 million.
- Five (5) new investments were placed, totalling \$9 million.

Council's Responsible Accounting Officer has certified that Council's investments are in accordance with requirements.

**RECOMMENDATION**

1. That Council note the Investment Report for June 2019.

**BACKGROUND**

Council is required to consider a report on its investments in accordance with [clause 212](#) of the *Local Government (General) Regulation 2005*.

**CURRENT SITUATION**

The following is a summary of investment movements for June 2019:

Investments maturing during the month:

- |              |             |             |                  |
|--------------|-------------|-------------|------------------|
| • 05/06/2019 | Beyond Bank | \$2,000,000 | 183 days @ 2.80% |
| • 05/06/2019 | BOQ         | \$2,000,000 | 182 days @ 2.78% |
| • 21/06/2019 | Rural Bank  | \$2,000,000 | 364 days @ 2.91% |

New investments secured during the month:

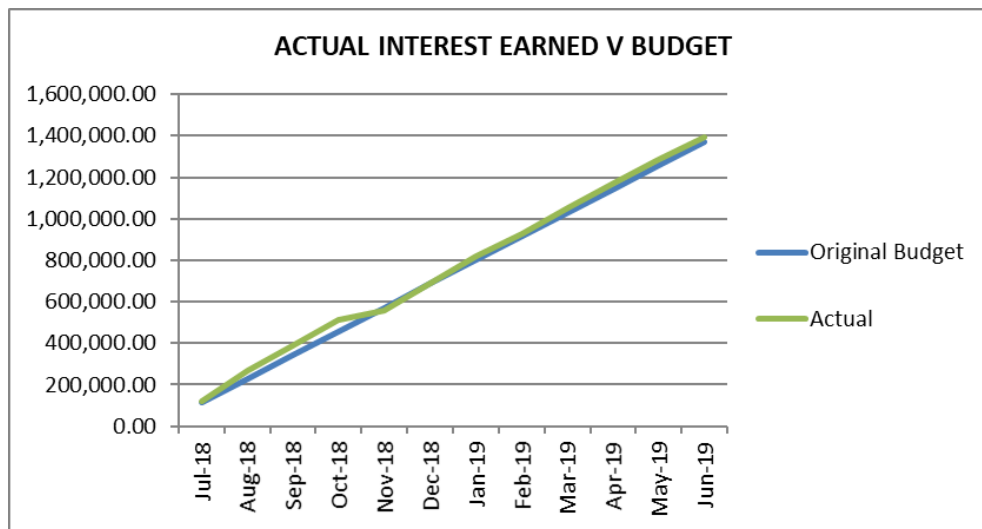
- |              |              |             |                  |
|--------------|--------------|-------------|------------------|
| • 05/06/2019 | Beyond Bank  | \$2,000,000 | 245 days @ 2.40% |
| • 05/06/2019 | ME Bank      | \$2,000,000 | 63 days @ 2.03%  |
| • 19/06/2019 | Auswide Bank | \$1,000,000 | 91 days @ 2.18%  |
| • 19/06/2019 | Auswide Bank | \$3,000,000 | 210 days @ 2.23% |
| • 24/06/2019 | Judo Bank    | \$1,000,000 | 93 days @ 2.40%  |

	Market Value (\$)	Term (days)	Rate	Maturity Date	% of Portfolio
<b>Short Term Deposits (&lt;1 yr)</b>	<b>50,000,000.00</b>				<b>97.40%</b>
Beyond	2,000,000.00	121	2.65%	03/07/19	3.90%
ME Bank	1,000,000.00	153	2.73%	24/07/19	1.95%
ME Bank	2,000,000.00	63	2.03%	07/08/19	3.90%
AMP	3,000,000.00	182	2.80%	21/08/19	5.84%
ME Bank	3,000,000.00	364	2.73%	28/08/19	5.84%
ME Bank	2,000,000.00	364	2.73%	04/09/19	3.90%
Defence Bank	2,000,000.00	279	2.80%	11/09/19	3.90%
Auswide Bank	1,000,000.00	91	2.18%	18/09/19	1.95%
Judo Bank	1,000,000.00	93	2.40%	25/09/19	1.95%
AMP	2,000,000.00	210	2.80%	02/10/19	3.90%
NAB	3,000,000.00	369	2.75%	16/10/19	5.84%
BOQ	1,000,000.00	209	2.68%	16/10/19	1.95%
MyState Bank	3,000,000.00	363	2.80%	06/11/19	5.84%
Defence Bank	3,000,000.00	364	2.85%	13/11/19	5.84%
AMP	2,000,000.00	273	2.80%	20/11/19	3.90%
NAB	4,000,000.00	369	2.80%	04/12/19	7.79%
AMP	3,000,000.00	273	2.80%	18/12/19	5.84%
Auswide Bank	2,000,000.00	273	2.58%	08/01/20	3.90%
Auswide Bank	3,000,000.00	210	2.23%	15/01/20	5.84%
Beyond Bank	2,000,000.00	245	2.40%	05/02/20	3.90%
ME Bank	1,000,000.00	364	2.73%	12/02/20	1.95%
Judo Bank	1,000,000.00	273	2.67%	19/02/20	1.95%
Auswide Bank	1,000,000.00	273	2.33%	26/02/20	1.95%
Defence Bank	2,000,000.00	364	2.80%	04/03/20	3.90%
<b>Cash Deposits</b>	<b>1,332,645.12</b>				<b>2.60%</b>
NAB At Call A/c	1,000,000.00	At Call	1.40%	n/a	1.95%
NAB Working A/c	332,645.12	At Call	1.00%	n/a	0.65%

<b>Total Cash &amp; Investments</b>	<b>51,332,645.12</b>				<b>100.00%</b>
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**Movements within Bank account for the reporting period (\$)**

Cash Book balance at 31 May 2019	2,544,786.02
Plus Receipts	11,379,365.98
Less Payments	-13,577,643.78
Cash Book balance at 30 June 2019	346,508.22
Less Outstanding Deposits	-16,966.64
Plus Unpresented Payments	3,103.54
Statement Balance as at 30 June 2019	332,645.12



### Investment Rate Summary for June 2019

Average Interest Rate on Investments: 2.61%

Weighted Average Interest Rate on Investments 2.63%

### Council's Benchmarks

Bank Bill Swap Rate (BBSW) 90 day index (01/07/2019)<sup>1</sup> 1.21%

Average 11am Cash Rate 1.25%

### FINANCIAL IMPLICATIONS

The interest income for the month:

General Fund	\$41,748
Externally Restricted Funds	\$25,000
Water Fund	\$26,134
Sewer Fund	\$17,173
<b>Total Interest Income</b>	<b>\$110,055</b>

### STATUTORY AND POLICY IMPLICATIONS

[Clause 212](#) of the *Local Government (General) Regulation 2005* requires Council's Responsible Accounting Officer to provide a monthly report setting out the details of all money that the Council has invested under [section 625](#) of the *Local Government Act 1993*.

It is certified that Council's investments have been made in accordance with:

- *Local Government Act 1993*.
- *Local Government (General) Regulation 2005*.
- Ministerial Investment Order dated 12 January 2011.
- Council's Investment Policy dated 15 August 2017.

<sup>1</sup> Source: [www.asx.com.au](http://www.asx.com.au)

**CONSULTATION**

**External Consultation**

Nil.

**Internal Consultation**

- Responsible Accounting Officer.

**11.6 ACCEPTANCE OF TENDERS UNDER DELEGATION – JUNE 2019****Responsible Officer:** Darren Raeck, Director Infrastructure Delivery**Author:** Carlie Lawty, Contracts and Systems Officer**Attachments:** Nil**DELIVERY PROGRAM ALIGNMENT****4. Leadership**

Objective 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

Strategy 4.4.2 Ensure effective and sound local governance practice

**EXECUTIVE SUMMARY**

Council has conditionally delegated to the General Manager the ability to determine tenders.

One of the conditions was that a cyclic quarterly report be provided to Council outlining the tenders that have been determined under the delegation.

For this reporting period two (2) tenders have been determined under delegation.

**RECOMMENDATION**

1. That Council note the determination of tenders under delegation for the period to June 2019.

**BACKGROUND****Local Government Amendment (Governance and Planning) Act 2016**

[Section 377](#) of the *Local Government Act 1993* (“the LG Act”) provides for a council to delegate functions to the general manager. Prior to the *Local Government Amendment (Governance and Planning) Act 2016*; acceptance of tenders was a function that a council could not delegate.

The LG Act now enables a council to delegate the determination of tenders as long as the tender does not provide services currently provided by members of staff of a council.

**CURRENT SITUATION**

Council has delegated to the General Manager the ability to determine tenders, under the following conditions:

1. That the tender not be in excess of a total of \$1,500,000 (ex GST); and
2. That a cyclic report be submitted to Council on a three (3) monthly basis with information relating to tenders determined under the delegation.

The table below outlines the tenders determined under delegation for the reporting period:



Tender/Contract Description		Successful Tenderer	No. of Tenders (Local Tenders)	Tender Price (ex GST)
1.	Contract 2018-19/19 – Kerb & Gutter Replacements	Enwon (Australia) Pty Ltd, Penrith.	3 (1)	\$959,762.52
2.	LGP NPN 1.15 – Supply & Delivery of Two Single Cab Tipping Trucks with Crane	Wideland Trucks & Machinery, Tamworth.	6 (0)	\$315,294.02

### FINANCIAL IMPLICATIONS

Nil.

### STATUTORY AND POLICY IMPLICATIONS

Council previously conditionally delegated to the General Manager the ability to determine tenders. The conditions placed on the delegation were:

- 1. The authority to determine tenders involving a total of receipts or expenditures not in excess of a total of \$1,500,000 (ex GST) and in accordance with the Local Government Act, as amended; and*
- 2. That a cyclic report be submitted to Council on a three (3) monthly basis with information relating to these tenders.*

This report fulfils the second condition of the delegation.

### CONSULTATION

#### External Consultation

Nil.

#### Internal Consultation

- Tender Panel.

**11.7 CHANGES TO REQUIREMENT FOR TENDERING UNDER SECTION 55 LOCAL GOVERNMENT ACT 1993**

**Responsible Officer:** Lindsay Mason, Director Corporate Services

**Author:** Lindsay Mason, Director Corporate Services

**Attachments:** 1. **Office Local Government - Amendments to Local Government Act 1993**  

**DELIVERY PROGRAM ALIGNMENT****4. Leadership**

Objective 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

Strategy 4.4.2 Ensure effective and sound local governance practice

**EXECUTIVE SUMMARY**

The *Local Government Act 1993* (“**LG Act**”) was amended on 25 June 2019, adjusting tendering limit for contracts and services. The current policy includes the previous legislative limit of \$150,000.

**RECOMMENDATION**

1. That Council approve the necessary changes to its Procurement Policy and Framework in ensure alignment with the amendment to Section 55 of the Local Government Act 1993.

**CURRENT SITUATION**

[Section 55](#) of the *Local Government Act 1993* was amended changing the minimum dollar amount triggering tender requirements for provision of goods or services. This limit has increased from \$150,000 to \$250,000 under the Act. Thresholds involving services provided by council employees remains at \$150,000.

**FINANCIAL IMPLICATIONS**

There will be internal savings with fewer tenders being required. These savings will be in staff time, and advertising costs. Currently a minimum of four staff are required to internally assess all tenders for probity and governance issues. Other staff, who prepare and carry out preliminary assessments of the tenders are also required to attend these meetings.

**STATUTORY AND POLICY IMPLICATIONS**

Narrabri Shire Council Procurement Policy to be amended to meet legislative requirements. As this is a legislative change, the policy does not require public exhibition or submissions. Council staff will need to amend internal purchasing protocols and procedures to reflect this change to the LG Act.

**CONSULTATION****External Consultation**

- Office Local Government.

**Internal Consultation**

- Financial Services Manager.



Office of  
Local Government

## Circular to Councils

<b>Circular Details</b>	Circular No 19-14 / 10 July 2019 / A652389
<b>Previous Circular</b>	19-12 – <i>Consultation by IPART on recommended reforms to local government election costs and extension of the deadline for councils to make a decision on the administration of their elections</i>
<b>Who should read this</b>	Councillors / General Managers
<b>Contact</b>	Policy/Governance Teams / 02 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Council to Implement

### Recent amendments to the *Local Government Act 1993*

#### What's new or changing

- The *Local Government Amendment Act 2019* was assented to on 24 June 2019 and a number of provisions came into effect on 25 June 2019.
- This has amended the *Local Government Act 1993*, including:
  - enabling the Minister to extend the rates path freeze for an additional 12 months for those councils formed in 2016 that need more time to consult with communities about rating harmonisation; and
  - extending the 'cut-off date' for councils to make a decision on the administration of elections in 2020, and to require councils that do not enter into an arrangement with the Electoral Commissioner to engage an electoral services provider to administer elections (See *Circular 19-12*).
- Further changes have also come into effect, or will come into effect in future by proclamation, as indicated below.

#### What this will mean for your council

- Councils have until 1 October 2019 to resolve to enter into arrangements with the Electoral Commissioner, or an electoral services provider, to administer the 2020 ordinary council elections, and have until 1 January 2020 to enter into these arrangements (**commenced**).
- Councils formed in 2016 will be have their rate path freeze extended until 1 July 2021, unless they resolve to apply to the Minister to vary the existing rates path freeze determination and the determination is varied (**commenced**).
- The tendering threshold, below which councils do not have to undertake a competitive tendering process, has been increased to \$250,000. However, the threshold for contracts involving services provided by council employees at the time of entering the contract remains at \$150,000 (**commenced**).
- The *Public Interest Disclosures Act 1994* has been amended with the intention of allowing councils to report on their obligations under that Act in their own annual reports under the *Local Government Act 1993*, rather than by the current requirement to table a special report in Parliament (**commenced**). Councils should also note that further changes to relevant legislation and regulations will be made to facilitate this.
- Councils can procure the services of pre-qualified disability employment organisations approved under the *Public Works and Procurement Act 1912*, without having to go to tender (**commenced**).

- Councils should also note that the Minister intends to enable, by a future regulation, councils to access the *National Prequalification System for Civil Construction (Roads and Bridges) Contracts* after further consultation.
- Councils are able to delegate regulatory functions to another council, and to joint organisations of which they are not a member, with approval of that council or joint organisation. Further, joint organisations will be able to sub-delegate regulatory functions to their committees, in addition to their Executive Officer (**commences by proclamation**).
- Regulations are able to be made to exempt councils from the need to publicly notify fees relating to certain defined commercial activities and from the need to determine those fees based on an adopted pricing methodology. This will ensure councils are not placed at unfair disadvantage during commercial negotiations (**commences by proclamation**).
- Regulations are able to be made to prescribe a scheme for mutual recognition of council approvals for regulatory activities issued under section 68 of the Act (**commences by proclamation**).

#### Key points

- The Office of Local Government (OLG) has provided a separate Circular to Councils about the new provisions in relation to elections (See *Circular 19-12*).
- New councils that need it will be able to seek more time to consult with local communities about rating harmonisation. OLG will write to all new councils shortly about what this means for them and next steps.
- OLG will consult further with local government before preparing regulations to support amendments that commence by proclamation. This includes potential regulations about sharing regulatory services, mutual recognition of approvals and exemptions from regulatory requirements for certain commercial activities.

#### Where to go for further information

- Further information can be found on OLG's website [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au).
- A copy of the amendment Act may be found on the NSW Legislation website [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).
- For further information, contact OLG's Governance Team (elections and procurement) and Policy Team (all other matters) on 02 4428 4100.



**Tim Hurst**  
**Deputy Secretary**  
**Local Government, Planning and Policy**

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**11.8 GIBBONS STREET, NARRABRI - PARKING ISSUES**

**Responsible Officer:** Darren Raeck, Director Infrastructure Delivery

**Author:** Anthony Smetanin, Design Services Manager

**Attachments:** 1. Local Traffic Facilities Committee Report - 25 June 2019  

**DELIVERY PROGRAM ALIGNMENT****4. Leadership**

**Objective** 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

**Strategy** 4.4.3 Report in a clear, concise manner that is easily understood

**EXECUTIVE SUMMARY**

On 20 May 2019, Narrabri Shire Council received a letter from the resident at No.4 Gibbons Street, Narrabri, requesting Council to install line marking and sign posting for their private driveway to deter motorists from blocking or partially blocking their vehicle access. The purpose of this report is to present to Council the unanimous recommendation from the Local Traffic Facilities Committee and the results of an investigation into the reported parking issues along Gibbons Street, Narrabri.

**RECOMMENDATION**

1. That Council note the results of the investigation into parking issues along Gibbons Street and; recommend the request for line marking and sign posting be refused, and take no further action.
2. That Council note the unanimous recommendation from the Local Traffic Facilities Committee: *“That the Local Traffic Facilities Committee note the results of the investigation into parking issues along Gibbons Street, and recommend to Council that the request for line marking and sign posting be refused, and take no further action.”*

**BACKGROUND**

On 20 May 2019, Narrabri Shire Council received a letter from the resident at No.4 Gibbons Street, Narrabri, who has requested line marking and sign posting for “ongoing” parking related issues.

On 30 May 2019, Councils Director of Infrastructure Delivery informed the resident that Council was in the process of analysing the situation and preparing a report for the Local Traffic Facilities Committee to consider.

**CURRENT SITUATION**

At the Local Traffic Facilities Committee held Tuesday 25 June 2019, a report was tabled and the Local Traffic Facilities Committee unanimously agreed;

*“That the Local Traffic Facilities Committee note the results of the investigation into parking issues along Gibbons Street, and recommend to Council that the request for line marking and sign posting be refused, and take no further action.”*

A copy of this report to the Local Traffic Facilities Committee has been included as an attachment to this report. A copy of the letter from the resident can be made available upon request.

**FINANCIAL IMPLICATIONS**

Nil.

**STATUTORY AND POLICY IMPLICATIONS**

Gibbons Street is a public road owned and maintained by Narrabri Shire Council. Council has a “duty of care” obligation to ensure the safety of pedestrians and motorists.

In accordance with the Roads & Maritime Services *“Delegation to Councils for the Regulation of Traffic”* document, Council is required to seek the advice of the NSW Police and Roads & Maritime Services via the Local Traffic Facilities Committee prior to exercising their delegated function.

**CONSULTATION****External Consultation**

- Local Traffic Facilities Committee (Roads & Maritime Services, and NSW Police).

**Internal Consultation**

Nil.

## LOCAL TRAFFIC COMMITTEE MEETING AGENDA

25 JUNE 2019

**4 REPORTS****4.1 RESIDENT REQUEST: PARKING ISSUES ALONG GIBBONS STREET, NARRABRI****Responsible Officer:** Darren Raeck, Director Infrastructure Delivery**Author:** Anthony Smetanin, Design Services Manager**Attachments:** 1. Letter from Resident (20 May 2019) **DELIVERY PROGRAM ALIGNMENT****4. Leadership****Objective** 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting**Strategy** 4.4.3 Report in a clear, concise manner that is easily understood**EXECUTIVE SUMMARY**

On 20 May 2019, Narrabri Shire Council received a letter from the resident at No.4 Gibbons Street, Narrabri, requesting Council to install line marking and sign posting for their private driveway to deter motorists from blocking or partially blocking their vehicle access. The purpose of this report is to present to the Local Traffic Facilities Committee, the results of an investigation into the reported parking issues along Gibbons Street, Narrabri.

**RECOMMENDATION**

**That the Local Traffic Facilities Committee note the results of the investigation into parking issues along Gibbons Street, and recommend to Council that the request for line marking and sign posting be refused, and take no further action.**

**BACKGROUND**

On 7 February 2019, Narrabri Shire Council received an e-mail from the resident at No.4 Gibbons Street, Narrabri, requesting Council to install line marking and sign posting to prevent "school goers" from parking in the driveway or partially blocking the driveway.

A response was sent to the resident on 8 February 2019 informing that traffic devices of this nature (e.g. line marking and sign posting) are generally reserved for areas of high vehicle turnover and areas where there is evidence of an ongoing safety issue.

The resident was also informed that Council Officers would monitor the situation, as school students and teachers had only just returned after the Christmas break, to observe any ongoing safety issues and apply any safety measures if required.

Further advice was given for the resident to make contact with the Principal of the Narrabri High School, who could raise this issue with the students during the weekly school assemblies and include a notice in the school's newsletter

Shortly after this e-mail reply was sent, Councils Design Services Manager received a phone call from the resident who was unhappy with the response, especially since no immediate action was taken in favour of the resident. It was explained to the resident that Council needed to undertake a site investigation to ensure that the complaint was not an isolated issue and that there was an on-going safety issue, prior to installing any traffic control devices.

**LOCAL TRAFFIC COMMITTEE MEETING AGENDA****25 JUNE 2019**

Since this time Council Officers have been monitoring the location in front of No.4 Gibbons Street, where there has been no evidence of motor vehicles blocking or partially blocking the private access. On several occasions the High School has held such events as sports carnivals and special assemblies where parents and guardians also attend. The image below represents one of the higher vehicle count days, with the majority of observations having no vehicles parked near this access.



It should be noted that during this period of investigation, Council did not receive any photographic evidence from the resident, or any other complaints from adjoining property owners. Council records also indicate that no previous complaints have been received from this property regarding parking related matters.

**CURRENT SITUATION**

On 20 May 2019, Narrabri Shire Council received a letter from the resident at No.4 Gibbons Street, Narrabri, who has again requested line marking and sign posting for “ongoing” parking related issues. A copy of letter has been included with this report.

This letter indicates that the resident has spoken several times to both the Narrabri High School and Local Police, as well as providing several written e-mails regarding this matter.

On 30 May 2019, Councils Director of Infrastructure Delivery informed the resident that Council was in the process of analysing the situation and preparing a report for the local Traffic Facilities Committee to consider. It was also requested that a copy of the referenced letters/e-mails to the High School and NSW Police be forwarded to Council for inclusion to the report.

On 3 June 2019, the resident of No.4 Gibbons Street e-mailed the Director of Infrastructure Delivery to inform Council that he has no written information to provide Council, and that he spoke to the High School that morning only to be informed that the parking issue was not mentioned in any newsletter.

As a result of no significant evidence of any problem occurring regarding parked vehicles, and no indication of this occurring from Councils extensive investigation, it is recommended that no further action is taken regarding the request to install line marking and sign posting for the private residential access.

**LOCAL TRAFFIC COMMITTEE MEETING AGENDA****25 JUNE 2019**

Installing line marking and sign posting should only be reserved for areas with high-vehicle turnover and where there are ongoing safety issues (e.g. Central Business District, Hospitals, Emergency Services, Tourism areas etc.). Installing such devices for private residential properties may set an unnecessary precedent for Council, and therefore should not be implemented.

**FINANCIAL IMPLICATIONS**

Nil.



**STATUTORY AND POLICY IMPLICATIONS**

Nil.

**11.9 COUNCIL'S SURPLUS LAND DISPOSAL PROGRAM**

**Responsible Officer:** Lindsay Mason, Director Corporate Services

**Author:** Tan Vo, Manager Property Services

**Attachments:** 1. Locality Plans  

**DELIVERY PROGRAM ALIGNMENT****4. Leadership**

**Objective** 4.2 Decision making will ensure Council remains financially sustainable

**Strategy** 4.2.1 Maintain and improve Council's financial sustainability with a focus on core business

**EXECUTIVE SUMMARY**

As part of a process to assist Council in working towards its “Fit for Future”, eighteen (18) parcels of land have been identified as surplus to Council’s service delivery requirements and should be included in Council’s surplus land disposal program. This report provides details of the surplus parcels of land and highlights the advantages and disadvantages associated with each selling method for Council’s consideration.

**RECOMMENDATION**

1. That Council approve the disposal of:
  - a. 52-64 Belar Street, Bellata by public tender in the first instance, and then by public auction should the sale by tender be unsuccessful.
  - b. 35-37 Dalton Street, Boggabri by public auction.
  - c. 103 Caloola Road, Boggabri by public auction.
  - d. 39 Williams Drive, Narrabri West by public auction
  - e. 11-13 Dangar Street, Pilliga by public auction
  - f. 31-33 Vivian Street, Pilliga by public auction.
  - g. 77 Vera Leap Road, Wee Waa by public auction.
2. That the General Manager, following receipt of input/advice from a qualified property valuer, be authorised to approve the selling prices and/or set the reserve prices for the selling of the properties listed in Item 1 above.
3. That the Council’s Common Seal be affixed to all relevant documents to effect the sale of the properties listed in Item 1 above.
4. That Council properties at 108 and 110 Chelmsford Street, Boggabri be included in the next review of Council’s Local Environmental Plan for rezoning to enable appropriate land uses prior to being included in Council’s Property Disposal Program. These properties will not be sold as part of this round of property disposal.

**BACKGROUND**

As part of a process of assisting Council in working towards its “fit for the future”, staff investigated more than fifty five (55) unused parcels of land throughout the Shire and undertook due diligence



exercise to ascertain whether these parcels of land would add value to Council's core service delivery or should they be disposed of to generate income and mitigate ongoing risks associated with the ownership of these unused vacant parcels of land.

Through this process, the residential property at 136 Rose Street, Wee Waa was sold in March 2018 for \$191,000. Eighteen (18) other parcels of land were identified and considered potentially suitable for disposal. Details of these parcels of land are summarised below:

Address	Town	Lot	Section	Plan	Zone	Area (m <sup>2</sup> )	Reference
52 BELAR ST	BELLATA	7	14	DP758081	RU5	1,035	Plan 1
54 BELAR ST	BELLATA	6	14	DP758081	RU5	1,041	Plan 1
56 BELAR ST	BELLATA	5	14	DP758081	RU5	970	Plan 1
58 BELAR ST	BELLATA	4	14	DP758081	RU5	1,057	Plan 1
60 BELAR ST	BELLATA	3	14	DP758081	RU5	975	Plan 1
62 BELAR ST	BELLATA	2	14	DP758081	RU5	1,017	Plan 1
64 BELAR ST	BELLATA	1	14	DP758081	RU5	1,064	Plan 1
37 DALTON ST	BOGGABRI	B		DP389913	R1	1,208	Plan 2
35 DALTON ST	BOGGABRI	A		DP389913	R1	2,429	Plan 2
108 CHELMSFORD ST	BOGGABRI	15	27	DP758128	SP2	1,874	Plan 2
110 CHELMSFORD ST	BOGGABRI	16	27	DP758128	SP2	1,950	Plan 2
103 CALOOLA RD	BOGGABRI	A		DP361385	R1	12,593	Plan 2
39 WILLIAMS DR	NARRABRI	3		DP1154624	IN1	12,829	Plan 3
13 DANGAR ST	PILLIGA	2	8	DP758844	RU1	2,028	Plan 4
11 DANGAR ST	PILLIGA	1	8	DP758844	RU1	2,037	Plan 4
31 VIVIAN ST	PILLIGA	18	7	DP1060	RU5	1,022	Plan 4
33 VIVIAN ST	PILLIGA	17	7	DP1060	RU5	1,024	Plan 4
77 VERA LEAP RD	WEE WAA	44		DP587410	IN1	5,187	Plan 5

Attachment 1 includes locality plans for the land listed in the table above.

## CURRENT SITUATION

### 52-64 Belar Street, Bellata

These parcels of land were formerly used as the Bellata Caravan Park, the operation of which has been ceased many years ago. These parcels of land are zoned RU5 Village under Council's LEP 2012. A wide range of land uses are permissible under this zoning. The site is serviced with water and electricity. There is a dilapidated toilet building with septic tanks on the land. The demolition of the building does not warrant a reciprocal return from the sale price but takes away an opportunity for re-adaptive use of the structure. These parcels of land have recently been reclassified as *Operational Land* through the amendments to Council's LEP 2012 published in the NSW Government Gazette date 7 June 2019. The site is not required for Council's future service delivery and should be sold in one line.

### 35 and 37 Dalton Street, Boggabri

These vacant levelled parcels of land are zoned R1 General Residential and can be connected to existing water, drainage, sewerage and electricity services currently available in this precinct. These parcels of land are owned by Council in fee simple, classified as *Operational Land*, not required for Council's future service delivery, and can be sold separately or in one line.

### 108-110 Chelmsford Street, Boggabri

These vacant levelled parcels of land are zoned SP2 Special Use (Infrastructure), that makes the land not very appealing and marketable unless being rezoned. Adjoining the western boundary is a power station erected on land owned by Essential Energy. Adjoining the southern boundary are a series of land owned by the Local Aboriginal Land Council. A spot rezoning is costly, time consuming and unlikely to be successful due to the current zoning and ownership of the adjoining lands. The most appropriate action is to defer the sale of these parcels of land and include them in the next review of Council's LEP 2012. Once these parcels of land are rezoned to a more useful permissible land use such as IN2 Light Industrial, they can be placed on a market for sale.

#### 103 Caloola Road, Boggabri

This estate is located approximately 1,300 metres west of Kamilaroi Highway, on a slightly elevated land looking down onto the Township of Boggabri. The land is zoned R1 General Residential being serviceable with water and electricity. The land is owned by Council in fee simple, classified as *Operational Land*, not required for Council's future service delivery, and can be sold.

#### 39 Williams Drive, Narrabri West

This vacant land is located at the back of Cargills Processing centre in Narrabri West. The land is zoned IN1 General Industrial. Water, sewerage, drainage and electricity are readily available in this precinct. There are power poles erected across the site, which may need to be relocated to the site boundaries to enable better use of the land. The land is owned by Council in fee simple, classified as *Operational Land*, not required for Council's future service delivery, and can be sold.

#### 11-13 Dangar Street, Pilliga

These vacant parcels of land are zoned RU1 Primary Production. A range of land uses are permissible under this zoning. Electricity is available from Dangar Street. However other services such as water and sewerage are not available. These parcels of land are owned by Council in fee simple, classified as *Operational Land*, not required for Council's future service delivery, and can be sold separately or in one line.

#### 31-33 Vivian Street, Pilliga

These vacant parcels of land are zoned RU5 Village, located at the rear of Pilliga SES sites fronting Dangar Street. A wide range of land uses are permissible under this zoning. Water and electricity are available from Dangar Street (approximately 60 metres from the rear boundary). These parcels of land are owned by Council in fee simple, classified as *Operational Land*, not required for Council's future service delivery, and can be sold separately or in one line.

#### 77 Vera Leap Road, Wee Waa

This vacant land is zoned IN1 General Industrial, adjoins the dry side of the Wee Waa levy bank, opposite the Namoi Cotton Wee Waa Head Office. Water and electricity are readily available in this precinct. Historical flood images for Wee Waa show that the land was protected by the levy bank and not affected by previous floods in the area. The land is owned by Council in fee simple, classified as *Operational Land*, not required for Council's future service delivery, and can be sold.

### **FINANCIAL IMPLICATIONS**

Should Council continue its ownership over these surplus parcels of land, its foregone rates are potentially in the order of \$13,000 per annum.

Net income generated from these land sales should be reserved in Council's Restricted Assets for future improvements and/or development of Council's properties.

**STATUTORY AND POLICY IMPLICATIONS**

As mentioned earlier, all surplus parcels of land identified in this report are owned by Council in fee simple, classified as *Operational Land* and can be sold in accordance with the provision of the *Local Government Act 1993*.

The four main methods of selling are:

- Private sale – by the owner, no agent employed.
- Private treaty sale – agent used, asking price established.
- Public Auction – by a licensed auctioneer, normally with a reserved price.
- Public Tender – offers invited from prospective buyers, one or none may be accepted.

Advantages and disadvantages associated with these methods of selling can be summarised as follows:

Selling Method	Advantages	Disadvantages
▪ Private Sale	<ul style="list-style-type: none"> <li>▪ No agent's selling fee.</li> <li>▪ Purchasers have sufficient time for enquiries.</li> <li>▪ Direct discussions/negotiations between buyers and sellers.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Less exposure to the market.</li> <li>▪ Advertising costs and efforts.</li> <li>▪ Less transparency, perceived conflicts of interest.</li> <li>▪ More staff time required.</li> </ul>
▪ Private Treaty	<ul style="list-style-type: none"> <li>▪ The agent normally pays for advertising costs.</li> <li>▪ More exposure to the market through the agent's network.</li> <li>▪ Purchasers have sufficient time for enquiries.</li> <li>▪ Less staff's time required.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Agent's fees.</li> <li>▪ Indirect negotiations between buyers and sellers, perceived conflicts of interest.</li> </ul>
▪ Public Auction	<ul style="list-style-type: none"> <li>▪ Prompt and competitive.</li> <li>▪ Reserve a price and a right to negotiate with the highest bidder.</li> <li>▪ Good method in seller's market.</li> <li>▪ No cooling off period.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Advertising costs.</li> <li>▪ Disclosure of number of interested parties.</li> <li>▪ Purchasers have lesser time for enquiries.</li> </ul>
▪ Public Tender	<ul style="list-style-type: none"> <li>▪ Good method for land of special/abnormal characteristics.</li> <li>▪ Offers can be evaluated before acceptance.</li> <li>▪ Non-disclosure of number of interested parties may have positive impact on prices.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Advertising costs.</li> <li>▪ Purchasers may not be familiar with this method of selling and its procedures.</li> </ul>

In view of the advantages and disadvantages for different selling methods outlined above, it is considered appropriate to sell most Council's surplus land by public auction, except those parcels of land forming the ex-Bellata Caravan Park which should be sold by tender due to its unusual characteristics.

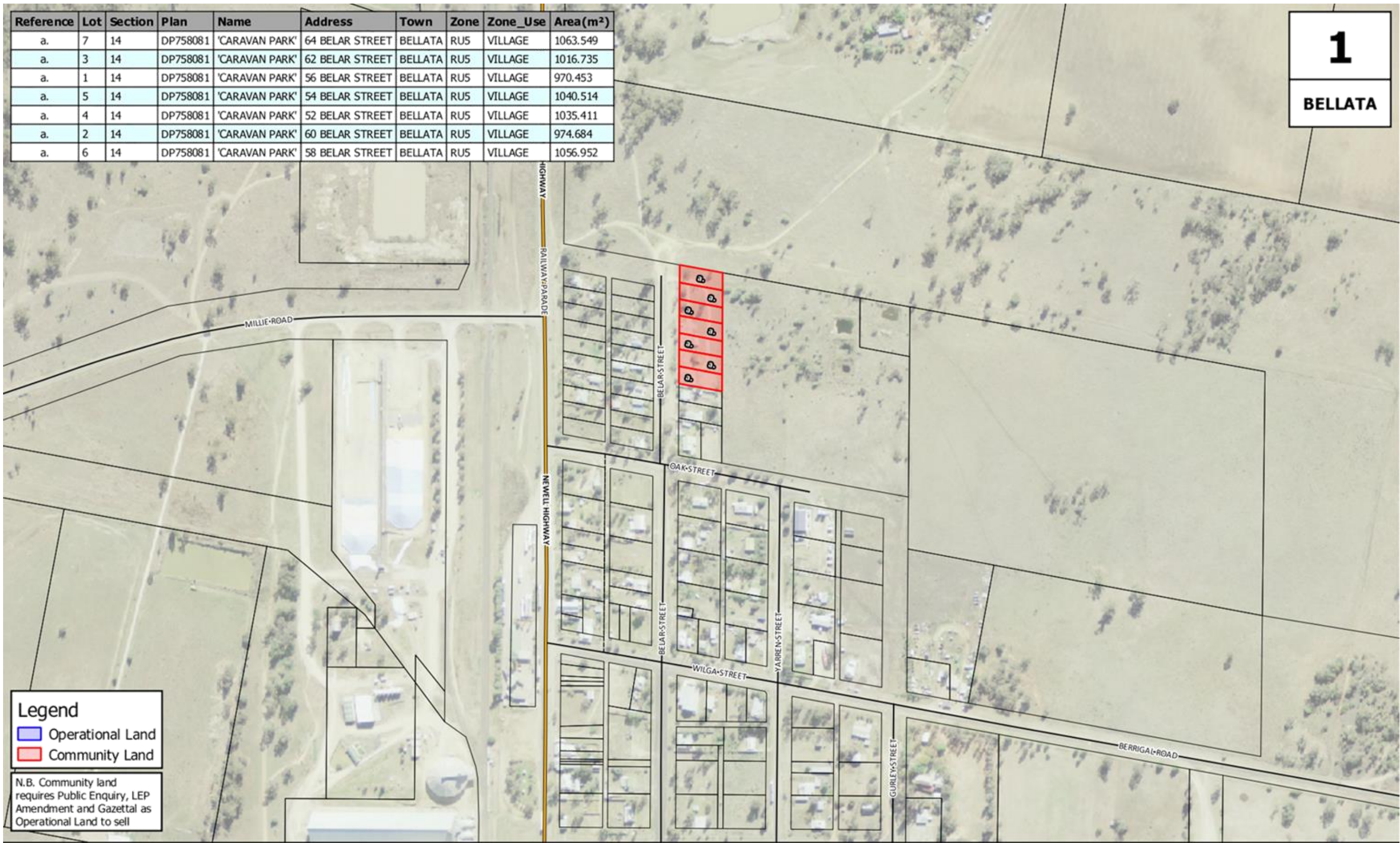
**CONSULTATION****External Consultation**

- InfoTrack.
- NSW Land Registry Services.
- Property NSW Valuation Services.

**Internal Consultation**

- Relevant Council staff from the Development and Economic Growth Directorate.
- Relevant Council staff from the Infrastructure Delivery Directorate.
- Relevant Council staff from Financial Services (Rates) team.



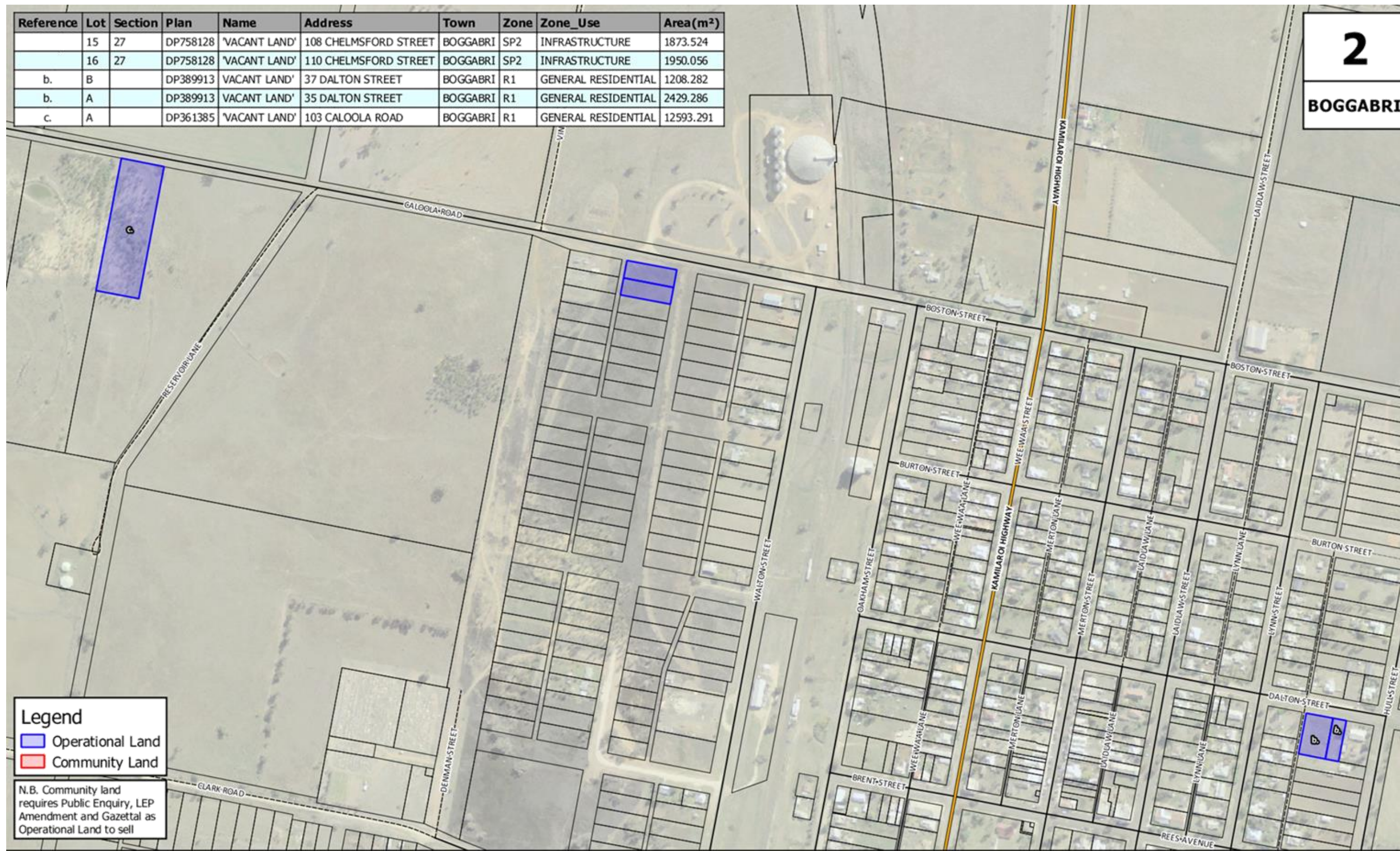


## Surplus Land For Disposal - Map 1 of 5 Narrabri Shire Council

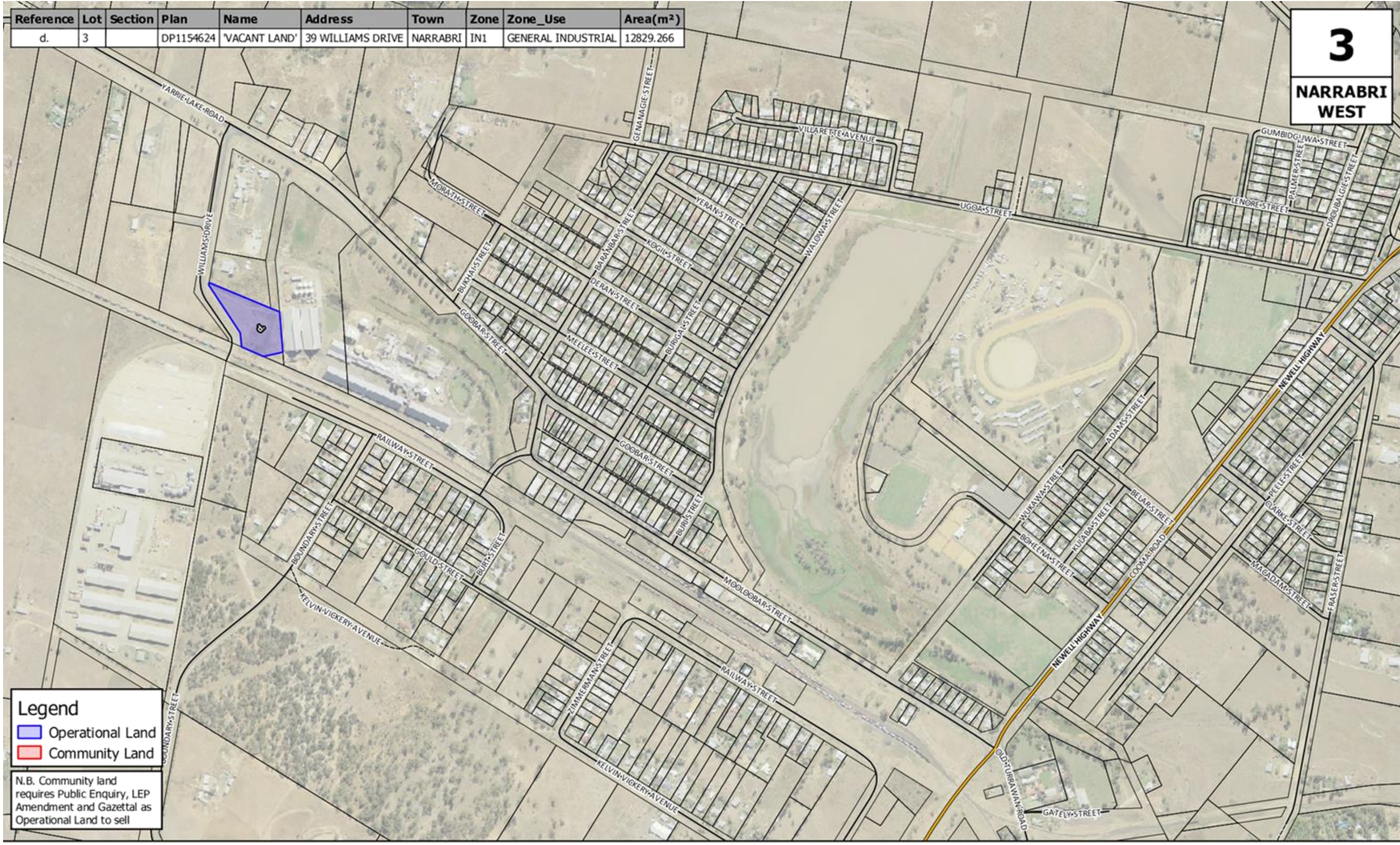
0 90 180 270 360 m











### Surplus Land For Disposal - Map 3 of 5

### Narrabri Shire Council

Created By: Kayla Rush  
Creation Date: 09/07/2019  
Scale: 1:7500 @ A3  
Projection: GDA94 / MGA Zone 55

0100200300400 m

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Reference	Lot	Section	Plan	Name	Address	Town	Zone	Zone_Use	Area(m <sup>2</sup> )
e.	1	8	DP758844	'STOCK IMPOUND'	11 DANGAR STREET	PILLIGA	RU1	PRIMARY PRODUCTION	2036.962
e.	2	8	DP758844	'STOCK IMPOUND'	13 DANGAR STREET	PILLIGA	RU1	PRIMARY PRODUCTION	2028.379
f.	17	7	DP1060	'PILLIGA SES'	33 VIVIAN STREET	PILLIGA	RU5	VILLAGE	1023.525
f.	18	7	DP1060	'PILLIGA SES'	31 VIVIAN STREET	PILLIGA	RU5	VILLAGE	1022.164

4

PILLIGA



## Legend

- Operational Land
- Community Land

N.B. Community land requires Public Enquiry, LEP Amendment and Gazetteal as Operational Land to sell

## Surplus Land For Disposal - Map 4 of 5

### Narrabri Shire Council

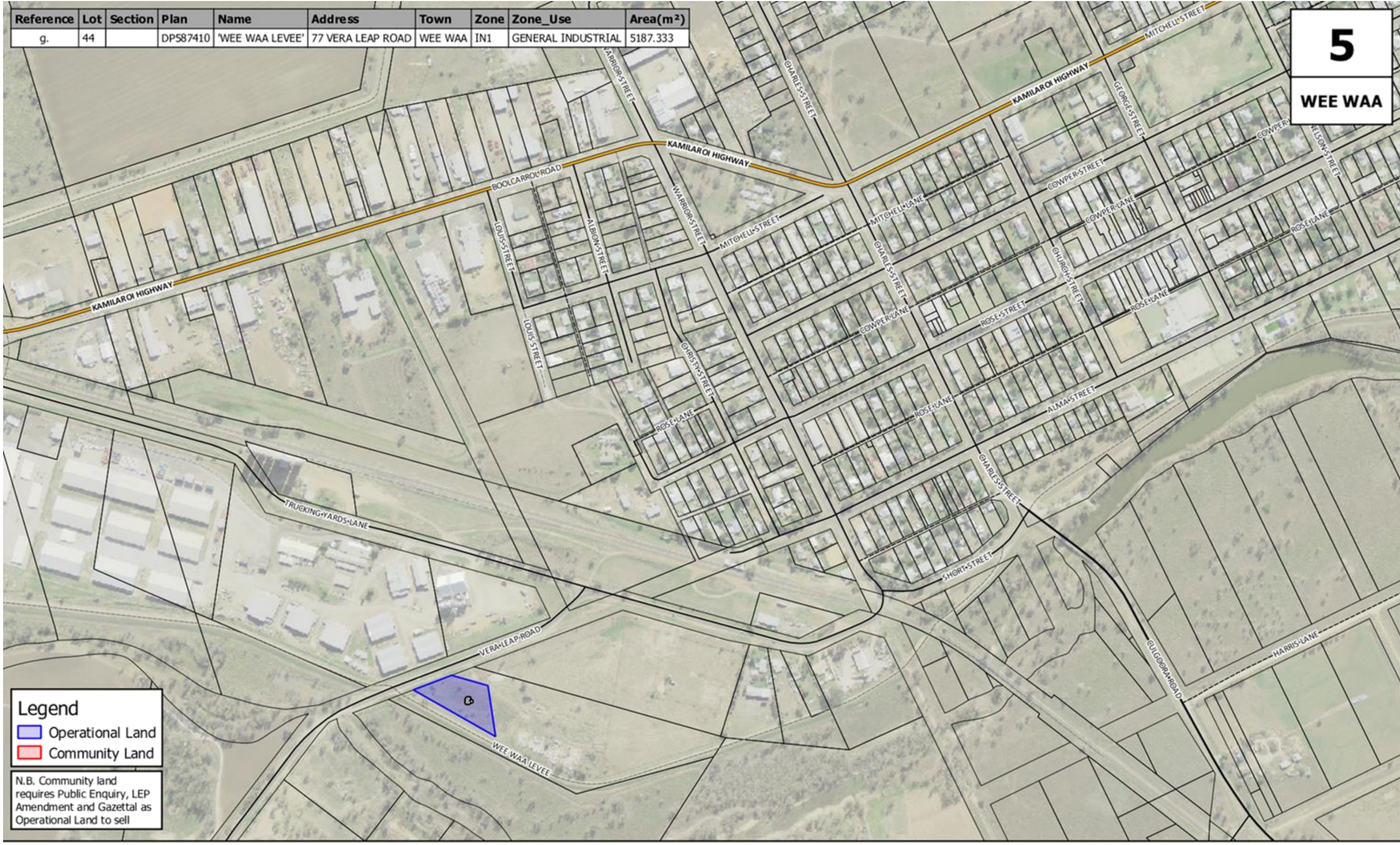
Created By: Kayla Rush  
 Creation Date: 09/07/2019  
 Scale: 1:5000 @ A3  
 Projection: GDA94 / MGA Zone 55

0 100 200 300 400 m



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### Surplus Land For Disposal - Map 5 of 5

### Narrabri Shire Council

Created By: Kayla Rush

Creation Date: 09/07/2019

Scale: 1:5000 @ A3

Projection: GDA94 / MGA Zone 55

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**11.10 2019/2020 COMMUNITY GRANTS FUND**

**Responsible Officer:** Bill Birch, Economic Development Manager

**Author:** Amanda Wales, Grants Officer

**Attachments:** Nil

**DELIVERY PROGRAM ALIGNMENT****1. Society**

**Objective** 1.3 Our communities will be provided with facilities and services to increase social connectivity and accessibility

**Strategy** 1.3.4 Continually improve access to community facilities and services across the Shire

**EXECUTIVE SUMMARY**

Council administers a Community Grants Fund which provides opportunity for not-for-profit organisations, community groups and registered Sporting organisations to apply for funding. Funding can be utilised for programmes/events/projects, in accordance with the Community Grants Fund Policy.

The 2019/2020 funding round opened for applications on Monday 8 April 2019, with applications being due by 5pm on Friday 31 May 2019. Thirty-six (36) applications were received, of which one (1) is ineligible as the applicant is located outside the Narrabri Shire LGA and six (6) are ineligible due to not meeting the Community Grants Policy requirements. The large number of applications makes this an extremely competitive grant round. An assessment of the applications and recommendation for the allocation of funding has been completed.

**RECOMMENDATION**

**1. That Council allocate the following funding from the 2019/2020 Community Grants Fund:**

- a. \$1,500.00 to Narrabri Public School P&C for the Narrabri Public School Fete.
- b. \$1,500.00 to Narrabri Polocrosse for the 2020 Australia versus New Zealand Junior Challenge.
- c. \$1,500.00 to Cotton Capital Music Muster for the 2019 Cotton Capital Music Muster event.
- d. \$1,695.00 to Maules Creek Recreation Reserve Trust for War Memorial signage.
- e. \$1,500.00 to Boggabri Public School P&C for their Trivia Night.
- f. \$3,600.00 to Narrabri Clay Target Club for Accessibility and Safety upgrade works.
- g. \$2,949.00 Tracks Youth Group in partnership with Wee Waa Sports Incorporated for fire safety bars on exit doors at the Wee Waa Sporting Complex.
- h. \$5,000.00 to Narrabri High School Canteen committee for canteen refurbishments.
- i. \$2,100.00 to Wee Waa High School P&C for drink container recycling bins.



- j. **\$3,000.00 to Namoi Aero Club for new clubhouse flooring.**
- k. **\$5,000.00 to Wee Waa Community Band Inc. for instruments, chairs and sound system equipment, subject to confirmation of other grant funding in the amount of \$15,478.00.**
- l. **\$5,000.00 to Kogil Street Pre-School for an outdoor bathroom for children, subject to confirmation of other grant funding in the amount of \$24,874.70.**

## BACKGROUND

Council supports community growth and the activities of community groups through an allocation of funds via Councils Community Grants Fund. Not-for-profit organisations, community groups and registered sporting organisations can apply for funding to assist with programmes/events/projects by submitting a completed grant application form within the allocated time frame. The community Grants fund is open for application once every financial year with the budget subject to Council approval.

Support for not-for-profit organisations, community groups and registered sporting organisations provides Council the opportunity to undertake programmes/events/projects which align with Council's Community Strategic Plan.

## CURRENT SITUATION

Council 2019/2020 Community Grants Fund opened for applications on Monday 8 April 2019 and closed on Friday 31 May 2019. Thirty-six (36) applications were received, with one (1) being ineligible as the applicant is located outside the Narrabri Shire LGA and six (6) being ineligible due to not meeting the Community Grants Policy requirements, leaving twenty nine (29) to be assessed.

Due to the extremely large number of applications, the 2019/2020 round is very competitive. Out of twenty nine (29) applications assessed, twelve (12) have been recommended for funding. Grants are funded on a 50/50 basis whereby Council contributes fifty percent of the identified costs and the applicant contributes fifty percent, either through cash or in-kind contributions.

The applications have been assessed and recommendations for the allocation of funding have been completed.

## Applications

### **Narrabri Public School P&C Association**

Narrabri Public School P&C association is a representative body of parents and friends of Narrabri Public School. They formulate fundraising opportunities which assist with funding required for school items and activities. Narrabri Public School P&C have applied for funding to assist with their proposed school fete.

Recommendation: Narrabri Primary School appear to be proactive fundraisers for the school students and faculty. Providing financial support will assist with provision of educational practices.

Total Cost of Project	\$12,000.00
Funding Requested	\$5,000.00
Funding Recommended:	\$1,500.00

### **Eulah Creek Cemetery**

The Eulah Creek Cemetery group organises and prepares burial plots for the deceased members of local families. Eulah Creek Cemetery group have applied for funding to install security fencing which is stage one of a larger project.

Recommendation: Council understands the vital part the Eulah Creek Cemetery plays in the community. At this stage, formalisation of the Eulah Creek Committee as the Land Managers of the Eulah Creek Cemetery is still to be finalised. Council recommends lodging Community Grant Fund applications after this takes place.

Total Cost of Project	\$3,211.55
Funding Requested	\$924.55
Funding Recommended:	Nil

#### **Narrabri and District Chamber of Commerce Inc.**

Narrabri and District Chamber of Commerce is a group which represents the interests of local businesses, provides information and advice and promotes trade and commerce. Narrabri and District Chamber of Commerce have applied for a funding contribution for the 2019 Whitehaven Coal Narrabri Business Awards.

Recommendation: Support for local business is vital. Council understands the importance of recognising the achievements of local business. Narrabri and District Chamber of Commerce received funding in the 2017/2018 grant round. Limited funding and a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project	\$55,000.00
Funding Requested	\$2,500.00
Funding Recommended:	Nil

#### **Wee Waa Junior Rugby League**

Wee Waa and District Junior Rugby League are responsible for organising the Rugby League competition for junior players aged 5-12. Wee Waa and District Junior Rugby League have applied for funding to for a storage (shipping) container to store equipment on site, at Cook Oval, Wee Waa.

Recommendation: Council recognises the important role of sporting groups in supporting young athletes. Cook Oval is a Council managed facility. The site does not allow for placement of a shipping container for club use.

Total Cost of Project	\$2,700.00
Funding Requested	\$1,350.00
Funding Recommended:	Nil

#### **Future EDU Inc.**

Future EDU is a group which aims to enhance and assist STEM based opportunities for the students and educators of Narrabri Shire. Future EDU applied for funding to retain Fizzics Education Pty Ltd, to deliver science workshops for 13 schools in the Shire, as well as run a STEM awards night.

Recommendation: Enhancing STEM education throughout the Shire is strongly supported by Council however the Community Grants Fund Policy dictates dollar for dollar contributions by community groups when they request funding.

Total Cost of Project	\$16,325.00
Funding Requested	\$16,325.00
Funding Recommended:	Application ineligible

#### **Wee Waa Public School P&C Association**

Wee Waa Public School P&C Association are dedicated to providing assistance to Wee Waa Public School. Parents in the P and C group work with teachers and staff to support the school and students. Wee Waa Public School P&C have applied for funding to assist with their 2019 Trivia Night and Auction.

Recommendation: Wee Waa Public School P&C are a proactive fundraising body supporting students and staff at the school. The P&C received funding in the 2017/2018 and 2018/2019 grant round. Limited funding and a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project	\$6,000.00
Funding Requested	\$3,000.00
Funding Recommended:	Nil

#### **Narrabri Polocrosse Club**

Narrabri Polocrosse Club are a polocrosse club supporting local players. They have requested funding to assist with the Narrabri Junior Challenge Australia versus New Zealand series Narrabri Club Carnival.

Recommendation: Narrabri Polocrosse are supporting junior players from the area. The carnivals provide opportunity for social interaction for all ages and encourages visitation to Narrabri.

Total Cost of Project	\$11,900.00
Funding Requested	\$5,950.00
Funding Recommended:	\$1,500.00*

\* Funding with conditions. Due to the timing of the Carnival, which is in July, Narrabri Polocrosse will require an automatic project and reporting time extension.

#### **Wee Waa Public School P&C Association**

Wee Waa Public School P&C Association are dedicated to providing assistance to Wee Waa Public School. Parents in the P&C group work with teachers and staff to support the school and students. Wee Waa Public School P&C have applied for funding to assist with their 2020 Easter Fete.

Recommendation: Wee Waa Public School P&C are a proactive fundraising body supporting students and staff at the school. The P&C received funding in the 2017/2018 and 2018/2019 grant round. Limited funding and a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project	\$6,000.00
Funding Requested	\$3,000.00
Funding Recommended:	Nil

**Cotton Capital Country Music Muster**

Cotton Capital Country Music Muster is a committee dedicated to organising and promoting the Cotton Capital Country Music Muster event in Wee Waa. They also use the event as a way of encouraging tourism in Wee Waa. The committee has applied for funding for the 2019 Cotton Capital Country Music Muster event.

Recommendation: The committee supports the organisation of the Cotton Capital Country Music Muster event in Wee Waa and promotes this event to encourage visitors to Wee Waa. This provides exposure for the Shire and promotes economic activity, through increased visitation, for the town.

Total Cost of Project	\$21,350.00
Funding Requested	\$5,000.00
Funding Recommended:	\$1,500.00

**Killarney Bike Classic**

Killarney Bike Classic organises and presents an annual bike event with funds raised going to cancer support groups. Killarney Bike Classic is in its 10th year and currently supports more than six cancer groups.

Recommendation: The Killarney Bike Classic is a long running fundraising event supported by a strong committee. They received funding in the 2017/2018 grant round. Limited funding and a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project	\$20,418.00
Funding Requested	\$2,500.00
Funding Recommended:	Nil

**ADFAS Narrabri and North West**

ADFAS Narrabri and North West are part of an Australia wide organisation. ADFAS hosts a broad cross section of speakers who come to Narrabri and deliver lectures on a range of topics. ADFAS have lodged an application for funding to assist with deliverance of their lecture program.

Recommendation: ADFAS Narrabri and North West support culture and the arts through their organisation and facilitation of lectures. They received funding in the 2017/2018 grant round. Limited funding and a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project	\$17,096.00
Funding Requested	\$2,500.00
Funding Recommended	Nil

**Narrabri Dirt Bike Club**

Narrabri Dirt Bike Club is a sporting organisation for local dirt bike enthusiasts. They operate from Newtown Park, Narrabri. The club supports riders from the age of four and up. Narrabri Dirt Bike Club have lodged an application for funding to purchase a tractor.

Recommendation: Council understands the importance of community groups and sporting bodies such as the Narrabri Dirt Bike Club, in assisting participation in sport for a range of age groups. Council appreciates the efforts made by the club. The Community Grants Fund Policy dictates dollar for dollar contributions by community groups when they request funding. In addition, a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project	\$5,000.00
Funding Requested	\$4,000.00
Funding Recommended:	Application ineligible

**Pilliga Community Centre**

Pilliga Community Centre is a vital community meeting place for the residents of Pilliga. The centre facilitates community events and private functions such as ANZAC Day proceedings and family reunions. The ability to access a public meeting space is very important for small rural communities.

Recommendation: Whilst Council recognises the important role the Pilliga Community Centre plays for residents, the Community Grants Fund Policy dictates dollar for dollar contributions by community groups when they request funding. The Pilliga Community Centre also received funding in the 2018/2019 round. In addition, a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project	\$8,673.50
Funding Requested	\$7,873.50
Funding Recommended:	Application ineligible

**Northwest Speedway Club**

Northwest Speedway Club supports and facilitates speedway racing events at Newtown Park, Narrabri. The club holds regular racing events and has maintains facilities which support both competitors and spectators. The club has applied for funding to support grading of the track through hire of a Council grader.

Recommendation: The Northwest Speedway Club are a committed and proactive club supporting racing participation, with enthusiasts attending from around the area. The club received funding in the 2018/2019 round. In addition, a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project	\$3,600.00
Funding Requested	\$1,800.00
Funding Recommended:	Nil

**Narrabri and District Chamber of Commerce**

Narrabri and District Chamber of Commerce is a group which represents the interests of local businesses, provides information and advice and promotes trade and commerce. Narrabri and District Chamber of Commerce have applied for a funding contribution to the proposed “Back to the Bri” event which is aimed at increasing visitation to Narrabri, particularly from former residents. The event is proposed to be a family friendly event with a range of activities.

Recommendation: Council recognises the importance tourism plays in promoting the Shire and local business. Narrabri and District Chamber of Commerce received funding in the 2017/2018 grant round. Limited funding and a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project           \$55,000.00

Funding Requested               \$10,000.00

Funding Recommended:       Nil

**Maules Creek Recreation Reserve Trust**

The Maules Creek Recreation Reserve Trust operates the Maules Creek Hall and Grounds. They are a proactive team of trustees committed to the Maules Creek area and residents. The Trust has applied for funding to replace War Memorial Signs at Maules Creek War Memorial Avenue in order to alert visitors to the Avenue and provide information on the significance.

Recommendation: Recognition of servicemen and women is given high priority by Council. Explanatory signage helps residents and visitors understand the importance of an area and recognises those who serve our country.

Total Cost of Project           \$3,295.00

Funding Requested               \$1,695.00

Funding Recommended:       \$1,695.00

**Boggabri Home and Community Care Inc.**

Boggabri Home and Community Care Inc. provide transport, Meals on Wheels and single as well as group social support for the frail, aged and disabled. They also coordinate and facilitate morning tea after the ANZAC and Remembrance Day ceremonies. Boggabri Home and Community Care have applied for funding to purchase re-useable items such as crockery, for use at community events in order to decrease costs associated with disposable items, and to help with environmental impact.

Recommendation: Council recognises the important role that Boggabri Home and Community Care has within the Boggabri community. Their dedication to the community is to be congratulated. They received funding in the 2017/2018 grant round. Limited funding and a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project           \$6,781.00

Funding Requested               \$2,500.00

Funding Recommended:       Nil

**Boggabri Public School P&C Association**



Boggabri Public School P&C Association is a group which encourages involvement from parents, carers, community members and staff in order to support the school to maximise student education and welfare. The Boggabri Public School P&C Association has applied for funding to assist with costs associated with a fundraising trivia night.

Recommendation: Boggabri P&C are aiming to support students and teachers through fundraising efforts with the intention of using funds raised from the trivia night to purchase sporting equipment for use by Kindergarten through to Year 6.

Total Cost of Project	\$3,900.00
Funding Requested	\$1,500.00
Funding Recommended:	\$1,500.00

### **Teach, Learn, Grow**

Teach, Learn Grow are an organisation which aims to improve the educational outcomes and aspirations of rural indigenous students in disadvantaged areas, so they can reach their full potential. Teach, Learn, Grow have applied for funding to cover recurring costs associated with running the existing Teach, Learn, Grow rural program which is in place at Wee Waa Public School.

Recommendation: Teach, Learn Grow are an organisation located outside the Narrabri Shire. They are requesting funds for recurring expenses and have also requested full funding.

Total Cost of Project	\$3,000.00
Funding Requested	\$3,000.00
Funding Recommended:	Application ineligible

### **Narrabri Clay Target Club**

Narrabri Clay Target Club are a sporting club in Narrabri which provides facilities for clay target shooters and holds shoot days for locals and visitors. Narrabri Clay Target Club has requested funding to upgrade safety on the traps and provide all ability access.

Recommendation: The availability of a variety of sporting facilities that are safe and encourage all ability access is in line with Council strategies. Supporting sporting associations to undertake upgrades associated with all ability access also provides support for activities that promote inclusivity.

Total Cost of Project	\$7,200.00
Funding Requested	\$3,600.00
Funding Recommended:	\$3,600.00

### **Tracks Youth Group**

Tracks Youth Group is a group for 11 to 17-year old's which is run in Wee Waa. The group aims to provide activities in a safe environment (Wee Waa Sporting Complex) allowing for social interaction outside of school and home. The grant application notes that Tracks Youth Group has been running for five (5) years. The group is noted as currently having 76 participants with 85% of the group having an indigenous background and a large portion of the group being male. Tracks Youth Group, in

partnership with Wee Waa Sports Inc. have applied for funding to replace damaged fire safety bars on exit doors.

Recommendation: Wee Waa Sporting complex needs to maintain a safe environment for all who use the facility, including Tracks Youth Group. The safe working operation of safety bars on the exit doors mitigates safety risks.

Total Cost of Project                \$5,899.35

Funding Requested                \$2,949.70

Funding Recommended:        \$2,949.00

### **Galloping Gully Polocrosse Club Inc.**

Galloping Gully Polocrosse Club are a polocrosse club supporting local players. They have requested funding to construct horse stable facilities.

Recommendation: Galloping Gully support polocrosse players of all ages, provides opportunity for social interaction and encourage visitation to Narrabri Shire. They received funding in the 2017/2018 grant round. Limited funding and a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project                \$6,400.00

Funding Requested                \$3,200.00

Funding Recommended:        Nil

### **Narrabri High School Canteen Committee**

Narrabri High School Canteen Committee are a group of parents and staff that support the operations of the Narrabri High School Canteen in their aim to provide nutritious snacks, meals and drinks to students and staff on a daily basis. The canteen also caters for visitors and meetings as needed.

Recommendation: Council understands the need to support healthy lifestyles in young people with the aim of instilling healthy habits in adulthood. Ensuring a high standard of catering equipment is on hand also assists with meeting food preparation and service regulations.

Total Cost of Project                \$11,077.18

Funding Requested                \$5,538.59

Funding Recommended        \$5,000.00

### **HealthWISE New England North West**

HealthWISE New England North West is a locally based not-for-profit health services organisation providing a range of health services for Shire Residents. They have applied for funding to facilitate WISER training for carers of those suffering from dementia. The application has been lodged in partnership with the Narrabri Dementia Friendly Community Committee.

Recommendation: Raising awareness of the issues faced by those with dementia and taking steps to become a dementia friendly community is a high priority for Council. HealthWISE received funding in the 2017/2018 and 2018/2019 grant rounds. Limited funding and a large number of

applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project           \$4,158.30

Funding Requested               \$2,978.30

Funding Recommended:       Nil

### **NOSH**

NOSH is a community group who organise and present the NOSH Food and Wine Festival which is a community event that includes a market day, concert and long lunch. NOSH invites local exhibitors as well as exhibitors from outside the area and encourages attendance from the local community as well as visitors to the area. NOSH have applied for funding to contribute to the cost of hosting NOSH Narrabri 2019.

Recommendation: NOSH is an important and significant Shire event that provides an opportunity to showcase local and regional produce. They received funding in the 2017/2018 grant round. Limited funding and a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project           \$111,948.00

Funding Requested               \$2,500.00

Funding Recommended:       Nil

### **Pilliga New Generation Football Club**

Pilliga New Generation Football Club is a sporting club that aims to provide an outlet for the indigenous youth and men in the Pilliga and surrounding communities. The group provides opportunity for members to express their culture and aspirations to be role models for future generations. The club has applied for funding to cover costs so training gear, uniforms, transport, insurance and first aid items required to prepare for and attend Aboriginal football knockout carnivals. The grant application has been submitted to Council by Pilliga New Generation Football Club with the Pilliga Local Aboriginal Land Council.

Recommendation: The need to encourage health, active and inclusive lifestyles is recognised and supported by Council. The aims of the club are important to cohesive, inclusive communities. The application does not include quotes for items requested and requests significantly more than a 50/50 contribution from Council.

Total Cost of Project           \$5,000.00

Funding Requested               \$3,000.00

Funding Recommended:       Application ineligible

### **Wee Waa High School P&C Association**

Wee Waa High School P&C is a group that gives parents the opportunity to support the work of the school and student body through fundraising for projects. It provides parents with an opportunity to learn about school policies and programmes and is a line of communication between parents and students, and the school faculty. The Wee Waa High School, P&C have applied for funding to

purchase drink container collection bins with the aim of recycling the containers for money which will then be used for school enhancement projects.

Recommendation: The collection and recycling project is to be undertaken in partnership with the Wee Waa High School Student Representative Council. The project provides a proactive way of encouraging recycling which works towards environmental sustainability and provides funding for school enhancements which supports education outcomes.

Total Cost of Project                \$5,642.50

Funding Requested                \$2,101.25

Funding Recommended:        \$2,100.00

### **Wee Waa High School P&C Association**

Wee Waa High School P&C is a group that gives parents the opportunity to support the work of the school and student body through fundraising for projects. It provides parents with an opportunity to learn about school policies and programmes and is a line of communication between parents and students, and the school faculty. The Wee Waa High School, P&C have applied for funding to run a Rewarding Citizenship Program where students are given a reward in recognition of community citizenship.

Recommendation: Council values the contribution made to the community through volunteerism, community citizenship efforts and a sense of community pride however limited funding and a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project                \$615.00

Funding Requested                \$307.50

Funding Recommended:        Nil

### **Namoi Aero Club Inc.**

Namoi Aero Club promotes flying and flight training within the community, aiming to keep private and commercial pilots training in the local area, rather than travelling outside the district. Namoi Aero Club Inc. have applied for funding to refurbish flooring and undertake painting.

Recommendation: Namoi Aero Club Inc. supports the local community by providing a service that people would otherwise leave the district for.

Total Cost of Project                \$6,581.00

Funding Requested                \$3,290.00

Funding Recommended:        \$3,000.00

**Narrabri Toastmasters**

Narrabri Toastmasters is a Community Group which assists members to increase skills in communication and leadership. Toastmasters are celebrating 30 years of continuous operations in Narrabri with a dinner which is also aimed at attracting new members.

Recommendation: Council would like to commend Narrabri Toastmasters on their 30-year milestone and thank all volunteers for their ongoing commitment and hard work. The grant application did not provide enough information and evidence to support the funding requested for the anniversary dinner. In addition, limited funding and a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project                \$1,100.00

Funding Requested                \$550.00

Funding Recommended:        Nil

**Wee Waa Community Band Inc.**

Wee Waa Community Band Inc are a new community group aiming to bring band music back to the residents of Wee Waa at community events such as ANZAC Day, as well as providing musical education. The Wee Waa Community Band Inc has submitted an application for the purchase of new musical instruments, a sound system and chairs.

Recommendation: The introduction of new community groups provides increased opportunity for community involvement, volunteerism, culture and social interaction. Providing musical education fosters increased learning and participation.

Total Cost of Project                \$24,053.00

Funding Requested                \$6,075.00

Funding Recommended:        \$5,000.00\*

\* With conditions. The grant application outlines community or other government grants in the amount of \$15,478.00. Receipt of Council grant funds are subject to confirmation of the other community or government grants in the amount of \$15,478.00.

**Wee Waa Netball**

Wee Waa Netball are a sporting group which facilitate social ladies and mixed senior competitions in Wee Waa, along with junior development programs at the Wee Waa Indoor Sporting complex. Wee Waa Netball have applied for funding to replace aged and broken window shutters, as well as installing screened frames to prevent future damage from balls hitting the windows.

Recommendation: The Wee Waa Netball group provide a valuable community service to a range of ages. Netball encourages team participation and healthy, active lifestyles. Wee Waa Sporting complex is the focus of another safety related grant application in the 2019/2020 Community Grant round. limited funding and a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project                \$8,800.00

Funding Requested                \$4,400.00

Funding Recommended:        Nil

**1st Narrabri West Scouts**

1st Narrabri West Scouts are a scout group which provides a program of outdoor activities and skill building to a range of age groups. Scouts participate in a range of activities including camps, hikes and other outdoor events. Scouts aims to foster a sense of team work, cooperation and resilience. 1st Narrabri West Scouts have applied for funding to replace aged and damaged flooring in the scout hall located near the Narrabri Showgrounds.

Recommendation: Scouts are a well-known, long standing community group which aim to provide practical skills and resilience skills to youth of the Shire. The application submitted did not have sufficient accompanying quotes, as is deemed necessary in Councils Community Grant Policy.

Total Cost of Project	\$8,081.00
Funding Requested	\$4,241.00
Funding Recommended:	Application ineligible

**Kogil Street Pre-school**

Kogil Street Pre-school is a not-for-profit organisation which provides care and education to children aged between three (3) and school age. Kogil Street Pre-school have applied for funding to help build a bathroom in the outdoor area that children can safely access.

Recommendation: Kogil Street Pre-school provides a valuable community service through education and care of children. The outdoor bathroom project improves accessibility and mitigates safety issues related to children needing to walk through the facility to access the bathroom when playing outside. The proposed bathroom can also be used during community events and will be all access friendly.

Total Cost of Project	\$59,847.70
Funding Requested	\$5,000.00
Funding Recommended:	\$5,000.00*

\* With conditions. The grant application outlines funding to be sourced from other organisations in the amount of \$24,874.70. Receipt of Council grant funds are subject to confirmation of the other grants received from other organisations in the amount of \$24,874.70.

**Narrabri and District Cricket Association**

Narrabri and District Cricket Association are a sporting club which facilitates cricket across the Shire at junior and senior level. They facilitate local cricket competitions and are affiliated with Cricket NSW and their programmes. Narrabri and District Cricket Associations have lodged an application for funds to assist with the 6th Annual Town versus Country Charity Cup.

Recommendation: The Narrabri and District Cricket Association provide sporting opportunities to a broad age range and cross section of the community. They provide programmes which facilitate healthy, active lifestyles and promote social interaction. They received funding in the 2017/2018 grant round. Limited funding and a large number of applications has resulted in an extremely competitive round which has affected application outcomes.

Total Cost of Project	\$6,300.00
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Funding Requested                      \$3,000.00

Funding Recommended:              Nil

### **Boggabri Showground and Public Recreation Land Manager**

The Boggabri Showground and Public Recreation Land Manager maintain and develop the recreational facilities located at the Boggabri Showground to ensure facilities are available for use by the community and visitors. They have applied for funding to construct a BBQ, shelter and seating area.

Recommendation: Council recognises and appreciates the ongoing hard work of volunteers in keeping a valuable community space safe and enjoyable for both community members and visitors. The application submitted is for infrastructure and did not contain sufficient quotes, as is deemed necessary in Councils Community Grant Policy.

Total Cost of Project                      \$9,500.00

Funding Requested                      \$9,444.00

Funding Recommended                  Application ineligible

### **FINANCIAL IMPLICATIONS**

The total of the recommended Community Grants Funding is \$34,344.

### **STATUTORY AND POLICY IMPLICATIONS**

- [Section 356](#) of the *Local Government Act 1993* (“**LG Act**”) enables councils to provide financial assistance to others.
- Council’s Community Grants Fund Policy.

### **CONSULTATION**

#### **External Consultation**

External organisations consulted with Council during the application process. Council liaised with community groups regarding the Community Grants Fund Policy, clarification of the application process, required documentation and the validity of their programmes/events/projects.

In order to ensure external organisations were given adequate opportunity to apply, Council undertook an advertising campaign detailing how to access applications, where to submit applications and when the application period closed.

#### **Internal Consultation**

- A number of Council employees have been consulted during the review and recommendation process.

**11.11 GAS COMMUNITY BENEFITS FUND - POSITION PAPER****Responsible Officer:** Stewart Todd, General Manager**Author:** Stewart Todd, General Manager**Attachments:** 1. Position Paper - Gas Community Benefits Fund  **DELIVERY PROGRAM ALIGNMENT****4. Leadership**

Objective 4.4 Our strategic goals will be achieved through transparent and accountable planning and reporting

Strategy 4.4.2 Ensure effective and sound local governance practice

**EXECUTIVE SUMMARY**

The establishment of a Gas Community Benefits Fund represents a once in a generation opportunity for the Narrabri Shire Community. Narrabri Shire Council believes the Funding Guidelines that have been developed do not and will not achieve the desired outcomes of such a Fund nor deliver the intended benefit to the Narrabri Shire Community.

Mid 2016 the Gas Community Benefits Fund – Funding Guidelines were released.

From their release, Council has held concerns with the Funding Guidelines. In November 2017, Council was moved to formally resolve their concerns as critical due to the absence of State Government engagement in addressing these concerns since the Guidelines release; Minute 240/2017.

Council and its community expect and require that benefits from the presence of mining and extractive industries in the Narrabri Shire accrue to the benefit of the people of the Narrabri Shire.

It is recommended that Council take the following position on the below listed matters:

Council strongly believe that the principle objective of a Gas Community Benefits Fund should be the provision of benefit to the community.

Council strongly oppose the oversight of the Fund by the Rural Assistance Authority.

Council strongly believe that the “strategic direction of the Fund” should be aligned to the Council’s Community Strategic Plan.

Council strongly believe that greater representation for Local Government should be included on any decision-making entity formed.

Council strongly believe that a maximum of \$500,000 per project and the requirement for the Minister to endorse a greater amount does not align with the intent of the establishment of a Fund.

The type of projects that such a Fund, if established, should fund are large scale, long lasting and community changing. A ceiling or cap should not exist for any Fund established.

Council hold the extremely strong belief that any Fund established that is associated with the Narrabri Gas Project should be directed wholly into the Narrabri Shire community (Narrabri Shire Local Government Area) in recognition of its contribution as the hosting community and the most significantly impacted.

Since November 2017, Council has vigorously sought and continues to seek these major amendments to the Funding Guidelines which would address the critical concerns Council holds.

**RECOMMENDATION**

1. That Council adopt the Position Paper – Gas Community Benefits Fund, as attached.
2. That Council believes that with the presence of mining and extractive industries the Narrabri Shire Community should accumulate benefits over and above other Communities that do not have a mining and extractive industry presence.

**BACKGROUND**

The NSW Government released its Gas Plan on 13 November 2014. As an action of the Gas Plan the NSW Government sought to establish a Gas Community Benefits Fund ("**Fund**") and released a discussion paper in May 2015.

Council made a detailed submission ("**Submission**") in response to the discussion paper making a number of recommendations particularly around governance and administration of the Fund.

Since 1 July 2016, gas companies in NSW have been able to apply to the Minister for Energy and Environment ("**Minister**") to establish a Fund. The NSW Government has committed that for every \$2 paid by a gas producer (that holds a petroleum title) into an authorised Fund, the company will receive a \$1 rebate on its gas royalties, up to a maximum of 10% of the royalty due in each year.

The Rural Assistance Authority ("**RAA**") has been appointed to administer any Fund established in accordance with the Funding Guidelines ("**Guidelines**"). Further consideration by Council in November 2017 raised a number of concerns with the Guidelines and administration of the Fund.

*MINUTE 240/2017*

*That Council strongly engage with the State Government:*

1. *Expressing its concerns with; and*
  2. *Requesting revisions of the current Community Benefit Fund guidelines;*
- to ensure alignment with the original intentions of such a community benefit fund and the maximum benefit to Narrabri Shire.*

Council, since November 2017, has held critical concerns with the existing and published Guidelines.

Council has vigorously sought and continues to seek major amendments to the Guidelines which would address the critical concerns Council currently and continues to hold; unfortunately to date the State Government has not engaged with Council.

**CURRENT SITUATION**

Council strongly believes that the objectives of a Gas Community Benefits should ensure the strengthening of the Narrabri Shire Community into the future, beyond the expiration of gas extraction in the Local Government Area.

**Oversight of the Fund by the Rural Assistance Authority**

*The Rural Assistance Authority ("**RAA**") will manage the establishment of a local Committee whose role will include to set the strategic direction of the Fund and to determine the successful grant applications.*

It is recommended that Council express a **strong opinion** that the RAA are not an appropriate entity to set or oversight the strategic direction of the Fund or determine successful grant applications.

It is recommended that Council express a **strong view** that the “strategic direction of the Fund” should be aligned to the Council’s Community Strategic Plan (“CSP”). The CSP is developed through thorough and transparent community consultation and identifies long-term desired outcomes for the community.

### **Decision making on applications**

Council’s view is that a section 355 Committee of Council is the appropriate review and decision-making entity. Or alternatively, a Committee is established with appropriate delegated authority from the Minister to determine applications submitted to the Fund.

It is recommended that Council express a **strong view** that greater representation for Local Government should be included on any decision-making entity formed. Council’s position is that at least two (2) Councillors and the General Manager should form part of any entity that determines applications to the Fund.

The current Assessment Panel, CBFC and potentially Minister special consideration approval is considered an onerous and administrative laden framework which can be comprehensively streamlined if Council’s preferred approach (s355 Committee) is adopted.

Council, being the closest entity to the Narrabri Shire community and with the experience of regular and significant community consultation activities, is best placed to understand the wide-ranging community needs and further, the proposed make-up of the Committee does not reflect the important role that Council has as the closest level of Government to the community.

There needs to be greater Local Government representation on any decision-making entity established (ie. the Community Benefits Fund Committee). The impact of years of debate and controversy over coal seam gas on the Narrabri Shire Community needs to be acknowledged and appropriately recognised.

If Council’s preferred options or similar framework amendments are implemented any Fund established would have minimalistic administrative burden, enable the funds available to be primarily spent on their purpose (and not administration and overheads) as well as having appropriate local input and decisions made in alignment with a strategic direction that has been established through robust, thorough and extensive engagement with the Narrabri Shire Community.

### **The maximum of \$500,000 per project and the requirement for the Minister to endorse a greater amount**

*A maximum of \$500,000 per project is available; the Minister may give special consideration to projects seeking more than \$500,000 of funding.*

It is recommended that Council express a **strong view** that the limit of \$500,000 per project does not align with the intent of the establishment of a Fund.

Council has been and continues to be uncompromising on its stance regarding the benefits derived from mining and extractive industries present within the Shire; mitigating any impacts of the industry presence is considered simply not good enough. There needs to be a recognisable and easily substantiated accumulation of benefits over and above that of other communities that do not have a mining and extractive industry presence.

Therefore, it is recommended that Council express a **strong view** that the type of projects that such a Fund, if established, should fund are large scale, long lasting and community changing.

Projects that can achieve such an impact cannot be achieved with a ceiling of \$500,000, similarly a \$1 million ceiling is again considered by Council to be too low.

A ceiling or cap should not exist for any Fund established.

### **Operational costs and project time frame limits**

The current Guidelines state that applications seeking 'ongoing operational costs of existing projects' and 'projects spanning more than 2 years' are criteria to not fund an application.

Council would like clarification on the funding of operational costs for projects. Council supports the initial provision of operational costs for a suitable project but does not support ongoing, year on year funding of operational costs for projects. This position aligns with Council's position on the objectives of such a Fund; being such a Fund should support projects that are large scale, long lasting and community changing.

A project may initially need one (1) to three (3) years of operational funding to enable a self funding position – for example. However, if such a project is supported, a suitable sunset for operational funding needs to be determined.

Similarly with a ceiling or cap set on funding amounts, a two (2) year limit on a project's timeline again limits the impact of any Fund established and is again misaligned with the intention of such a Fund and Council's firm position of the need to support projects that are large scale, long lasting and community changing.

A two (2) year project timeframe simply hampers the achievement of the objectives of such a Fund.

### **There is no definitive geographical boundary for a Fund**

There is no definitive boundary for a particular Fund.

The geographical area for the Fund should be based on where the most significant impact on a community occurs based on Local Government Area, not the footprint of PELs or Projects and requires a definitive definition to ensure certainty of eligibility of applications.

The State Government need to recognise and acknowledge the sacrifices and immense effect that the years of debate and controversy over coal seam gas, both positive and negative, has had on the Narrabri Shire Community.

It is recommended that Council express an **extremely strong view** that any Fund established that is associated with the Narrabri Gas Project should be directed wholly into the Narrabri Shire community in recognition of its contribution as the hosting community and the most significantly impacted; based on the geographical area declared to be the Narrabri Shire Local Government Area.

### **FINANCIAL IMPLICATIONS**

Nil.

**STATUTORY AND POLICY IMPLICATIONS**

Nil.

**CONSULTATION**

**External Consultation**

Nil.

**Internal Consultation**

- Councillors.
- Executive Management.



# Position Paper

## GAS COMMUNITY BENEFITS FUND



**NARRABRI SHIRE**  
DISCOVER THE POTENTIAL

**Version Control**

Version	Amendment (Officer)	Description	Approval (Officer)	Approval Date
1.0	General Manager (SRT)	Final draft	Mayor (CR)	3 July 2019

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## **Executive Summary**

The establishment of a Gas Community Benefits Fund represents a once in a generation opportunity for the Narrabri Shire Community. Narrabri Shire Council believes the Funding Guidelines that have been developed **do not** and **will not achieve** the **desired outcomes** of such a Fund nor deliver the intended benefit to the Narrabri Shire Community.

Mid 2016 the *Gas Community Benefits Fund – Funding Guidelines* were released.

From their release, Council has held **concerns** with the **Funding Guidelines**. In November 2017, Council was moved to formally resolve their concerns as critical due to the absence of State Government engagement in addressing these concerns since the Guidelines release; *Minute Number 240/2017*.

Council and its community **expect** and **require** that **benefits** from the presence of mining and extractive industries in the Narrabri Shire accrue to the benefit of the people of the Narrabri Shire.

Council strongly believes that the principle objective of a Gas Community Benefits Fund should be the **provision of benefit to the community**.

Council **strongly opposes** the oversight of the Fund by the Rural Assistance Authority.

Council **strongly believes** that the "strategic direction of the Fund" should be aligned to the Council's Community Strategic Plan.

Council **strongly believes** that greater representation for Local Government should be included on any decision making entity formed.

Council **strongly believes** that a maximum of \$500,000 per project and the requirement for the Minister to endorse a greater amount does not align with the intent of the establishment of a Fund. The type of projects that such a Fund, if established, should fund are large scale, long lasting and community changing. A ceiling or cap should not exist for any Fund established.

Council holds the **extremely strong belief** that any Fund established that is associated with the Narrabri Gas Project should be directed wholly into the Narrabri Shire community (Narrabri Shire Local Government Area) in recognition of its contribution as the hosting community and the most significantly impacted.

Since November 2017, Council has vigorously sought and continues to seek these major amendments to the Funding Guidelines which would address the critical concerns Council holds.

## **Background**

The NSW Government released its Gas Plan on 13 November 2014. As an action of the Gas Plan the NSW Government sought to establish a Gas Community Benefits Fund ("Fund") and released a discussion paper in May 2015.

Council made a detailed submission ("Submission") in response to the discussion paper making a number of recommendations particularly around governance and administration of the Fund.

Since 1 July 2016, gas companies in NSW have been able to apply to the Minister for Energy and Environment ("Minister") to establish a Fund. The NSW Government has committed that for every \$2 paid by a gas producer (that holds a petroleum title) into an authorised Fund, the company will receive a \$1 rebate on its gas royalties, up to a maximum of 10% of the royalty due in each year.

The Rural Assistance Authority ("RAA") has been appointed to administer any Fund established in accordance with the Funding Guidelines ("Guidelines").

Further consideration by Council in November 2017 raised a number of concerns with the Guidelines and administration of the Fund.

### *MINUTE 240/2017*

*That Council strongly engage with the State Government:*

*1. Expressing its concerns with; and*  
*2. Requesting revisions of the current Community Benefit Fund guidelines;*

*to ensure alignment with the original intentions of such a community benefit fund and the maximum benefit to Narrabri Shire.*

*Ordinary Council Meeting, 28 November 2017*

Council, since November 2017, has held critical concerns with the existing and published Guidelines. Council has vigorously sought and continues to seek major amendments to the Guidelines which would address the critical concerns Council currently and continues to hold; unfortunately to date the State Government has not engaged with Council.

## **Importance of a Gas Community Benefits Fund**

The Fund represents a once in a generation opportunity for the Narrabri Shire Community to benefit from potential Coal Seam Gas extraction projects within the Shire. Council believes the Guidelines that have been developed do not and will not achieve the desired outcomes of the Fund nor deliver the intended benefit to the Narrabri Shire Community.

Council and its community expect and require that benefits from the presence of mining and extractive industries in the Narrabri Shire accrue to the benefit of the people of the Narrabri Shire.

No benefit should principally accrue to persons outside the Shire who bear none of the impacts of the presence of mining and extractive industries.

### **Objectives of a Gas Community Benefits Fund**

Narrabri Shire Council **strongly believes** that the principle objective of a Fund should be the provision of benefit to the local community.

***AS NARRABRI SHIRE COUNCIL UNCOMPROMISINGLY STATES:  
WITH THE PRESENCE OF MINING AND EXTRACTIVE INDUSTRIES,  
THE NARRABRI SHIRE COMMUNITY SHOULD ACCUMULATE BENEFITS OVER  
AND ABOVE OTHER COMMUNITIES THAT DO NOT HAVE A MINING AND  
EXTRACTIVE INDUSTRY PRESENCE.***

Council supports additional objectives of a Fund such as the following:

- A mutually beneficial relationship is developed between Santos and the Narrabri Shire community.
- Funding decisions promote projects that build the capacity/sustainability of the Narrabri Shire community.
- The Narrabri Shire community have some level of involvement in funding decisions; and
- Efficient, effective and transparent governance and administration arrangements.



***NARRABRI SHIRE COUNCIL STRONGLY BELIEVES THAT THE OBJECTIVES  
OF A GAS COMMUNITY BENEFITS FUND SHOULD ENSURE THE  
STRENGTHENING OF THE NARRABRI SHIRE COMMUNITY INTO  
THE FUTURE, BEYOND THE EXPIRATION OF GAS EXTRACTION IN THE  
LOCAL GOVERNMENT AREA.***

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## **Critical Concerns with Current Guidelines**

### **1. Oversight of the Fund by the Rural Assistance Authority**

*The Rural Assistance Authority ("RAA") will manage the establishment of a local Committee whose role will include to set the strategic direction of the Fund and to determine the successful grant applications.*

#### **COUNCIL POSITION**

Narrabri Shire Council is of the **strong opinion** that the RAA are not an appropriate entity to set or oversight the strategic direction of the Fund or determine successful grant applications.

Council's **strongly held view** is that the "strategic direction of the Fund" should be aligned to the Council's Community Strategic Plan ("CSP"). The CSP is developed through thorough and transparent community consultation and identifies long-term desired outcomes for the community.

In terms of determining successful grant applications, Council's view is that a section 355 Committee of Council is the appropriate decision making entity. Members of such a Committee would be bound by Local Government legislation, codes, policy and procedures which provides for an appropriate and thoroughly tested governance framework for such a Fund.

Alternatively, Council would support – with further consultation and engagement with Council – the establishment of a Committee delegated appropriate authority from the Minister to determine applications to the Fund.

Further, Council is **strongly opposed** to the RAA as an administrator of the Fund and recovering ongoing administrative and operating costs from the Fund. The current arrangements are unacceptable to Council with the RAA currently set to recover the actual amount of ongoing administrative and operating costs or a maximum of 10% of total contributions to the Fund.

Council **supports** annual contributions to a Fund. These annual payments (Council would be amenable to a shorter period) to a Fund would be based on actual annual royalty payments.

Council **strongly supports** these contributions being made to Council; placed under restriction and reported to the community annually, to enable the payments to deliver annual investment returns; effectively topping up the Fund on an annual basis.

It is acknowledged that in the beginning not all payments will produce investment returns.

## 2. Decision making on applications

*The current Guidelines outline the following assessment and decision making process:*

- *An Assessment Panel reviews applications against the strategic priorities and objectives of the Fund, applies a merits based selection process and makes recommendations to the Community Benefits Fund Committee.*
- *The Community Benefits Fund Committee considers the recommendations and determines the applications as successful or unsuccessful.*
- *If an application is recommended that requests in excess of \$500,000; the application will be referred to the Minister for special consideration.*

### Assessment Panel

*The Assessment Panel is to be established by the RAA in consultation with the Department of Industry - Resources and Energy and will consist of 3 - 4 staff from relevant Government agencies and independent subject matter experts, as required.*

### Community Benefits Fund Committee (CBFC)

*A CBFC is to consist of an Independent Chair and at least 5 (but no more than 6) representatives with:*

- *At least 2 representing different interests of the local community (not already holding a position on the existing Community Consultative Committee (CCC)),*
- *1 from the gas titleholder,*
- *1 from the local government, and*
- *1 from the NSW Government.*

*Appointment of members for a CBFC will be made by the Minister in accordance with the Appointment Standards - Boards and Committees in the NSW Public Sector (July 2013).*

## **COUNCIL POSITION**

As stated, Narrabri Shire Council's view is that a section 355 Committee of Council is the appropriate review and decision making entity. Or alternatively, a Committee is established with appropriate delegated authority from the Minister to determine applications submitted to the Fund.

Council's **strongly held view** is that greater representation for Local Government should be included on any decision making entity formed. Council's position is that at least two (2) Councillors and the General Manager should form part of any entity that determines applications to the Fund.

The current Assessment Panel, CBFC and potentially Minister special consideration approval is considered an onerous and administrative laden framework which can be comprehensively streamlined if Council's preferred approach (s355 Committee) is adopted.

Council, being the closest entity to the Narrabri Shire community and with the experience of regular and significant community consultation activities, is best placed to understand the wide ranging community needs and further, the proposed make-up of the Committee does

not reflect the important role that Council has as the closest level of Government to the community.

There needs to be **greater Local Government representation** on any decision making entity established (ie. the Community Benefits Fund Committee). The impact of years of debate and controversy over coal seam gas on the Narrabri Shire Community needs to be acknowledged and appropriately recognised.

If Council's preferred options or similar framework amendments are implemented any Fund established would have minimalistic administrative burden, enable the funds available to be primarily spent on their purpose (and not administration and overheads) as well as having appropriate local input and decisions made in alignment with a strategic direction that has been established through robust, thorough and extensive engagement with the Narrabri Shire Community.

### **3. The maximum of \$500,000 per project and the requirement for the Minister to endorse a greater amount**

*A maximum of \$500,000 per project is available; the Minister may give special consideration to projects seeking more than \$500,000 of funding.*

#### **COUNCIL POSITION**

Council's **strongly held view** is that the limit of \$500,000 per project does not align with the intent of the establishment of a Fund.

The current Guidelines state that the principal objective is 'the provision of benefit to the local community'. Whilst Council is supportive of this objective, Council is of the belief that this objective needs to be read in the context of Council's position on the existence of mining and extractive industry in the Shire, in that the Narrabri Shire Community should accumulate benefits over and above other communities that do not have a mining and extractive industry presence.

Council is uncompromising on its stance regarding the benefits derived from mining and extractive industries present within the Shire; mitigating any impacts of the industry presence is considered simply not good enough. There needs to be a recognisable and easily substantiated accumulation of benefits over and above that of other communities that do not have a mining and extractive industry presence.

Therefore, Council **strongly holds the view** that the type of projects that such a Fund, if established, should fund are large scale, long lasting and community changing.

Projects that can achieve such an impact cannot be achieved with a ceiling of \$500,000, similarly a \$1 million ceiling is again considered by Council to be too low.

A ceiling or cap should not exist for any Fund established.

#### 4. Operational costs and project time frame limits.

*The current Guidelines state that applications seeking 'ongoing operational costs of existing projects' and 'projects spanning more than 2 years' are criteria to not fund an application.*

##### **COUNCIL POSITION**

Council would like clarification on the funding of operational costs for projects. Council supports the initial provision of operational costs for a suitable project but does not support ongoing, year on year funding of operational costs for projects. This position aligns with Council's position on the objectives of such a Fund; being such a Fund should support projects that are large scale, long lasting and community changing.

A project may initially need one (1) to three (3) years of operational funding to enable a self-funding position – for example. However, if such a project is supported, a suitable sunset for operational funding needs to be determined.

Similarly with a ceiling or cap set on funding amounts, a two (2) year limit on a project's timeline again limits the impact of any Fund established and is again misaligned with the intention of such a Fund and Council's firm position of the need to support projects that are large scale, long lasting and community changing.

A two (2) year project timeframe simply hampers the achievement of the objectives of such a Fund.

#### 5. There is no definitive geographical boundary for a Fund.

*There are currently many references across the various sources of documentation that relate to the establishment of a Gas Community Benefits Fund and an associated boundary; there is however no definitive way to establish a boundary for a particular Fund.*

##### **COUNCIL POSITION**

The geographical area for the Fund should be based on where the most significant impact on a community occurs based on Local Government Area, not the footprint of PELs or Projects and requires a definitive definition to ensure certainty of eligibility of applications.

The State Government need to recognise and acknowledge the sacrifices and immense effect that the years of debate and controversy over coal seam gas, both positive and negative, has had on the Narrabri Shire Community.

Council holds the **extremely strong belief** that any Fund established that is associated with the Narrabri Gas Project should be directed wholly into the Narrabri Shire community in recognition of its contribution as the hosting community and the most significantly impacted; based on the geographical area declared to be the Narrabri Shire Local Government Area.

For the Narrabri Gas Project, any associated Fund should be known as the "Narrabri Shire Gas Community Benefit Fund".

Importantly, from a local community perspective, a local government geographically defined Fund would allow Santos to contribute relative to its operational intensity in the Narrabri Shire area.



### **Abbreviations**

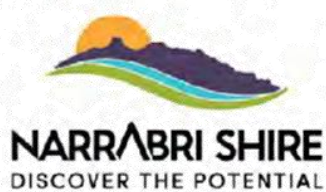
<b>Abbreviations</b>	
Council	Narrabri Shire Council
CSP	Community Strategic Plan (part of the Integrated Planning and Reporting framework; <a href="#">Chapter 13 Part 2</a> of the LG Act)
Fund	Gas Community Benefits Fund
Guidelines	Gas Community Benefits Fund Guidelines
LG Act	Local Government Act 1993
Minister	Minister for Energy and Environment <sup>1</sup>
RAA	Rural Assistance Authority
Submission	Council's Submission in response to the May 2015 Discussion Paper – Establishing a Gas Community Benefits Fund.

<sup>1</sup> Title of Minister subject to change.

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**11.12 VICKERY COAL MINE - VOLUNTARY PLANNING AGREEMENT****Responsible Officer:** Stewart Todd, General Manager**Author:** Daniel Boyce, Director Development and Economic Growth**Attachments:** 1. Current Vickery VPA Offer  **DELIVERY PROGRAM ALIGNMENT****4. Leadership**

Objective 4.3 Infrastructure and service delivery will provide public value for the community

Strategy 4.3.1 Develop and integrate a methodology that measures and reports to communities on equitable distribution of Council funding

**EXECUTIVE SUMMARY**

The Vickery Coal Mine, Vickery Extension Project (“**Vickery**”) proposes to extract annual run-of-mine (“**ROM**”) coal from the open cut at an average rate of 7.2 million tonnes per annum (“**Mtpa**”) over 25 years, with a peak production of up to approximately 10 Mtpa. The estimated total resource is 179 million tonnes (“**Mt**”).

If Vickery is approved it is likely that the proponent will be asked to enter into a voluntary planning agreement (“**VPA**”) with Council.

The current VPA offer from Whitehaven Coal is a \$2.712m one-off upfront payment upon commencement of construction. Council is yet to respond to this offer.

It has become apparent throughout this process that it is in the public interest that ongoing VPA discussions be conducted in an open and transparent way where information is accessible to the public.

At this current juncture, the ‘next step’ recommended for Council is to engage with the Boggabri community with the aim of gaining their input into the drafting of a VPA that Council would accept if it were made by Whitehaven Coal.

The community engagement could take the form of a Community Meeting in Boggabri allowing the Council to understand community views on the net community benefit they require Vickery to deliver. Council can then incorporate the community views into a draft VPA for consideration at a future Council Meeting.

Council has identified extensive issues in the transport assessment for Vickery and until impacts on the local road network are accurately modelled it is considered appropriate to exclude road maintenance costs associated with Vickery from any VPA and instead pursue a Road Maintenance Agreement between Council and Whitehaven Coal to cover the cost of these impacts.

**RECOMMENDATION**

- 1. That Council engage with the Boggabri Community in order to gain their input into the drafting of a Voluntary Planning Agreement for the Vickery Coal Mine, Vickery Extension Project that Council considers to be in the public interest.**
- 2. That Council consider road maintenance costs associated with the Vickery Coal Mine, Vickery Extension Project as separate to any Voluntary Planning Agreement and requiring a Road Maintenance Agreement between Council and Whitehaven Coal.**

**BACKGROUND**

The Vickery Coal Mine, Vickery Extension Project (“**Vickery**”) proposes to extract annual run-of-mine (“**ROM**”) coal from the open cut at an average rate of 7.2 million tonnes per annum (“**Mtpa**”) over 25 years, with a peak production of up to approximately 10 Mtpa. The estimated total resource is 179 million tonnes (“**Mt**”).

If Vickery is approved it is likely that the proponent will be asked to enter into a voluntary planning agreement (“**VPA**”) with Council and Gunnedah Shire.

Council has had a number of previous interactions with Whitehaven Coal regarding a VPA for the Vickery Mine.

- Whitehaven Coal had previously provided a VPA offer to Council in the amount of \$2.25m (“**first VPA offer**”) at the time of the original [Vickery Coal Project](#) which was approved in September 2014.
- Whitehaven Coal on 7 August 2017 subsequently revised this VPA offer, increasing the amount by \$820,000, to be \$3.069m (“**second VPA offer**”).

Council has previously endorsed (resolved) that the objectives of a VPA associated with Vickery are to:

1. Meet the demands created by the Project for new public infrastructure, amenities and services.
2. Secure off-site planning benefits for the wider community so that the Project delivers a net community benefit.
3. Compensate for the loss of or damage to a public amenity, service, resource or asset by development through replacement, substitution, repair or regeneration.

Further Council resolved the following regarding the second VPA offer:

**MINUTE 039/2019**

Moved: Cr Ann Loder      Seconded: Cr Maxine Booby

1. ***That Council reject the current Vickery Mine Extension VPA offer, for the following reasons:***
  - a. ***It does not meet the Council endorsed objectives for a planning agreement concerning the Vickery Mine Extension project.***
  - b. ***Accepting the VPA offer is not in the Public Interest.***
2. ***That Council request a revised VPA offer that:***
  - a. ***Meets the Council endorsed objectives for a planning agreement concerning the Vickery Mine Extension project; and***
  - b. ***Is in the Public Interest.***

In response to Council’s request (point 2 in the above Minute 039/2019) Whitehaven Coal revised their VPA offer, dated 17 April 2019 to a reduced amount of \$2.712m (“**current VPA offer**”). Council is yet to respond to this offer.

Whitehaven Coal have explained this reduction with the following:

*“Since our (Whitehaven Coal’s) original VPA offer was made, the mine footprint has changed materially, including the removal of the Bluevale Pit from the area to be mined...”*

Whitehaven Coal also put an argument to Council with their current VPA offer that their basis of calculation, originally ROM tonnes, should now use product tonnes and not ROM tonnes.

All VPA offers have been provided on the premise of a 30/70 split with Gunnedah Shire Council.

For example: Council's current offer of \$2.712m (30%), Gunnedah Shire Council \$6,239m (70%).

The arbitrary applied proportion of 30/70 is loosely based on the mine site being 30% in Narrabri Shire and 70% in Gunnedah Shire. It should be noted that this arbitrary proportion methodology has not been used previously on other VPAs and in the view of Council takes no account of the impacts from Vickery on residents of the Boggabri. It is clear to Council that the 30/70 split in VPA contributions between the Narrabri Shire and Gunnedah Shire is not evidence based and does not recognise the socio-economic impacts in, and immediately around, Boggabri.

In its submission to the Independent Planning Commission ("IPC") dated 11 February 2019, Council identified extensive issues in the transport assessment submitted by the proponent. Until impacts on the local road network are accurately modelled it is impossible to determine the cost to ratepayers. As such it is considered appropriate to exclude road maintenance costs associated with Vickery from any VPA and instead pursue a Road Maintenance Agreement between Council and Whitehaven Coal as part of the IPC assessment process.

### **CURRENT SITUATION**

It has become apparent throughout this process that it is in the public interest that ongoing VPA discussions be conducted in an open and transparent way where information is accessible to the public. It is also important that Council understand community views on the net community benefit they require Vickery to deliver.

At this current juncture, the 'next step' recommended for Council is to engage with the community of greatest impact, Boggabri, with the aim of gaining their input into the drafting of a VPA that Council would accept if it were made by Whitehaven Coal.

The community engagement could take the form of a Community Meeting in Boggabri allowing the Council to understand community views on the net community benefit they require Vickery to deliver. Council can then incorporate the community views into a draft VPA for consideration at a future Council Meeting.

### **FINANCIAL IMPLICATIONS**

Currently Whitehaven Coal have provided Council a VPA offer of \$2.712 million; which is intended to be a one-off upfront payment upon commencement of construction.

### **STATUTORY AND POLICY IMPLICATIONS**

The *Environmental Planning and Assessment Act 1979* provides the statutory framework for planning agreements.

The *Environmental Planning and Assessment Regulation 2000* ("EPA Regulation") provides a framework for planning agreements. The EPA Regulation outlines the procedural requirements for the use of planning agreements as well as the making, amending and revocation of planning agreements and the public notice of planning agreements.

### **CONSULTATION**

#### **External Consultation**

Nil.

**Internal Consultation**

- Director Infrastructure Delivery.



WHITEHAVEN COAL

17 April 2019

Mr Stewart Todd  
General Manager  
Narrabri Shire Council  
PO Box 261  
NARRABRI 2390

Dear Stewart

RE: Vickery Extension Project Voluntary Planning Agreement (VPA)

Thank you for your correspondence dated 12 March 2019 and for the opportunity for Whitehaven staff to discuss Council's decision to reject Whitehaven's VPA offer for the Vickery Extension Project (VEP) with Council staff on 19 March 2019.

Since receiving your correspondence, we have reviewed our position once again in an effort to find a practical and equitable way forward. In doing so, we have also resolved to apply a consistent approach across both LGAs (Gunnedah and Narrabri) in contrast to pursuing individual bilateral agreements with each Council.

As you would be aware, the agreed VPA set out in the Conditions of Approval for the Approved Vickery Coal Project (VCP) allocated \$2,250,000 to Narrabri Shire Council, a figure derived from the 135 million Run of Mine (ROM) tonnes to be extracted under that approval, at a rate of 5.5 cents per tonne.

Whitehaven stands by this agreement and we expect Council does too. As previously discussed however, if a rate per tonne is to be applied to the quantity of coal produced from a mine, common sense and equity dictates the rate per tonne ought to apply to product tonnes (i.e. the revenue-generating component) rather than ROM tonnes.

Since our original VEP VPA offer was made, the mine footprint has changed materially, including through removal of the Bluevale Pit from the area to be mined as well as other revisions based on coal tenements. As a result, the ROM tonnes to be mined have reduced. Taking into account the projected yield from coal processing, the additional product tonnes to be produced from the Extension Project is approximately 28.05 million tonnes.

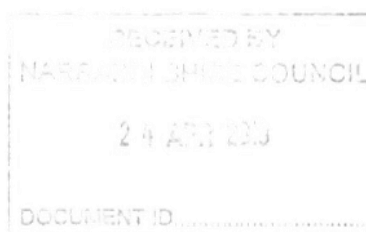
Adopting the rate per tonne applied previously results in a VEP VPA sum of \$1,542,750, in addition to the agreed VCP VPA, to be allocated in proportions of 70:30 between Gunnedah Shire Council (\$1,080,000) and Narrabri Shire Council (\$455,000), allowing for rounding. For your reference, the agreed VCP VPA and our VEP VPA offers are summarised overleaf. Both the VCP and VEP VPA sums would be paid in accordance with the conditions of the approved VPA, that is, on commencement of construction.

We urge Narrabri Shire Council to give this offer serious consideration. Please note we have also advised Gunnedah Shire Council of our revised proposal. I am also copying this letter to the NSW Department of Planning and the Environment.

If you have any questions please do not hesitate to contact me on (02) 8222 1111.

Yours sincerely

Paul Flynn  
CEO and Managing Director



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Document Set ID: 1638112  
Version 4, Version Date: 21/04/2019



## Overview of Whitehaven Coal Vickery VPAs

VPA	Status	ROM million tonnes	Rate/ROM tonne \$/ROM t	Additional product million tonnes	Rate/product tonne \$/product t	Additional amount \$	Total amount \$	GSC @ 70% \$	NSC @ 30% \$
2014 Approved Vickery Coal Project VPA	Agreed	135	0.055	-	-	-	\$7,500,000 <sup>1</sup>	\$5,250,000	\$2,250,000
2018 Vickery Extension Project VPA offer	Rejected by Council	180 <sup>2</sup>	0.055	-	-	-	\$10,230,000	\$7,161,000	\$3,069,000
2019 Revised Vickery Extension Project VPA offer	For consideration by Council	168	-	28.05 <sup>3</sup>	0.055	\$1,542,750	\$9,042,750	\$6,329,925	\$2,712,825

<sup>1</sup> Rounded up from \$7.425m<sup>2</sup> Prior to extension of Bluevale pit from mine footprint & recent low turning of hoodport<sup>3</sup> Based on 85% yield of incremental ROM tonnes of 3.1 mt

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**12 CONFIDENTIAL (CLOSED COUNCIL) MEETING**

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**RECOMMENDATION**

That Council move into Closed (Public Excluded) Meeting of Council and that the press and members of the public be asked to leave the room whilst Council considers the following items:

**12.1 Narrabri Industrial and Logistics Hub**

This matter is considered to be confidential under Section 10A(2) - (d)(ii) and (d)(iii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council and information that would, if disclosed, reveal a trade secret.

**RECOMMENDATION**

That Council move out of Closed (Public Excluded) Meeting and that the resolutions from the Closed (Public Excluded) Meeting be read out aloud.

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**13 MEETING CLOSED**

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