



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

**Date:** Thursday, 14 November 2019  
**Time:** 6.00 pm  
**Location:** Narrabri Shire Council Chambers  
46-48 Maitland Street  
Narrabri

## **AGENDA**

**Extraordinary Council Meeting  
14 November 2019**

**Stewart Todd  
GENERAL MANAGER**



**NARRABRI SHIRE**  
DISCOVER THE POTENTIAL

**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 Cameron Staines



Cr Maxine Booby



Cr Ron Campbell



Cr Ron Campey



Cr Lloyd Finlay



Cr Robert Kneale



Cr Ann Loder



Cr Annie McMahon



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 Strategic Direction

## OUR VISION:

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



### 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 an 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**

<b>1</b>	<b>Opening Prayer by a Member of the Narrabri Minister's Fraternal .....</b>	<b>9</b>
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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

**Part 4 Section 17a.**

**17a. Which parts of a meeting can be closed to the public?**

- (1) A Council, or a Committee of the Council of which all the members are Councillors, may close to the public so much of its meeting as comprises:
  - (a) the discussion of any of the matters listed in Sub-Clause (2) below, or
  - (b) the receipt or discussion of any of the information so listed.
- (2) The matters and information are the following:
  - (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.
- (3) A Council, or a Committee of the Council of which all the members are Councillors, 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.
  - (4) Members of the public may be allowed to make representations to or at a Council or Committee meeting for a period of up to three (3) minutes, immediately after the motion to close the part of the meeting.
  - (5) is moved and seconded, as to whether that part of the meeting should be closed at the discretion of the Council

## 6 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

**6.1 NARRABRI SHIRE COUNCIL COMMUNITY PARTICIPATION PLAN**

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

**Author:** Daniel Boyce, Director Development and Economic Growth

**Attachments:** 1. Draft Community Participation Plan [↓](#) 

**DELIVERY PROGRAM ALIGNMENT****4 Leadership**

**Objective** 4.1 We will proactively engage and partner with the community and government to achieve our strategic goals

**Strategy** 4.1.2 Ensure the community is informed and involved in Council activities through implementing quality consultation

**EXECUTIVE SUMMARY**

Planning authorities must adopt a Community Participation Plan under legislative changes to the *Environmental Planning and Assessment Act 1979* (“**EP&A Act**”). The Community Participation Plan will set out how planning authorities will engage with their communities across their statutory planning functions.

Following resolution by Council the Narrabri Shire Community Participation Plan will be placed on public exhibition for twenty-eight (28) days. After which time, Council will receive a further report and consider any submissions.

**RECOMMENDATION**

- 1. That Council endorse the Narrabri Shire Council Community Participation Plan.**
- 2. That Council place on exhibition the Narrabri Shire Council Community Participation Plan for a minimum period of twenty-eight (28) days.**

**BACKGROUND**

Planning authorities must adopt a Community Participation Plan under legislative changes to the *Environmental Planning and Assessment Act 1979* (“**EP&A Act**”). The Community Participation Plan will set out how planning authorities will engage with their communities across their statutory planning functions.

The Community Participation Plan must meet the minimum requirements for community participation that are set out in Schedule 1 to the EP&A Act, planning authorities can go beyond the minimum requirements if they decide it is appropriate.

The Narrabri Shire Community Participation Plan (attached) has been prepared in accordance with the new community participation principles outlined by the NSW Government.



**CURRENT SITUATION**

Following resolution by Council the Narrabri Shire Community Participation Plan will be placed on public exhibition for twenty-eight (28) days. After which time, Council will receive a further report and consider any submissions.

**FINANCIAL IMPLICATIONS**

Nil.

**STATUTORY AND POLICY IMPLICATIONS**

Planning authorities must adopt a Community Participation Plan under legislative changes to the EP&A Act.

**CONSULTATION****External Consultation**

Following resolution by Council the Narrabri Shire Community Participation Plan will be placed on public exhibition for twenty-eight (28) days. After which time, Council will receive a further report and consider any submissions.

**Internal Consultation**

- Community Relations Manager.

# Narrabri Shire Council Community Participation Plan



**NARRABRI SHIRE**  
DISCOVER THE POTENTIAL

## **Draft Narrabri Shire Council Community Participation Plan for planning functions under the EP&A Act 1979**

### **Glossary of Terms**

CSP	Community Strategic Plan
CPP	Community Participation Plan
DA	Development Applications
DCP	Development Control Plan
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act 1979
LEP	Local Environmental Plan
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
NSC	Narrabri Shire Council
NSW	New South Wales
SEPP	State Environmental Planning Policy
SSD	State Significant Development
SSI	State Significant Infrastructure

### **Commencement of the Community Participation Plan.**

This CPP came into effect on dd MMMM yyyy by resolution of NSC dated dd MMMM yyyy.

### **Land to which this CPP applies**

The CPP applies to all land within the Narrabri Shire LGA.

## 1. Introduction

NSC recognises that community participation throughout our planning system delivers better planning results for our community. Our responsibility and objectives under the EP&A Act are to ensure the promotion of orderly and economic use of land, facilitating ecologically sustainable development and promoting social and economic wellbeing.

### 1.1. What is a CPP?

The NSW Government requires NSC to prepare a CPP, to set out how and when we will engage with our community on the planning functions NSC performs under the EP&A Act. A CPP is intended to make it easier for the Narrabri Shire community to understand how to participate in planning matters, relevant to our Shire. Community participation, in relation to this CPP, is an overarching term covering how we engage the community in our work under the EP&A Act, including legislative reform, plan making and making decisions on proposed development. The level and extent of community participation will vary depending on the scope of the proposal under consideration and the potential impact of the decision.

The NSC CPP sets out when and how NSC will engage with its communities across all the planning functions it performs. The CPP must meet the minimum requirements for community participation set out in the EP&A Act and relates to the planning functions of NSC as set out in Schedule 1 of the EP&A Act

The NSC CPP has been prepared in accordance with Section 2.6 and Schedule 1 of the EP&A Act.

### 1.2. What planning functions does our CPP apply to?

NSC's planning functions are divided into two key areas of "**strategic planning**" and "**development assessment**".

Strategic planning is an essential aspect of NSC's work where we set the strategic direction, vision and context for the planning system within the Narrabri Shire LGA.

Once the strategic direction has been established, NSC makes planning decisions on a range of DAs. NSC is the consent authority for local development (other than for complying development, designated development or State significant development). Local development is the most common type of development in NSW and involves consideration and assessment of a wide range of development types from subdivisions to large scale commercial, retail and industrial developments. DAs assessed by NSC include but are not limited to; residential dwellings, unit development, subdivisions, commercial and industrial development, quarries, agricultural developments and infrastructure upgrades.

The CPP applies to the following planning functions:

- Strategic Planning;
  - a) CPPs;
  - b) LSPSs;
  - c) LEPs;
  - d) DCPs;
  - e) Contributions Plans.
- Development Assessment;



- a) DAs;
- b) Modification to DAs;
- c) Review of Determination of DAs

Some development, such as **exempt and complying development** under the *SEPP (Exempt and Complying Development Codes) 2008*, or **development permitted without consent** (Part 5) under the provisions of any applicable SEPP, does not allow opportunities for community engagement.

### 1.3. Principles of CPP.

The EP&A Act guides NSC to ensure that it will be clearer and easier for the community to understand how it can participate in planning decisions. The EP&A Act outlines the principles and objectives that underpin NSC's CPP. These principles are outlined below:

- a) The community has a right to be informed about planning matters that affect it.
- b) NSC will encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.
- c) Planning information will be in plain language, easily accessible and in a form that facilitates community participation in planning.
- d) The community will be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.
- e) Community participation will be inclusive and NSC will actively seek views that are representative of the community.
- f) Members of the community who are affected by proposed major development will be consulted by the proponent before an application for planning approval is made.
- g) Planning decisions will be made in an open and transparent way and the community will be provided with reasons for those decisions (including how community views have been taken into account).
- h) Community participation methods (and the reasons given for planning decisions) will be appropriate having regard to the significance and likely impact of the proposed development.

In line with the community participation objectives defined by the legislation, NSC encourages open, inclusive, easy, safe, relevant, timely and meaningful opportunities for community participation in our planning functions and individual proposals. To achieve this, NSC have designed our engagement approach so that in the event of disagreement in relation to proposals Council's processes aim to ensure that fairness and the consideration of all relevant views and concerns are acknowledged and acted upon where appropriate.



## 2. Minimum Exhibition Requirements

The opportunity for community participation will vary depending on the community, the scope of the proposal under consideration, and the potential impact of the decision.

A regular and valuable way for the communities of the Narrabri Shire to participate in the planning system is by making a **“written submission”** on a proposal during an **“exhibition period”** for both **“strategic planning”** and **“development assessment”** projects.

The key method utilised by NSC to encourage participation in planning functions is by way of public exhibition and/or notification of the application or proposal. During an exhibition we make available relevant documents that may include a draft of the plan or proposed development that NSC are seeking community input or comment on. NSC receive and record submissions and adhere to our Privacy Policy and defamation and discrimination laws. In reaching decisions on proposals, a wide range of factors including formal submissions and community input are considered along with regulatory requirements, Council's strategic plans and applicable policies and guidelines.

The types of proposals that must be publicly exhibited and the minimum timeframes for exhibition are set out below in **Table 1 (Strategic Planning)** and **Table 2 (Development Assessment)**. Section 2.23 (2) of the EP&A Act describes the types of proposals that must be considered in the CPP and Schedule 1 sets a minimum exhibition timeframe for most of these proposals. NSC will always exhibit a proposal for at least the minimum mandatory timeframe and will consider an extended timeframe for exhibition based on the scale and nature of the proposal.

Please note that exhibition timeframes vary in length. Some timeframes are prescribed in legislation and others are at our discretion.

Key points to note about public exhibitions include the following:

- Timeframes are in calendar days and include weekends;
- If the exhibition period is due to close on a weekend or a public holiday we may extend the exhibition to finish on the first available work day;
- The period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition;
- “Written notices” in regard to either a strategic planning matter or a development assessment matter are sent to the adjoining property owners;
- If a property is owned by more than one person, a written notice will be sent to all legal owners of that land; and
- A public authority is not required to make available for public inspection any part of an Environmental Impact Statement whose publication would, in the opinion of the public authority, be contrary to the public interest because of its confidential nature or for any other reason.
- Where Council has refused a development application or imposed conditions considered by the applicant to be unsatisfactory, the applicant may request a review. Applications for review are permissible in accordance with Section 8.2 of the EP&A Act and must be completed within 6 months from the date of determination of the development application.

*\*Adjoining land' generally means land which shares a common boundary with the development site or is separated only by a pathway, driveway, laneway or public road; or is the closest land not owned by the developer.*

## 2.1. Strategic Planning - Community Participation Requirements.

Meaningful engagement helps to shape the strategic direction of our Shire, as well as informing the various policies and plans that support this vision.

### 2.1.1. Mandatory Minimum Public Exhibition Timeframes for Strategic Planning Functions.

Planning Matter	Minimum Exhibition Timeframe
Draft CPP	28 days
Draft LSPS	28 days
Planning Proposals for LEPs subject to a Gateway Determination	<ul style="list-style-type: none"> <li>• 28 days; or</li> <li>• as specified by the gateway determination which may find, due to the minor nature of the proposal, that a shorter exhibition period no public exhibition is required.</li> </ul>
Draft DCPs	28 days
Draft Contribution Plans	28 days

**Table 1 – Exhibition Timeframes for Strategic Planning Functions**

### 2.1.2. How Strategic Planning Functions may be exhibited.

The following methods of public exhibition will be used to inform the community for the strategic planning functions of NSC:

- NSC Notices Section within local newspapers;
- NSC's website;
- NSC's social media; and
- Static display at NSC's Administration Centre and other locations (as applicable).

Depending on the specific strategic planning matters being considered, NSC may also undertake one or more of the following public exhibition methods:

- Targeted stakeholder consultations/meetings;
- On-line surveys;
- One-on-one engagement with NSC staff;
- Open days/drop in sessions;
- Letters to stakeholders;
- Notices within other regional newspaper/s; and
- Notices on the land.

The community includes anyone who is affected by the planning system and includes individuals, community groups, Aboriginal communities, peak bodies representing a range of interests, businesses, local government and State and Commonwealth government agencies.

## 2.2. Development Assessment - Community Participation Requirements.

The CPP is designed to make participation in planning clearer for the community. It does this by setting out, in one place, how and when the community can participate in the planning system, our functions and different types of proposals. We believe that involving the community, organisations and groups in Council's decision-making processes is crucial to achieving better outcomes.

### 2.2.1. Mandatory Minimum Public Exhibition Timeframes for Development Assessment Functions.

Planning Matter	Minimum Exhibition Timeframe
DAs (other than for Complying Development Certificate, or Designated Development or for State Significant Development)	<ul style="list-style-type: none"> <li>• 14 days; or</li> <li>• in accordance with Sections 2.2.2 and 2.2.3 below.</li> </ul>
Other Advertised Development	<ul style="list-style-type: none"> <li>• At the discretion of NSC staff.</li> </ul>
DA for Designated Development	<ul style="list-style-type: none"> <li>• 28 days; and</li> <li>• in accordance with the EP&amp;A Act and Regulations.</li> </ul>
DAs for nominated Integrated Development	
DAs for Threatened Species Development	
DAs for State Significant Development	
Environmental Impact Statement under Division 5.1	
Environmental Impact Statement for State Significant Infrastructure under Division 5.2	

**Table 2 – Minimum Exhibition timeframe for Development Assessment**

### 2.2.2. Notification of DAs

Where a DA is to be notified, it will be provided in the form of a "written notice". A "written notice" will be sent to the persons who own adjoining land and/or neighbouring land when a DA has been received, and where there is a statutory requirement to notify the applicant, or in NSC's opinion, the enjoyment of the adjoining land or neighbouring land may be affected by the development in relation to any of the following:

- The views to and the views from the adjoining land or neighbouring land;
- Overshadowing;
- Privacy;
- Noise;
- The visual quality of the development in relation to the streetscape;
- The location of the proposed development in relation to the neighbouring boundaries;
- The means of disposing of roof drainage water from the building and any potential adverse affect of drainage on adjoining sites;
- Whether any fuel burning equipment or mechanical devices are to be installed as part of the development;



- The relationship of the proposed development to existing development on adjoining land or neighbouring land;
- The amount of traffic likely to be generated by the development and the capacity of the site to handle the associated traffic movements; or
- The effect the development is likely to have on the future amenity of the neighbourhood.

Where in the opinion of NSC, the development (including modification) is of a minor or inconsequential nature with minimal environmental impact, notification/public exhibition of a DA may not be required.

### 2.2.3. Advertising of DAs

In addition to notification requirements (**Section 2.2.2**), the following types of development also require advertisement within the local newspaper:

- Backpackers accommodation;
- Caravan parks and camping grounds;
- Centre-based childcare facility;
- Community facilities;
- Education establishment;
- Group homes, boarding houses and hostels;
- Health consulting rooms;
- Health services facility;
- Hospital;
- Hotel or motel accommodation;
- Licensed club;
- Multi dwelling housing;
- Neighbourhood shops;
- Places of public worship;
- Recreation facility (major);
- Recreation facility (outdoor);
- Residential flat building;
- Seniors housing;
- Sex services premises;
- Telecommunication facilities in residential or rural residential settings;
- Demolition of a building or work that is an Item of Environmental Heritage or located within a Heritage Conservation Area; or
- Any development NSC considers locally or regionally significant.

During the advertising period a sign will also be placed at the site of the proposed development.

Where in the opinion of NSC, the development (including modification) is a minor alteration and/or addition to a development type listed above; advertising of a DA may not be required.

The EP&A Act and other SEPPs may specify circumstances where certain applications require advertisement. In certain circumstances, NSC may choose to advertise a development not listed above if it is considered necessary on the basis that it is in the public interest.

### **2.3. Council and Community Interaction.**

#### **2.3.1. How does the community get involved?**

Any person is entitled to make a "written submission" which may either object to or support a planning matter within the public exhibition, notification or advertising period. Submissions must be in writing and be received by NSC by 4.30pm on the day on which the period for submissions close.

All written submissions received during the public exhibition, notification or advertising period will be acknowledged (in writing) as soon as practicable by NSC.

Where a petition is received in respect of a development application or strategic planning project, the head petitioner or, where not nominated, the first petitioner will be acknowledged in writing by NSC for the purpose of future contact regarding progress of the application.

Anonymous submissions will not be considered by NSC.

#### **2.3.2. How does Council consider input from the community?**

Submissions received within the public exhibition, notification or advertising period will be considered in the NSC officer's assessment of the matter. However, NSC's consideration of a submission is restricted to planning matters. Non-relevant planning issues such as civil disputes between neighbours and private rights cannot be considered.

In certain circumstances, a planning matter and any submissions may be referred to a Committee and/or a NSC meeting for consideration. Submissions will form part of the assessment report prepared by NSC's Planning staff for consideration by the Committee or NSC. The report forms part of the Committee or NSC's Business Paper which is a public document and available upon request. Business Papers can be downloaded from NSC's website ([www.narrabri.nsw.gov.au](http://www.narrabri.nsw.gov.au)).

An opportunity also exists for individuals in the community to participate in the "Public Access Forum" prior to a Committee or NSC meeting. Any persons wishing to exercise this opportunity will need to complete a 'Public Access Forum Application Form' prior to the meeting day. NSC will provide prior notice to a submission maker of a planning matter being considered at an upcoming Committee or NSC meeting.

Following determination of a DA, or the adoption of a strategic plan, all persons who made a written submission will be notified (in writing) of the decision, and reasons for the decision, regarding the application, strategy or plan.

#### **2.3.3. Privacy.**

Submissions received on a DA are prescribed as open access information under the *Government Information (Public Access) Act 2009*. Any person (including the applicant) may obtain copies of written submissions unless the author of the submission can show good reason as to why the details should be kept confidential. If this is the case, this must be addressed in the written submission. Where a submission is provided to another party, NSC will have consideration for the guidelines published for the Government Information (Public Access) Act 2009. If it is not considered in the public interest, NSC may not disclose certain personal information, including contact details (mail address, phone numbers and e-mail).

### 3. Conclusion.

NSC recognises community participation within the planning system is not only the community's right, but it also helps to deliver better planning results for the people of the Narrabri Shire.

The NSC CPP sets out how and when NSC will engage with the community to encourage effective consultation and engagement when undertaking its town planning functions which includes **strategic planning** and **development assessment**.

The NSC CPP has been prepared to meet the regulatory requirements contained in Schedule 1 to the EP&A Act as well as Division 2.6 of the EP&A Act.

There are many ways for the community to provide feedback to NSC or raise questions outside of formal public exhibition. NSC will always consider and respond to the views and concerns of the community.

Below are the various ways to make contact with NSC:

- In person to NSC's Administration Building  
46-48 Maitland Street, Narrabri NSW 2390
- Via mail - PO Box 261, Narrabri NSW 2390
- Via email – [Council@narrabri.nsw.gov.au](mailto:Council@narrabri.nsw.gov.au)
- Via the Narrabri Shire Facebook page



Narrabri Shire Council  
46 - 48 Maitland Street  
PO Box 261, Narrabri NSW 2390

P. (02) 6799 6866  
F. (02) 6799 6888  
E. [council@narrabri.nsw.gov.au](mailto:council@narrabri.nsw.gov.au)



**NARRABRI SHIRE**  
DISCOVER THE POTENTIAL

## 7 OUR ECONOMY



### 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

**7.1 DEVELOPMENT APPLICATION 83/2019 - PROPOSED ERECTION OF INDUSTRIAL BUILDING FOR USE AS METAL FABRICATION AND ASSOCIATED OFFICE**

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

**Author:** Daniel Boyce, Director Development and Economic Growth

**APPLICATION DETAILS**

**Applicant:** Roz Solomon

**Owner:** Solgale Pty Ltd

**Proposal:** Erection of industrial building for use as metal fabrication and associated office.

**Location:** Lot 12 DP 1242823, 12 Caroline Way, Narrabri

**Attachments:**

1. Development Assessment Report and draft conditions [↓](#) 
2. Proposed development plans [↓](#) 

**RECOMMENDATION**

1. That Council determine the Development Application 83/2019 for the erection of an industrial building for use as metal fabrication and associated office by granting consent to the application subject to conditions in Attachment 1.
2. That Council release the following restrictions on the use of land on Lot 12 DP 1242823:
  - a. Development limitation to 20% site coverage (fill and construction of buildings)
3. That Council apply the following restrictions on the use of land on Lot 12 DP 1242823:
  - a. Development (fill and construction of buildings) requires a flood impact assessment demonstrating that the cumulative flood level increases are within the acceptable limits identified in the Narrabri Supplementary Floodplain Management Study by Osborne Lane and Max Winders and Associates dated February 2002.

**Proposal**

The proposed development is the erection of an industrial building for use as metal fabrication and associated office.

**Reason for consideration by Council**

The land is encumbered by a restriction on use limiting development:

- to buildings and fill to a maximum of 20% of the site area.
- to only proceed once pressure sewer has been provided to the site.

The development proposes fill and buildings to cover an area of approximately 3,300m<sup>2</sup>, which equates to 24.3% of the site.

**Permissibility**

The land is zoned IN2 Light Industrial pursuant to Narrabri Local Environmental Plan 2012 (“LEP 2012”). The development is categorised as a ‘Light Industry’ given the context of the neighbourhood and the application of a condition setting appropriate emission thresholds and is permissible in the zone with development consent.

**Consultation**

There is no requirement to notify the development.

**Main issues**

The main issues arising from the assessment are:

- Flood Hazard and Impact
- Covenants

**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 and will ultimately serve the objectives of the IN2 zone. Weight must be given to the 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.

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.

**BACKGROUND****Existing Sites Features and Surrounding Development**

Lot 12 DP 1242823, 12 Caroline Way, Narrabri (“the Land”) is zoned IN2 Light Industrial pursuant to LEP. The Land is surrounded by industrial development on both the western and eastern sides of the Newell Highway and is affected by flood from both the Mulgate Creek and Namoi River systems.

**Development History**

Lot 12 DP 1242823 was created via a subdivision approved by Council under DA95/2017 on 7 September 2017.

**DESCRIPTION OF PROPOSAL**

The proposal comprises:

- Construction of a new building, containing Workshop (665sqm) + Office space (124sqm)
- A mezzanine above the new office area will be utilized for storage (124sqm)
- The new building will be metal clad Colorbond sheeting structure supported by steel frame with steel roof

- New gravel hardstand area around the perimeter of the building
- New concrete hardstand pad for disabled carpark
- The site will add an additional driveway, total of 2, to allow vehicles to enter and exit in a forward direction
- A new carparking will be provided at the front of the new building to allow direct access for staff + visitor parking
- Utilise existing services on the site including water, sewer, stormwater and electricity

The development is categorised as a 'Light Industry' given the context of the neighbourhood and the application of a condition setting appropriate emission thresholds and is permissible in the zone with development consent.

### 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).

The NSW Planning & Environment's *Social impact assessment guideline: for state Significant Mining, Petroleum Production and Extractive Industry Development* (NSW Government Planning & Environment, 2017) has been used as a guide to consider potential social impacts from the proposed development. It identifies that social impacts can involve changes to the matters outlined in the following table. Table 1 provides consideration of these matters in relation to the proposed development.

**Table 1 Social Impact Consideration**

Matter	Consideration
Way of Life	<ul style="list-style-type: none"> <li>• The development is not expected to impact upon how people live (e.g. how they get around or access to adequate housing).</li> <li>• The development is not expected to impact upon how people play.</li> <li>• The development is not expected to impact how people interact with one another on a daily basis.</li> </ul>
Community	The development is not likely to impact on the composition, cohesion, or character of the community, or how it functions or sense of place.
Access to and use of infrastructure, services and facilities	The development is not likely impact upon the access to and use of infrastructure, services and facilities provided by local, state, or federal governments, or by for-profit or not-for-profit organisations or volunteer groups.
Culture	The development is not expected to adversely impact upon culture including shared beliefs, customs, values and stories, and connections to land, places, and buildings (including Aboriginal culture and connection to country).
Health and Wellbeing	The development is not expected to adversely impact on health and wellbeing, including both physical and mental health.
Surroundings	The development is not expected to adversely impact on the surroundings including access to and use of ecosystem services, public



	safety and security, access to and use of the natural and built environment, and its aesthetic value and/or amenity.
Personal and property rights	The development is not expected to have an unreasonable impact on personal or property rights.
Decision making systems	The development is not expected to impact on decision making systems.
Fears and aspirations	The development is not expected to impact on fears and aspirations.

### Economic impacts

Council must take into consideration the economic impacts of the development in the locality (Farrier & Stein, 2016).

No adverse economic impacts expected in the locality.

### Public Interest

Council must take into consideration in so far as is relevant “the public interest”.

The public interest is served through achieving the relevant objects of the EPA Act (Section 1.3). Table 2 assesses the proposed development against the objects of the EPA Act.

**Table 2 Assessment against the Objects of the EPA Act**

Object	Comment
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources,	N/A.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The economic, environmental and social impacts have been assessed and are considered to be acceptable.
(c) to promote the orderly and economic use and development of land,	The land is vacant and zoned for the purpose for which the development is proposed.
(d) to promote the delivery and maintenance of affordable housing,	N/A.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The development will not significantly affect threatened species or ecological communities, or their habitats.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The site is not mapped as containing any items of European Heritage. An AHIMS search carried out did not identify any items or Aboriginal sites have been

	recorded in or near the site. However a condition has been imposed requiring works to cease and OEH to be contacted should any items suspected of being Aboriginal in origin discovered during works.
(g) to promote good design and amenity of the built environment,	The building has been designed appropriately for an industrial zone.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The building will comply with the National Construction Code.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	This “local development” has undergone a merit based assessment by Council Staff and will be determined by the elected Council.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	This “local development” has not been notified to adjoining properties, however, the LEP underwent extension public participation and the development is consistent with the zone objectives.

### STATUTORY ASSESSMENT

The development is defined as a ‘Light Industry’ given the context of the neighbourhood and the application of a condition setting appropriate emission thresholds and is permissible in the zone with development consent.

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 considered to be consistent with the zone objectives.

### 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).

### Main Issues

The main issues arising from the assessment are:

- Flood Hazard and Impact
- Covenants

## Covenants

The land is encumbered by a restriction on use limiting development:

- to buildings and fill to a maximum of 20% of the site area.
- to only proceed once pressure sewer has been provided to the site.

The development proposes fill and buildings to cover an area of approximately 3300m<sup>2</sup>, which equates to 24.3% of the site.

The purpose of the limitation to 20% site coverage was to ensure that flood impacts from development on the lots were within acceptable limits. The flood impact is discussed below, however, it is proposed to replace the restrictions with a performance-based restriction requiring future development to be accompanied by a site specific flood study:

- Development (fill and construction of buildings) requires a flood impact assessment demonstrating that the cumulative flood level increases are within the acceptable limits identified in the Narrabri Supplementary Floodplain Management Study by Osborne Lane and Max Winders and Associates dated February 2002.

An existing sewer junction is available for connection on the Caroline Way side of the property (north-west corner).

## Flood Hazard and Impact

According to the Australian Disaster Resilience Handbook 7 Managing the Floodplain: A Guide to Best Practice in Flood Risk Management in Australia (**AIDR Handbook 2017**):

*Maintaining the flood function of the floodplain is a key objective of best practice in flood risk management in Australia, because it is essential to managing flood behaviour. The flood function of areas of the floodplain will vary with the magnitude in an event. In general flood function is examined in the defined flood event, so it can be maintained in this event (p. 30).*

Figure 1 identifies the flood function of the Land in the 1% AEP flood (the defined flood event for planning purposes).

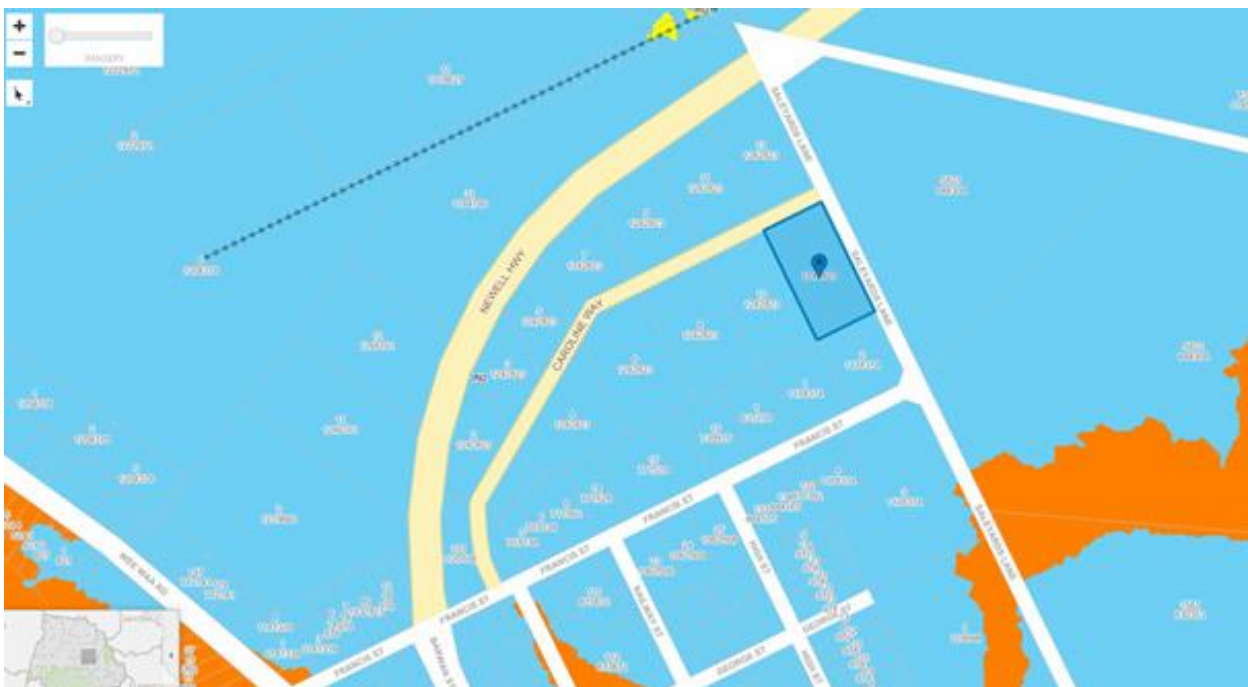


Figure 1 Flood function in the 1% AEP flood (Blue – Flood Storage, Orange – Floodway)

According to the AIDR Handbook 2017:

*Flood storage areas are the parts of the floodplain that are important for temporary storage of floodwaters during a flood passage. The loss of flood storage can increase the severity of flood impacts by reducing natural flood attenuation (p. 86).*

Australian Disaster Resilience Guideline 7-5 Flood Information to Support Land-use Planning (**AIDR Guideline 2017**):

*Filling of flood storage areas reduces their ability to attenuate downstream flood flows and, as a result, flood flows and flood levels may increase.*

The *Narrabri Supplementary Floodplain Management Study* by Osborne Lane and Max Winders and Associates dated February 2002 ("**the 2002 Flood Study**") set a limitation of 20% site coverage to ensure that flood impacts from development on the lots were within acceptable limits.

The *Narrabri Industrial Area Flood Options Assessment* by WRM Water and Environment ("Options Assessment") based on its 2D model for the Namoi River System at Narrabri was prepared to investigate increased density in parts of Caroline Way to 50%.

For Mulgate Creek flooding:

- There are localised increases in flood levels of greater than +0.3 m to the north of Caroline Way for the 20%, 10%, 5%, 2% and 1% AEP events;
- Mulgate Creek floodwaters are diverted westwards across the Newell Highway towards undeveloped agricultural land during the 2% and 1% AEP events, resulting in increased flood levels of up to +0.4 m.

For Namoi River flooding:

- There are highly localised increases of flood levels, up to +0.05 m in the immediate vicinity of the proposed development areas, however these increases **do not appear to impact on other developments or residential properties.**

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 Guideline 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 0.63 m and 0.47 m/sec respectively.

The expected depth and velocity combination lies inside the H3 category, determined to be unsafe for vehicles, children and the elderly (Figure 2). The expected depth and velocity combination present a moderate hazard for adults (Figure 3). The expected depth and velocity combination present a low hazard to structures (Figure 4).

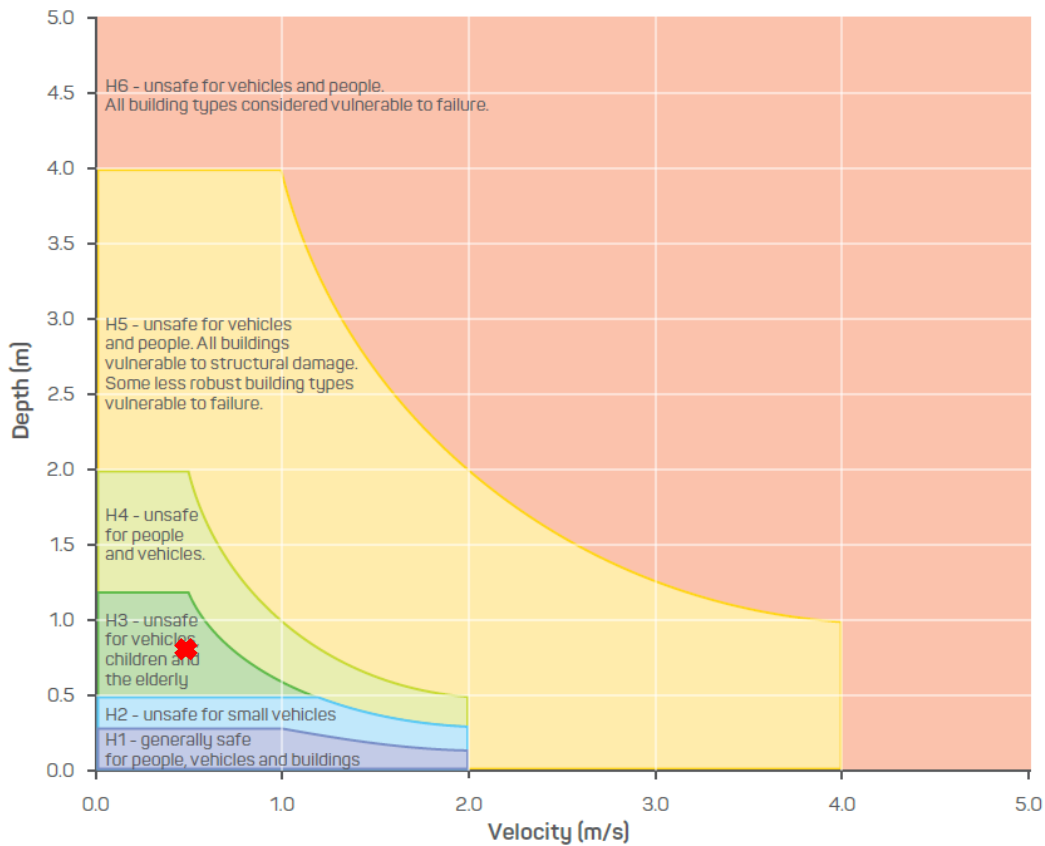


Figure 2 General Flood Hazards (Australian Disaster Resilience Guideline 7-3 Flood Hazard).

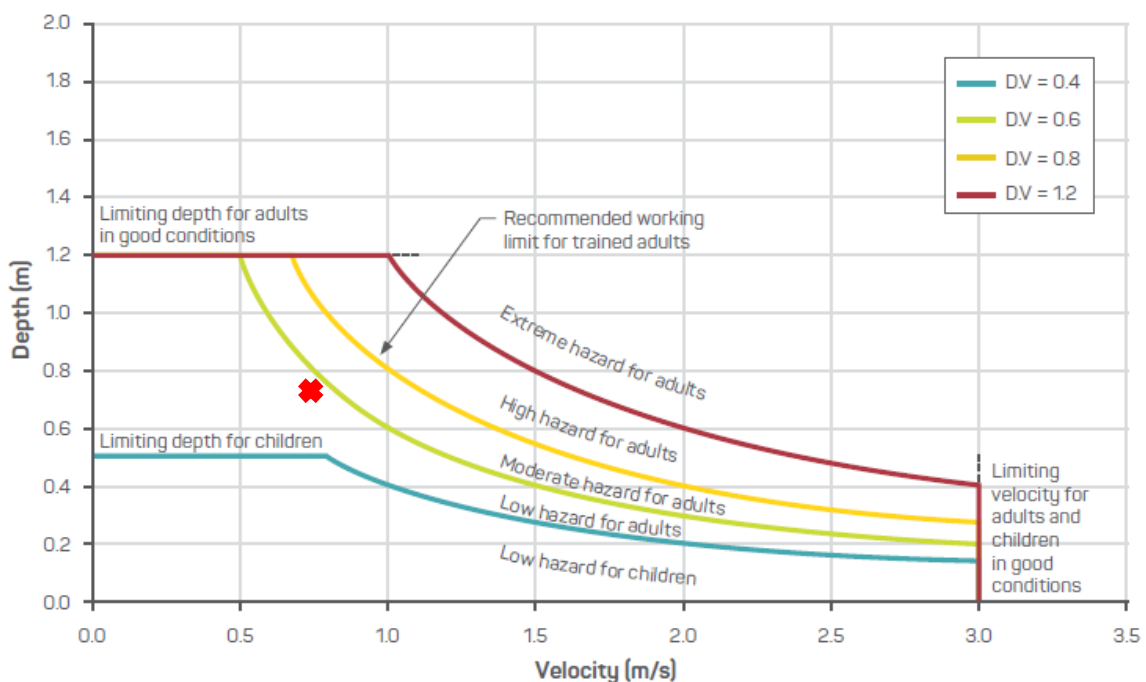


Figure 3 Thresholds for people stability in floods (Australian Disaster Resilience Guideline 7-3 Flood Hazard).

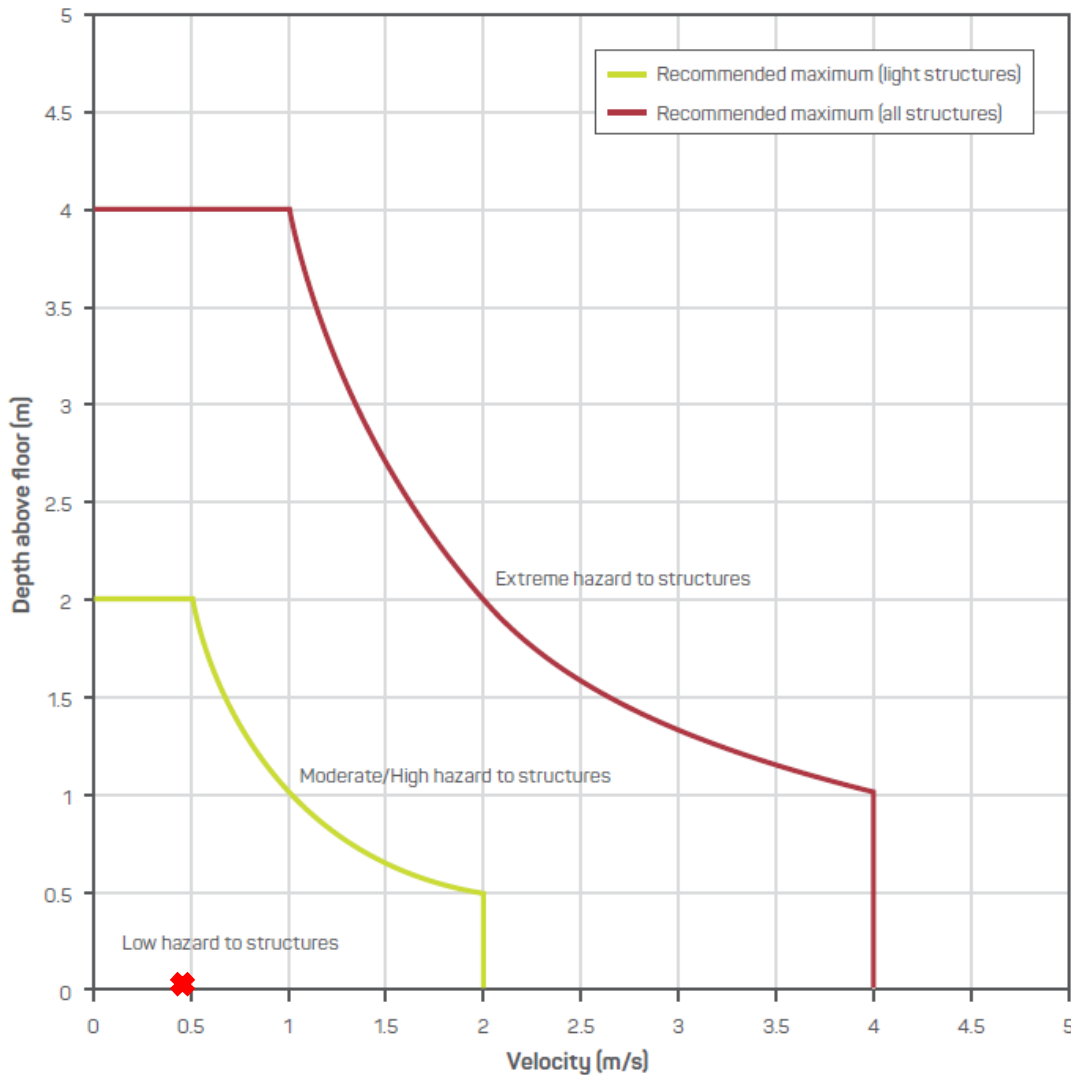


Figure 4 Thresholds for building stability in floods (Australian Disaster Resilience Guideline 7-3 Flood Hazard).

The proposed development is in accordance with Clause 6.2 of the LEP (Table 3).

**Table 3 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	The expected depth and velocity combination lies inside the H3 category, determined to be unsafe for vehicles, children and the elderly (Figure 2). The expected depth and velocity combination present a moderate hazard for

	adults (Figure 3) and a low hazard to structures (Figure 4).
(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	The Options Assessment indicates the cumulative impact of a 50% site coverage do not appear to impact on other developments or residential properties.
(c) incorporates appropriate measures to manage risk to life from flood, and	The risk to life will be managed by applying a minimum floor level above the 1% AEP flood.  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.
(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 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	The proposal represents an appropriate use that is 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.  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.

### Submissions

No submission received.

### Land and Environment Court Planning Principles

#### Non-statutory regional planning policies

In *Direct Factory Outlets Homebush v Strathfield Municipal Council* [2006] NSWLEC 318, Senior Commissioner Roseth of the Land and Environment Court stated (at [25-26]):

The role of regional planning policies is to guide the development of a region, such as the Sydney metropolitan area. One of their functions is to inform and influence statutory plans for the local areas of a region. Regional planning policies provide a sense of purpose and direction to local plans; they are, as it were, the glue that binds local plans together. The fact that they are non-statutory is not an indication of their subservience to statutory plans. Planning policies usually do not lend themselves to statutory expression because they do not relate to specific parcels of land and do not contain numerical development standards. This

fact, however, does not mean that they have no relevance to individual development applications, particularly those that have impacts extending beyond the local area (at [25]).

Where the provisions of an environmental planning instrument are clear, unequivocal and do not require value judgment (for example numerical development standards or zonings where the character of a use is not in dispute), they take precedence over non-statutory regional planning policies. However, where those provisions can be applied only on the basis of value judgments (for example, where the character of a use is in dispute, a development standard is to be varied, or where imprecise terms like “appropriate”, “significant”, “detrimentally affect” or “ecological sustainability” need to be given meaning in the context of a development application, non-statutory regional planning policies provide the background against which those value judgments should be made (at [26]).

Consideration of regional (and local) non-statutory planning policies is appropriate in the assessment of this development application given that certain impacts will extend beyond the immediate locality.

### **New England North West Regional Plan 2036**

The New England North West Regional Plan 2036 (“**Regional Plan**”) will guide the NSW Government’s land use planning priorities and decisions to 2036. Priorities for each council are set out in Local Government Narratives, which will guide further investigations and implementation (NSW Government Planning & Environment, 2019).

Supporting economic diversification and strengthening is a priority for Narrabri under the Regional Plan (NSW Government Planning & Environment, 2019).

### **Community Strategic Plan Narrabri Shire 2027**

The Community Strategic Plan Narrabri Shire 2027 (“**Strategic Plan**”) presents the community endorsed vision and strategic plan for Narrabri Shire and has been informed through extensive community engagement (Narrabri Shire Council, 2017).

The community aspires to “a strong, diverse economy that attracts, retains and inspires business industry and tourism growth” (Narrabri Shire Council, 2017).

### **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 located at the interface of two zones (IN2 Light Industrial zone and RU1 Primary Production zone) (Figure 6).



Figure 5 Zone map

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 objectives of the RU1 zone are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To allow for non-agricultural land uses that will not restrict the use of other land for agricultural purposes.

The proposed development is not incompatible with the primary production land uses likely to occur on the adjoining RU1 land.

### 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:

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 land is zoned IN2 Light Industrial and the development is permissible with consent in the zone. Weight must be given to the IN2 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 4 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?	The development does not unreasonably impact amenity of development in the locality.

How reasonable is the proposal causing the impact?	The development is a permissible form of development with acceptable impacts from a flood perspective. It is therefore considered reasonable.
How vulnerable to the impact is the property receiving the impact? Would it require the loss of reasonable development potential to avoid the impact?	<p>The more sensitive region to the proposed development is the existing industrial development on the eastern side of the highway, particularly around Caroline Way.</p> <p>The Flood Assessment indicates the cumulative The Options Assessment indicates the cumulative impact of a 50% site coverage do not appear to impact on other developments or residential properties.</p>
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 development has been designed to balance to the need to address flood risk to the development itself as well as the need to limit flood impacts on adjoining development, in particular the existing industrial development on the eastern side of the highway.
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?	<p>The proposal complies with local planning controls.</p> <p>The following restrictions on the use of land apply:</p> <ul style="list-style-type: none"> <li>• to buildings and fill to a maximum of 20% of the site area.</li> </ul> <p>The development proposes fill and buildings to cover an area of approximately 3300m<sup>2</sup>, which equates to 24.3% of the site.</p> <p>The purpose of the limitation to 20% site coverage was to ensure that flood impacts from development on the lots were within acceptable limits. The flood impact is discussed below, however, it is proposed to replace the restrictions with a performance-based restriction requiring future development to be accompanied by a site specific flood study:</p> <ul style="list-style-type: none"> <li>• Development (fill and construction of buildings) requires a flood impact assessment demonstrating that the cumulative flood level increases are within the acceptable limits identified in the Narrabri Supplementary Floodplain Management Study by Osborne Lane and Max Winders and Associates dated February 2002.</li> </ul>

### Surrounding development

In *Project Venture Developments v Pittwater Council [2005] NSWLEC 191*, Senior Commissioner Roseth of the Land and Environment Court stated (at [22 and 24]):

There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve (at [22]).

Where compatibility between a building and its surroundings is desirable, its two major aspects are physical impact and visual impact. In order to test whether a proposal is compatible with its context, two questions should be asked.

- Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.
- Is the proposal's appearance in harmony with the buildings around it and the character of the street? (at [24]).

**Table 5 Assessment against the "Surrounding development" Planning Principle**

Planning principle	Staff Comment
Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.	The development is a permissible form of development with acceptable impacts from an amenity and flood perspective. It does not unreasonably constrain the development potential of surrounding sites.
Is the proposal's appearance in harmony with the buildings around it and the character of the street?	The development appearance is in harmony the buildings around it and the character of the street by virtue of having a similar appearance to other industrial buildings in the street.

### Public Participation

The DA was not required to be notified or advertised.

### Referrals

#### Infrastructure Delivery (Internal)

The DA was referred to Council's Infrastructure Delivery Department ("**Infrastructure**"). Infrastructure comments are summarised in section 1.10 Internal Referrals of the Development Assessment Report (Attachment 1).

### DEVELOPMENT CONTRIBUTIONS APPLICABLE

Fixed development consent levy.

**CONCLUSION**

Development Application 83/2019 has been assessed in accordance with Section 4.15 of the EPA Act and can be determined by way of approval subject to conditions (Attachment 1) for the following reasons:

**Reasons for the decision**

1. The development is permissible with consent in the IN2 zone and consistent with the objectives for development in the IN2 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 is in the public interest because:
  - a) It is consistent with the relevant objects of the EPA Act.
  - b) It is consistent with the *New England North West Regional Plan 2036*.
  - c) It is consistent with *Community Strategic Plan Narrabri Shire 2027*.

**REFERENCES**

- Farrier, D., & Stein, P. (2016). *The environmental law handbook* (6th ed.). Rozelle, N.S.W.: Thomson Reuters (Professional) Australia Limited.
- NSW Government Planning & Environment. (2019). *New England North West Regional Plan 2036*.
- Narrabri Shire Council. (2017). *Community Strategic Plan Narrabri Shire 2027*.

## DEVELOPMENT APPLICATION ASSESSMENT

### 1 Preliminary Scoping

#### 1.1 Application Details

<b>DA No.</b>	DA 83/2019
<b>Lot/DP</b>	Lot 12 DP 1242823
<b>Street Address</b>	12 Caroline Way, Narrabri
<b>Area</b>	1.357ha
<b>Applicant</b>	Roz Solomon
<b>Land Owner(s)</b>	Solgale Pty Ltd
<b>Proposed Development</b>	Erection of industrial building for use as metal fabrication and associated office.
<b>Land Use Description</b>	Light Industry, providing amenity managed
<b>Date</b>	4 November 2019
<b>Officer</b>	Erika Dawson

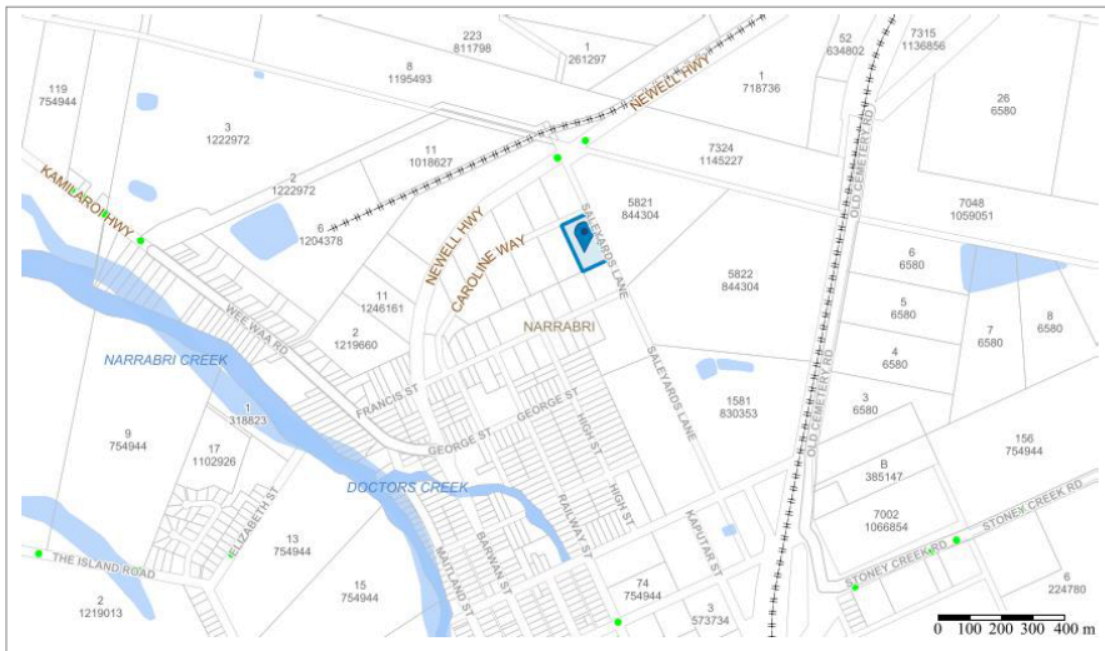


Figure 1 – Site Location Plan



Figure 2 – Site Aerial Photograph

## 1.2 History

Nil known to be applicable.

## 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"/>
<b>Any easements other applicable restrictions on use etc?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>			

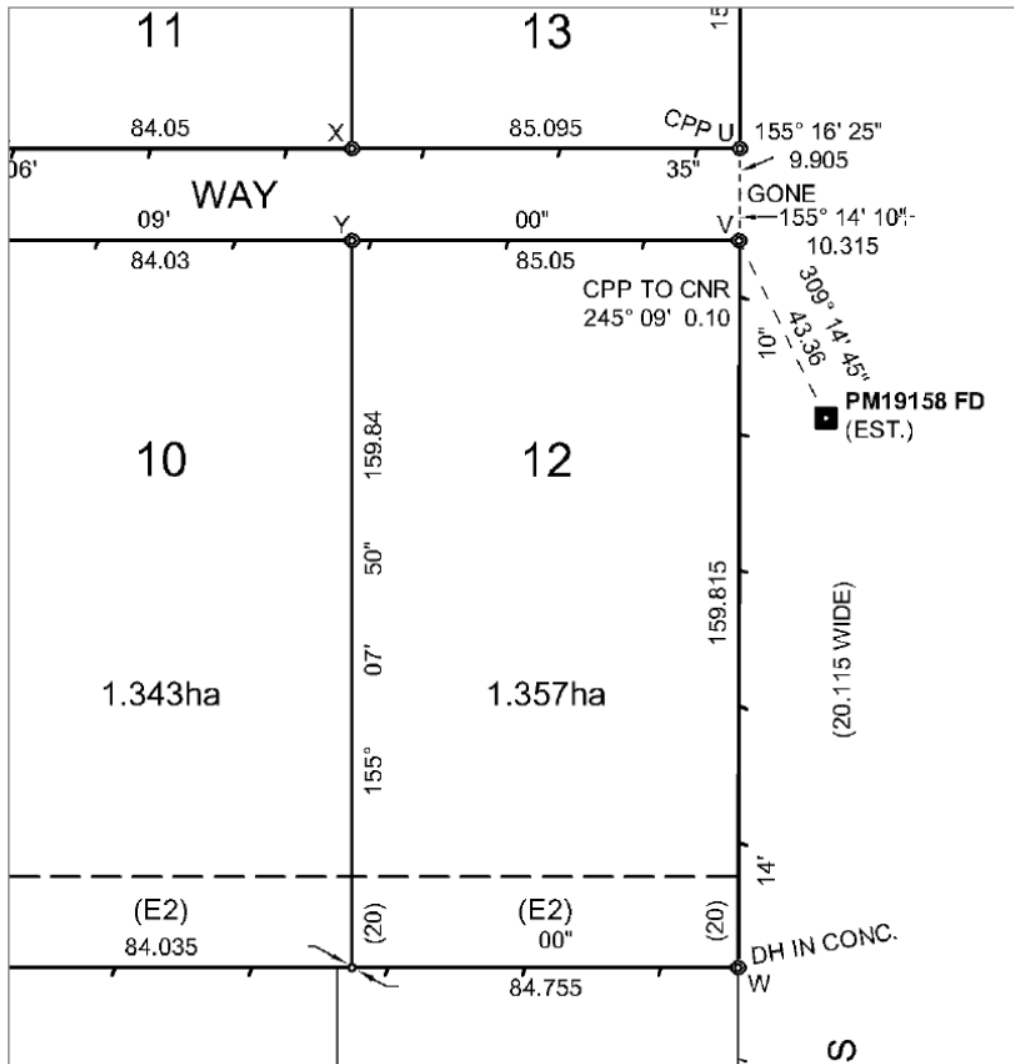
### Comments:

The subject site is burdened by the following:

- DP848415 easement to drain water 20 metre(s) wide affecting The part(s) shown so burdened [E2] in the title diagram
- DP848415 restriction(s) on the use of land – fence.
- DP1242823 restriction(s) on the use of land:

- (a) The placement of any fill and/or the construction of any building on the lot is to be restricted to 20% of the total area of the lot.
- (b) A building cannot be constructed on the lot unless the building is connected to the pressurised sewer system that services the lot. The subsequent maintenance of the pressurised sewer system within the lot to the point of connection to the pressurised sewer system serviced by Narrabri Shire Council is the responsibility of the lot owner.

Name of prescribed authority whose consent is required to release, vary or modify the restrictions on the use of land: Narrabri Shire Council.



### 1.4 The Development

Characteristics of the proposed development will include:

- Construction of a new building, containing Workshop (665sqm) + Office space (124sqm)
- A mezzanine above the new office area will be utilized for storage (124sqm)
- The new building will be metal clad Colorbond sheeting structure supported by steel frame with steel roof
- New gravel hardstand area around the perimeter of the building
- New concrete hardstand pad for disabled carpark



- The site will add an additional driveway, total of 2, to allow vehicles to enter and exit in a forward direction
- A new carparking will be provided at the front of the new building to allow direct access for staff + visitor parking
- Utilise existing services on the site including water, sewer, stormwater and electricity

## 1.5 Applicable Environmental Planning Instruments

### 1.5.1 Local Environmental Plan (LEP)

<b>LEP Name:</b>	Narrabri LEP 2012				
<b>Zoning:</b>	IN 2 Light Industry				
<b>Proposed Land Use/Development</b>	Light Industry (providing amenity impacts can be managed).				
<b>Minimum Lot Size</b> <i>(relevant to the development, i.e. might relate to MDH or dual occ MLS)</i>	N/A				
<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"/>	Obstacle Limitation Surface	<input type="checkbox"/> <input checked="" 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>	1.9A Suspension of covenants, agreements and instruments 2.3 Zone Objectives & Land Use Table Land use table 6.1 Earthworks 6.2 Flood planning 6.5 Essential services				



Figure 3 – LEP Zoning Map

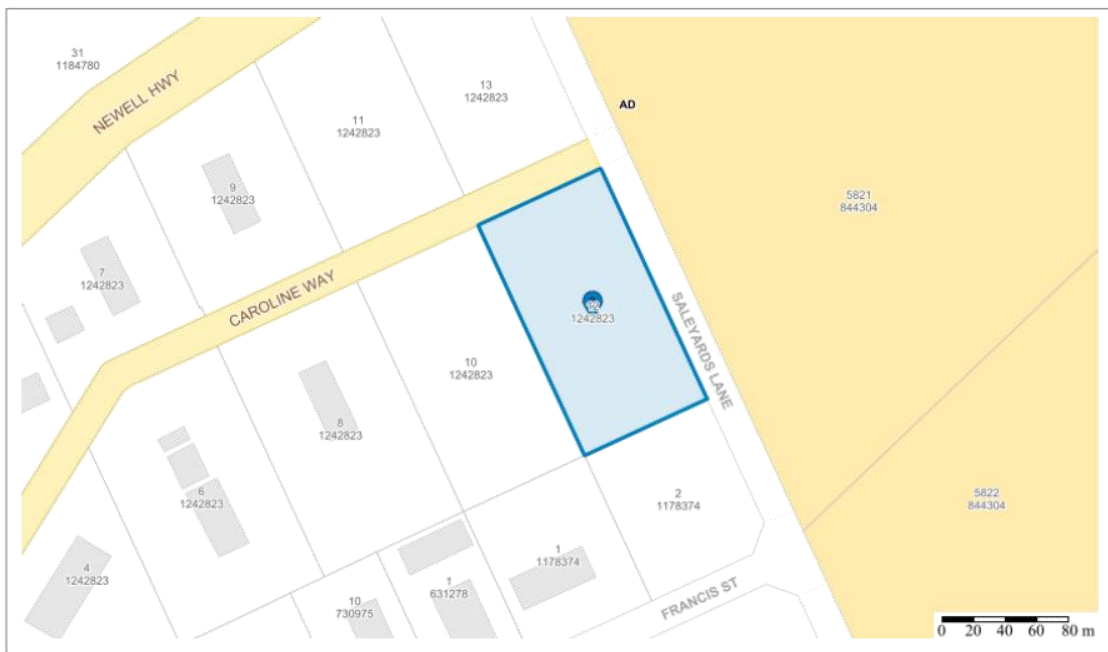


Figure 4 – LEP Minimum Lot Size Map



Figure 5 – LEP Flood Planning Area Map

### 1.5.2 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 checked="" type="checkbox"/>	<input type="checkbox"/>
SEPP 36 – Manufactured Home Estates	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP 44 – Koala Habitat Protection	<input checked="" type="checkbox"/>	<input 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"/>
SEPP 55 – Remediation of Land	<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"/>	SEPP Infrastructure 2007	<input type="checkbox"/>	<input checked="" 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 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 State & Regional Development 2011	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEPP State Significant Precincts 2005	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SEPP	Yes	No	SEPP	Yes	No
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"/>		<input type="checkbox"/>	<input type="checkbox"/>

## 1.6 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"/>

## 1.7 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"/>

## 1.8 Permissibility

Light Industry is permissible with consent in the IN2 zone.

## 1.9 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

## 1.10 Internal Referrals

### 1.10.1 Engineering

#### 1.10.1.1 Sewer

- An existing sewer junction is available for connection on the Caroline Way side of the property (north-west corner).

#### 1.10.1.2 Potable Water

- An existing potable water main connection is available along Caroline Way.

#### 1.10.1.3 Stormwater

- Stormwater from the building roof catchment and the developed portion of the site can be discharged to Caroline Way, Saleyards Lane and/or the drainage channel at the rear of the property.

#### 1.10.1.4 Vehicle Access

- The existing site has an existing (pre-approved) vehicle access off Caroline Way.
- A second access off Saleyards Lane has been requested as part of this DA. As this is a corner block that will require access to both the front and rear of the property, a second access may be permitted.
  - The proposed access shall be constructed in accordance with Councils 'Rural Property Access' policy and associated specifications from the Saleyards Lane edge of seal to the property boundary to allow for a double width access and gate. A 'Request for Rural Vehicle Inspection' form is required to be completed by the developer prior to construction.

### 1.10.2 Trade Waste

Standard Trade Waste Conditions.

### 1.10.3 Building

No conditions other than standard.

### 1.11 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 1.5.2**.

#### 2.1.1 SEPP 33 – Hazardous & Offensive Development

The development is not expected to constitute potentially hazardous or offensive development.

#### 2.1.2 SEPP 44 – Koala Habitat Protection

<i>Table 1 – SEPP 44 Assessment</i>		
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.	The site has an area of more than 1ha and is located within Narrabri LGA. Therefore SEPP 44 is applicable.	✓
<b>7 Step 1—Is the land potential koala habitat?</b>		
(1) Before a council may grant consent to an application for consent to carry out development on land to which this Part applies, it must satisfy itself whether or not the land is a potential koala habitat. (2) A council may satisfy itself as to whether or not land is a potential koala habitat only on information obtained by it, or by the applicant, from a person who is qualified and experienced in tree identification. (3) If the council is satisfied: (a) that the land is not a potential koala habitat, it is not prevented,	The site is not considered to comprise potential koala habitat. Therefore no further consideration of SEPP 44 is required.	✓

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Table 1 – SEPP 44 Assessment		
Provision	Comment/Response	Compliance
because of this Policy, from granting consent to the development application, or (b) that the land is a potential koala habitat, it must comply with clause 8.		

### 2.1.3 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 (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.	The site is not known to be contaminated.	✓
(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 development does not involve a change of use on any land specified in subclause (4). No further consideration of SEPP 55 is required.	✓

### 2.1.4 LEP

The relevant LEP clauses identified in **Section 1.5.1** are addressed below.

Table 3 – Narrabri LEP 2012		
Provision	Comment/Response	Compliance
<b>1.9A Suspension of covenants, agreements and instruments</b>		
<p>(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.</p> <p>(2) This clause does not apply:</p> <p>(a) to a covenant imposed by the Council or that the Council requires to be imposed, or</p> <p>(b) to any prescribed instrument within the meaning of section 183A of the Crown Lands Act 1989, or</p> <p>(c) to any conservation agreement within the meaning of the National Parks and Wildlife Act 1974, or</p> <p>(d) to any Trust agreement within the meaning of the Nature Conservation Trust Act 2001, or</p> <p>(e) to any property vegetation plan within the meaning of the Native Vegetation Act 2003, or</p> <p>(f) to any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995, or</p> <p>(g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.</p> <p>(3) This clause does not affect the rights or interests of any public authority under any registered instrument.</p>	<p>The land is encumbered by a restriction on use limiting development:</p> <ul style="list-style-type: none"> <li>to buildings and fill to a maximum of 20% of the site area.</li> <li>to only proceed once pressure sewer has been provided to the site.</li> </ul> <p>These restrictions have been imposed by Narrabri Shire Council.</p> <p>20% of the site area = 2,714m<sup>2</sup></p> <p>The development proposes fill and buildings to cover an area of approximately 3300m<sup>2</sup>, which equates to 24.3% of the site.</p> <p>The restriction on use is based on a flood study that was undertaken. Council has had a subsequent flood study undertaken that demonstrates that site coverage can be 50% of the site without having an adverse impact on flooding.</p> <p>The site has connection to the pressure sewerage system.</p>	✓
<b>2.3 Zone objectives and Land Use Table</b>		
<p>(1) The Land Use Table at the end of this Part specifies for each zone:</p> <p>(a) the objectives for development, and</p> <p>(b) development that may be carried out without development consent, and</p> <p>(c) development that may be carried out only with development consent, and</p> <p>(d) development that is prohibited.</p>	<p>The objectives of the IN2 zone are:</p> <ul style="list-style-type: none"> <li>To provide a wide range of light industrial, warehouse and related land uses.</li> <li>To encourage employment opportunities and to support the viability of centres.</li> <li>To minimise any adverse effect of industry on other land uses.</li> <li>To enable other land uses that provide facilities or services to meet the day to</li> </ul>	



<i>Table 3 – Narrabri LEP 2012</i>		
Provision	Comment/Response	Compliance
(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.	<p>day needs of workers in the area.</p> <ul style="list-style-type: none"> <li>To support and protect industrial land for industrial uses.</li> </ul> <p>The proposed development is considered to be consistent with the zone objectives.</p>	
<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 result in the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development. Flood impact in this regard has been considered in <b>Section 2.6.12.2</b> .	✓
(b) the effect of the development on the likely future use or redevelopment of the land,	The development is consistent with the intended future use of the land.	✓
(c) the quality of the fill or the soil to be excavated, or both,	All fill to be imported to site is to be clean. The site is not known to be contaminated.	✓
(d) the effect of the development on the existing and likely amenity of adjoining properties,	The development is not expected to impact on the existing or likely amenity of adjoining properties.	✓
(e) the source of any fill material and the destination of any excavated material,	All fill to be imported to site is to be clean.	✓
(f) the likelihood of disturbing relics,	Expected to be unlikely given previous land uses, however, include standard disturbing relics condition.	✓
(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,	The site is not located close to any waterways, known drinking water catchments or environmentally sensitive areas. A Soil and Water Management Plan is to be prepared and implemented for the development.	✓
(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.	See comments above.	✓
<b>6.2 Flood planning</b>		
(2) This clause applies to:	The site is mapped as being within the Flood Planning Area.	
(a) land identified as “Flood planning area” on the Flood Planning Map, and		
(b) other land at or below the flood planning level.		

<i>Table 3 – Narrabri LEP 2012</i>		
Provision	Comment/Response	Compliance
(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 (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.	This is addressed in detail in <b>Section 2.6.12.2</b> . The development is considered to be: <ul style="list-style-type: none"> <li>compatible with the flood hazard of the land, and</li> <li>not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</li> <li>incorporate appropriate measures to manage risk to life from flood, and</li> <li>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</li> <li>not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.</li> </ul>	✓
<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 both Caroline Way and Saleyards Lane.	✓
(b) the supply of electricity,	The site has an existing electricity connection.	✓
(c) the disposal and management of sewage,	The site has a sewer connection to the pressure sewer system located in Caroline Way.	✓
(d) stormwater drainage or on-site conservation,	Stormwater to be drained to the street.	✓
(e) suitable vehicular access.	The site has access from both Caroline Way and Saleyards Lane.	✓





Figure 7 – Hazard Category

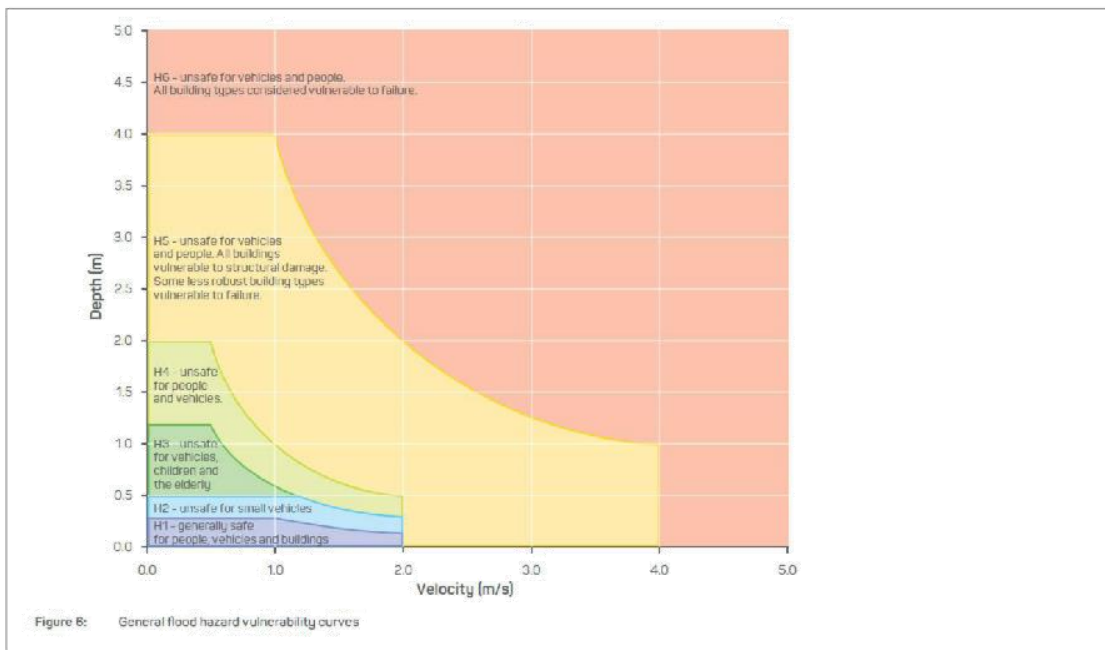


Figure 8 – Hazard Category Graph

## 2.2 Proposed EPIs

Nil known to be applicable.

## 2.3 DCPs

### 2.3.1 DCP Notification Policy

Table 4: DCP Notification Policy		
Required	Provided	Compliance
Nil required	N/A	N/A

### 2.3.2 DCP Parking Code No.1

Provision	Required	Provided
<b>Parking Provision</b>		
Factories = 1.3 spaces/100m <sup>2</sup> GFA	665.0m <sup>2</sup> = 8.6 spaces	
Office = 1 space/40m <sup>2</sup>	124.1m <sup>2</sup> = 3.1 spaces	
Warehouse = 1 space/300m <sup>2</sup>	118.9m <sup>2</sup> = 1 space	
<b>Total</b>	<b>12.7 (13) spaces</b>	<b>6 spaces</b>
<b>Parking Design</b>		
<b>User class 1A of AS2890.1</b>		
<b>Parking spaces</b>	5.4m x 2.4m	5.4m x 2.4m
<b>Aisle width</b>	5.8m	5.8m
<b>Accessible space</b>	5.4m x 2.4m	5.4m x 2.4m
<b>Shared Area (side)</b>	5.4m x 2.4m	5.4m x 2.4m
<b>Shared Area (end)</b>	2.4m x 2.4m	2.4m x 2.4m
<b>Access Driveway</b>		
<b>Category</b>	1	
<b>Entry Width (combined)</b>	3.0m - 5.5m	6.8m – 14m
<b>Location</b>	> 6m from tangent point and not opposite intersections	Complies.
<b>Sight Distance</b>	Min SSD = 45m Desirable = 69m	Complies
<b>Pedestrian Sight Lines</b>	To be provided in accordance with Figure 3.3.	Can be achieved.

Whilst the parking provided does not comply with the DCP numerical standards, justification for the parking provided has been outlined in **Section 2.6.2**.

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.

It is suggested that carparking areas be landscaped, especially with shade trees.

### 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

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Required	Provided	Compliance
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.	N/A	N/A
<p>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 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>	Minimum 19m setback to street.	✓

#### 2.3.4 DCP Building Near Sewer and Stormwater Mains

Required	Provided	Compliance
Generally the structure must be located clear of the main by a minimum distance of one (1) metre from the main centreline or the equivalent invert dept of the main, whichever is the greater. The minimum distance shall be measured from the external face of any footing or structural component to the centreline of the main.	No mains in the subject site.	N/A
Where there is no viable alternative or in exceptional circumstances, the General Manager may permit a building to be erected not in accordance with Sub Clause (i) subject to any additional works considered necessary to protect and allow access to the main should the need for repair become evident.	N/A	N/A

### 2.3.5 Drainage to Buildings DCP

<i>Table 7: DCP Drainage to Buildings</i>		
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>• The street gutter (using an approved outlet);</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>2.2. The sewer if sewer is available or</p> <p>2.2.2 A septic tank (or sullage trench in the case of approved waste fixtures) if sewer is not available.</p>	<p>Condition compliance with :</p> <ul style="list-style-type: none"> <li>• connection to the sewer.</li> </ul>	
<b>Effluent Disposal</b>		
<p>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:-</p> <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 this DA.

## 2.6 Likely Impacts of the Development

### 2.6.1 Context & Setting

The subject site is located within an existing light industrial area which seeing incremental building on the lots. The proposed development is considered to be consistent with the desired context and setting.

### 2.6.2 Access, Transport & Traffic

#### 2.6.2.1 Access

Access to the new car parking area is directly off Caroline Way. Flow of traffic has been addressed with a proposed new exit gate and driveway crossover onto Saleyards Lane. This will allow the delivery + pick up vehicles to drive through the carparking area and exit in one direction, with minimal interference on the remaining site.

Larger vehicles i.e. large rigid vehicles will be able to access the property via the existing entry from Caroline Way, enabling all vehicles to enter and exit the site in a forward direction.

#### 2.6.2.2 Traffic Generation

The development will employ five (5) staff. Due to the nature of the business, customers visit the site infrequently.

Anticipated frequency of vehicle movements per day:

Small passenger vehicles:	12
Light Commercial Vehicles:	4
Large Rigid + Semi trailer vehicles	2
Total	18

#### 2.6.2.3 Parking

As outlined in Section 2.3.2, the development requires a total of 13 spaces in accordance with the DCP. The development has provided a total of six (6) formal parking spaces on site.

Based on the total number of employees and minimal customers attending site, it is considered that sufficient parking has been provided for the development.

### 2.6.3 Utilities

#### 2.6.3.1 Reticulated Water

The development has access to reticulated water supply. There are no known issues with capacity.

#### 2.6.3.2 Reticulated Sewerage

The development has access to reticulated sewerage. There are no known issues with capacity.

The development would be required to enter into a Trade Waste Agreement with Council.

#### 2.6.3.3 Electricity

The site has an electricity connection that would be augmented to service the development. There are no known issues with capacity.

#### 2.6.3.4 Telecommunications

The site has an electricity connection that would be augmented to service the development.



## 2.6.4 Heritage

### 2.6.4.1 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.

### 2.6.4.2 European Heritage

The site is not listed as being a local heritage item under the LEP or listed on the state heritage register.

### 2.6.4.3 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.

## 2.6.5 Other Land Resources

The development will not impact on Agricultural Land, Mineral & Extractive Resources, or Water Supply Catchments.

## 2.6.6 Water

### 2.6.6.1 Water Requirements & Supply

The development has access to reticulated water supply. There are no known issues with capacity.

### 2.6.6.2 Stormwater Management

Stormwater would be piped to the street drainage system.

### 2.6.6.3 Groundwater

No adverse impact on groundwater expected.

## 2.6.7 Air & Microclimate

The proposed development is not expected to result in adverse air quality impacts. Appropriate conditions are to be imposed on any consent to ensure air quality is appropriately maintained.

## 2.6.8 Flora & Fauna

## 2.6.9 Waste

### 2.6.9.1 Solid Waste

General office waste and parts packaging is anticipated from the new building likely disposed via council waste collection. Scrap metal and other bulky recyclable waste will be disposed in designated skip bins and collected by commercial contractor.

### 2.6.9.2 Liquid Waste (Effluent)

The development will be connected to the reticulated sewerage system. The development will be required to enter into a Trade Waste Agreement with council.

## 2.6.10 Energy

The development will be required to comply with Section J of the BCA.

## 2.6.11 Noise & Vibration

GFS Engineering is a steel fabrication business carrying out the manufacture and repair of steel equipment, infrastructure and machinery for a range of industries. The main business activities of GFS Engineering involve the manufacture, supply and installation of steel products. Some of these items include utility trays and associated fitouts, toolboxes, safety handrails, trailers, pool fencing, awnings, and pergolas. Other works completed regularly include pipe fabrication, agricultural machinery modifications, fabrication of boxes for fire control equipment, specialised vehicle fitouts for specific requirements, stainless steel fabrication for domestic and commercial kitchens, bracket fabrication, and other general repairs.

It is not expected that the development will generate noise beyond which could be reasonably expected in an industrial area. It is not expected that the development would be likely to generate offensive noise. Appropriate conditions are to be imposed to ensure amenity is maintained.

## 2.6.12 Natural Hazards

### 2.6.12.1 Bushfire

The site is not mapped as being bushfire prone.

### 2.6.12.2 Flooding

The site is mapped as being within the Flood Planning Area of the LEP maps.

#### Hydraulic Categorisation

The site is not mapped as being within a Floodway. It is mapped as being with the Flood Storage Area.

#### Hazard Category

The site is predominately within the H<sub>3</sub> category with some small areas in the H<sub>2</sub> category, which is acceptable (being ≤ H<sub>4</sub>).

#### Risk to Future Buildings

Existing Ground Level (EGL) Range	1 in 100 year flood level		Flood Planning Level (FPL)	
	Site Range	Height above EGL	Site Range	Height above EGL
211.71 m AHD	213.21 m AHD	1.5m	213.71 m AHD	2m
212.91 m AHD	213.35 m AHD	0.44m	213.85 m AHD	0.94m

The above table provides the extreme levels for the site. In the vicinity of the development, the depth of inundation in 1 in 100 year flood ranges from 0.56m to 0.63m and velocity ranges from 0.33m/s to 0.47m/s.

Non-residential buildings are not required to have a FFL above the FPL. The building is to have a FFL of approximately 600mm above the natural ground level.

A subsequent flood study was undertaken for Council to consider additional site coverage on the undeveloped part of the Caroline Way subdivision. It concluded that increasing site coverage on the vacant land to 50% was acceptable. It also recommended that developments within the area should have floor levels above the 1% AEP Mulgate Creek design flood.

#### Risk to Life

- The site is located within an area subject to an acceptable level of risk.
- Egress routes are generally located with an acceptable level of risk.

#### Flood Behaviour Impacts

- The flood modelling undertaken assumes 50% site coverage. The development complies with this requirement.
- The proposed development would not adversely impact on flood behaviour above assumed level.

### Conclusion

It is considered that the site is suitable for the development without unreasonable risk to or from flooding.

### Conditions

- Building below FPL designed to withstand velocity
- FFL to be above 1% AEP Mulgate Creek design flood
- Standard condition for storage of materials within 1% AEP flood area.

### 2.6.13 Safety, Security & Crime Prevention

The development is considered to provide for appropriate surveillance, access control, territorial reinforcement and space management. No adverse safety, security or crime prevention impacts expected.

### 2.6.14 Social Impacts in the Locality

The development is not expected to result in any adverse social impacts in the locality.

### 2.6.15 Economic Impacts in the Locality

The development is not expected to result in any adverse economic impacts in the locality.

### 2.6.16 Site Design & Internal Design

The development has been designed to consider the site and its intended function.

### 2.6.17 Construction

Appropriate standard conditions to be imposed on the approval to manage any potential adverse impacts from construction of the development and associated infrastructure.

### 2.6.18 Cumulative Impacts

The development is not expected to result in any adverse cumulative impacts.

## 2.7 Suitability of the Site for the Development

On balance of the issues considered above, the site is considered to be suitable for the development.

## 2.8 Submissions

Nil. Not notified.

## 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:

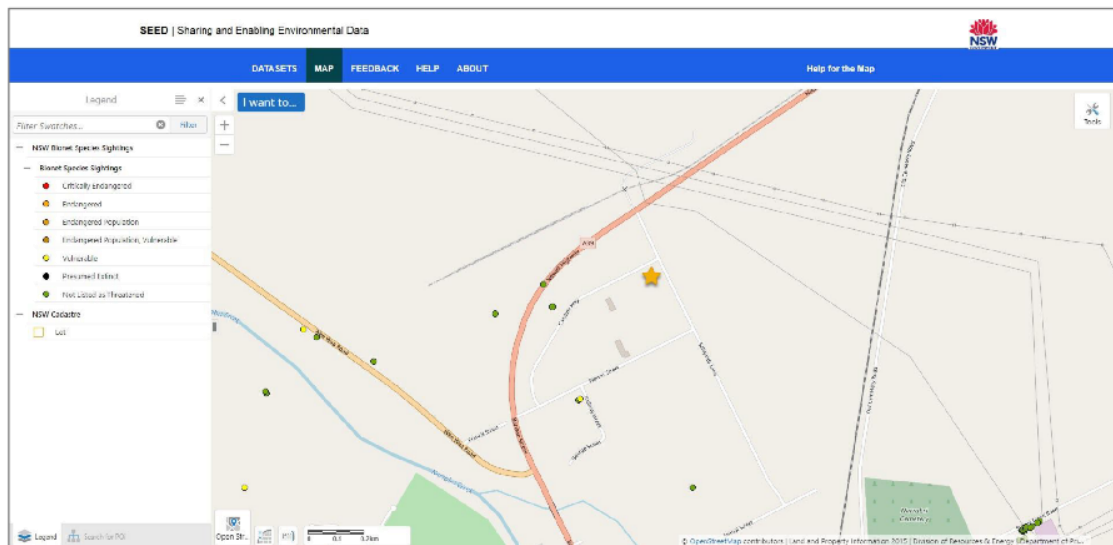
1. Is the development likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3?
2. Does the development exceed the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development 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 25 records of 16 species. **Figure 9** 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 9: 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**

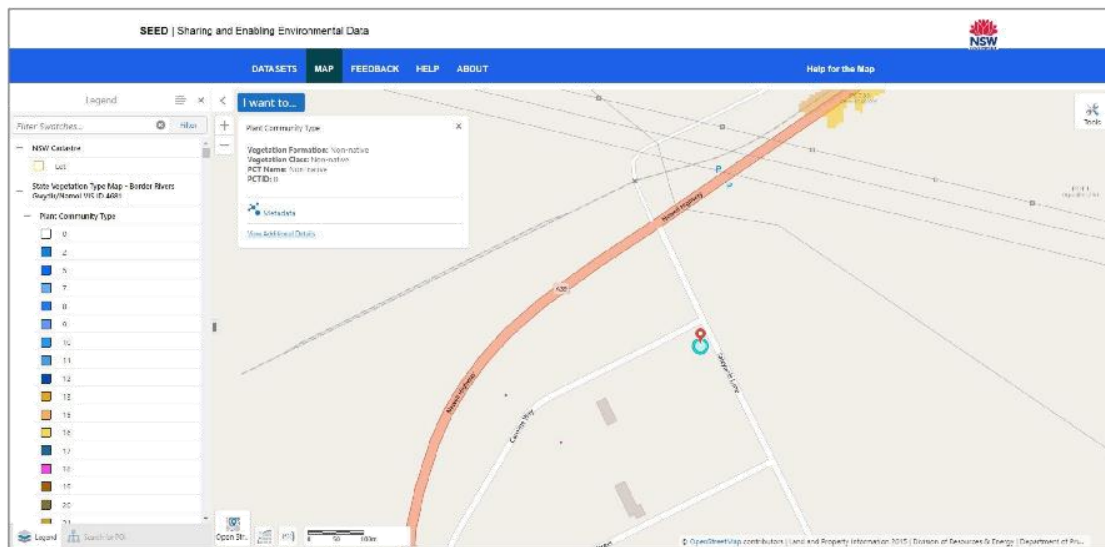
The site does not have a minimum lot size (MLS) of under the Narrabri LEP. Therefore the actual lot size is used, which is 1.357ha.

**Table 8: 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 0.5 hectares.



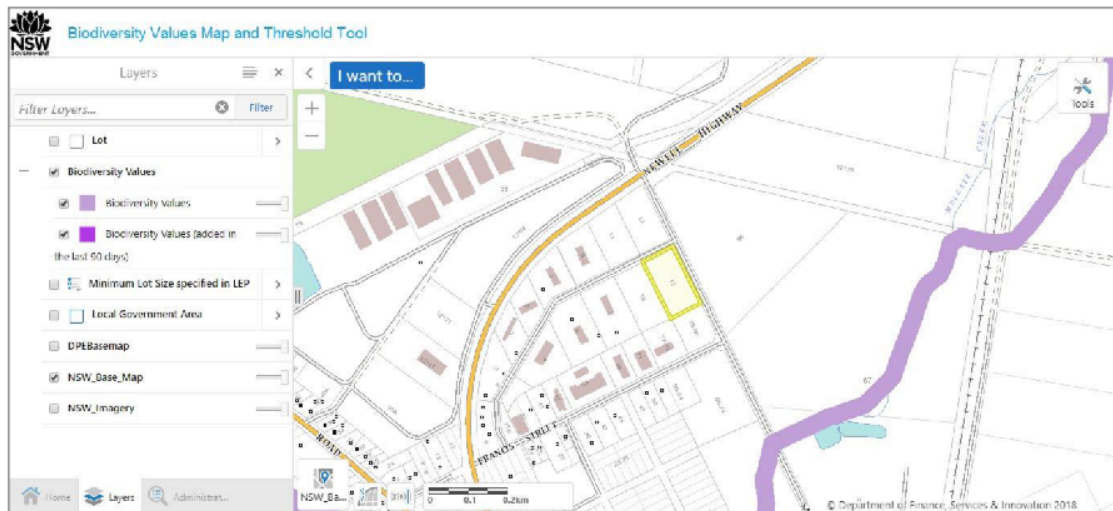
Source: (NSW Government)

**Figure 10: Plant Community Types – State Vegetation Map**

The site affected by the development footprint is mapped as non-native (refer **Figure 10**). Based on this, the assessment concluded that the proposal would not trigger the area threshold of  $\geq 0.5$ ha.

**Biodiversity Values Map**

As shown in **Figure 11**, the site is not mapped as being on the Biodiversity Values Map.



Source: (NSW Department of Planning and Environment)

**Figure 11: 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 2019/46 be approved subject to the draft conditions contained in Attachment 2.

*Erika Dawson*

\_\_\_\_\_  
**Signature of Assessing Officer**

Erika Dawson

\_\_\_\_\_  
**Name of Assessing Officer**

4 November 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 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 checked="" type="checkbox"/>	<input 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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 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 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 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 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 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 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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.			

**Appendix 2 – Draft Conditions**

## GENERAL CONDITIONS

### Approved Plans & Documents

- 1 The development being carried out in accordance with the development application, the documents referenced below, except where amended by the following conditions.

TITLE	REFERENCE	PREPARED BY	REVISION	DATE
Statement of Environmental Effects	651-19	SAE Design	-	15/10/2019
Site Analysis	A001	SAE Design	2	15/10/2019
Site Plan	A002	SAE Design	2	15/10/2019
Site Areas	A003	SAE Design	2	15/10/2019
Concept Drainage Plan	A004	SAE Design	2	15/10/2019
Floor Plan	A005	SAE Design	2	15/10/2019
Office Floor Plan	A006	SAE Design	2	15/10/2019
Mezzanine Level	A007	SAE Design	2	15/10/2019
Elevations	A008	SAE Design	2	15/10/2019
Elevations	A009	SAE Design	2	15/10/2019
Sections	A010	SAE Design	2	15/10/2019
Sediment Erosion Control Plan	A011	SAE Design	2	15/10/2019
Sediment Erosion Control Notes	A012	SAE Design	2	15/10/2019

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

### Plans on Site

- 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)

### Obligation to Minimise Harm to the Environment

- 3 The Applicant/Owner/Operator shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the operation and/or rehabilitation of the development.

(Reasons: To ensure the development is carried out in an environmentally responsible manner)

## OPERATIONAL CONDITIONS IMPOSED UNDER EP&A ACT AND REGULATIONS AND OTHER RELEVANT LEGISLATION

### Building Code of Australia

- 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)

### Premise Standard – commercial buildings

- 5 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

### Other Approvals

#### Section 68 Applications/Approvals

- 7 Prior to the issue of any Construction Certificate, evidence shall be provided to demonstrate that approval from Council pursuant to Section 68 of the *Local Government Act 1993* for any water supply, sewerage, and/or stormwater drainage works has been obtained.

(Reason: Statutory requirement).

#### Driveway/Vehicle Access/Road Works Approvals

- 8 Prior to the issue of a Construction Certificate evidence shall be provided to demonstrate that approval from the relevant roads authority under section 138 of the *Roads Act 1993* has been obtained for the building of any kerb, crossover or driveway or other road works.

**Note:** Where the road is a Classified Road, concurrence is required from the NSW Roads & Maritime Service before a Section 138 Approval can be issued by Council.

(Reason: Statutory requirement)

#### Trade Waste Approval

- 9 Prior to the issue of a Construction Certificate, evidence shall be provided that the applicant has entered into a Trade Waste Agreement with Council for the discharged of trade waste into Narrabri Shire Council's stormwater or sewerage system.

(Reason: Statutory requirement)

### Payments & Fees

#### Long Service Levy

- 10 Prior to the issue of any Construction Certificate evidence is to be provided demonstrating that payment of the prescribed Long Service Levy fee has been made.

(Reason: To ensure that the requirements of the Long Service Levy Corporation are satisfied).

#### Section 7.12 Contributions (Formerly S. 94A)

- 11 Pursuant to Section 7.12(1) of the *Environmental Planning and Assessment Act 1979* and in accordance with the *Narrabri Shire Council Section 94A Development Contribution Plan*, a levy of **\$3,000** shall be paid to Council in respect of the development, being 1% of the cost of carrying out the development as determined by Council in accordance with the plan.

Documentary evidence demonstrating payment of the above levy is to be provided to the Accredited Certifying Authority prior to the issue of any Construction Certificate.

(Reason: To provide funding for provision of community services and facilities)

## Flooding

### Construction materials in flood prone area

- 14 Prior to the issue of a Construction Certificate for any building work below the 1:100 year flood height, Certification is to be provided by a Structural Engineer stating that the building work below the 1:100 year flood height 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.)

### Certification of building height for flood prone area

- CC14 Prior to the issue of a Construction Certificate, documentation identifying the 1% AEP Mulgate Creek design flood level height in Australian Height Datum (AHD) for the property shall be provided to and approved by Council. This documentation shall be prepared by a Registered Surveyor. The finished floor level of the building shall be a minimum of the 1% AEP Mulgate Creek design flood level height.

Written verification from a Registered Surveyor shall be provided to the Principle Certifying Authority certifying that the height of all habitable rooms is consistent with or greater than the minimum floor level prior to the footing/slab inspection or at placement of flooring structure and prior to the placement of any wall framing members.

(Reason: To ensure safety of future occupants and compliance with Council's Floodplain Management Policy)

## Soil & Water Management Plan/Erosion & Sediment Control Plan

- 15 An Soil & Water Management Plan (SWMP) is to be prepared by a consultant suitably qualified and experienced in the preparation of SWMPs and in accordance with Landcom's Managing Urban Stormwater: Soils and Construction. The SWMP is to be submitted to and approved by Council prior to the issue of any Construction Certificate.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

## Off Street Parking

- 16 A detailed plan showing the dimensions, grades and finishes of all parking, driveway and manoeuvring areas is to be prepared by a Chartered Professional Engineer. The detailed plan is to be submitted to and approved by Council prior to the issue of a Construction Certificate. The car park is to be designed to:

- (a) Comply with Australian Standard AS.2890.1 2004 Parking Facilities;
- (b) Provide six (6) off-street parking spaces complying with User Class 1A of Australian Standard AS.2890.1 2004 Parking Facilities;
- (c) Provide one (1) accessible off-street parking space to comply with the requirements of AS.2890.6 2004 and the relevant provisions of AS1428.1 and AS1428.4;
- (d) allow all vehicles accessing the carpark to enter and exit the site in a forward direction; and
- (e) The commercial vehicle docking and manoeuvring facilities are to be designed in accordance with AS/NZ 2890.2 Parking Facilities Part 2: Off-street commercial vehicle facilities.



(Reason: Ensure provision of proper parking and vehicle access facilities, and compliance with Council's DCP – Car Parking Code No 1)

### Access for People with Disabilities

- 17 Ramps and access for people with disabilities are to be provided to and within the entire building. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate Application. All details shall be prepared in consideration of, and construction completed to achieve compliance with the provisions of the Premise Standard and the relevant provisions of AS1428.1 and AS1428.4.

**Note:** Consideration must be given to the means of dignified and equitable access from public places to adjacent buildings, to other areas within the building and to footpath and roads.

(Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards)

### Landscape Plan

- 18 A Detailed Landscape Plan for the development is to be prepared by a by a consultant with suitable horticulture qualifications. The Landscape Plan is to be submitted to and approved by Council prior to the Issue of any Construction Certificate. The plan must include the following:

- (a) All existing and proposed structures;
- (b) all existing vegetation;
- (c) details of proposed earthworks including mounding, retaining walls and planter boxes;
- (d) location, number of type of proposed plant species;
- (e) details of planting procedure and maintenance;
- (f) details of drainage and watering systems;
- (g) provisions of trees to provide shading within the carpark area; and
- (h) use of endemic and drought tolerant/water wise species.

(Reason: Ensure compliance with Council's DCP – Car Parking Code No 1 and amenity)

## CONDITIONS THAT MUST BE ADDRESSED PRIOR TO COMMENCEMENT OF ANY WORKS

### Construction Certificate

- 19 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)

### Site Facilities

- 20 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:

- (a) be a standard flushing toilet, connected to a public sewer, or
- (b) if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or
- (c) 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)

### Site Sign

- 21 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.

(Reason: Statutory requirement)

### Protection of Survey Infrastructure

- 22 Prior to the commencement of any work on site, a statement prepared by a Surveyor registered under the Surveying and Spatial Information Act 2002 (SSI Act) must be submitted to Council verifying whether or not any survey marks (as defined by the SSI Act) will be impacted by the development. If any survey marks are to be removed, damaged, destroyed, displaced, obliterated or defaced (in accordance with section 24 of the SSI Act) as a result of the development, evidence is to be provided to Council prior to any works commencing that authority has been obtained from the Surveyor-General of NSW, in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure.

(Reason: To ensure that the survey control infrastructure and cadastral framework are preserved for the public benefit and in accordance with the *Surveying and Spatial Information Act 2002*.)

### Electricity and Telecommunications Infrastructure

- 23 Prior to the commencement of construction, arrangements, satisfactory to Essential Energy and the relevant telecommunications authority for the provision of electrical power and telephone lines respectively, to fully serve the development, are to be made.

(Reason: To ensure appropriate utilities are provided to the development)

## CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION, BUILDING & SUBDIVISION WORKS

### Soil & Water Management

- 24 All measures required by the approved Soil & Water Management Plan (SWMP) are to be installed in accordance with the approved SWMP prior to any works commencing on site and are to be maintained

Page 37 of 44

in good working order until such a time as all construction works have ceased and the site is appropriately stabilised so as to not cause erosion or sedimentation.

A copy of the SWMP for the development is to be retained on site at all times and be readily available for perusal by any officer of Council or the Principal Certifying Authority.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

### Dust Management

25 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)

### Construction Hours

26 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) | <b>Monday to Saturday (inclusive)</b> | <b>7.00am to 6.00pm,</b> |
| (b) | <b>Sunday</b>                         | <b>Nil</b>               |
| (c) | <b>Public Holidays</b>                | <b>Nil</b>               |

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

### Prohibition on Use of Pavements

27 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)

### Protection of Public Places

28 If the work involved in the erection or demolition of a building:

- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
- (b) building involves the enclosure of a public place,

a hoarding and site fencing must be erected between the work site and the public place and be contained within the site boundary unless prior permission has been obtained in writing from Council.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed. No access across public reserves or parks is permitted.

(Reason: To ensure public safety and the proper management of public land)

### Protection of Aboriginal relics

- 29 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*)

### Cost associated with Council property/infrastructure

- 30 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)

- 31 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

### Final Fire Safety Certificate

- 32 Prior to the issue of the 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)

### Off Street Parking

- 33 Prior to the issue of any Occupation Certificate all parking areas, loading bays, driveways, internal access ways, vehicular ramps and turning areas as required by this consent shall be fully constructed, sealed, line marked, sign posted and numbered in accordance with this consent, appropriate Australian Standard 2890.1: 2004 Parking Facilities and industry best practice.

(Reason: Ensure provision of proper parking and vehicle access facilities)

### Driveway / Vehicle Access

- 34 Prior to the issue of an Occupation Certificate evidence shall be provided from the roads authority that any kerb, crossover or driveway has been completed to the satisfaction of the relevant roads authority.

**Note:** Where council is the relevant roads authority all inspections must be carried out in accordance with councils vehicle crossing policy <<Insert hyperlink to website info>> and any conditions of approval under section 138 of the Roads Act 1993.

### Water Supply

- 35 Prior to the issue of any Occupation Certificate, evidence shall be provided to demonstrate that the development has been connected to the reticulated water supply in accordance with the Section 68 Approval and to Council's satisfaction (as water supply authority).

### Connection to Reticulated Sewerage System

- 36 Prior to the issue of any Occupation Certificate, evidence shall be provided to demonstrate that the development has been connected to Council's reticulated sewerage system in accordance with the Section 68 Approval and to Council's satisfaction (as the sewerage authority).

(Reason: To ensure appropriate disposal of effluent and compliance with the Australian Standard & Local Authority requirements)

### Stormwater Connection/Drainage

- 37 Prior to the issue of any Occupation Certificate, evidence shall be provided to demonstrate that the development has been connected to the stormwater system in accordance with the Section 68 Approval and to Council's satisfaction (as stormwater authority).

### Control of Redundant Services

- 38 Prior to the issue of any Occupation Certificate all redundant water and sewerage pipework is to be adequately capped and the locations of such pipework appropriately marked and identified.

(Reason: To ensure protection of public services)

### Garbage Service

- 39 Prior to the issue of any Occupation Certificate evidence is to be provided to the PCA that the applicant has made suitable arrangements with Council for garbage disposal and recycling facilities for the development.

Note: Council's current waste collection contractor is Cleanaway who can be contacted by phoning: 1300736719.

(Reason: To ensure waste is disposed of in the correct manor)

## CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO USE/OCCUPATION OF THE DEVELOPMENT

### Occupation Certificate

- 40 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 WHICH MUST BE COMPLIED WITH DURING USE/OCCUPATION OF THE DEVELOPMENT

### Annual Fire Safety Certification

- 41 The owner of the building shall provide an Annual Fire Safety Statement to the Council every year that to certify that the essential services installed in the building for the purpose of fire safety have been assessed and inspected by a competent fire safety practitioner and at the time of inspection are

capable of operating to the required minimum standard. The 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)

### Disability Access

- 42 Access for disabled persons must be provided in accordance with the approved plans and in good working order at all times.

(Reason: Statutory requirement)

### 4.3 Hours of Operation

- 43 The premise may operate only between the following hours:

- (a) **Monday to Friday:** 7:00am to 6:00pm
- (b) **Saturday:** 7:00am to 6:00pm
- (c) **Sunday:** 8:00am to 5:00pm
- (d) **Public Holidays** 8:00am to 5:00pm

(Reason: Information to ensure that amenity of the surrounding locality is maintained and hours of operation are consistent with those in surrounding locality)

### Trade Waste

- 44 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)

### 4.4 Access and Parking

- 45 All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and the parking of vehicles associated with the use of the premises.

(Reason: To ensure appropriate and safe access to the site)

- 46 All traffic movements in and out of the development site are to be in a forward direction.

(Reason: To ensure appropriate and safe access to the site)

### Loading Within Site

- 47 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)

### Lighting

- 48 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)

### Signage

- 49 A separate development application for any proposed signs (other than exempt or complying signs) must be submitted to and approved by Council prior to the erection or display of any such signs.

(Reason: To confirm and clarify the terms of consent)

### Noise

- 50 At no time shall the use of the light industry give rise to ‘offensive noise’ as defined under the *Protection of the Environment Operations Act 1997*.

Should substantiated noise complaints be received by Council, Council reserves the right to seek an Acoustic Report, to be paid for by the operator of the premises, to determine the noise impacts of the development in accordance with the Noise Policy for Industry (NPI). Mitigation measures required to bring the development into compliance with the NPI are to be implemented and maintained for the duration of the development. Noting that the works may require modification of this development consent.

(Reason: To protect the amenity of the locality)

### Dust Mitigation

- 51 Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

(Reason: To protect the amenity of the locality)

### Operation of Plant and Equipment

- 52 The Applicant/Owner shall ensure that all plant and equipment at the site, haulage vehicles, or used in connection with the development are:

- (a) Maintained in a state of sound mechanical repair; and
- (b) Operated in a proper and efficient manner.

(Reason: To protect the amenity of the locality)

### Landscaping

- 53 The landscaped area of the development is to be maintained at all times in accordance with the approved landscape plan.

(Reason: To ensure the visual amenity of the streetscape is maintained)

### Stormwater disposal

- 54 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)

**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)

### **Flooding**

55 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)



## Appendix 3 – Local Development Performance Monitoring Checklist

(To be filled out by Assessing Officer at time of Approval)

**DA Number:** DA2019/83

**Assessing Officer:** Erika Dawson

<b>1.</b>	<b>Concurrence:</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>2.</b>	<b>Section 4.55 Category (modification):</b>	<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
<b>3.</b>	<b>Private Assessment:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>4.</b>	<b>Use of Independent Hearing and Assessment Panel (IHAP):</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>5.</b>	<b>Pre DA Meeting Held:</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>6.</b>	<b>Change of Use:</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>7.</b>	<b>Number of Submissions:</b>	Nil
<b>8.</b>	<b>Integrated/Designated/Local:</b>	<input type="checkbox"/> Designated <input type="checkbox"/> Integrated/Designated <input type="checkbox"/> Integrated <input checked="" type="checkbox"/> Local
<b>9.</b>	<b>Appeal Arbitrator Decision: if No, go to Q.13</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>10.</b>	<b>Date Planning Arbitrator Appointed:</b>	
<b>11.</b>	<b>Date Determined by Planning Arbitrator:</b>	
<b>12.</b>	<b>Planning Arbitrator Decision:</b>	<input type="checkbox"/> Approved <input type="checkbox"/> Refused <input type="checkbox"/> Withdrawn/Cancelled
<b>13.</b>	<b>Codes SEPP for CDC:</b>	<input type="checkbox"/> SEPP <input type="checkbox"/> Council Control





SUBJECT SITE



SITE LOCATION

maps.six.nsw.gov.au

SCHEDULE OF DRAWINGS

SHEET NAME	SHEET NUMBER	Current Revision
SITE INFORMATION	A000	2
SITE ANALYSIS	A001	2
SITE PLAN	A002	2
SITE AREAS	A003	2
CONCEPT DRAINAGE PLAN	A004	2
FLOOR PLAN	A005	2
OFFICE PLAN	A006	2
MEZZANINE PLAN	A007	2
ELEVATIONS	A008	2
ELEVATIONS	A009	2
SECTIONS	A010	2
SEDIMENT EROSION CONTROL	A011	2
SEDIMENT EROSION CONTROL	A012	2



NW VIEW

SITE DETAILS

SITE AREA:	1.357 Ha
LEP-ZONING:	IN2 LIGHT INDUSTRIAL
DEVELOPMENT TYPE:	INDUSTRIAL BUILDING + OFFICE
WIND CLASSIFICATION:	N3 SITE CLASSIFICATION TO AS 4055-2008
SOIL CLASSIFICATION:	REFER TO ENG. DETAILS
CLIMATE ZONE:	4 (WWW.ABCB.GOV.AU MAP)
BAL LEVEL:	N/A NO AREAS OF BUSHFIRE PRONE VEGETATION
OTHER HAZARDS:	FLOODING
CARPARKING:	
CARPARKING CALCULATIONS- (NSC DCP)	
FACTORIES 1.3 spaces / 100m <sup>2</sup> GFA	
FLOOR AREA=	786sqm
TOTAL REQUIRED =	10.2 spaces
TOTAL CARPARKING PROVIDED=	6 spaces

DA/CC No.

83/2019

Page ..... of .....  
NARRABRI SHIRE COUNCIL



PROPOSED INDUSTRIAL DEVELOPMENT  
LOT 12 CAROLINE WAY, NARRABRI  
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SCALE 1 : 100  
DATE 15/10/2019  
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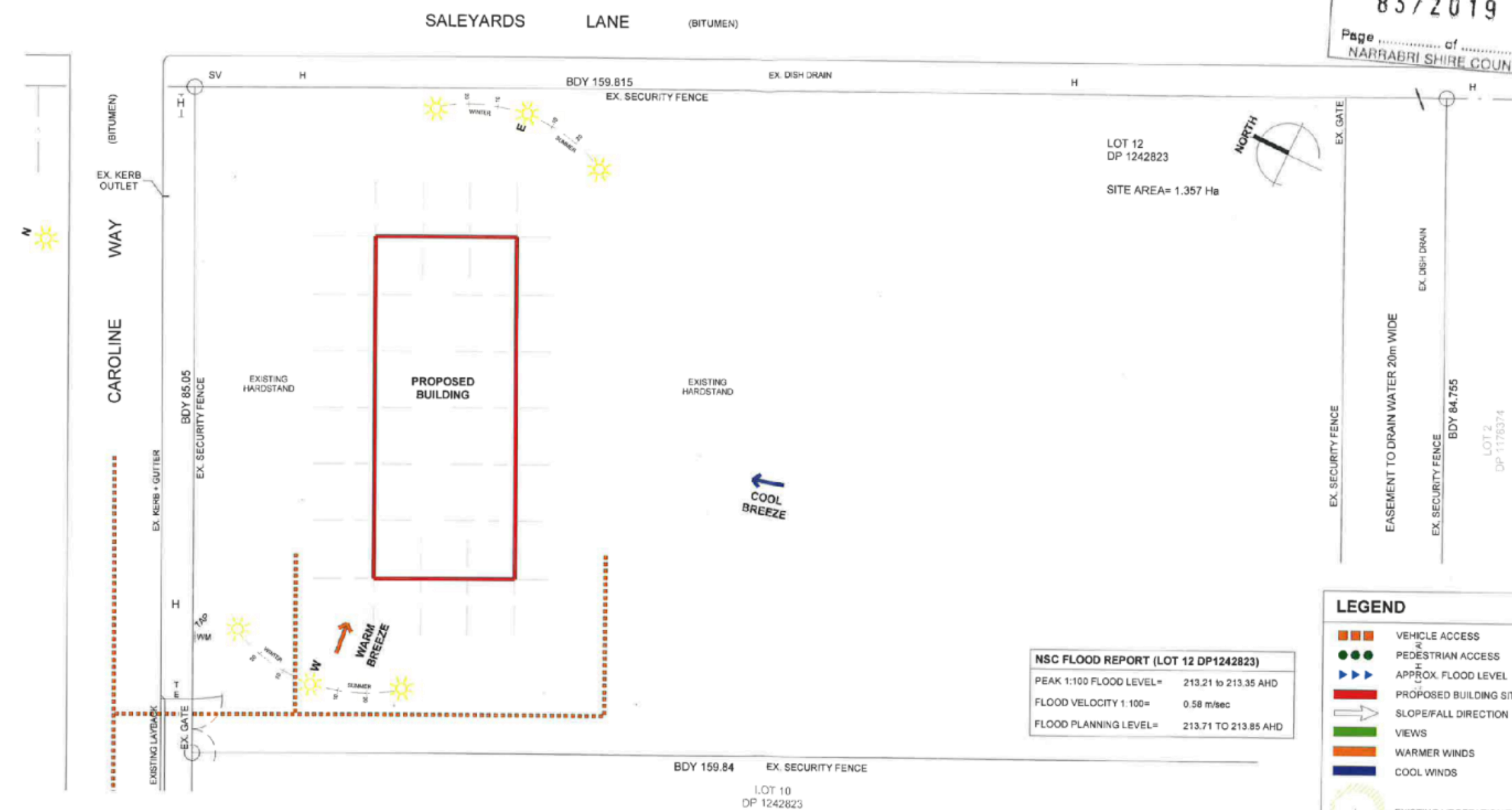
REVISION 1 PRELIMINARY ISSUE  
2 DA SUBMISSION

DATE 05/05/2019  
15/10/2019

PROJECT No. 631-19

SHEET A000

DA/CC No.  
83/2019  
Page ..... of .....  
NARRABRI SHIRE COUNCIL



**LEGEND**

- Orange dashed line: VEHICLE ACCESS
- Green dashed line: PEDESTRIAN ACCESS
- Blue dashed line: APPROX. FLOOD LEVEL
- Red rectangle: PROPOSED BUILDING SITE
- Orange arrow: SLOPE/FALL DIRECTION
- Green line: VIEWS
- Orange line: WARMER WINDS
- Blue line: COOL WINDS
- Yellow sun symbol: EXISTING VEGETATION/TREES
- Yellow sun symbol with 'N': KEY SUN POSITIONS

**SITE ANALYSIS**

1 : 500

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E mat@saedesign.com.au

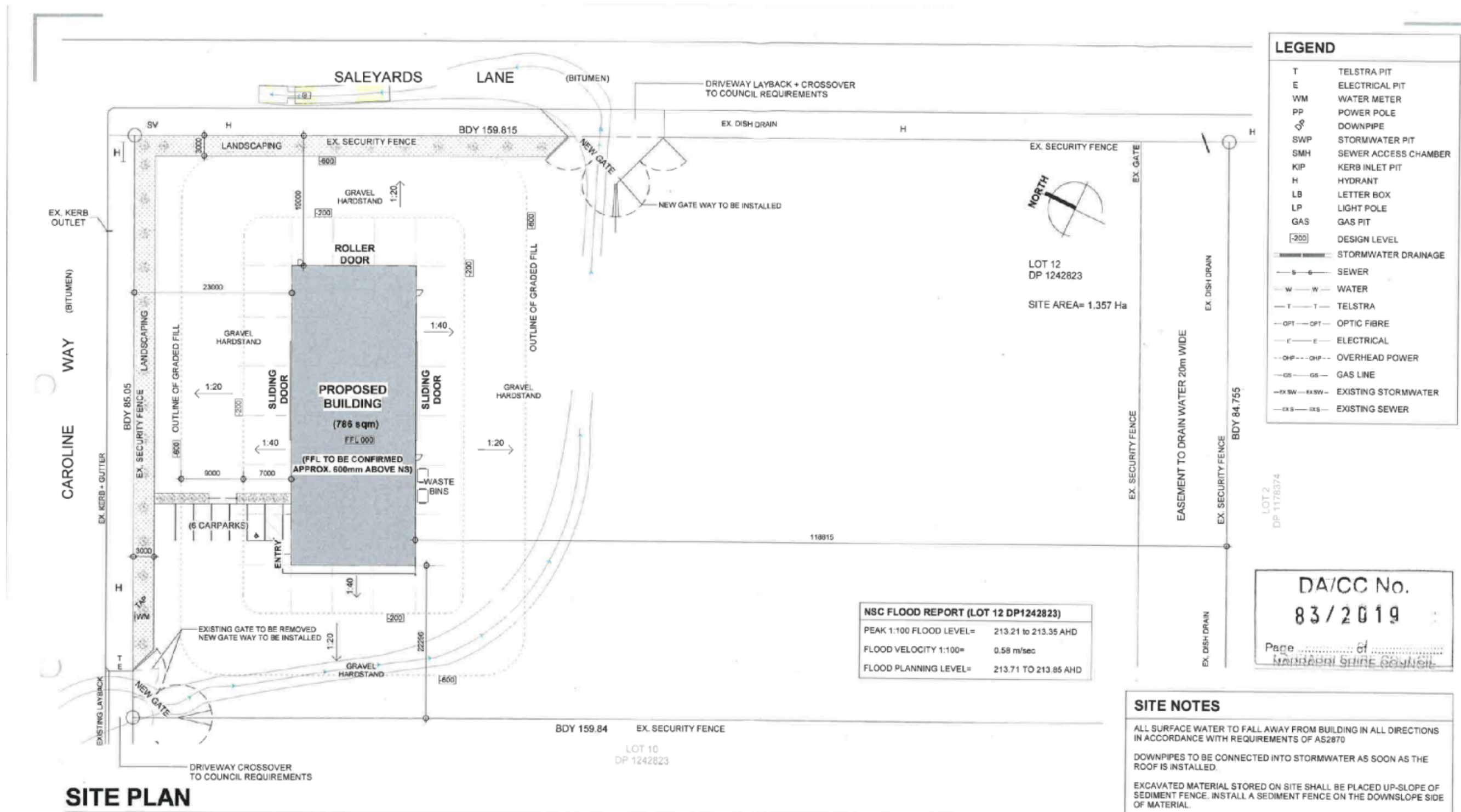
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DATE	15/10/2019	1	PRELIMINARY ISSUE	06/08/2019
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DESIGNED	SAE			

PROJECT No  
**631-19**  
SHEET  
**A001**





**SITE PLAN**

1 : 500

**NSC FLOOD REPORT (LOT 12 DP1242823)**

PEAK 1:100 FLOOD LEVEL=	213.21 to 213.35 AHD
FLOOD VELOCITY 1:100=	0.58 m/sec
FLOOD PLANNING LEVEL=	213.71 TO 213.85 AHD

DA/CC No.  
**83/2019**

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Narrabri Shire Council

**SITE NOTES**

ALL SURFACE WATER TO FALL AWAY FROM BUILDING IN ALL DIRECTIONS IN ACCORDANCE WITH REQUIREMENTS OF AS2870

DOWNPIPES TO BE CONNECTED INTO STORMWATER AS SOON AS THE ROOF IS INSTALLED.

EXCAVATED MATERIAL STORED ON SITE SHALL BE PLACED UP-SLOPE OF SEDIMENT FENCE. INSTALL A SEDIMENT FENCE ON THE DOWNSLOPE SIDE OF MATERIAL.

CONSTRUCTION VEHICLES TO BE PARKED ON THE STREET, TO PREVENT TRANSFERRING DEBRIS ONTO STREET. UNLESS ALTERNATIVE SEDIMENT TRANSFER REDUCTION METHODS ARE IN PLACE

ALL EXISTING UNDERGROUND SERVICES MUST BE LOCATED AND EXPOSED PRIOR TO EARTHWORKS COMMENCING & IT IS THE RESPONSIBILITY OF THOSE PERSONS USING THIS PLAN TO CONFIRM BOTH POSITION & LEVEL OF THESE UTILITIES IN CONJUNCTION WITH THE APPROPRIATE AUTHORITY.

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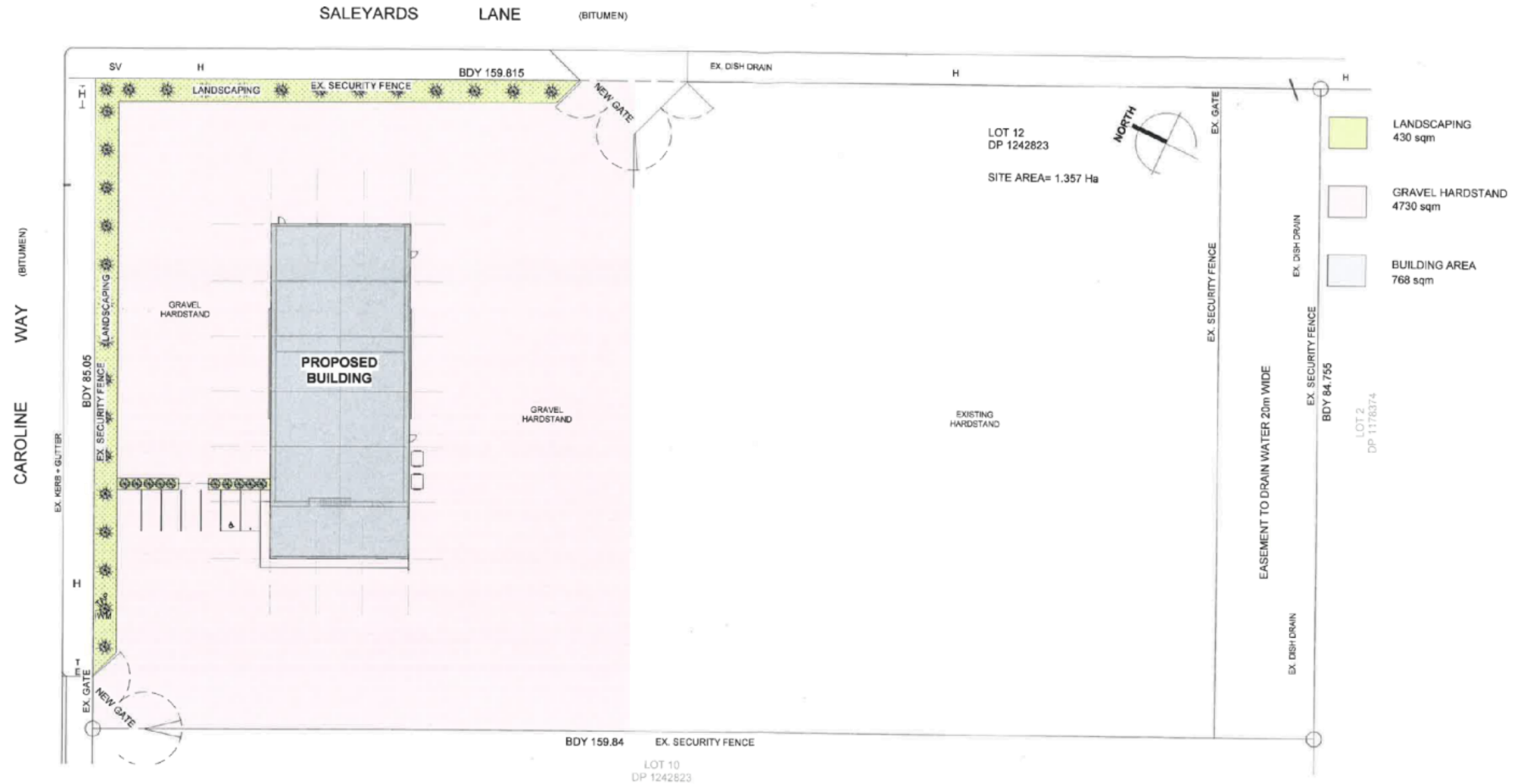
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REVISION	DESCRIPTION	DATE
1	PRELIMINARY ISSUE	06/08/2019
2	DA SUBMISSION	15/10/2019

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**631-19**

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**A002**



**SITE AREAS**

1 : 500

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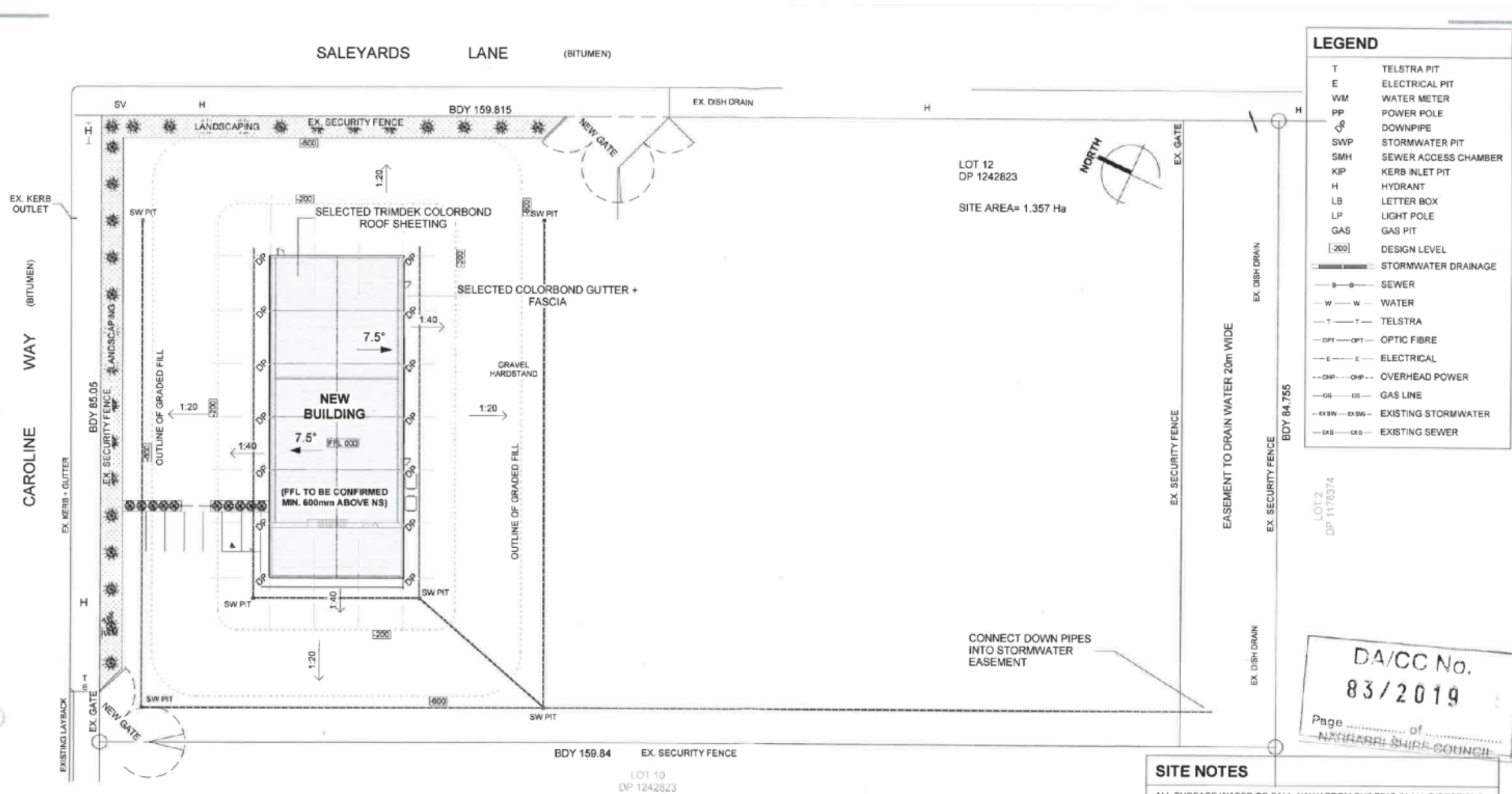
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<b>DESIGNED</b>	SAE		

**DATE**  
06/08/2019  
15/10/2019

**PROJECT No.**  
631-19

**SHEET**  
A003



**CONCEPT DRAINAGE PLAN**

1: 500

ROOF AREAS		
Name	Area	Comments
ROOF AREA	791.0 m <sup>2</sup>	
TOTAL	791.0 m <sup>2</sup>	

**SITE NOTES**

ALL SURFACE WATER TO FALL AWAY FROM BUILDING IN ALL DIRECTIONS IN ACCORDANCE WITH REQUIREMENTS OF AS2870

DOWNPIPES TO BE CONNECTED INTO STORMWATER AS SOON AS THE ROOF IS INSTALLED.

EXCAVATED MATERIAL STORED ON SITE SHALL BE PLACED UP-SLOPE OF SEDIMENT FENCE. INSTALL A SEDIMENT FENCE ON THE DOWNSLOPE SIDE OF MATERIAL.

CONSTRUCTION VEHICLES TO BE PARKED ON THE STREET, TO PREVENT TRANSFERRING DEBRIS ONTO STREET, UNLESS ALTERNATIVE SEDIMENT TRANSFER REDUCTION METHODS ARE IN PLACE

ALL EXISTING UNDERGROUND SERVICES MUST BE LOCATED AND EXPOSED PRIOR TO EARTHWORKS COMMENCING & IT IS THE RESPONSIBILITY OF THOSE PERSONS USING THIS PLAN TO CONFIRM BOTH POSITION & LEVEL OF THESE UTILITIES IN CONJUNCTION WITH THE APPROPRIATE AUTHORITY.

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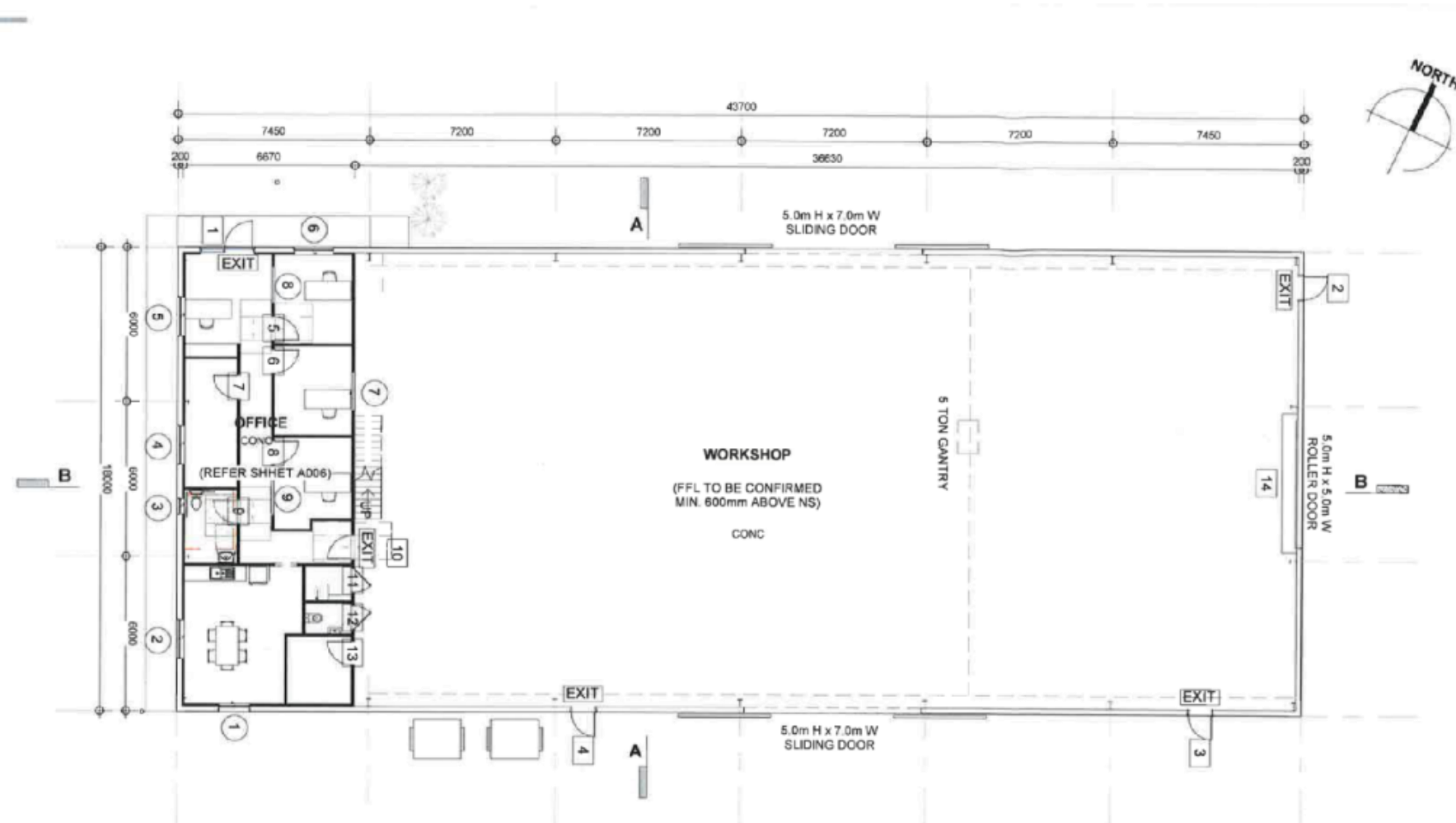
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**SHEET**  
A004





**FLOOR PLAN**

SCALE 1:200

**LEGEND**

TL	SELECTED TILE SURFACE
CPT	SELECTED CARPET SURFACE
TM	SELECTED TIMBER FLOOR
CONC	CONCRETE FLOOR FINISH
SH	SHOWER
WC	SELECTED WATER CLOSET
V	SELECTED WALL MOUNTED VANITY
BTH	SELECTED BATH
FW	FLOOR WASTE
FP	FIRE PLACE
DP	DOWN PIPE
HWS	HOTWATER SYSTEM
GAS	GAS BOTTLE
MB	METRE BOX
TP	STANDPIPE + HOSE TAP
C	STRUCTURAL COLUMN
H+B	SELECTED HANDRAIL + BALUSTRADE
HR	SELECTED HANDRAIL

**GENERAL AREAS**

Name	Area	Comments
MEZZANINE	118.9 m <sup>2</sup>	
OFFICE	124.1 m <sup>2</sup>	
WAREHOUSE/WORKSHOP	665.0 m <sup>2</sup>	
<b>TOTAL</b>	<b>907.9 m<sup>2</sup></b>	

**GENERAL SPECIFICATIONS**

**WALLS:**  
 STEEL PORTAL FRAME WITH STEEL TRUSSES & PURLINS TO NEW BUILDING TO ENG. DETAILS IN COMPLIANCE WITH AS1170 + SECTION B OF NCC  
 90mm TIMBER INTERNAL OFFICE WALL FRAMES TO MANUFACTURERS DETAILS IN COMPLIANCE WITH AS1170 & AS1720  
 SELECTED TRIMDEK COLORBOND EXTERNAL WALL CONSTRUCTION TO EXTERNAL WALLS  
 SELECTED FC SHEET WALL CLADDING TO WAREHOUSE SIDE OF OFFICE WALL  
 VAPOUR PERMEABLE SARKING TO ROOF & EXTERNAL WALLS

**FLOORS:**  
 REINFORCED CONCRETE RAFT SLAB ON GROUND FLOOR REFER TO ENG. DETAILS  
 SUSPENDED STEELFRAMED FLOOR TO MEZZANINE FLOOR TO ENG. DETAILS  
 SELECTED CONCRETE FLOOR FINISH TO NEW OFFICE  
 SELECTED TILE FINISH TO ALL BATHROOMS + AMENITIES

**ROOFS:**  
 SELECTED TRIMDEK COLORBOND ROOF SHEETING  
 COLORBOND GUTTER & FASCIA

**WINDOWS & DOORS:**  
 ALUMINIUM FRAMED WINDOWS  
 ALUMINIUM FRAMED FRONT ENTRY DOOR + SIDE LIGHT  
 GAUZE SCREENS TO WINDOWS

**GENERAL:**  
 SELECTED CORNICE THROUGH OUT NEW OFFICE  
 WALL MOUNTED VANITIES TO AMENITIES  
 NEW KITCHEN DESIGN TO KITCHEN MANUFACTURERS DETAILS  
 STAINLESS STEEL WIRE BALUSTRADE TO MEZZANINE AREA

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**NOTES:**

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 NARRABRI SHIRE COUNCIL

ALL DIMENSIONS TO BE CONFIRMED ON SITE.

ALL WORK SHALL BE IN ACCORDANCE & COMPLY WITH THE NATIONAL CONSTRUCTION CODE (NCC), COUNCIL BY-LAWS, RELEVANT AUSTRALIAN STANDARDS & CURRENT WORKPLACE STANDARDS CODES OF PRACTICE.

TERMITE BARRIER TO BE INSTALLED IN ACCORDANCE WITH NCC 3.1.3 & AS3660.1

ALL WINDOWS & DOORS SHOWN ARE NOMINAL ONLY. OPENING SIZES ARE TO BE CONFIRMED ON SITE PRIOR TO MANUFACTURER.

ALL WINDOW FRAMES & GLAZING TO AS1248, AS1288 & AS2047. REFER TO BASIX CERTIFICATE FOR MINIMUM FRAME & GLAZING PROPERTIES FOR GLAZED WINDOWS & DOORS

ALL BALUSTRADES SHALL COMPLY WITH REQUIREMENTS OF NCC PART 3.9.2 VOL. 2

ALL STAIR TREADS MUST HAVE A SLIP RESISTANCE COMPLYING WITH REQUIREMENTS OF NCC PART 3.9.1 VOL. 2 & TEST CERTIFICATE COMPLY WITH AS 4586

ALL EXISTING UNDERGROUND SERVICES MUST BE LOCATED & EXPOSED PRIOR TO EARTHWORKS COMMENCING & IT IS THE RESPONSIBILITY OF THOSE PERSONS USING THIS PLAN TO CONFIRM BOTH POSITION & LEVEL OF THESE UTILITIES IN CONJUNCTION WITH THE APPROPRIATE AUTHORITY.



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**PROPOSED INDUSTRIAL DEVELOPMENT**  
 LOT 12 CAROLINE WAY, NARRABRI  
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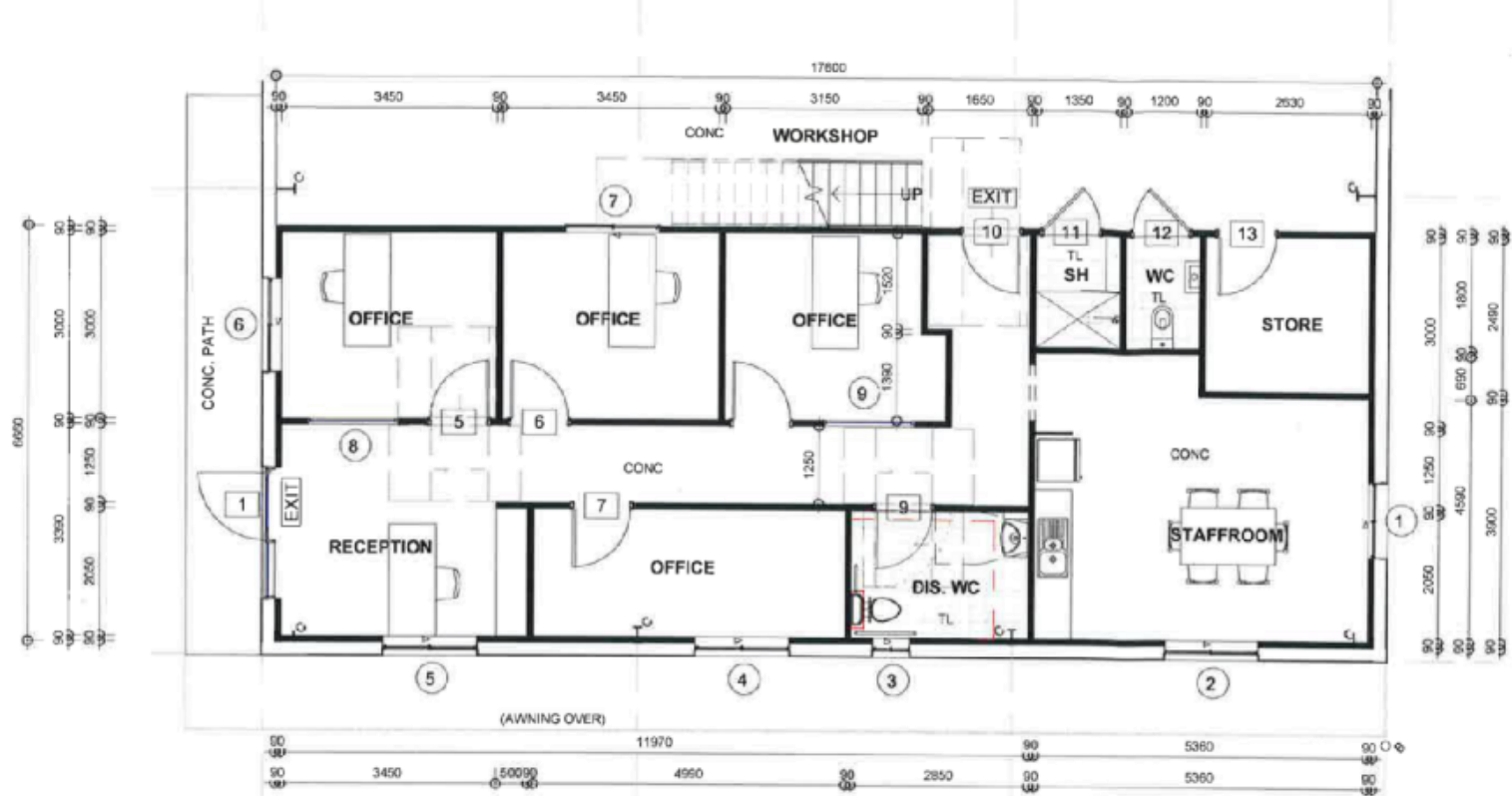
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1	PRELIMINARY ISSUE	06/08/2019
2	DA SUBMISSION	18/10/2019

PROJECT No.  
**631-19**

SHEET  
**A005**





**OFFICE FLOOR PLAN**

1 : 100

**LEGEND**

- TL SELECTED TILE SURFACE
- CPT SELECTED CARPET SURFACE
- TM SELECTED TIMBER FLOOR
- CONC CONCRETE FLOOR FINISH
- SH SHOWER
- WC SELECTED WATER CLOSET
- V SELECTED WALL MOUNTED VANITY
- BTH SELECTED BATH
- FW FLOOR WASTE
- FP FIRE PLACE
- DP DOWN PIPE
- HWS HOTWATER SYSTEM
- GAS GAS BOTTLE
- MB METRE BOX
- TP STANDPIPE + HOSE TAP
- C STRUCTURAL COLUMN
- H+B SELECTED HANDRAIL + BALUSTRADE
- HR SELECTED HANDRAIL

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83/2019

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**DOOR SCHEDULE**

Mark	Height	Width	Glazing Area	Orientation	Material	Comments
1	2400	1200	5.04	N	AL. FRAME SELECTED FRONT ENTRY DOOR	
2	2040	920			PA DOOR	
3	2040	920			PA DOOR	
4	2040	920			PA DOOR	
5	2040	920			PA DOOR	
6	2040	920			PA DOOR	
7	2040	920			PA DOOR	
8	2040	920			PA DOOR	
9	2040	920			PA DOOR	
10	2040	920			PA DOOR	
11	2040	920			PA DOOR	
12	2040	920			PA DOOR	
13	2040	920		INTERNAL	GLAZED PA DOOR	
14	5000	5000			SELECTED ROLLER DOOR	

**WINDOW SCHEDULE**

Mark	Head Height	Height	Width	Glazing Area	Orientation	Material	Comments
1	2000	1200	1200	1.44	S	AL. FRAME SLIDING	
2	2100	1200	1500	1.8	W	AL. FRAME SLIDING	
3	2100	900	600	0.54	W	AL. FRAME SLIDING	
4	2100	1200	1500	1.8	W	AL. FRAME SLIDING	
5	2100	1200	1500	1.8	W	AL. FRAME SLIDING	
6	2100	1200	1500	1.8	N	AL. FRAME SLIDING	
7	2100	1200	1500	1.8	INTERNAL	AL. FRAME SLIDING	
8	2100	1200	1500	1.8	INTERNAL	AL. FRAME FIXED	
9	2100	1200	1500	1.8	INTERNAL	AL. FRAME FIXED	

**GENERAL AREAS**

Name	Area	Comments
MEZZANINE	118.9 m <sup>2</sup>	
OFFICE	124.1 m <sup>2</sup>	
WAREHOUSE/WORKSHOP	665.0 m <sup>2</sup>	
<b>TOTAL</b>	<b>907.9 m<sup>2</sup></b>	



**PROPOSED INDUSTRIAL DEVELOPMENT**  
LOT 12 CAROLINE WAY, NARRABRI  
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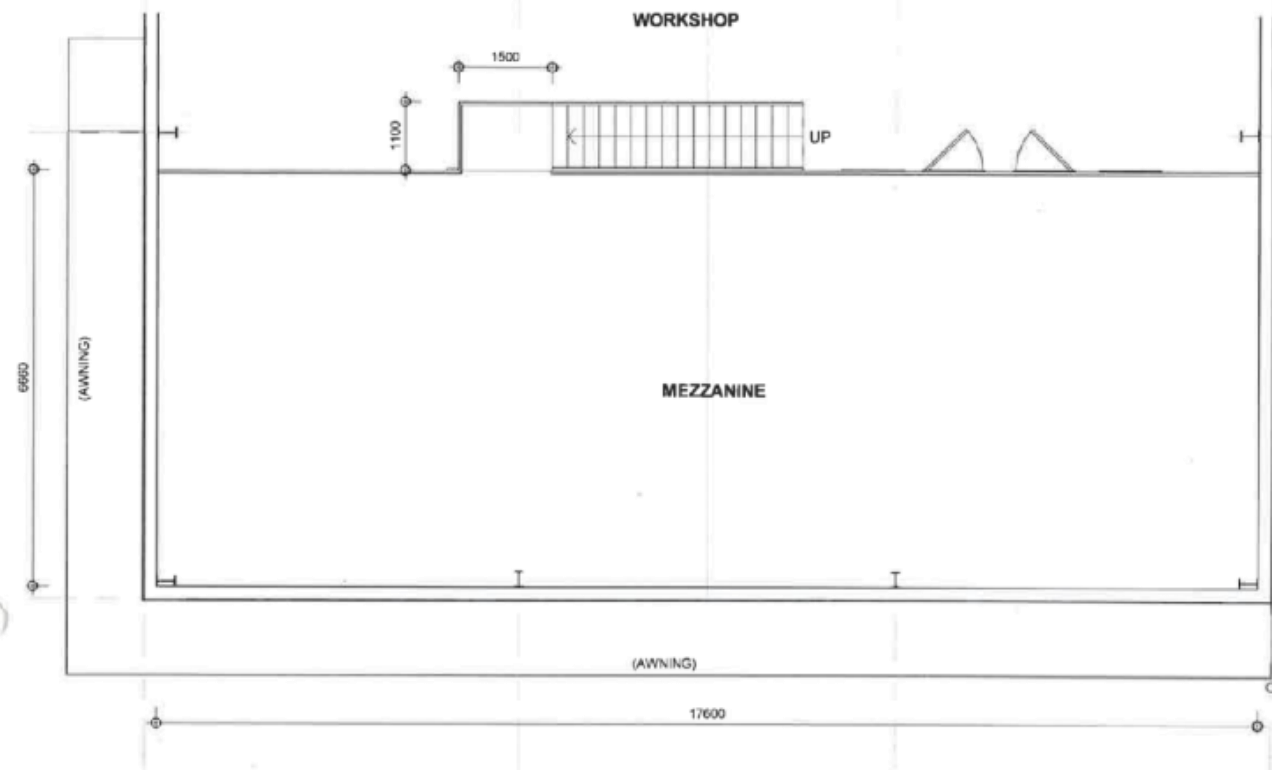
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15/10/2019

PROJECT No. 631-19

SHEET A006



**MEZZANINE LEVEL**

1 : 100

**NOTES**

**GENERAL:**

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TERMITE RISK MANAGEMENT MUST COMPLY TO AS 3650.1 IN ACCORDANCE WITH NCC PART B1.4(i)

TERMITE PROTECTION SHALL BE PROVIDED TO ALL TIMBER FRAMES IN THE FORM OF TERMI-MESH & TREATED TIMBER FRAMES OR SIMILAR.

TERMITE PROTECTION SHALL ALSO BE PROVIDED TO ALL FLOOR PENETRATIONS, PIPE WORK & PLUMBING.

PROPOSED FLOOR COVERINGS, FINISHES AND SARKING SHALL COMPLY WITH REQUIREMENTS OF NCC C1.10 VOL. 1

ALL BALUSTRADES SHALL COMPLY WITH REQUIREMENTS OF NCC PART 3.9.2 VOL. 2

ALL STAIR TREADS MUST HAVE A SLIP RESISTANCE COMPLYING WITH REQUIREMENTS OF NCC PART 3.9.1 VOL. 2 & TEST CERTIFICATE COMPLY WITH AS 4586

ALL STEPS & LANDINGS TO COMPLY WITH NCC D2.13 + D2.14 & AS4586

THE OPERATION & INSTALLATION OF NEW DOOR LATCHES & HARDWARE TO COMPLY WITH NCC D2.12

LIGHTING & VENTILATION IN THE BUILDING SHALL COMPLY WITH THE REQUIREMENTS OF THE NCC PART F4.

ALL NEW OUTDOOR LIGHTING INSTALLED SHALL COMPLY WITH RELEVANT AS/NZ1158.3 & AS4282. ALL EXTERNAL LIGHTING SHALL BE INSTALLED TO REDUCE LIGHT SPILL

ALL NEW BUILDING WORKS SHALL COMPLY WITH REQUIREMENTS OF NCC PART F1 VOL. 1 INCLUDING WATERPROOFING IN WET AREAS, DAMP PROOFING & WEATHER PROOFING.

GLAZING ASSEMBLIES SHALL COMPLY WITH AS2047.

A COMPLIANCE CERTIFICATE TO BE PROVIDED CERTIFYING STEEL FRAMES + TRUSSES COMPLY WITH PART B NCC.

ALL STEEL FRAME STRUCTURES TO BE DESIGN BY STRUCTRAL ENGINEER IN ACCORDANCE WITH AS1170 + SECTION B OF NCC

**FIRE & EMERGENCY:**

EMERGENCY LIGHTING TO BE INSTALLED IN ACCORDANCE WITH AS 2293.1 + E1.4 NCC

DIRECTIONAL SIGNAGE IN ACCORDANCE WITH NCC & AS2293.1 SHALL BE INSTALLED SO TO BE VISIBLE IN ALL CORRIDORS HALLWAYS & THE LIKE INDICATING THE DIRECTION TO THE REQUIRED EXITS

EXIT DOORS WITHIN PATHS OF TRAVEL SHALL COMPLY WITH NCC D2.20 VOL. 1 & LATCHES COMPLYING WITH NCC D2.21 VOL 1.

INTERNAL ELECTRIC METRE BOARDS IN PATHS OF TRAVEL TO EXITS SHALL BE ENCLOSED IN NON-COMBUSTIBLE CONSTRUCTION & SMOKE SEALED IN ACCORDANCE WITH NCC D2.7(d) VOL. 1 (IF REQUIRED)

PORTABLE FIRE EXTINGUISHERS SHALL BE INSTALLED IN ACCORDANCE WITH NCC PART E1.6 & AS 2444

RIGID & FLEXIBLE DUCT WORK MUST COMPLY WITH FIRE HAZARD PROPERTIES IN ACCORDANCE WITH NCC SPEC 1.10 CLAUSE 5 & AS4254

FIRE HOSE REELS & FIRE EXTINGUISHERS TO BE INSTALLED IN ACCORDANCE WITH AS 2441 & AS2444.

HYDRAULIC FIRE SAFETY SYSTEMS, FIRE DETECTION + ALARM SYSTEMS AND MECHANICAL DUCTED SMOKE CONTROL SYSTEM DESIGNS TO BE CERTIFIED BY COMPETENT FIRE SAFETY PRACTITIONER PRIOR TO WORK COMMENCING

**DISABLED ACCESS:**

DISABLED ACCESS & SIGNAGE TO BE PROVIDED IN ACCORDANCE WITH NCC D3 VOL. 1 & AS 1428.1

DISABLED CARPARKING & SIGNAGE TO BE PROVIDED IN ACCORDANCE AS2890.1 & AS2890.6

EXTERNAL DOORWAY THRESHOLDS SHALL BE INSTALLED ALLOWING DISABLED ACCESS IN ACCORDANCE WITH NCC D2.15 VOL. 1 & AS 1428.1

APPROPRIATE EXTERNAL SIGNAGE SHALL BE PROVIDED TO LOCATE THE DISABLED AMENITY FACILITY IN THE BUILDING.

TACTILE GROUND SURFACES INDICATORS IN ACCORDANCE WITH THE NCC & AS1428.4 ARE REQUIRED AT THE TOP & BASE OF ALL RAMP & STAIRS.

THERMOSTATIC MIXING VALVE SHALL BE INSTALLED IN DISABLED AMENITIES IN ACCORDANCE WITH AS3500

DISABLED TOILET TO BE BUILT IN ACCORDANCE WITH AS 1428.1

**AMENITIES:**

IN WC COMPARTMENTS WHERE THE DOORWAY IS WITHIN 1200mm OF THE PAN DOORS WITH LIFT OFF HINGES MUST BE INSTALLED.

SANITARY FACILITIES AND OTHER FACILITIES WITHIN THE BUILDING MUST COMPLY WITH THE REQUIREMENTS OF THE NCC PART F2.

THE WC COMPARTMENTS COMPRISING AN AIRLOCK WHICH HAS AN AREA OF NOT LESS THAN 1.1m<sup>2</sup> ARE TO BE FITTED WITH SELF CLOSING DOORS OR THE ROOM CONTAINING THE CLOSET PAN OR URINAL MUST BE PROVIDED WITH MECHANICAL VENTILATION IN ACCORDANCE WITH CLAUSE F4.9 OF THE NCC.

AMENITIES TO BE MECHANICALLY VENTILATED.

**SECTION J REQUIREMENTS:**

ALL NEW ROOF + CEILING AND FLOOR INSULATION REQUIREMENTS TO COMPLY WITH THE MINIMUM R-VALUES OUTLINED IN THE NCC.

ALL NEW WALL + GLAZING TO COMPLY WITH THE MINIMUM WALL-GLAZING CONSTRUCTION U-VALUES OUTLINED IN THE NCC.

ALL NEW AIR CONDITIONING SYSTEMS TO COMPLY WITH SECTION J NCC.

SEALS RESTRICTING AIR INFILTRATION SHALL BE FITTED TO ALL WINDOWS & DOORS & VENTS TO HAVE SELF CLOSING DAMPERS TO COMPLY WITH SECTION J NCC.

ALL NEW ARTIFICIAL LIGHTING TO COMPLY WITH SECTION J NCC & THE WATTAGE ALLOWANCE.

FACILITIES FOR ENERGY MONITORING SYSTEM MUST BE PROVIDED FOR TO RECORD THE CONSUMPTION OF GAS AND ELECTRICITY FOR BUILDINGS GREATER THAN 500sqm

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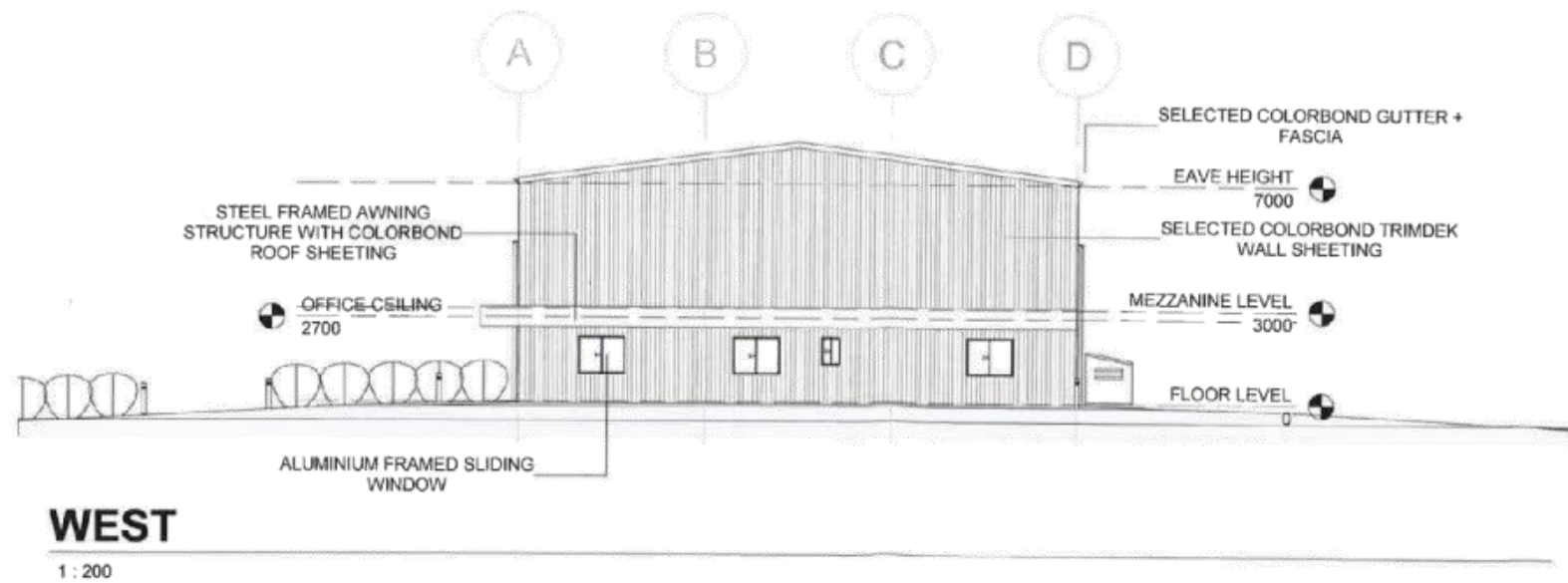
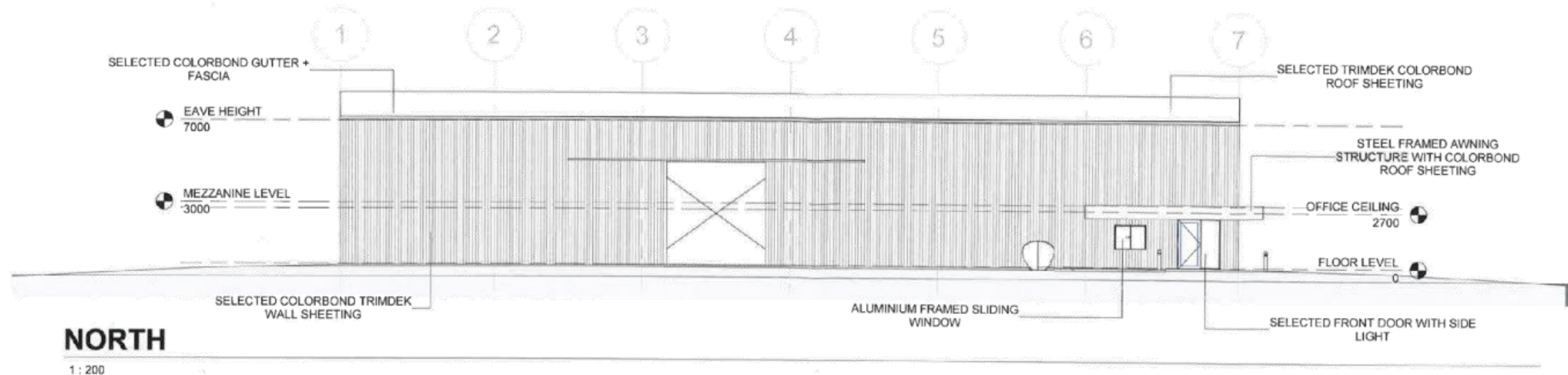
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<b>DATE</b>	15/10/2019	<b>DRAWN</b>	SAE						
<b>DESIGNED</b>	SAE								
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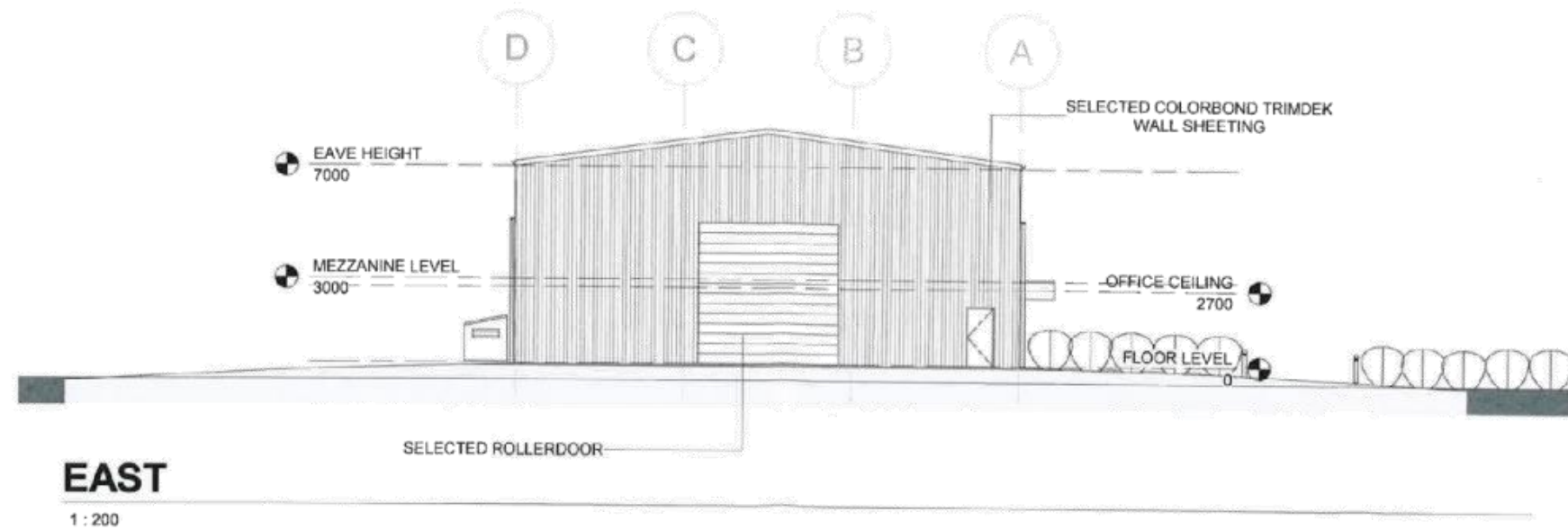
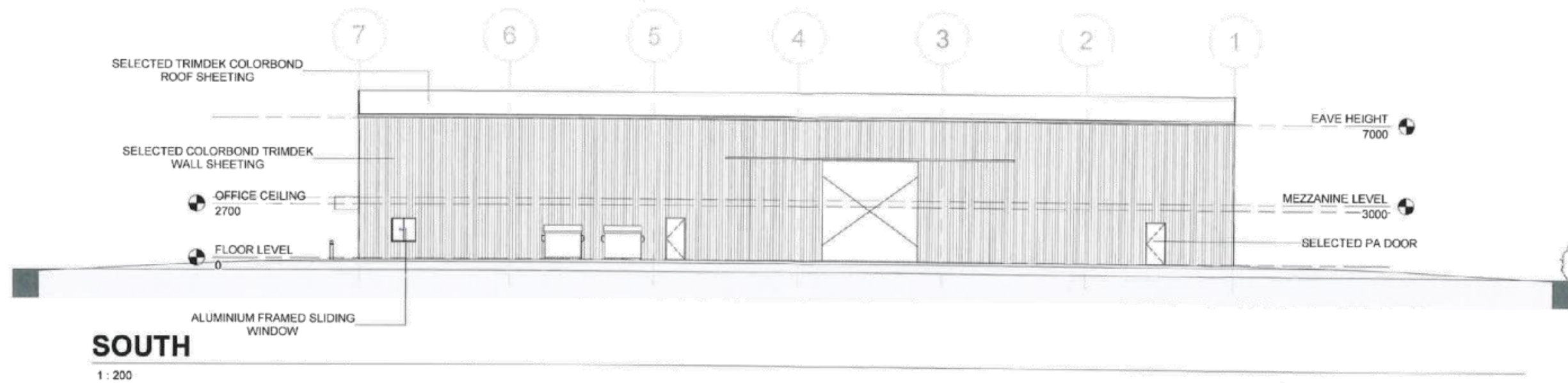
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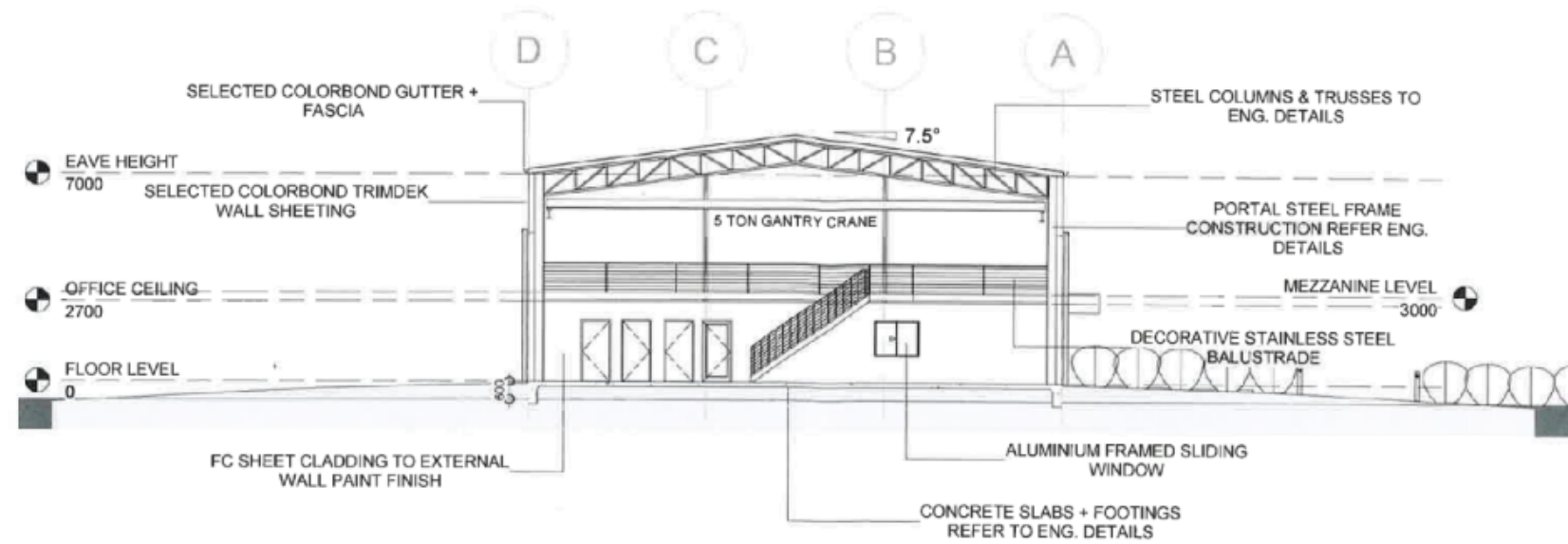
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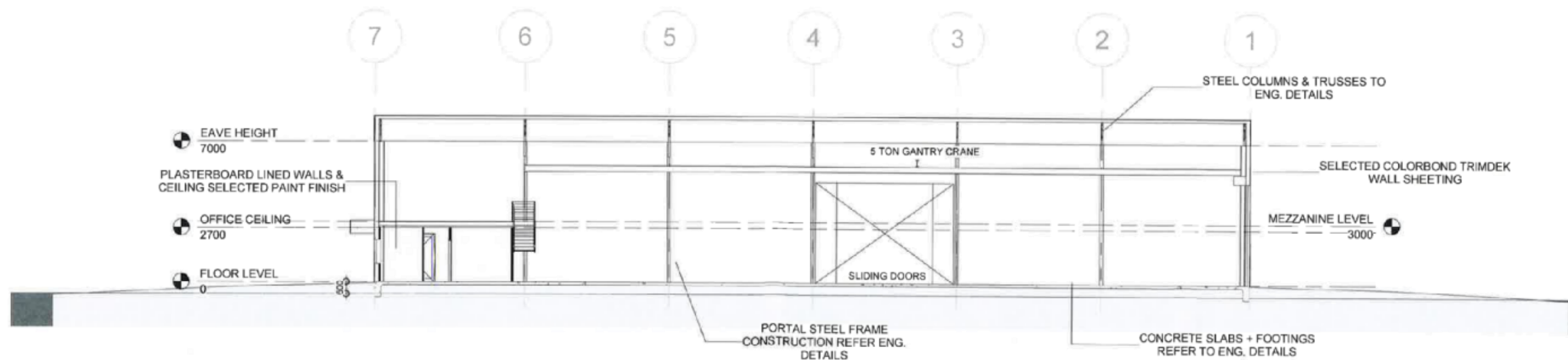
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**SECTION A**

1 : 200



**SECTION B**

1 : 200

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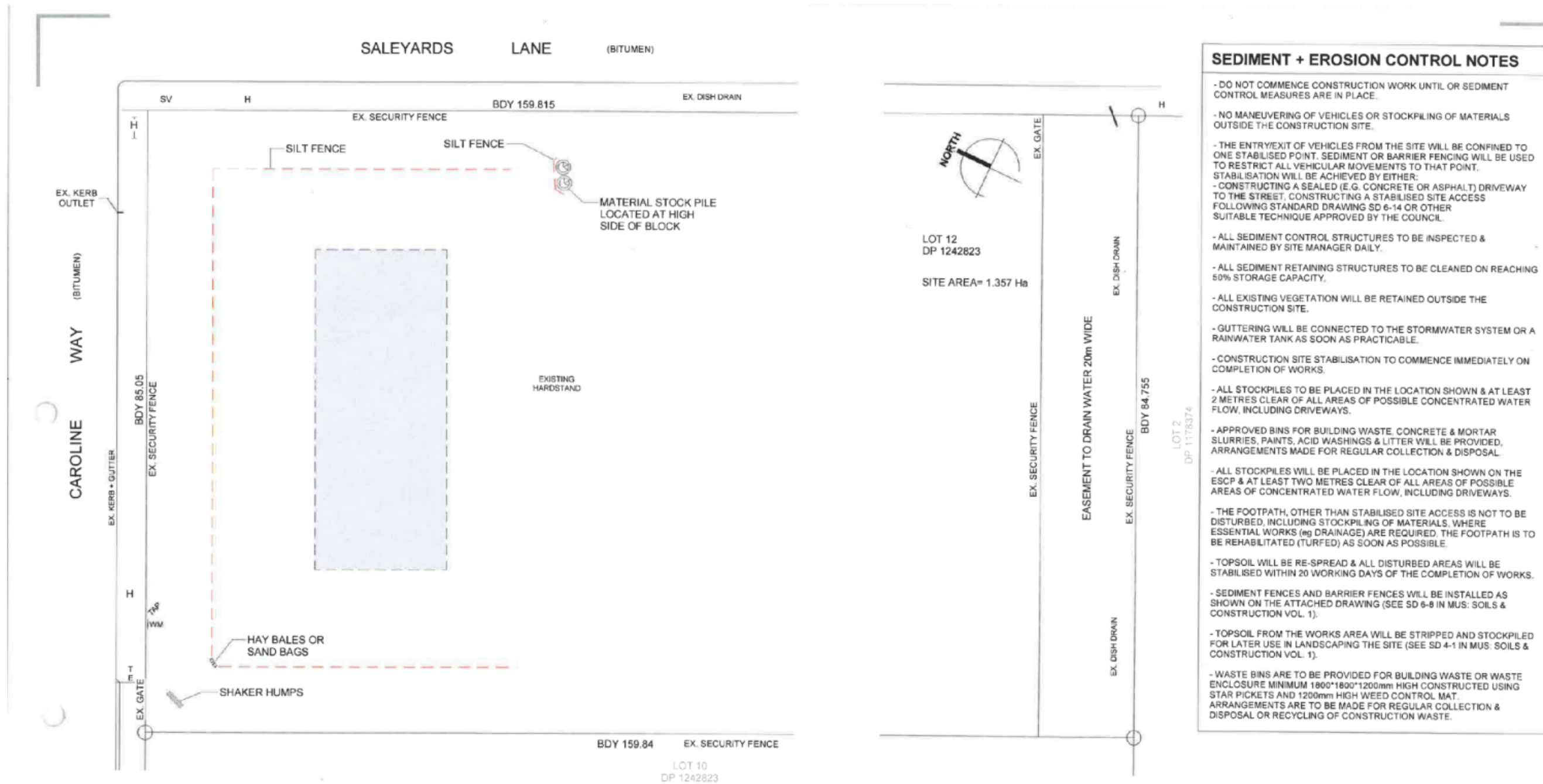
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**A010**





- ### SEDIMENT + EROSION CONTROL NOTES
- DO NOT COMMENCE CONSTRUCTION WORK UNTIL OR SEDIMENT CONTROL MEASURES ARE IN PLACE.
  - NO MANEUVERING OF VEHICLES OR STOCKPILING OF MATERIALS OUTSIDE THE CONSTRUCTION SITE.
  - THE ENTRY/EXIT OF VEHICLES FROM THE SITE WILL BE CONFINED TO ONE STABILISED POINT. SEDIMENT OR BARRIER FENCING WILL BE USED TO RESTRICT ALL VEHICULAR MOVEMENTS TO THAT POINT. STABILISATION WILL BE ACHIEVED BY EITHER:
    - CONSTRUCTING A SEALED (E.G. CONCRETE OR ASPHALT) DRIVEWAY TO THE STREET, CONSTRUCTING A STABILISED SITE ACCESS FOLLOWING STANDARD DRAWING SD 6-14 OR OTHER SUITABLE TECHNIQUE APPROVED BY THE COUNCIL.
  - ALL SEDIMENT CONTROL STRUCTURES TO BE INSPECTED & MAINTAINED BY SITE MANAGER DAILY.
  - ALL SEDIMENT RETAINING STRUCTURES TO BE CLEANED ON REACHING 50% STORAGE CAPACITY.
  - ALL EXISTING VEGETATION WILL BE RETAINED OUTSIDE THE CONSTRUCTION SITE.
  - GUTTERING WILL BE CONNECTED TO THE STORMWATER SYSTEM OR A RAINWATER TANK AS SOON AS PRACTICABLE.
  - CONSTRUCTION SITE STABILISATION TO COMMENCE IMMEDIATELY ON COMPLETION OF WORKS.
  - ALL STOCKPILES TO BE PLACED IN THE LOCATION SHOWN & AT LEAST 2 METRES CLEAR OF ALL AREAS OF POSSIBLE CONCENTRATED WATER FLOW, INCLUDING DRIVEWAYS.
  - APPROVED BINS FOR BUILDING WASTE, CONCRETE & MORTAR SLURRIES, PAINTS, ACID WASHINGS & LITTER WILL BE PROVIDED. ARRANGEMENTS MADE FOR REGULAR COLLECTION & DISPOSAL.
  - ALL STOCKPILES WILL BE PLACED IN THE LOCATION SHOWN ON THE ESCP & AT LEAST TWO METRES CLEAR OF ALL AREAS OF POSSIBLE AREAS OF CONCENTRATED WATER FLOW, INCLUDING DRIVEWAYS.
  - THE FOOTPATH, OTHER THAN STABILISED SITE ACCESS IS NOT TO BE DISTURBED, INCLUDING STOCKPILING OF MATERIALS. WHERE ESSENTIAL WORKS (eg DRAINAGE) ARE REQUIRED, THE FOOTPATH IS TO BE REHABILITATED (TURFED) AS SOON AS POSSIBLE.
  - TOPSOIL WILL BE RE-SPREAD & ALL DISTURBED AREAS WILL BE STABILISED WITHIN 20 WORKING DAYS OF THE COMPLETION OF WORKS.
  - SEDIMENT FENCES AND BARRIER FENCES WILL BE INSTALLED AS SHOWN ON THE ATTACHED DRAWING (SEE SD 6-8 IN MUS: SOILS & CONSTRUCTION VOL. 1).
  - TOPSOIL FROM THE WORKS AREA WILL BE STRIPPED AND STOCKPILED FOR LATER USE IN LANDSCAPING THE SITE (SEE SD 4-1 IN MUS: SOILS & CONSTRUCTION VOL. 1).
  - WASTE BINS ARE TO BE PROVIDED FOR BUILDING WASTE OR WASTE ENCLOSURE MINIMUM 1800\*1800\*1200mm HIGH CONSTRUCTED USING STAR PICKETS AND 1200mm HIGH WEED CONTROL MAT. ARRANGEMENTS ARE TO BE MADE FOR REGULAR COLLECTION & DISPOSAL OR RECYCLING OF CONSTRUCTION WASTE.

## SEDIMENT EROSION CONTROL PLAN

1 : 500

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**PROPOSED INDUSTRIAL DEVELOPMENT**  
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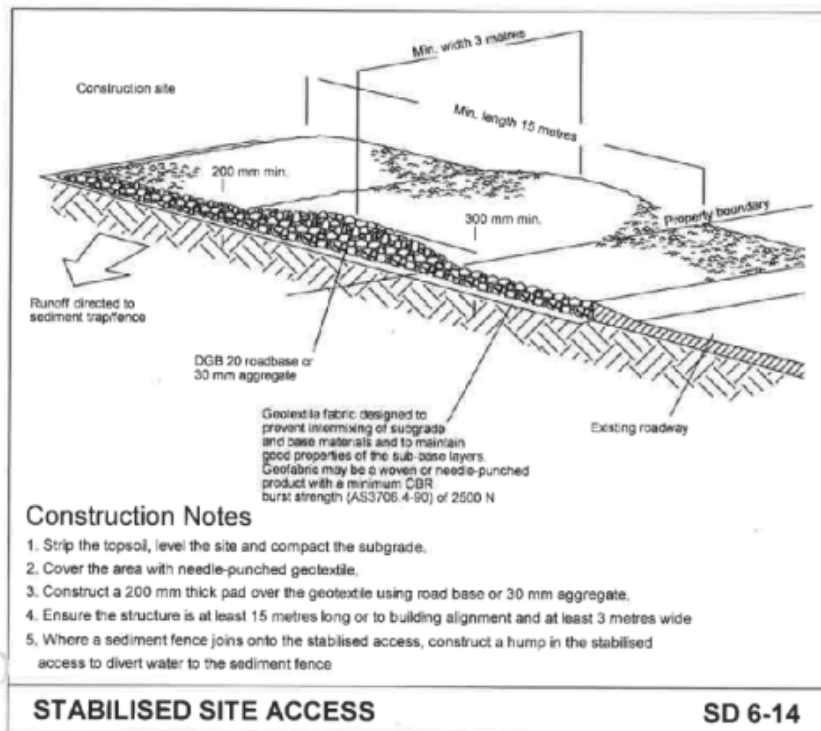
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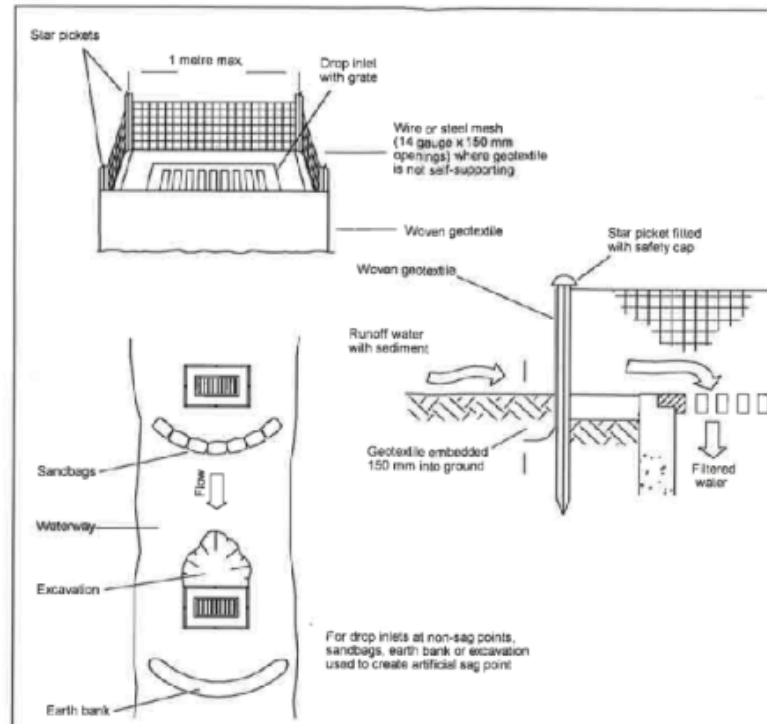


**Construction Notes**

1. Strip the topsoil, level the site and compact the subgrade.
2. Cover the area with needle-punched geotextile.
3. Construct a 200 mm thick pad over the geotextile using road base or 30 mm aggregate.
4. Ensure the structure is at least 15 metres long or to building alignment and at least 3 metres wide
5. Where a sediment fence joins onto the stabilised access, construct a hump in the stabilised access to divert water to the sediment fence

**STABILISED SITE ACCESS**

**SD 6-14**

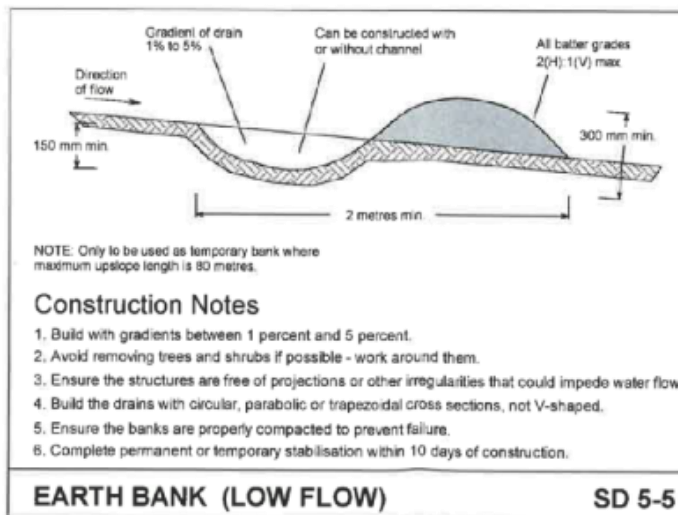


**Construction Notes**

1. Fabricate a sediment barrier made from geotextile or straw bales.
2. Follow Standard Drawing 6-7 and Standard Drawing 5-8 for installation procedures for the straw bales or geofabric. Reduce the picket spacing to 1 metre centres.
3. In waterways, artificial sag points can be created with sandbags or earth banks as shown in the drawing.
4. Do not cover the inlet with geotextile unless the design is adequate to allow for all waters to bypass it.

**GEOTEXTILE INLET FILTER**

**SD 6-12**



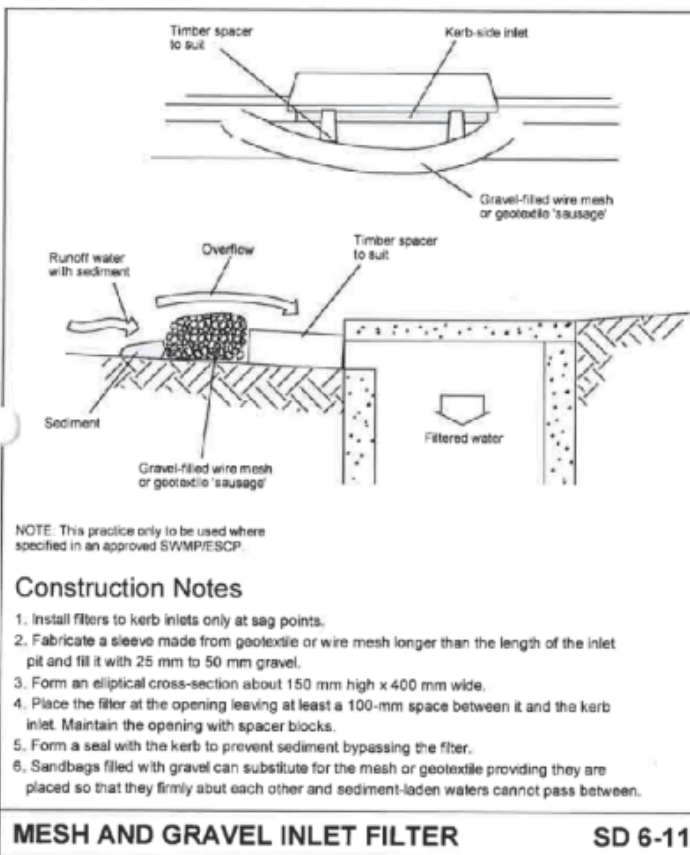
NOTE: Only to be used as temporary bank where maximum upslope length is 80 metres.

**Construction Notes**

1. Build with gradients between 1 percent and 5 percent.
2. Avoid removing trees and shrubs if possible - work around them.
3. Ensure the structures are free of projections or other irregularities that could impede water flow.
4. Build the drains with circular, parabolic or trapezoidal cross sections, not V-shaped.
5. Ensure the banks are properly compacted to prevent failure.
6. Complete permanent or temporary stabilisation within 10 days of construction.

**EARTH BANK (LOW FLOW)**

**SD 5-5**

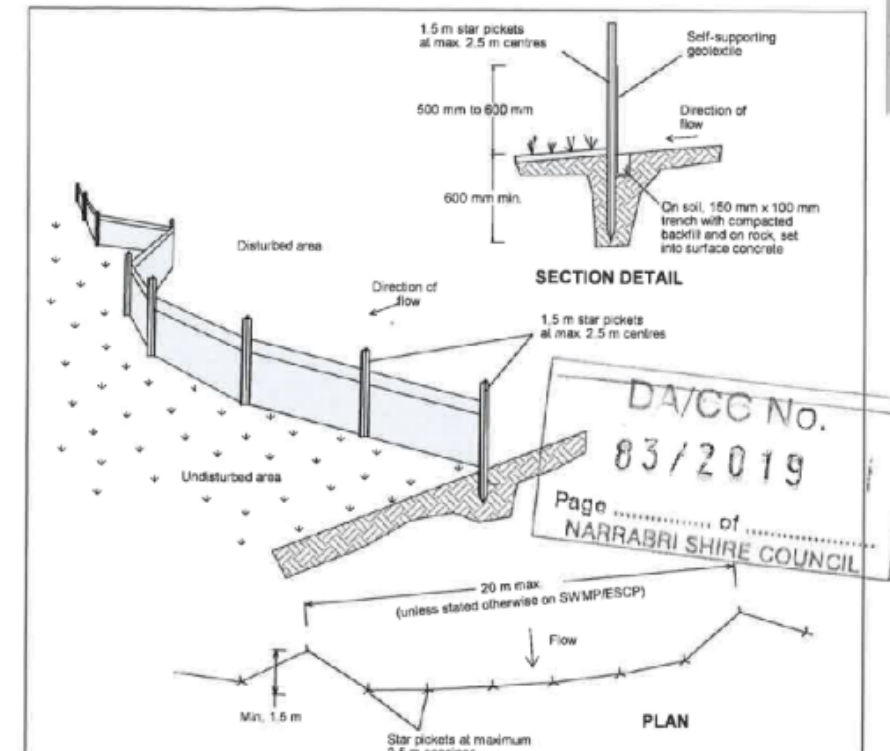


**Construction Notes**

1. Install filters to kerb inlets only at sag points.
2. Fabricate a sieve made from geotextile or wire mesh longer than the length of the inlet pit and fill it with 25 mm to 50 mm gravel.
3. Form an elliptical cross-section about 150 mm high x 400 mm wide.
4. Place the filter at the opening leaving at least a 100-mm space between it and the kerb inlet. Maintain the opening with spacer blocks.
5. Form a seal with the kerb to prevent sediment bypassing the filter.
6. Sandbags filled with gravel can substitute for the mesh or geotextile providing they are placed so that they firmly abut each other and sediment-laden waters cannot pass between.

**MESH AND GRAVEL INLET FILTER**

**SD 6-11**

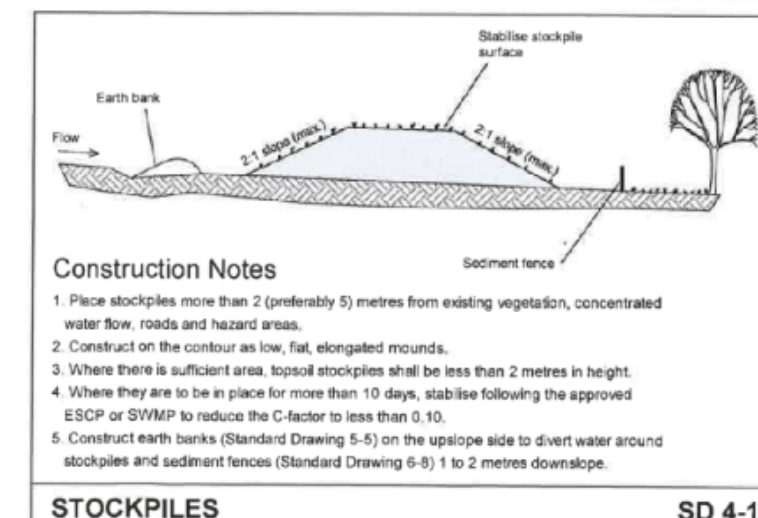


**Construction Notes**

1. Construct sediment fences as close as possible to being parallel to the contours of the site, but with small returns as shown in the drawing to limit the catchment area of any one section. The catchment area should be small enough to limit water flow if concentrated at one point to 50 litres per second in the design storm event, usually the 10-year event.
2. Cut a 150-mm deep trench along the upslope line of the fence for the bottom of the fabric to be entrenched.
3. Drive 1.5 metre long star pickets into ground at 2.5 metre intervals (max) at the downslope edge of the trench. Ensure any star pickets are fitted with safety caps.
4. Fix self-supporting geotextile to the upslope side of the posts ensuring it goes to the base of the trench. Fix the geotextile with wire ties or as recommended by the manufacturer. Only use geotextile specifically produced for sediment fencing. The use of shade cloth for this purpose is not satisfactory.
5. Join sections of fabric at a support post with a 150-mm overlap.
6. Backfill the trench over the base of the fabric and compact it thoroughly over the geotextile.

**SEDIMENT FENCE**

**SD 6-8**



**Construction Notes**

1. Place stockpiles more than 2 (preferably 5) metres from existing vegetation, concentrated water flow, roads and hazard areas.
2. Construct on the contour as low, flat, elongated mounds.
3. Where there is sufficient area, topsoil stockpiles shall be less than 2 metres in height.
4. Where they are to be in place for more than 10 days, stabilise following the approved ESCP or SWMP to reduce the C-factor to less than 0.10.
5. Construct earth banks (Standard Drawing 5-5) on the upslope side to divert water around stockpiles and sediment fences (Standard Drawing 6-8) 1 to 2 metres downslope.

**STOCKPILES**

**SD 4-1**

**SAEDESIGN**  
RESIDENTIAL • COMMERCIAL  
A | P.O. Box 470 Tamworth NSW 2340 M | 0411285823 E | mail@saedesign.com.au

**PROPOSED INDUSTRIAL DEVELOPMENT**  
LOT 12 CAROLINE WAY, NARRABRI  
GFS ENGINEERING

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SCALE	1 : 10	REVISION	1 2	DESCRIPTION	PRELIMINARY ISSUE DA SUBMISSION	DATE	06/08/2019 15/10/2019
DATE	15/10/2019						
DRAWN	SAE						
DESIGNED	SAE						

PROJECT No.  
**631-19**  
SHEET  
**A012**

**8 MEETING CLOSED**

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