



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

**Date:** Wednesday, 27 January 2021  
**Time:** 4.00pm  
**Location:** Narrabri Shire Council Chambers  
46-48 Maitland Street  
Narrabri

# **AGENDA**

**Extraordinary Council Meeting  
27 January 2021**

**Stewart Todd  
GENERAL MANAGER**

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

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

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

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

**Request to Speak in the Public Forum**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

(Clause 15.20 Code of Meeting Practice)

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

(Clause 15.21 Code of Meeting Practice)

### **AUDIO RECORDING NOTICE**

Council advises that this Meeting will be recorded for the purpose of webcasting, and made available on the Internet. As such, all those present should refrain from making any defamatory statements. It is requested that Councillors within the duration of the Meeting, limit discussions to only the business on the agenda and what is permissible under our Code of Meeting Practice.

(Clause 5.20 Code of Meeting Practice)



Mayor  
Cr Ron Campbell



Deputy Mayor  
Cr Cameron Staines



Cr Maxine Booby



Cr Ron Campey



Cr Lloyd Finlay



Cr Robert Kneale



Cr Annie McMahon



Cr Cathy Redding



General Manager  
Mr Stewart Todd



Director  
Infrastructure Delivery  
Mr Shane Burns



Director Corporate &  
Community Services  
Mr Lindsay Mason



Director Planning &  
Environment  
Ms Amanda Hannay



# Corporate *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.

# 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 a healthy balance between our natural and built environments.



### Theme 3: OUR ECONOMY

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

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



### Theme 4: OUR CIVIC LEADERSHIP

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

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

**AGENDA**

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

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

**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.

**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.

**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

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

9.1 Memorandum of Understanding

## 6 OUR SOCIETY



### THEME 1: OUR SOCIETY

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

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

#### COMMUNITY ENGAGEMENT

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

#### COMMUNITY SERVICES

Current services provided within the Narrabri Shire community include:

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

#### COMMUNITY OUTCOMES

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

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

**6.1 NARRABRI SPORTS AND TOURISM PRECINCT MASTERPLAN****Responsible Officer:** Shane Burns, Director Infrastructure Delivery**Author:** Evan Harris, Parks and Open Space Manager**Attachments:** 1. Draft Narrabri Sport and Tourism Precinct Masterplan  **DELIVERY PROGRAM ALIGNMENT****1 Society**

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

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

**EXECUTIVE SUMMARY**

Council has held initial consultation and drafted a masterplan for the currently titled 'Narrabri Sport and Tourism Precinct'. Draft plans for the playground section of the draft masterplan are currently being developed. Council is now in the position that further development of this plan with potential construction will need endorsement from the Community and Council. This endorsement will align the project into Councils delivery plan.

**RECOMMENDATION**

1. That Council endorse the draft Narrabri Sport and Tourism Precinct Masterplan for the purposes of public exhibition, as attached.
2. That Council place on public exhibition the Narrabri Sport and Tourism Precinct Masterplan for the period 1 February 2021 to 1 March 2021, during the exhibition period call for and accept submissions from the public on the draft Masterplan.

**BACKGROUND**

During 2019, Council started developing a masterplan for a destination stop in Narrabri, currently titled 'Narrabri Sport and Tourism Precinct'.

This precinct is proposed to consist of a large playground with accessibility equipment, links to retail outlets, public toilets, change rooms facilities and access to the central business district of Narrabri. This precinct would primarily have a focus on creating a "must stop destination" for tourists travelling through Narrabri Shire; and secondly a wonderful community asset to be utilised by the local community for entertainment and outdoor passive recreation. From this scope, a masterplan for the 'Narrabri Sport and Tourism Precinct' has been developed for the site located behind the Crossing Theatre.

**CURRENT SITUATION**

Council has developed a masterplan outlining numerous elements to the 'Narrabri Sport and Tourism Precinct'. Council has also initiated further detailed designs for the playground incorporated in the proposed precinct.



The proposal has now reached the stage where it can be further progressed and be moved forward seeking formal Council adoption.

Formal adoption of the draft masterplan would provide commitment to the project thus making obtainable a greater range of financial assistance from both Federal and State Government grant funding bodies and the utilisation of VPA funds.

### **FINANCIAL IMPLICATIONS**

A basic costing forecast for each stage or development has been developed; including all the deliverable elements. These forecasts will be kept internal due to future tendering requirements of the project.

The draft masterplan contains numerous recreational and entertainment elements allowing Council to seek funding for the entire project or alternatively seek and apply for multiple grants under a staged development approach.

This proposed project is identified within the agreed Santos Narrabri Gas Project VPA.

### **STATUTORY AND POLICY IMPLICATIONS**

During the development of the masterplan consideration has been given to the following:

- Narrabri Sport, Recreation and Open Space Plan.
- Disability Inclusion Access Plan (DIAP).
- Pedestrian Access and Mobility Plan (PAMP).

### **CONSULTATION**

Four consultation meetings have been held by Council to formulate the draft masterplan. The sessions included meeting with representatives of local community groups, schools and the general public, the remaining three sessions included a Councillor briefing, Council management and Council staff sessions.

#### **External Consultation**

A community consultation session was held at the Narrabri Aquatic centre on the 7 May 2019. Attendees at the community consultation session included representatives from the following:

- Rotary
- Narrabri Chamber of Commerce
- Nurruby and Nurruby Oosh
- HealthWise
- Di's Family Daycare
- Narrabri Public School Principal
- Youth Shack

The Council have utilised the services of Insite Emla Consulting Group during the development of the draft masterplan.

**Internal Consultation**

A Councillor Briefing was held 7 May 2019, facilitated by Manager Parks and Opens Spaces assisted by representatives from the Insite Emla Consulting Group.

Further, internal consultation has also been undertaken with Council Parks and Open Space staff during a consultation session, as well as the following additional Council staff:

- General Manager.
- Director Corporate and Community Services.
- Manager Design Services.
- Manager Cultural Facilities.
- Manager Tourism and Community Development.









# NARRABRI SPORT & TOURISM PRECINCT

(NEWELL HIGHWAY)  
TIBBEREENA ST  
NARRABRI, NSW

## Landscape Masterplan

LOCALITY PLAN  
Not to scale



Drawing List

No	Title
1	Title Sheet & Locality plan
2	Landscape Masterplan Overall site
3	Interactive Water Feature & Gardens
4	Landscape Mastepplan-Concept 1 Playground & Recreational Facilities
5	Landscape Mastepplan-Concept 2 Playground & Recreational Facilities
6	Landscape elements-parklands
7	Landscape elements-iconic play items
8	Landscape elements-playground items

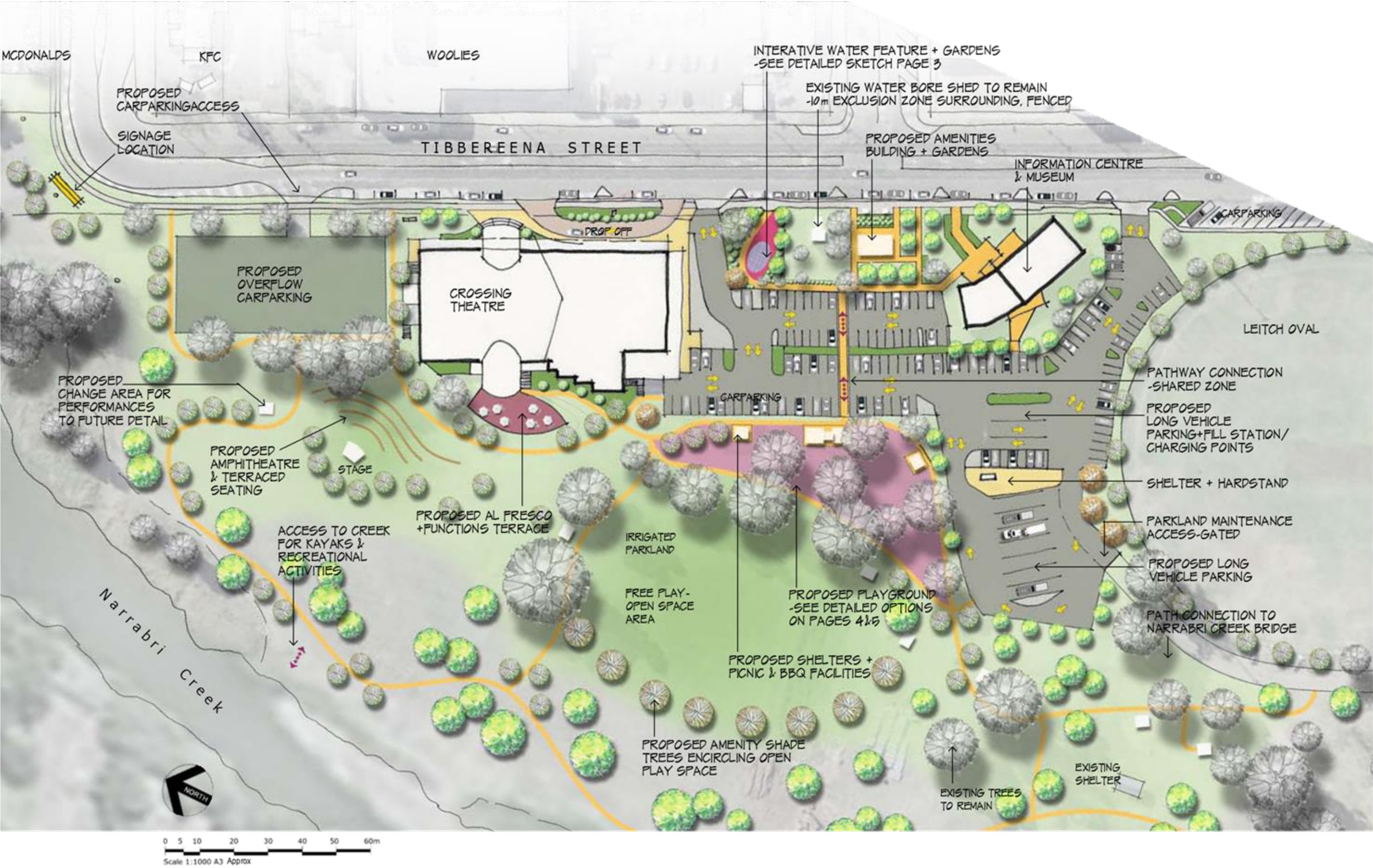
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Prepared by







Landscape Masterplan overall site

NARRABRI SPORT & TOURISM PRECINCT

NEWELL HIGHWAY, NARRABRI, NSW

Prepared by

inSite

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Landscape Masterplan





### Landscape Masterplan- Interactive water feature + gardens

**NARRABRI SPORT & TOURISM PRECINCT**  
NEWELL HIGHWAY, NARRABRI, NSW

Landscape Masterplan

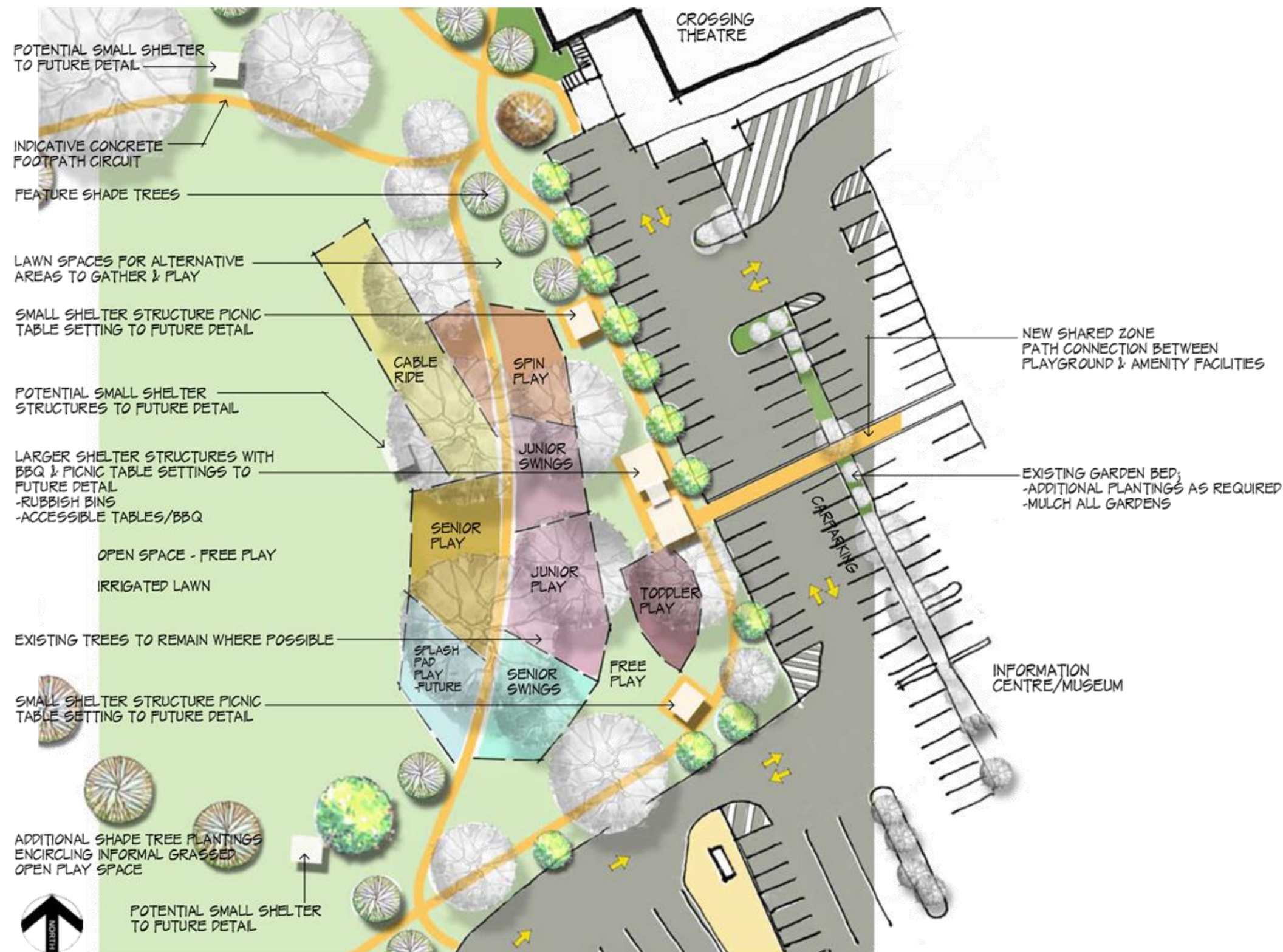
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### Landscape Masterplan-Concept 2 Playground & Recreational facilities-linear zones

0 5 10 15 20m  
Scale 1:500 A3

**NARRABRI SPORT & TOURISM PRECINCT**  
NEWELL HIGHWAY, NARRABRI, NSW

Landscape Masterplan

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## PLAYSPACE ENTRY



COTTON INSPIRATION



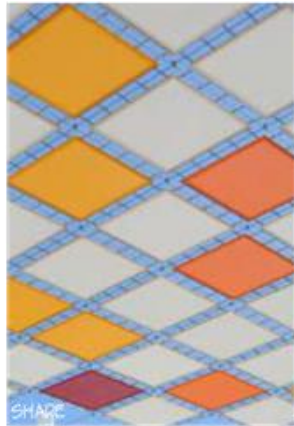
PLAYSPACE ENTRY INTERACTIVE



SOFTSCAPE



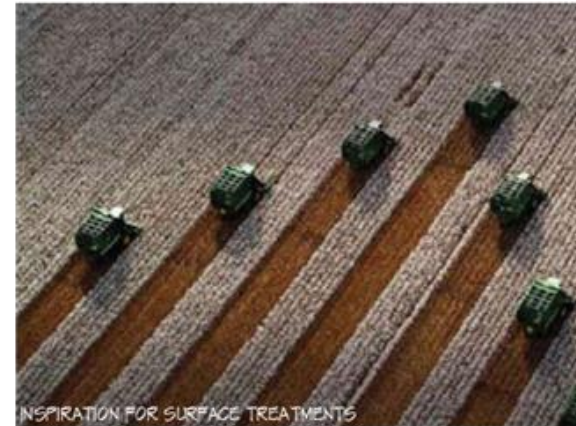
## PICNIC SHELTERS



SHADE



SHELTER STRUCTURES



INSPIRATION FOR SURFACE TREATMENTS



PICNIC + BBQ FACILITIES

## PARKLANDS



INTERACTIVE WATER FEATURE



PARKLAND + PICNIC ENVIRONMENT



AMPHITHEATRE SEATING

EXAMPLE LANDSCAPE DESIGN INTENT FOR THE PROPOSED PLAYSPACE & PARKLAND ENVIRONMENTS IN THE NARRABRI SPORT & TOURISM PRECINCT.

## LANDSCAPE DESIGN INTENT;

THE LANDSCAPE DESIGN INTENT SEEKS TO INTEGRATE A CONTEMPORARY, CHALLENGING & COLOURFUL PLAYSPACE WITHIN A CANOPY OF EXISTING RIVER RED GUMS, INVITING VISITORS TO INTEGRATE WITH THE NATURAL SHADED PARKLAND ATMOSPHERE BORDERING NARRABRI CREEK.

THE DESIGN WILL ENHANCE THE CROSSING THEATRE LOCATION & INFORMATION CENTRE/MUSEUM ATTRACTIONS & IMPROVE BOTH VEHICLE & PEDESTRIAN TRAFFIC ROUTES AROUND THE PRECINCT.

Landscape elements  
-parklands

NARRABRI SPORT & TOURISM PRECINCT  
NEWELL HIGHWAY, NARRABRI, NSW

Landscape Masterplan

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## SENIOR PLAY



SENIOR PLAY - EXAMPLE TOWER PLAY STRUCTURE WITH SLIDES, SHADE & VARIOUS CHALLENGES INCLUDED



ALTERNATIVE SENIOR PLAY 'WOOL BALE' ITEM INCLUDING SLIDES, SHADE & VARIOUS CHALLENGES, INSPIRED BY REGIONAL LANDSCAPE IMAGES



## JUNIOR PLAY



JUNIOR PLAY - EXAMPLE PLAY STRUCTURE WITH SHADE & VARIOUS CHALLENGES RELEVANT TO THE JUNIOR AGE GROUP



ALTERNATIVE JUNIOR PLAY 'HARVESTER' ITEM INCLUDING SLIDES, SHADE & VARIOUS CHALLENGES, INSPIRED BY REGIONAL LANDSCAPE IMAGES



Playground elements  
- iconic play structures

NARRABRI SPORT & TOURISM PRECINCT  
NEWELL HIGHWAY, NARRABRI, NSW

Landscape Masterplan

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A photograph of a modern playground. In the foreground, there is a large, colorful structure with green vertical posts and orange horizontal bars. A red slide is attached to the right side of this structure. To the left, there is another similar but smaller structure. The playground is surrounded by lush green trees and a clear blue sky. The ground is covered with a layer of brown mulch.

Playground elements  
- playground items

## 7 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

**7.1 EIS SUBMISSION N2N**

**Responsible Officer:** Amanda Hannay, Director Planning & Environment

**Author:** Cara Stoltenberg, Strategic & Major Projects Planner

**Attachments:** 1. Inland Rail – Narromine to Narrabri Project Environmental Impact Statement [↓](#) 

**DELIVERY PROGRAM ALIGNMENT****3 Economy**

**Objective** 3.2 We will become a logistics hub for the northern inland region

**Strategy** 3.2.3 Explore opportunities for increasing the efficiency of freight movements

**EXECUTIVE SUMMARY**

The Australian Rail Track Corporation (ARTC), the proponent for the Inland Rail (IR) from Melbourne to Brisbane, has released the Environmental Impact Statement (EIS) prepared for the Narromine to Narrabri (N2N) reach of the proposed rail. Council received written correspondence on 26 November 2020 from ARTC that the EIS would be on public exhibition and available on the New South Wales (NSW) Department of Planning, Industry and Environment (DPIE) Major Project website from 8 December 2020 until 7 February 2021. The main areas for Council to focus its submission are:

- Traffic, Transport and Access.
- Flood impact.
- Social and economic impact.

**RECOMMENDATION**

1. That Council make a submission to the NSW Government on the Environmental Impact Statement for the Narromine to Narrabri Inland Rail Project generally in accordance with this report.

**BACKGROUND**

ARTC is seeking approval to construct and operate the N2N section of IR. ARTC has lodged an Application for State Significant Infrastructure, Number SSI 9487. The proposal is subject to assessment under Part 5 of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act). The capital investment value of the proposal is estimated to be over \$50 million, and as a result the proposal is State Significant Infrastructure under *State Environmental Planning Policy (State and Regional Development) 2011*. The proposal is therefore subject to Part 5.2 of the EP&A Act and an EIS has been prepared addressing the Secretary's Environmental Assessment Requirements (SEARs). The proposal consists of about 306 kilometres of new single-track with seven crossings loops. It includes bridges over rivers and floodplains, roads and rail lines, new level crossings, road realignments and ancillary works.

ARTC states that it “remains committed to open and ongoing community engagement”. The EIS for the N2N project is currently on public display from Tuesday 8 December 2020 to Sunday 7 February 2021.

## **CURRENT SITUATION**

The main areas for Council to consider in the preparation of its submission are:

### **Traffic, Transport and Access**

Lack of consultation with Council and a significant amount of assumptions have been made by ARTC regarding the use of local roads. ARTC state that “it is recommended that a traffic, transport and access management plan be produced to guide the interaction of construction activities with the public road network. The plan should be prepared in consultation with the local councils, bus and other transport operators and Transport for NSW and be subject to periodic review and update as agreed between the stakeholders.” This statement is considered the most important statement with regards to traffic, transport and access. Council needs to ensure that council officers are involved in the development of this plan (which is yet to commence).

It is imperative that all construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.

Council has already objected to the use of the existing rail line through the residential sections of town and is currently working with Ernst and Young to resolve the issue. No approval for use of this section of track should be issued until such time as the Ernst and Young submission is finalised.

### **Flood impact**

A presentation was given by the IR N2N project team to the Flood Committee on 29 April 2020 outlining the status of the project and their flood investigations so far. The Flood Committee questioned the proposed location of the railway line immediately downstream of the township of Narrabri and highlighted the potential negative flood impacts on the town. Preliminary results showed a 1cm to 10cm increased afflux impact on Wee Waa Road and 1cm to 5cm impact for the Millicent Drive residential area for the 1% Annual Exceedance Probability (AEP) event

IR have maintained that their target for all projects is to limit the afflux on existing buildings to 10mm (1cm). The results show some buildings having an afflux of between 1cm and 5cm.

Discrepancies between N2N’s flood modelling and Council’s flood modelling were also apparent, potentially due to different LIDAR data used.

The Flood Committee concluded to continue to hold discussions with the IR N2N project team regarding flood impacts on the township of Narrabri with the hopes of mitigation any negative flood impacts on the local community. However, the Committee do not feel that IR have been as transparent as Council with regards to facilitating the sharing of information with the view to ensure potential flood impacts caused by the N2N project are mitigated.

While the IR N2N project team may have carried out various community consultation activities on the project in Narrabri and with Narrabri residents, such impacts as the increased afflux during the 1% AEP flood event were never discussed with landowners, even those who would be affected by the predicted afflux. The Flood Committee is extremely concerned with this lack of transparency by



IR to its residents and feels that this is in contravention to the NSW Government's Flood Prone Land Policy and the Floodplain Development Manual.

The Flood Committee is further troubled that IR refused its's numerous requests to include Mulgate Creek and local tributary flooding in their model and therefore flood impact assessment for the EIS. On 23 November 2020 Council received the following comments from IR's Design Manager, Joel Acosta;

"We checked the schedule to see if we could add it without impacting the EIS submission date, but unfortunately it was not possible..... The updated flooding and hydrology assessment report will be included in the Submissions and Preferred Infrastructure Report (SPIR) in 2021. As the name suggests, that is the document where Inland Rail will have to reply to all the formal submissions received during the EIS public exhibition period. For this particular example, Council will add a submission requesting Mulgate Creek scenario to be included, and Inland Rail will reply "done, please refer to updated document".

Council should request that:

- Mulgate Creek and local tributary flooding be investigated in the detailed design flooding and any changes to the conclusions made in the EIS be put out again for public exhibition.
- Flood mitigation measures form part of the conditions of consent for the Project to ensure that impacts on buildings and properties are appropriately managed.
- Council asks that all necessary flood modelling be undertaken to confirm the extent of any impacts on properties and that all necessary flood mitigation measures are implemented to ensure that impacts are appropriately managed and that these be required as a condition of consent.

IR be require to investigate any potential opportunities to mitigate flooding for towns within the project area through the alignment of the project or other works as a

### **Social and economic impact**

Council has consistently been a strong advocate for IR to the point that it is developing an industrial activation estate called the Northern NSW Inland Port (N2IP). A part of the strategic intent of IR is to assist communities that the IR infrastructure traverses to leave legacy items for current and future generations.

The EIS concludes that the key potential benefits of the Project include:

- Increased employment opportunities through demand for construction and operation workforce and business opportunities through demand for goods and services mainly during the construction phase.
- Potential of reduced freight road traffic along regional and local roads as some freight would be transported by rail during operation.

The possible adverse social impacts include:

- Impacts on properties and landholders due to property acquisition and land access required during construction.
- Altered access during operation for some rural properties due to fewer level crossings, and associated potential impacts to agricultural operations.



- Amenity impacts due to changes in noise levels, air quality, views and landscape during construction and operation.
- Potential stresses in range of areas, including but not limited to the following:
  - i. Education and training
  - ii. Medical
  - iii. Policing
  - iv. Childcare
  - v. Ambulance
  - vi. Private enterprise businesses
  - vii. Miscellaneous government departments.

Council should request that:

- Landholders are provided with a level playing field and fully consulted in any property acquisition and land access discussions and that as far as is reasonably practicable the operation of rural properties is not detrimentally effected by operation of the IR.
- IR initiate and lead a whole of government task force to address the very real local government and community concerns of the N2N project.
- The IR infrastructure grade when separates over the Walgett Branch Line, it does so at a height that allows for double stacking from the N2IP site.
- Infrastructure is included in the project to facilitate access in a northerly and southerly direction directly from the Walgett Branch Line.
- The multi-function site compound proposed to be developed at Narrabri West be repositioned to Council's N2IP site. This to include the following:
  - i. IR's multi-function offices and amenities building
  - ii. Laydown areas
  - iii. Materials storage
  - iv. Fixed and mobile concrete batching facilities
  - v. Fuel and hazardous materials storage
  - vi. Maintenance facilities
  - vii. Welding yard
- Strategic water bores be positioned to allow community organisations like the NSW Rural Fire Service to access water to fight forest fires. Further community benefits could be attained by providing water supply for residential consumption and to Council's N2IP site for commercial/industrial usage and economic growth.
- All existing surplus residential rooms available at CIVEO be taken up prior to the development of any new facility. If a new facility is required, then strong consideration should be given to the legacy aspect of that development. Therefore, a temporary workforce accommodation facility should be designed, situated and constructed to allow for the

potential future use as an aged care facility, motel accommodation or units etc. Council requests that it be consulted to ensure the most appropriate design and location is established for this potential long-term, community benefit.

## FINANCIAL IMPLICATIONS

Draft damage estimations calculated show the following results for a 1% AEP flood in Narrabri;

i. Regional Flooding (Namoi River):

- There are in excess of 2,190 flood affected buildings, of which;
  - Over 900 residential buildings would be inundated above floor level, and
  - Over 300 non-residential buildings would be inundated above floor level.
- The total flood damage costs would be in the order of \$137 million (excluding road, bridge and agricultural flood damages).
- 96% of the flood damage costs are associated with residential properties.

ii. Local Flooding (Mulgate Creek and Long Gully):

- There are in excess of 180 flood affected buildings, of which;
  - Over 130 residential buildings would be inundated above floor level, and
  - Over 40 non-residential buildings would be inundated above floor level.
- The total flood damage costs would be in the order of \$24 million (excluding road, bridge and agricultural flood damages).
- 97% of the flood damage costs are associated with residential properties.

The above estimates do not take in to account the increased afflux predicted by the installation of the IR N2N section of rail immediately downstream of the township of Narrabri in its proposed alignment.

Estimates of damage to and/or relocation of Council owned infrastructure is unable to be determined using the information provided by the proponent.

## STATUTORY AND POLICY IMPLICATIONS

Nil.

**CONSULTATION**

The Environmental Impact Statement (EIS) for the N2N project is currently on public display from Tuesday 8 December 2020 to Sunday 7 February 2021.

**External Consultation**

- Council has participated in the Narromine to Narrabri (N2N) Community Consultative Committee (CCC) since its inception and is represented by Deputy Mayor Staines.
- The Flood Committee.

**Internal Consultation**

The Planning Proposal has been prepared incorporating input and advice from relevant sections across Council. Including but not limited to;

- Bill Birch, Manager Economic Development.
- Michael Davis, Manager Waster Services.
- Anthony Smetanin, Manager Design Services.
- Sue Jackson-Stepowski, Heritage Advisor.
- Erika Dawson, Assessment and Monitoring Coordinator.

Inland Rail – Narromine to Narrabri Project  
Environmental Impact Statement

NARRABRI SHIRE COUNCIL  
*DRAFT* SUBMISSION REPORT

*Version 1.0*  
*January 2021*

Inland Rail – Narramine to Narrabri Project – Environmental Impact Statement Submission – *DRAFT*

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## INTRODUCTION

### 1. BACKGROUND

The Environmental Impact Statement (EIS) reviewed considers the potential impacts of the proposal to construct and operate the Narromine to Narrabri section of Inland Rail ('the proposal'). The EIS has been prepared to support Australian Rail Track Corporation's application for approval of the proposal in accordance with the requirements of Division 5.2 of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act).

The proposal is State significant infrastructure and is subject to approval by the NSW Minister for Planning and Public Spaces. The EIS addresses the environmental assessment requirements of the Secretary of the Department of Planning, Industry and Environment ('the SEARs'). The EIS was prepared based on the draft SEARs, which were finalised on 9 September 2020. The proposal is also determined to be a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) (EPBC Referral 2018/8259) and requires approval from the Australian Minister for the Environment.

The EIS focuses on the key assessment requirements specified by the SEARs. It is supported by specialist technical assessment reports. the proponent has requested that the proposal be declared by the Minister for Planning and Public Spaces as critical State significant infrastructure under section 5.13 of the EP&A Act.

### 2. AIM

The report aims to provide details of the Narrabri Shire Council response to the Environmental Impact Statement (EIS) for the Inland Rail – Narromine to Narrabri Project.

The aim of this submission is not to examine the complex scientific information in great detail or specific modelling methods involved in the project but rather to identify any potential issues that may directly or indirectly impact Council or Narrabri Shire or the surrounding community. Council is relying upon the Department to have more critical sections of the EIS peer reviewed by independent experts in relevant fields and for those peer reviews to be available to the community for review.

This document has been prepared to raise with the Department any concerns that Council and community representatives have with regards to the project and its potential impacts on the amenity, economic development and environment.

### 3. METHODOLOGY

Council has extensively review the EIS with chapters being considered by the relevant department professionals within Council. It should be noted that Council does not have the technical capability to deal with complex issues such as ground water system interconnectivity and human health impacts. Council has simply identified issues that warrant further investigation and/or agreement due to their importance in the local area. Council are reliant on the relevant consent authorities to provide technical guidance and

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appropriate rigorous review of the more complex science upon which the industry relies in their determination of the application.

## CHAPTER REVIEW

### 1. ROUTE ALTERNATIVES AND OPTIONS

#### KEY CONCERN/S:

- The proposed route does not provide an optimum outcome for Narrabri Shire. It is imperative that the serious omissions from the EIS be adequately addressed. Further that to realise a benefit to Narrabri Shire and its surrounds, Council respectfully requests that the proponents be required to demonstrate that:
  1. the rail operations will not negatively impact on the local community, by ensuring (1) all rail infrastructure is located outside the higher density commercial and residential areas; and (2) all construction impacts are mitigated and any residual damage to the road network is repaired;
  2. the rail infrastructure does not increase the flooding; and
  3. all construction infrastructure and services setup are located so that should Narrabri Shire be able to benefit from their ongoing use, ownership is transferred to Council.

#### OBSERVATIONS:

While it is acknowledged that considerable time and effort has been expended on determining a suitable route it is clear from our (1) flood modelling; (2) road network; and (2) future development that the route proposed is not optimised for the local community.

Furthermore, due to its proposed location, Narrabri will have significant impacts to the extent that several properties will be worse off.

It was expected that the Inland Rail N2N would have a positive overall nett outcome for our Shire and while this is possible in many cases that opportunity has not been realised.

Appendix A offers a flood map to show the extent of the issue that needs to be addressed and unfortunately not only does the EIS statements not concur with this modelling, there is insufficient information provided for an assessment of the routes to provide any comment.

In a location immediately downstream of the Narrabri Township and crossing the Namoi River Floodplain in the widest location available. It seems counter-intuitive to cross Bohena Creek with a bridge near the Newell, then the Namoi River, the Island Road floodplain, Narrabri Creek and the floodplain between Wee Waa Road and Auscott Sheds, with a enormous bridge immediately downstream of the town, rather than going downstream

and crossing these with one structure less than half the length of the existing small bridge across the Namoi and Narrabri Creek.

The following benefits may be achieved with such an alignment:

- I. There is no bridge over Bohena Creek near the Newell Highway;
- II. There is no need to squeeze past Bohena Creek again 5.7 kms past the proposed Bohena Creek Bridge;
- III. There is no need to cross Spring Creek near this same location;
- IV. The crossing of the Namoi River is now downstream of where the Namoi River, Narrabri Creek and Bohena Creek join and the bridge length required can be shortened by around 2.0 kilometres compared to the bridge length required at the current location on the edge of town;
- V. There are no flooding and/or noise issues or land valuation reductions on the north-western edge of Narrabri Town;
- VI. Access requirements to the Narrabri Sewage Treatment Plant across the line is no longer required and the Stock Route access is simplified;
- VII. There is no longer any need to drag the large trains up over Knights' Hill opposite the Wheat Research Station.
- VIII. Potential cost savings in construction cost and costs to Narrabri Residents;
- IX. Potential shortening of track distance by approximately 4km.
- X. Nil disruption from noise on the edge of Narrabri; and
- XI. Most importantly, the removal of any potential flood impacts on the township of Narrabri.

## 2. STAKEHOLDER ENGAGEMENT

### KEY CONCERN/S:

- The alignment can not be confirmed by the proponent as there has been insufficient consultation with Narrabri Shire Council to gain agreement on the local interfaces with the proposed alignment.

Further consideration is required to ensure that:

- a) The significant amount of assumptions made by Inland Rail on many local issues are agreeable with the asset owner such as;
  - i. the use of local roads,
  - ii. the identification of any potential local heritage items and discussions with heritage practitioners, historical societies and the like.
- b) All construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.



- c) There is no use of the existing rail line through the residential sections of town. No approval for use of this section of track should be issued until such time as the EY submission is finalised.
- d) The proposed temporary construction camp is subject to the same conditions as those applied to the MAC (CIVEO) development.
- e) The proposed Narrabri borrow pit may require a Development Application from the property owner prior to use.

### 3. BIODIVERSITY

#### KEY CONCERN/S:

- The extent of vegetation clearing is excessive and there is no justification given to support this approach nor is there a Vegetation Management Plan to assess.

#### OBSERVATIONS:

The proposed project includes a large amount of vegetation to be removed. The number of hollow bearing trees to be removed (13,000-30,000 estimated) is considered excessive, it is therefore imperative for the proponent to ensure appropriate consultation is made with all relevant stakeholders prior to any vegetation being removed, and that all legislative requirements are adhered to.

### 4. FLOODING

#### KEY CONCERN/S:

- Even with data being made available, the flood modelling and subsequent conclusions are incorrect, as the model does not appear to include the impact of the rail on Mulgate Creek flooding of properties.
- Some of the assumptions are not consistent with recommendations in Australian Rainfall & Runoff (ARR 4th edition) Guidelines.
- The stated design criteria has not been used in determining the alignment.
- The flood level impacts at residential and commercial properties shown in the EIS would suggest that the proposed N2N alignment and design would not comply with the Narrabri Local Environmental Plan 2012 (LEP).
- Despite the reported increased flooding impact during construction, no suitable mitigation measure has been proposed.
- The impact of the rail on Mulgate Creek flooding of properties was not calculated by the proponent and needs to be included.
- The detrimental flooding impact on Narrabri Shire properties is not acceptable to Council.

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#### OBSERVATIONS:

- a) Table 1 shows the number of buildings within Narrabri showing that the rail impact would increase above floor level flooding by more than 10 mm. The results have been separated by properties flooded by Bohen Creek and by Namoi River. The impact of the rail on Mulgate Creek flooding of properties was not calculated by the proponent.

**Table 1 - No. buildings subject to above floor flooding and impacted by more than 10 mm for Bohen Creek and the Namoi River**

Source	No. of buildings subject to above floor flooding and impacted by more than 10 mm <sup>#</sup>							
	20% AEP	5% AEP	2% AEP	1% AEP	1% AEP + CC	0.5% AEP	0.2% AEP	PMF
Bohena Creek	0	29 (35)	29	29 (47)	28	20	294	400
Namoi River	0	8 (14)	20	22(133)	53	34	245	5,880

<sup>#</sup> Numbers in brackets refers to the buildings flooded for the construction phase

- b) The flood impact of the rail is potentially underestimated. Research by TUFLOW suggests that both form loss coefficient and a blockage factor should be used. the proponent has only used a form loss for the bridge impact assessment. The inclusion of a conservatively low blockage factor of 5% would increase the number of properties impacted by the rail.
- c) the proponent has assumed that the bridge piers would not accumulate debris and cause additional blockage, which is not consistent with recommendations in ARR. The inclusion of additional 5% debris blockage (total 10%) would further increase the flood afflux and the number of impacted properties.
- d) It is critical the modelling is corrected to properly reflect the impact of Mulgate Creek flooding. The most recent three floods in Narrabri, which caused above floor flooding, has been from Mulgate Creek. Mulgate Creek flooding generally occurs with minimal Namoi River flows. Modelling of the local Mulgate Creek catchment excluding Namoi River flows shows that the rail (assuming 5% blockage of the piers) would cause flood impacts on a number of properties along Wee Waa Road.
- e) The number of properties that would be flooded above floor level under existing conditions both within Narrabri and along Bohen Creek has been grossly overestimated.
- i. For the Namoi River, the number of buildings flooded above floor level estimated by the proponent is some 4 times higher for the 5% AEP event and some 3 times higher for the 1% AEP when compared to the numbers estimated for the Narrabri FMP. The reasons for the discrepancy are not clear. However, the overestimation tends to suggest that the flood level impacts are not significant when compared to the existing problems.

- ii. Along Bohena Creek, the proponent estimated some 72 buildings flooded above floor level by the 20% AEP event and 199 buildings for the 5% AEP event. This is not consistent with local observations and is not likely correct. It appears that the proponent have not considered the recorded flows at the Bohena Creek gauge when defining their design discharge estimates. For instance, the proponent's 20% AEP discharge estimate of 1,392 m<sup>3</sup>/s is about 2.8 times the largest flow recorded at the Bohena Creek gauge over the past 25 years. The use of this data would significantly reduce design discharges and the number of properties flooded above floor level under existing conditions along Bohena Creek.
  - iii. the proponent have predicted more properties potentially impacted during the construction phase. Although these impacts would only occur if a flood event occurred during the construction phase, the number of potential properties is significant.
- f) The EIS states that the proponent have adopted the following afflux (flood level impact) performance criteria when designing the rail (Table 3.1 of Technical report 3) for events up to and including the 1% AEP event:
- i. Afflux less than 10 mm for:
    - properties flooded above the habitable floor level;
    - sensitive infrastructure; and
    - highways and sealed rural roads.
  - ii. Afflux less than 200 mm for urban and recreational areas.
- Table 1 shows that the the proponent rail design does not comply with their own design objectives with afflux exceeding the criteria at multiple properties. They have also not provided any justification for not meeting their own non-compliance. Meeting their design objectives could be met by relocating the rail downstream or extending the rail viaduct to the north.
- g) The proposed rail embankment crosses the Lower Namoi Valley floodplain, which is a declared floodplain under the Water Management (General) Regulation 2018. Under this plan, any flood works on the floodplain are regulated by the Floodplain Management Plan for the Lower Namoi Valley Order 2020 issued under the *Water Management Act 2000* (FMP). A 'flood work' within the FMP means a work that is:
- i. situated in or in the vicinity of a river, estuary or lake, or within a floodplain, and is
  - ii. of such a size or configuration that (regardless of the purpose for which it is constructed or used), it is likely to have an effect on the flow of water to or from a river, estuary or lake, or the distribution or flow of floodwater in times of flood.

- h) the proponent has stated that the rail is NOT a 'flood work' as defined by the FMP. However, the N2N rail embankment on the Namoi River floodplain would appear to fit within this definition and therefore would be a flood work. Although the project is a State Significant project and is not subject to the conditions of the FMP, it would be expected that the Minister would need to consider these criteria for this type of flood work. Under the FMP, the proposed works within the AD zone would generally not be permitted. The works in the B, C and CU management zones stipulate that the Minister would need to consider (amongst other criteria) whether the flood works would likely:
- i. increase flood levels by greater than 20 cm on adjacent landholdings and other landholdings; and
  - ii. increase flood levels resulting in impacts on high value infrastructure (buildings).

The EIS demonstrates that the N2N rail does not comply with either of these criteria in Narrabri Shire from the Namoi River or Bohena Creek.

- i) The proposed N2N rail is located within the Narrabri Flood Planning Area as given in the Narrabri Local Environment Plan 2012. LEP states that *"is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties"*. The flood level impacts at residential and commercial properties shown in the EIS would suggest that the N2N would not comply with the Narrabri LEP.
- j) A Floodplain Management Plan has recently been completed for Narrabri Shire (Narrabri FMP). The current recommendation within the Narrabri FMP being considered by Council would mean that the proposed rail would not be approved as it proposes flood impacts exceeding 10mm on external property.

## 5. HERITAGE

### KEY CONCERN/S:

- The majority of the conclusions made are based on desktop reviews and existing literature by the same authors.
- Consultation with local heritage practitioners, historical societies and the like, has been missed.
- No previous heritage studies completed by Council have been referenced.
- Any potentially impacted site requires more input/history from locals and/or any descendants to determine if the alignment is acceptable.

### OBSERVATIONS:

- a) It is stated that during the field survey, and also the borrow pit investigation, that sites and/or artefacts were identified from roadways or by using a desktop only assessment and that *"consequently, thorough inspections were not able to be*

*undertaken*". Ground-truthing of this information was not undertaken throughout the entire investigative process.

The information presented in the EIS is confusing, noting in separate sections that visual assessments were undertaken around key construction infrastructure, and also that no site visits occurred.

Majority of the conclusions made are based on desktop reviews and existing literature by the same authors. Consultation with local heritage practitioners, historical societies and the like has been missed. No previous heritage studies completed by Council have been referenced.

- b) The NSW Resource and Conservation Assessment Council commissioned Pauline Curby and Andrea Humphreys to undertake a Non-Indigenous Cultural Heritage Study for Stage 2 of the Brigalow Belt South Bioregion in 2002 (Curby and Humphreys, 2002). Categorised into forestry areas, the study found a total of 188 heritage items. Of those, the following eight sites are located within or in close proximity to the current study area:

- i. Item No. 140 - Fire Tower Ruins (Pilliga East State Forest (SF));
- ii. Item No. 142 - Robinson Hut Ruins and Rubbish Dump (Pilliga East SF);
- iii. Item No. 143 - Dam Dug by Hand (Pilliga East SF);
- iv. Item No. 148 - The Aloes Picnic Site and pastoral station (Cumbil SF);
- v. Item No. 150 - Graves: Samuel Cormie d.1872 and unknown (ref Narrabri LEP as 'Aloes Well');
- vi. Item No. 151 - Rocky Creek Mill Site (Euligal SF)
- vii. Item No. 152 - House Site (Euligal SF)
- viii. Item No. 153 - Grave (Euligal SF).

Only the general locations of these items were given in this report. One of the tasks of the field surveys for the current proposal was to ground truth these items.

- c) With regards to Travelling Stock Route land, outdated documentation is referenced.
- d) No reference is given to any potential heritage impacts of the proposed construction and accommodation compound/s.
- e) It is noted that project specific management plan/s, including heritage management plans are yet to be written or made accessible. Council requests input into the development of these plans. It is further requested that Council have input and the ability to review draft interpretation prior to final production of any sign within the Narrabri Shire and all associated web site content.
- f) Council requests thematic survey of the proposed alignment be carried out and provided to Council. All identified cemeteries and isolated grave sites are to be surveyed and inventoried. Details of the removal of any graves/cemeteries is to be provided to Council before any such removal takes place. A Heritage Interpretation

Strategy is to be prepared particularly where heritage items are proposed to be removed or archaeology site excavated.

- g) It is requested that a copy of the archival photographic recording of the “two-storey barn, Bohena Creek”, to given to Council for its records. The heritage assessment has not considered ‘scarcity or rarity’ of 19thC and early 20thC heritage places. For example; how scarce is the barn locally, regionally or Statewide?
- h) It is noted that the natural world has not been considered as part of ‘heritage’ in this assessment unless noted under a specific piece/s of legislation or policy. For example: under visual assessments, or Bridge Aesthetics: design guideline to improve the appearance (and curtilage) of bridges in NSW Technical report Landscape and Visual Assessment.
- i) There is no heritage assessment of ‘cumulative impacts’ within the Shire. Cumulative impacts are solely “defined as the successive, incremental, and combined effect of multiple impacts, which may in themselves be minor, but could become significant when considered together”. However, this is only taken as a consequence of other major projects under construction, and only considered if in combination with 7 other major infrastructure developments within the area and in terms of scale and timing. For example; Narrabri Gas Project, Silverleaf Solar Farm, Narrabri Inland Rail – Narrabri to North Star, APA - Western Slopes Pipeline, wind farms. This is not, and is rather entirely different to, general heritage assessment and not considered as part of heritage best practice.

## 6. TRAFFIC AND TRANSPORT

### KEY CONCERN/S:

- The Concept Design referred to in the EIS has not been issued to Council for review which is necessary to make a response to the EIS.
- It needs to be clear that the haul road is accessed off the Newell Highway to minimise the impact to local residential streets.
- No opportunity has been provided to input regarding the design to ensure the proposal is acceptable.
- The EIS states that “Access for trains travelling from west to north is possible via the existing track through Narrabri” despite Council’s previous objection to this. No details of how unacceptable impacts will be mitigated are provided.
- The EIS states that “Construction traffic access routes have been developed to minimise the impact to the road network and major population centres” however no details are provided in the EIS nor has Council been consulted.
- There is insufficient traffic analysis and consultation acknowledged by the EIS to confirm routes and impacts on the transport network making it imperative that a *Traffic, Transport and Access Management Plan* is required and approved by Council as a pre-requisite to the project approval.

- The EIS implies that the location of the workforce accommodation camp has been agreed. As it is yet to be finalised it is imperative that a location be agreed prior to the project commencement as the associated permanent infrastructure and services needs to provide an ongoing benefit and not displace or detract. It is expected that the site is subject to the same conditions as those applied to the MAC (CIVEO) development.
- A significant increase in traffic (specifically heavy vehicles) on the network is proposed. Accordingly, pavement testing will be required on any local road that is proposed as a construction route and a contribution be made by the proponent for maintenance and repair.

## OBSERVATIONS:

## Technical Report 10 – Traffic and Transport Assessment

- a) Page ii - This section states *"Additional traffic generating construction activities would include the delivery of water, spoil and plant and equipment. Movements associated with these activities would mainly travel via the construction haul road which would run along most of the proposal site with gated access to public roads."*

A condition is required to ensure the haul route is accessed off the Newell Highway to minimise the impact to local residential streets.

- b) Page iii – This section states *"Input would be sought from relevant stakeholders (including local councils and, Transport for NSW) prior to finalising the detailed design of those aspects of the proposal..."*

To date there has been no request for input regarding the design to ensure that comments on the design are received.

- c) Page 9 – Figure 1.3b – This diagram indicates the location of a proposed borrow pit (Borrow Pit D) located along Perimeter Road. Details on the volume extracted from the borrow pit are required as this may require a Development Application from the property owner to be submitted.

- d) Page 53 – Table 5.1 states *"Access for trains travelling from west to north is possible via the existing track through Narrabri"*.

Council has already objected to this option and is currently working with EY to resolve the issue. No approval for use of this section of track should be issued until such time as the EY submission is finalised.

- e) Page 59 – This section states *"For the duration of construction, public roads would be used as access routes to transport people and materials to the proposal site."*

All construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.

- f) Page 65 – Table 5.5 identifies the predicted number of vehicles that will access the local road network during construction. This table indicates a total of 374 vehicles.

All construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.

- g) Page 68 – Table 5.6 identifies the proposed construction access routes and nominate the following local roads: Mooloolbar Street, Yarrie Lake Road, Gibbons Street, The Island Road, Old Gunnedah Road, Saleyards Lane (and other roads forming part of the Newell and Kamilaroi Highways). These roads front the hospital, aged care and alike suggesting that no consideration has been given to the impact of using local roads. Sensitive uses and emergency access routes must be avoided.

All construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing and should form part of determining the Traffic Management Plan consultation.

- h) Page 69 – This section states *“Public roads would be used for travel between the source/origin and the nearest haul road access point.”* Local streets should only be used where no alternative is permissible. It is recommended that the haul road is accessed off the Newell Highway where accessible.

- i) Page 83 – This section states *“Prior to planning the use of any local roads, consultation with the council would be undertaken to determine their suitability for use.”* *“Prior to construction an existing pavement condition survey would be undertaken on all impacted roads.”* Currently there is no detail sufficient to ensure that no construction approvals (e.g. Section 138) are issued until such time as the condition survey is completed. It should also be noted that this condition survey needs to be conducted with the assistance of Narrabri Shire Council officers, as some pavements may need upgrading prior to use by construction traffic.

- j) Page 97 – Table 7.2 states *“A traffic, transport and access management plan would be prepared and implemented as part of the CEMP.”* This is a key document in finalising any traffic and transport related issues and needs to be reviewed by Council prior to construction.

- k) Page 101 – This section states *“It is recommended that a traffic, transport and access management plan be produced to guide the interaction of construction activities with the public road network. The plan should be prepared in consultation with the local councils, bus and other transport operators and Transport for NSW and be subject to periodic review and update as agreed between the stakeholders.”* This is the most important statement in the entire document. Council needs to ensure that council officers are involved in the development of this plan (which is yet to commence).



## Chapter A7 – Proposal features and operation

- a) *Page A7-2 – This section states “Design work to date has involved producing a reference (also known as a concept) design.” This concept design has not been issued to Council for review.*
- b) *Page A7-2 – This section states “Detailed design would include further engineering, construction planning and detailed assessment work, and would be subject to further input from key stakeholders and the community.” This is yet to occur, and consultation should be occurring at the concept stage before it enters the detailed design phase.*
- c) *Page A7.7 – Table A7.1 “Narrabri to Walgett Line: The proposal would cross the Narrabri to Walgett Line on a bridge to the west of Narrabri. About 1.8km of new track would be provided to allow trains from the west to access the proposal and travel south. Access for trains travelling from west to north is possible via the existing track through Narrabri.” Council has already objected to this option and is currently working with EY to resolve the issue. No approval for use of this section of track should be issued until such time as the EY submission is finalised.*

## Chapter A8 – Construction of the proposal

- a) *Page A7-2 – This section states “Design work to date has involved producing a reference (also known as a concept) design.” This concept design has not been issued to Council for review.*
- b) *Page A8-24 states “The proposed locations were identified in consultation with councils...” These negotiations regarding the location of the workforce accommodation camp have yet to be finalised (e.g. possible use of the N2IP site).*
- c) *Page A8-24 states “Each temporary workforce accommodation is expected to operate for the duration of construction and accommodate up to 500 people.” This site should be subject to the same conditions as those applied to the MAC (CIVEO) development.*
- d) *Page A8-31 states “The existing public road network would be used for external delivery of all materials from commercial suppliers and borrow pits, and for the movement of the workforce.” All construction traffic must utilise the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.*
- e) *Page A8-32 states “New access from public roads would be provided via a new temporary connection. All connections to public roads would be designed to the appropriate standard and in consultation with the road manager.” Access to local roads should be kept to a minimum, however where this is the only alternative for access temporary intersections/vehicle access points shall be constructed in accordance with Council specifications.*

## Chapter B11 – Traffic and transport

- a) Page B11-11 states *“Narrabri – up to 82 light vehicle movements and 336 heavy vehicle movements per day.”* This is a significant increase in traffic (specifically heavy vehicles) and pavement testing will be required on any local road that is proposed as a construction route to ensure the pavement can withstand this impact. All construction traffic utilises the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.
- b) Page B11-12 states *“To minimise the potential for traffic and access impacts, short-term closures would be undertaken during the night...”* Road closures will be subject to review and will require alternate access (e.g. detour, side-track, stop/slow) for local traffic.
- c) Page B11-12 states *“The remainder of the surrounding road network is not expected to be significantly impacted by construction traffic. This is because the roads have sufficient capacity to absorb the increased traffic...”* The proposed traffic volume increases will have an impact to local traffic, and the road pavement will be subject to additional stresses that it may not have been constructed to withstand. Pavement testing will be required on any local road that is proposed as a construction route to ensure the pavement can withstand this impact. All construction traffic must utilise the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.
- d) Page B11-12 states *“Construction traffic access routes have been developed to minimise the impact to the road network and major population centres.”* These routes have not been identified in the report and consultation with Council on the use of these roads has not been undertaken.
- e) Page B11-13 states *“...access would be provided from secondary roads where practicable to minimise potential disruptions on the arterial road network.”* This has not been consulted with Council, and all construction traffic must utilise the temporary haul road and that the haul road is accessed via the Newell Highway. Any use of local roads will require the approval of Council prior to construction commencing.

**7. LAND USE AND PROPERTY**

## KEY CONCERN/S:

- Council has not been consulted in its role of Land Owner other than the receipt of a notification.
- There has been no discussion on utilities, network service severance and whether it is possible to maintain the existing services. It is assumed that the proponent will undertake a 'Utilities Investigation' similar to the road audit they are currently

completing, as part of the detailed design which includes gaining agreement on a suitable approach to maintain all services.

- The EIS does not appear to address conflicts of use whereby an adjoining land owner (to the route) is adversely affected by the construction and/or operation of the rail and its infrastructure such as redirection of water flows, redirection of air flow, dust and noise. This needs to be addressed prior to completion of the detailed design.
- Due to the resultant lot size of residual land it may be necessary to limit future uses. For example, a small lot may not be commercially viable and therefore it proposed to be used as 'lifestyle/ rural residential in an area not suitable for such development. Council therefore may require such lots to be amalgamated and/or rezoned before being made available for sale. Accordingly, all resultant lot sizes must comply with the zoning and approval must be sought from Council before any non-compliant residual land is made available for sale.
- Mitigation measure - *opportunities to refine the design to avoid construction footprint impacts on travelling stock reserve R9489 'Narrabri West' would be investigated* should be clarified to provide more certainty that current and future uses can be maintained after construction.
- There is little evidence of the consideration of maintaining or enhancing pedestrian and recreational connectivity. This needs to be considered and opportunities to improve liveability factors such as land use, built form, quality and conservation of public spaces and natural environments, cultural characteristics, efficiency of transport networks, accessibility to work, education, health and community services and social and recreational opportunities should be included.

## 8. LANDSCAPE AND VISUAL AMENITY

### KEY CONCERN/S:

- There is insufficient information in the EIS and available in the public domain to adequately assess the landscape and visual amenity. While there is now mock aerial images available (outside the EIS) this does not replace the need for Landscape Sectional and Perspective Plans nor Landscape Management Plan to be submitted for approval. Council requests the opportunity to review and comment on these Plans.

### OBSERVATIONS:

It is unclear what the proposed treatment for crossing of the Narrabri-Walgett Line would look like. There does not appear to be any information on this. The visual impact assessment certainly doesn't address it.

The assessment shows an indicative bridge over Yarrie Lake Road (figure B13.5), but nothing for the rail crossing.

## 9. WASTE MANAGEMENT

### KEY CONCERN/S:

- No consideration of the proposed waste management can be undertaken as there has been no consultation nor details of the *Waste Management Plan* found in the EIS.

### OBSERVATIONS:

*The EIS states that:*

- The waste management plan will define the processes, responsibilities and management measures that would be implemented to manage waste. This would include procedures for the assessment, classification, management and disposal of waste in accordance with the Waste Classification Guidelines.*
- Waste management during construction and operation will follow IR procedure and relevant environmental protection licenses and regulatory requirements.*
- Inland Rail will engage appropriately licensed waste contractors to manage the collection, recycling or disposal of waste. Contractors will also be required to provide evidence of the works compliance with legislative requirements, conditions of approval and standards and guidelines.*

Council's responsibilities for waste management require greater control over the transportation and disposal of waste.

No consultation has been undertaken with Council regarding the Waste Management Plan (WMP). In developing the WMP the following minimum information needs to be adequately addressed:

- Nomination of the disposal site.
- Record of the volume of each waste type being transport by the contractor.
- Contractor proof of disposal at the nominated site including evidence of disposal, including tax invoice.
- A procedure for how payment will be made to the Council.

## 10. SOCIO-ECONOMIC ASSESSMENT & CUMULATIVE IMPACTS

The additional projects identified in the table below will affect the socio-economic assessment and cumulative impacts of the Narromine to Narrabri development.

Inland Rail – Narromine to Narrabri Project – Environmental Impact Statement Submission – DRAFT

Project and status	Nature of potential cumulative impacts
Narrabri South Solar Farm	<ul style="list-style-type: none"> <li>Construction expected to take 12 months. Start period proposed to be third or fourth quarter of 2021.</li> <li>Majority of labour expected to be accessed from local and regional catchment.</li> </ul>
Shenhua Watermark Coal Project	<ul style="list-style-type: none"> <li>Construction expected to take 18 months. Start period proposed to be second quarter 2021.</li> <li>Specialist and non-specialist labour to be drawn from a wide catchment of which Narrabri Shire will be one.</li> </ul>
Narrabri Underground Mine Stage 3 Extension	<ul style="list-style-type: none"> <li>Construction expected to take over 2 years. Start period proposed to be second quarter 2022.</li> <li>There will be a potential draw on construction materials from the region.</li> </ul>
Vickery Mine Project	<ul style="list-style-type: none"> <li>Construction expected to take 2 years. Start period proposed to be third quarter 2022.</li> <li>There will be a potential draw on construction materials from the region.</li> </ul>
Perdaman	<ul style="list-style-type: none"> <li>Construction expected to take 4 years. Start period proposed to be for the first half of 2023.</li> <li>Majority of labour expected to be accessed from local and regional catchment.</li> <li>There will be a potential draw on construction materials from the region.</li> </ul>
Northern NSW Inland Port	<ul style="list-style-type: none"> <li>Initial construction expected to take approximately 2 years. Start period proposed for the third quarter of 2023.</li> <li>Majority of labour expected to be accessed from local and regional catchment.</li> <li>There will be a potential draw on construction materials from the region.</li> </ul>

The Inland Rail organisation require everyone who works on their projects to attain certain tickets or undertake training to be able to work in the rail corridor. An example being the Rail Industry Safety Induction. To ensure local training organisations can deliver the upskilling required, an assessment of current capabilities should be undertaken. This will ensure that any local person who wants to benefit from the construction of Inland Rail will not be hindered by not being able to access basic and required training.

Inland Rail – Narromine to Narrabri Project – Environmental Impact Statement Submission – DRAFT

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Within the Narromine to Narrabri EIS Project Summary of Findings additional key infrastructure is proposed, namely a Borrow Pit at Perimeter Road and:

1. A multi-function compound at Narrabri West
2. Temporary workforce accommodation within the Narrabri West multi-function compound

As discussed with all levels of Inland Rail representatives from the CEO (Richard Wankmuller) Duncan Mitchell (Project Director) and his team, Narrabri Shire is in the process of developing an employment precinct, the Northern NSW Inland Port (N2IP). A part of the strategic intent of Inland Rail is to assist communities that the Inland Rail infrastructure traverses to leave legacy items for current and future generations.

Therefore, it is recommended that the multi-function site compound proposed to be developed at Narrabri West be repositioned to Council's N2IP site. This is to include the following:

- Inland Rail's multi-function offices and amenities building
- Laydown areas
- Materials storage
- Fixed and mobile concrete batching facilities
- Fuel and hazardous materials storage
- Maintenance facilities
- Welding yard, etc

A further important legacy item to benefit the whole of the Narrabri community is that of access to water. It is proposed that strategic water bores be positioned to allow community organisations like the NSW Rural Fire Service to access water to fight forest fires. Further community benefits could be attained by providing water supply for residential consumption and to Council's N2IP site for commercial/industrial usage and economic growth.

In relation to the temporary workforce accommodation it is proposed that existing surplus rooms be taken up prior to the development of any new facility. If a new facility is required, then strong consideration should be given to the legacy aspect of that development. Therefore, a temporary workforce accommodation facility should be designed, situated and constructed to allow for the potential future use as an aged care facility, motel accommodation or units etc. Council requests that it be consulted to ensure the most appropriate design and location is established for this potential long-term, community benefit.

Apart from the direct cumulative impacts of labour and accommodation, stresses will be felt in a range of other areas, including but not limited to the following:

- Education and training
- Medical
- Policing
- Childcare
- Ambulance
- Private enterprise businesses

Inland Rail – Narramine to Narrabri Project – Environmental Impact Statement Submission – DRAFT

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- Miscellaneous government departments

In an effort to address these wide ranging and broad community issues, it is proposed that Inland Rail initiate and lead a whole of government task force to address these very real local government and community concerns.

Table on Page 51 of the Narramine to Narrabri Project, Summary of Findings states that the benefits of Inland Rail are:

- Offering better access to and from regional markets
- Enabling regional economic development along the Inland Rail corridor

Council has consistently been a strong advocate for Inland Rail to the point that it is developing an industrial precinct, the Northern NSW Inland Port (N2IP). This development is situated within 4 kilometres of the Inland Rail corridor and will be used to attract businesses to the Shire that want access to Inland Rail to send their product to major cities like Brisbane and Melbourne and/or from there, export to the world. However, when the Inland Rail infrastructure grade separates over the Walgett Branch Line, it does so at a height that does not allow for double stacking from the N2IP site. Council believes that the raising of the Inland Rail line is not only a viable proposition but by doing it now will eliminate future retrofitting and associated infrastructure costs. Council has raised this repeatedly with the Inland Rail organisation as the height (being less than needed for double staking) appears to be a design flaw that needs to be rectified to allow not only Narrabri Shire and Inland Rail but the broader north west region opportunity to maximise the development of this new rail infrastructure.

The three levels of government in Australia are committed to the N2IP development with the Federal and State governments allocating a combined total of \$24.61 million in infrastructure funding for the project.

The following is stated in the Federal Government's Statement of Expectations:

*"The Government considers that the development of infrastructure that is complimentary to Inland Rail will be important to achieving the project benefits".*

Council believes that to assist Inland Rail achieve its project benefits, it needs to access the Inland Rail infrastructure in a northerly and southerly direction directly from the Walgett Branch Line. Narrabri Shire has been advocating for this complimentary infrastructure over an extended period of time and believes that both the Narrabri Shire community and Inland Rail will jointly benefit from this addition. By not constructing access to Inland Rail off the Walgett Branch Line means that rolling stock will be operated through the town of Narrabri. This is in stark contrast to the Commonwealth Governments Statement of Expectations which is to:

*"Improve sustainability and amenity for the community".*

## CONCLUSION

This review assumes that the aim of this submission is not to examine the complex scientific information in great detail or specific modelling methods involved in the project but rather to identify any potential issues that may directly or indirectly impact Council or Narrabri Shire or the surrounding community.

The Department is being relied upon to have more critical sections of the EIS peer reviewed by independent experts in relevant fields and for those peer reviews to be available to the community for review.

In concluding the review of the Environmental Impact Statement (EIS) for the Inland Rail – Narromine to Narrabri Project, Narrabri Shire Council, it is noted that over twenty-seven (27) key concerns among many other observations have been identified that need to be addressed to ensure the proposal is successful.

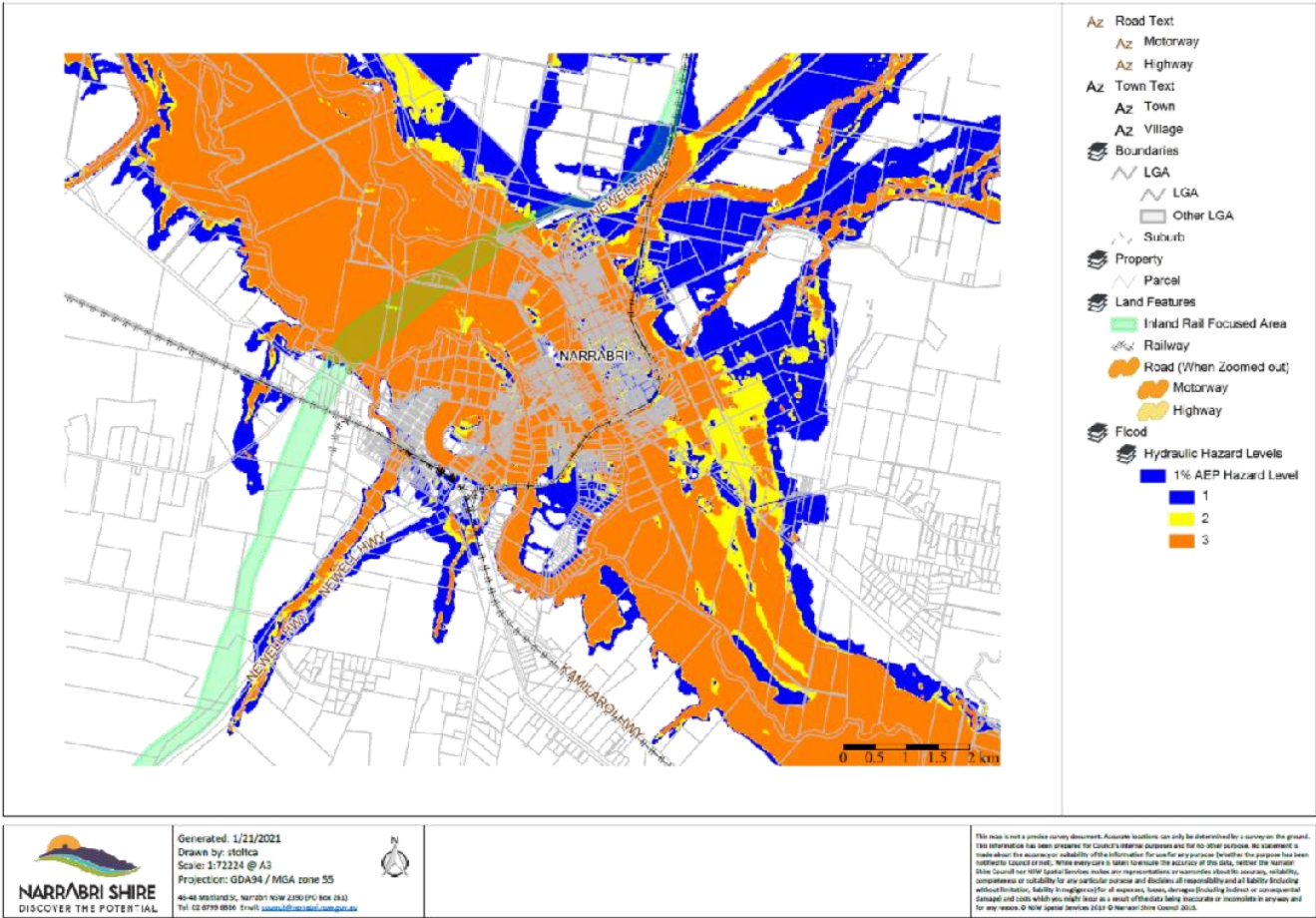
Of particular concern is that the proposed route does not provide an optimum outcome for Narrabri Shire. It is imperative that the serious omissions from the EIS be adequately addressed, namely the erroneous flood modelling and subsequent conclusions.

Further, to realise a benefit to Narrabri Shire and its surrounds, it is highly recommended that the proponents be required to demonstrate that:

- a) the rail operations will not negatively impact on the local community, by ensuring (1) all rail infrastructure is located outside the higher density commercial and residential areas; and (2) all construction impacts are mitigated and any residual damage to the road and service networks are repaired;
- b) the rail infrastructure does not increase potential flooding;
- c) the opportunity to interface efficiently and effectively with the Inland Rail, not only from the Narrabri Inland Port, is incorporated into the design at an early stage; and
- d) all construction infrastructure and services setup are located so that should Narrabri be able to benefit from their ongoing use, ownership is transferred to Council.



11. APPENDIX A – FLOOD MODELLING MAP



## 8 OUR CIVIC LEADERSHIP



### THEME 4: OUR CIVIC LEADERSHIP

#### STRATEGIC DIRECTION 4: COLLABORATIVE AND PROACTIVE LEADERSHIP

*By 2027, we will proactively together to achieve our shared vision with strong strategic direction.*

#### COMMUNITY ENGAGEMENT

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

#### COMMUNITY SERVICES

Current services provided within the Narrabri Shire community include:

- Integrated strategic planning and reporting
- Community engagement and consultation
- Representation and governance
- Human resource management
- Customer services
- Information services
- Financial services
- Risk management
- Compliance and regulation

#### COMMUNITY OUTCOMES

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

- Improved community engagement and decision-making processes
- Well established community, industry, government and non-government partnerships
- Well maintained core infrastructure and service provision that delivers public value
- Transparent and accountable planning and reporting
- Financial efficiency and sustainability

**8.1 NORTHERN NSW INLAND PORT PLANNING PROPOSAL****Responsible Officer:** Stewart Todd, General Manager**Author:** Amanda Hannay, Director Planning & Environment**Attachments:** 1. Request to extend Public Exhibition - Browning correspondence [↓](#) **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**

The objective of the Northern NSW Inland Port Planning Proposal is to facilitate the Northern NSW Inland Port. To achieve this intent, it is proposed to:

- Rezone the site from RU1 Primary Production to:
  - part SP1 Special Activities;
  - part SP2 Infrastructure; and
  - part E3 Environmental Management.
- Modify the minimum lot size map
- Deliver the above changes by way of an amendment to Narrabri LEP 2012 and its associated LEP mapping.

Council at its September and November 2020 Ordinary Council Meetings resolved the following:

- Endorsed the N2IP Planning Proposal and sought a Gateway Determination.
- Sought authorisation to be the local plan-making authority.
- Approved the N2IP Communication Strategy.
- To place the N2IP Planning Proposal on public exhibition for the period 7 December 2020 to 25 January 2021.

During the submission period Council received two (2) requests from two (2) residents of Yarrie Lake Road requesting an extension to the exhibition period. The requests were identical and cited the following reasons for an extension to the exhibition period:

1. The very high level of community interest;
2. The limited level of consultation that has occurred with landowners on Yarrie Lake Road, near the proposed development to date;
3. The lack of specific plans provided for the development.

The level of community interest in the Planning Proposal is a subjective judgement.

As has been advised and reported to Council previously the consultation on the subject Planning Proposal commenced well in advance of any legislative requirement to do so and the consultation has been comprehensive and broad.

Council is currently considering a 'planning proposal' for the Northern NSW Inland Port precinct. Council is currently not considering any development for or in the precinct. References to "development" are misplaced and incorrect.

Any development that may be proposed for the precinct in the future will be required to be assessed through the relevant development assessment process. The development assessment process, when and if commenced, will require consideration of issues, such as traffic, among any others identified as part of any proposed development.

There are no "specific plans for the development" due to the fact that Council is not currently considering development at the precinct.

#### RECOMMENDATION

1. **That Council note the extensive and detailed consultation undertaken on the Northern NSW Inland Port Planning Proposal.**
2. **That Council not extend the exhibition period for the Northern NSW Inland Port Planning Proposal and commence the review of the submissions and feedback received, with the review being the subject of a further report to Council.**

#### BACKGROUND

Council at its meeting held on 22 September 2020 resolved the following:

1. ***That Council endorse the Planning Proposal to amend the provisions of the Narrabri Local Environmental Plan 2012 to facilitate the N2IP precinct and forward to the Department of Planning Industry and Environment requesting a Gateway Determination.***
2. ***That Council seek authorisation from the Department of Planning Industry and Environment to be the local plan-making authority.***

The subject Planning Proposal proposes to establish the Northern NSW Inland Port precinct. The Planning Proposal proposes to:

- Rezone the site from RU1 Primary Production to:
  - Part SP1 Special Activities;
  - Part SP2 Infrastructure; and
  - Part E3 Environmental Management.
- Modify the minimum lot size map
- Deliver the above changes by way of an amendment to Narrabri LEP 2012 and its associated LEP mapping.

The Department of Planning Industry and Environment issued its Gateway Determination on 27 October 2020.

Following Council receiving the DPIE Gateway Determination, Council at its meeting held on 24 November 2020 resolved the following:

- 1. That Council approve the N2IP Communication Strategy; and**
- 2. That Council place on public exhibition the Northern NSW Inland Port Planning Proposal for an extended period from 7 December 2020 to 25 January 2021 to cover the Christmas break and during the exhibition period call for and accept submissions from the public.**

## CURRENT SITUATION

At the time of preparing this report, the public exhibition period resolved at the November 2020 Ordinary Council Meeting was still open, by the time this report is considered the exhibition period will have closed.

At the time of preparing this report a total of two (2) additional submissions had been received from members of the public also living on Yarrie Lake Road. Up to the time of preparing this report one on one as well as group meetings have been held, with feedback largely in favour of progressing the Planning Proposal. During the exhibition period Council met with a number of interested local business owners who were examining options to relocate their businesses to the precinct the subject of the Planning Proposal. These business owners have suggested to Council that the current proposed permissible uses are a potential barrier to their relocation to the precinct. From this feedback, Council has committed to review the currently proposed permissible uses.

During the submission period Council received a request from two (2) residents of Yarrie Lake Road requesting an extension to the exhibition period. Council resolved at its November 2020 Ordinary Council Meeting to place the Planning Proposal on public exhibition between 7 December 2020 and 25 January 2021; this period included consideration of the 'blackout' period as detailed in relevant DPIE guidelines.

Due to the above Council resolution any further decision on the exhibition period for the Planning Proposal should have Council endorsement.

This request received cites the following reasons for an extension to the exhibition period:

1. The very high level of community interest;
2. The limited level of consultation that has occurred with landowners on Yarrie Lake Road, near the proposed development to date;
3. The lack of specific plans provided for the development.

The level of community interest in the Planning Proposal is a subjective judgement. As has been advised and reported to Council previously the consultation on the subject Planning Proposal was commenced well in advance of any legislative requirement to do so and the consultation has been comprehensive and broad. Reference should be made to the comprehensive consultation undertaken and additional detail provided in the Consultation section of this report.

The requestees have met on at least three occasions face to face with Council. Council representatives at these meetings have included the Mayor, General Manager and executive and senior planning staff as well as the consultant assisting Council with the Planning Proposal.

As demonstrated by the detail contained in this report on the consultation undertaken; the statement that limited consultation has occurred with landowners on Yarrie Lake Road is fictitious.

Council is currently considering a 'planning proposal' for the Northern NSW Inland Port precinct. Council is currently not considering any development for or in the precinct. References to "development" are misplaced and incorrect.

Concerns expressed from residents regarding potential traffic and other associated issues on Yarrie Lake Road will be appropriately considered at the point of any proposed development. As stated above Council is currently not considering any development at the precinct, Council is considering a planning proposal that proposes changes to permissible uses in the precinct.

Any development that may be proposed for the precinct in the future will be required to be assessed through the relevant development assessment process. The development assessment process, when and if commenced, will require consideration of issues, such as traffic, among any others identified as part of any proposed development.

With the above explanation, there are therefore no "specific plans for the development" due to the fact that Council is not currently considering development at the precinct.

### **FINANCIAL IMPLICATIONS**

Arrangements for the public exhibition and associated community consultation activities in accordance with the Communication Strategy have been funded from operational budgets.

Should the public exhibition period be re-opened, the associated costs are required to be incurred for a second time.

### **STATUTORY AND POLICY IMPLICATIONS**

The Planning Proposal was required to be placed on public exhibition in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*.

This Planning Proposal may result in the amendment of the LEP. The Planning Proposal is an environmental planning instrument, a statutory legal document affecting land use within the Narrabri Shire Local Government Area.

Public exhibition of a planning proposal must be carried out in accordance with the *Environmental Planning and Assessment Act and Regulation 2000* and any specific directions issued by DPIE in its Gateway Determination. In this instance the Gateway Determination requires that the Planning Proposal be exhibited for a minimum period of twenty-eight (28) days and comply with other notice provisions within the DPIE document "*A guide to preparing local environmental plans*". Further information is provided in the Consultation section of this report.

It is relevant to note that the Act also requires that a planning proposal be publicly exhibited for an extended period in circumstances where the minimum twenty-eight (28) days would fall partially within the Christmas holiday period. Schedule 1 of the Act states as follows:

#### ***"Schedule 1 Community participation requirements***

##### ***Part 1 Mandatory community participation requirements***

##### ***Division 1 Minimum public exhibition periods for plans***

#### ***16 Exclusion of Christmas/New Year period***

***The period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition."***

The effect of this provision was to require the public exhibition to commence on 7 December 2020 and end on 25 January 2021.

**CONSULTATION**

The Planning Proposal was publicly exhibited for a period greater than twenty-eight (28) days from 7 December 2020 until 25 January 2021. At the time of preparing this report seven (7) submissions had been received and four (4) members of the public registered for and attended the Community Consultation session held in Council's Chambers, and online, on Thursday 21 January 2021 at 2:00pm.

Council would be aware that the N2IP Planning Proposal has been well reported in the local media by way of Council's media releases and that there exists a large awareness within the community of the proposal and its significance to the future of Narrabri Shire. Council is of course also cognisant of the fact that a number of individual property owners may/will be affected by the proposal by way of proximity to the future development.

Council has recognised this possibility and has therefore already undertaken a significant level of consultation with landowners situated adjoining and in close proximity to the subject land.

This "pre-consultation" has included the following:

**Written Communication:**

A summary of letters sent to forty-five (45) landowners located adjacent to the subject land is provided below. Each affected landholder was sent a total of six (6) letters.

<b>Date</b>	<b>Subject</b>	<b>Communication</b>
2 September 2020	Advice of revised planning proposal being reported to September Ordinary Council meeting.	Posted Letter
19 August 2020	Advice of revised planning proposal.	Posted Letter
3 June 2020	Advice that Council would not be considering the planning proposal at the June Ordinary Council meeting.	Posted Letter
4 March 2020	Notification to adjoining/ adjacent owners of the finalisation of planning studies. Included an estimated date of when the draft planning proposal would be available to review.	Posted Letter
February/March 2020	Notification to adjoining/ adjacent owners that Council had concluded the first round of owner consultation in relation to the rezoning of the N2IP land. Thanked owners for their time. Explained the next step is to prepare a draft planning proposal.	Posted Letter
16 January 2020	Letter to adjoining/ adjacent owners asking to arrange a meeting with landowner to discuss the rezoning of land adjacent to their property.	Posted Letter

**Verbal Communication (Phone):**

- Twenty-eight (28) telephone calls were made by Council's Customer Service team to verify contact details and arrange meetings; and

- Twenty-seven (27) further conversations regarding the project took place up until the September Council meeting.

**Face to Face Communication (meetings):**

Council officers met with thirty-three (33) of the total forty-five (45) stakeholders contacted. Of the remaining twelve landowners, two (2) properties are in Council ownership and one landowner is deceased. This equates to 76.7% of landowners having some level of personal contact with Council and was wholly based on those stakeholders who wished to engage with Council after invitations were issued. It should be noted that some landowners did not respond or wish to engage further with Council.

**External Consultation**

The Gateway Determination states as follows:

*“Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:*

*(a) the planning proposal must be made publicly available for a minimum of 28 days;*  
*and*

*(b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment, 2018).*

The Gateway Determination also states:

*“A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act.”*

As referred to above, the Department’s document, *“A guide to preparing local environmental plans”* includes the following advice in section 6.5.2:

*“Public exhibition of the planning proposal is generally undertaken in the following manner:*

- *notification in a newspaper that circulates in the area affected by the planning proposal;*
- *notification on the website of the Planning Proposal Authority (PPA); and*
- *notification in writing to affected and adjoining landowners, unless the planning authority is of the opinion that the number of landowners makes it impractical to notify them.*

*The PPA can undertake additional consultation if this is deemed appropriate or necessary. This may include, but is not limited to broad consultation by letter, open days or public forum.*

*The written notice must:*

- *give a brief description of the objectives or intended outcomes of the planning proposal;*
- *indicate the land affected by the planning proposal;*
- *state where and when the planning proposal can be inspected;*
- *give the name and address of the PPA for the receipt of submissions;*
- *indicate the last date for submissions; and*
- *confirm whether delegation for making the LEP has been issued to the PPA.*



*During the exhibition period, the following material must be made available for inspection:*

- *the planning proposal in the form approved for community consultation by the Gateway determination;*
- *the Gateway determination; and*
- *any information or technical information relied upon by the planning proposal.*

*The community consultation is complete only when the PPA has considered any submissions made concerning the proposed LEP and the report of any public hearing into the proposed LEP."*

In response to the Gateway Determination directions including the advice from "A guide to preparing local environmental plans" a Communication Strategy was adopted at the November 2020 Ordinary Council Meeting.

The essential components of the Communication Strategy include:

- Compliance with the mandatory twenty-eight (28) day formal public exhibition period;
- Extension of the mandatory timeframe to cover the Christmas break, as specified in the Act;
- Letters to all affected landowners consistent with those individually notified previously;
- Media releases and use of Council's social media platforms and website;
- A pre-arranged timetable of opportunities for members of the public to book in for a small group briefing and question time with a Council officer; and

The ability for members of the public to make an appointment to meet individually with a Council officer.

### **Internal Consultation**

The Planning Proposal has been prepared incorporating input and advice from relevant sections across Council.



The General Manager  
Narrabri Shire Council  
PO Box 261  
NARRABRI  
NSW 2390

18th January 2021

NARRABRI  
NSW, 2390

**Re: PLANNING PROPOSAL – NORTHERN NSW INLAND PORT, YARRIE LAKE ROAD, NARRABRI.**

Dear Stuart,

We are writing to you as General Manager, Narrabri Shire Council, to ask that you favourably consider extending the exhibition period from 25<sup>th</sup> January 2021 until 15<sup>th</sup> February 2021 (by two weeks) for receipt of late submissions on the subject Council Planning Proposal to allow the landowners on Yarrie Lake Rd, Narrabri West, near the proposed development to put forward their thoughts and concerns in view of the following:

- The documentation (ie the Planning Proposal and attachments) is very comprehensive and total some 350 plus pages of information – a lot to consider for adjoining residents and businesses which don't have the expertise needed to review them and consequently need the input of experts and planning professionals;
- The exhibition period is from 7<sup>th</sup> December 2020 until 25<sup>th</sup> January 2021 and the lead up to the Christmas period and New Year break in 2020/21 has meant the professional entities we need to consult with have not been available due to the completion of existing projects, to have Christmas/New Year leave and public holidays and won't be available to assist us until late January 2021;
- The Project Timeline in 4.6 Part 6 page 34 of the Planning Proposal is "indicative and anticipated" ie not set to certain specific dates, where it has allowed for further consultation if required such as a public meeting and if there is a reasonable level of community interest.

The reason for this request is because of the very high level of community interest, the limited level of consultation that has occurred with landowners on Yarrie Lake Rd, near the proposed development to date and the lack of specific plans provided for the development (ie parts of the area proposed is still under investigation) and therefore needs closer scrutiny and consideration by ratepayers/residents, as has been pointed out to you, Council and the Mayor recently.

No doubt you would appreciate that rail, industrial, agricultural, transport, gas, waste & vehicle traffic in the vicinity is increasing causing the Yarrie Lake Rd community to have a high level of concern for their public safety and that of the children that catch school buses in the area.

We look forward to your favourable response to this request.

Kind Regards,

Robert Browning & Fred Browning on behalf of the residents of Yarrie Lake Rd, Narrabri West

Email: [REDACTED]

[REDACTED]

**9 CONFIDENTIAL (CLOSED COUNCIL) MEETING**

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**RECOMMENDATION**

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

**9.1 Memorandum of Understanding**

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

**RECOMMENDATION**

That Council move out of Closed (Public Excluded) Meeting and that the resolutions from the Closed (Public Excluded) Meeting be read out to those present by the General Manager or their nominee.

**10 MEETING CLOSED**

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