



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

Date: Tuesday, 23 March 2021
Time: 1.00pm
Location: Narrabri Shire Council Chambers
46-48 Maitland Street
Narrabri

AGENDA

Ordinary Council Meeting 23 March 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

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

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

2 ACKNOWLEDGEMENT OF COUNTRY

I'd like to begin by acknowledging the Traditional Owners of country throughout Australia, and in particular the Gomeroi People of the Kamilaroi Nation, and recognise their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

3 RECOGNITION OF SERVICE MEN & WOMEN

Council acknowledges the sacrifice made by Australian service men and women, in particular those who gave their lives in defence of the freedom we enjoy today.

4 APOLOGIES/GRANTING OF LEAVE OF ABSENCES

5 DECLARATION OF PECUNIARY AND NON- PECUNIARY INTERESTS

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.

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

Extract from Council's Code of Meeting Practice:

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

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

- (a) personnel matters concerning particular individuals (other than councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the council's code of conduct.

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

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

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

7 PRESENTATIONS

Presentation requests received to date:

- Nil

8 CONFIRMATION OF MINUTES

RECOMMENDATION

That the minutes of the Ordinary Meeting of the Narrabri Shire Council held on 23 February 2021 comprising Minute Nos 013/2021 to 039/2021 as circularised be confirmed and signed as a correct record by the Mayor.

**MINUTES OF NARRABRI SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE NARRABRI SHIRE COUNCIL CHAMBERS, 46-48 MAITLAND STREET, NARRABRI
ON TUESDAY, 23 FEBRUARY 2021 AT 1.02PM**

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

IN ATTENDANCE: Stewart Todd (General Manager), Lindsay Mason (Director Corporate and Community Services), Shane Burns (Director Infrastructure Delivery) and Delece Hartnett (Minute Clerk).

Proceedings of the meeting commenced at 1.02pm.

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

Members and officers were upstanding for the opening prayer by Rev Paul Cosier of Narrabri Uniting Church, in association with the Narrabri Ministers Fraternal.

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 APOLOGIES/GRANTING OF LEAVE OF ABSENCES

Nil, Council noted Cr McMahon's advice that she would be late to the meeting.

4 DECLARATION OF PECUNIARY AND NON- PECUNIARY INTERESTS

Nil.

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

MINUTE 013/2021

Moved: Cr Robert Kneale Seconded: Cr Ron Campey

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

- **13.1 Provision Of New Doctors Residence in Boggabri**

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

Against: Nil

CARRIED 7/0

6 PRESENTATIONS

Nil.

7 CONFIRMATION OF MINUTES

MINUTE 014/2021

Moved: Cr Robert Kneale Seconded: Cr Cameron Staines

- 1. That the minutes of Ordinary Meeting of the Narrabri Shire Council held on 15 December 2020 comprising Minute Nos 205/2020 to 230/2020 as circularised be confirmed and signed as a correct record by the Mayor.**

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

Against: Nil

CARRIED 7/0

MINUTE 015/2021

Moved: Cr Robert Kneale Seconded: Cr Cameron Staines

- 1. That the minutes of Extraordinary Council Meeting of the Narrabri Shire Council held on 27 January 2021 comprising Minute Nos 001/2021 to 012/2021 as circularised be confirmed and signed as a correct record by the Mayor.**

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

Against: Nil

CARRIED 7/0

8 MAYORAL MINUTE

8.1 MAYORAL MINUTE - USE OF POWERS UNDER S226(D) OF THE LOCAL GOVERNMENT ACT FOR LIGHTING INFRASTRUCTURE**MINUTE 016/2021**

Moved: Mayor Ron Campbell

- 1. That Council note the Mayor's use of the powers under section 226 (d) of the Local Government Act; enabling the procurement of lighting infrastructure to enable the Festival of Rugby to take place.**

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

Against: Nil

CARRIED 7/0

8.2 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR DECEMBER 2020/JANUARY-FEBRUARY 2021**MINUTE 017/2021**

Moved: Mayor Ron Campbell

- 1. That Council note the Mayoral Appointments for the period December 2020/January-February 2021.**

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

Against: Nil

CARRIED 7/0

9 OUR SOCIETY

9.1 GRANT ACTIVITY REPORT - 01 JULY 2020 TO 31 DECEMBER 2020**MINUTE 018/2021**

Moved: Cr Cameron Staines Seconded: Cr Ron Campey

- 1. That Council note the grant activity report for the period 1 July 2020 to 31 December 2020.**

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

Against: Nil

CARRIED 7/0

MINUTE 019/2021

Moved: Cr Cameron Staines Seconded: Cr Ron Campey

- 1. That Council bring forward for discussion, Agenda Item 12.1 - Audit, Risk & Improvement Committee Annual Report, at the time of 1.20pm.**

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

Against: Nil

CARRIED 7/0

At 1.30pm, Cr Ron Campey left the meeting.

At 1.31pm, Cr Ron Campey returned to the meeting.

12.1 AUDIT, RISK & IMPROVEMENT COMMITTEE ANNUAL REPORT**MINUTE 020/2021**

Moved: Cr Cameron Staines Seconded: Cr Maxine Booby

- 1. That Council note the Audit, Risk & Improvement Committee Annual Report presented by the Chair of the Audit, Risk & Improvement Committee.**

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

Against: Nil

CARRIED 7/0

9.2 NORTHERN INLAND ACADEMY OF SPORT - NARRABRI SHIRE COUNCIL ASSOCIATE PARTNER PROPOSAL 2021**MINUTE 021/2021**

Moved: Cr Cameron Staines Seconded: Cr Robert Kneale

- 1. That Council agree to the proposal from Northern Inland Academy of Sport (NIAS) and funding the \$2,000.00 from the 2020/21 Community Grants Fund.**

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

Against: Nil

CARRIED 7/0

10 OUR ENVIRONMENT

10.1 BOGGABRI FLOOD STUDY**MINUTE 022/2021**

Moved: Cr Maxine Booby Seconded: Cr Robert Kneale

- 1. That Council adopt the Boggabri Flood Study 2021, as attached to this report.**

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

Against: Nil

CARRIED 7/0

11 OUR ECONOMY

Nil.

12 OUR CIVIC LEADERSHIP

12.2 DELEGATES REPORT - NARRABRI MINE COMMUNITY CONSULTATIVE COMMITTEE MEETING - 16 DECEMBER 2020**MINUTE 023/2021**

Moved: Cr Catherine Redding Seconded: Cr Lloyd Finlay

- 1. That Council note Cr Redding's Delegates Report from the Narrabri Mine Community Consultative Committee Meeting held on Wednesday 16 December 2020.**

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

Against: Nil

CARRIED 7/0

12.3 DELEGATES REPORT - NARRABRI GAS PROJECT COMMUNITY CONSULTATIVE COMMITTEE - 8 DECEMBER 2020**MINUTE 024/2021**

Moved: Cr Robert Kneale Seconded: Cr Ron Campey

- 1. That Council note Cr Kneale's Delegates Report from the Narrabri Gas Project Community Consultative Committee Meeting held on Tuesday 8 December 2020.**

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

Against: Nil

CARRIED 7/0

12.4 DELEGATES REPORT - MEDICAL PROFESSIONALS HOUSING COMMITTEE MEETING, WEE WAA - JANUARY 2021**MINUTE 025/2021**

Moved: Cr Maxine Booby Seconded: Cr Ron Campey

- 1. That Council note Cr Booby's Delegates Report from the Medical Professionals Housing Committee Meeting held on 28 January 2021.**

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

Against: Nil

CARRIED 7/0

At 1:49 pm, Cr Catherine Redding left the meeting.

12.5 INVESTMENT REPORT - DECEMBER 2020**MINUTE 026/2021**

Moved: Cr Robert Kneale Seconded: Cr Ron Campey

1. That Council note the Investment Report for December 2020.

In Favour: Crs Ron Campbell, Cameron Staines, Maxine Booby, Ron Campey, Lloyd Finlay and Robert Kneale

Against: Nil

CARRIED 6/0**12.6 INVESTMENT REPORT - JANUARY 2021****MINUTE 027/2021**

Moved: Cr Ron Campey Seconded: Cr Maxine Booby

1. That Council note the Investment Report for January 2021.

In Favour: Crs Ron Campbell, Cameron Staines, Maxine Booby, Ron Campey, Lloyd Finlay and Robert Kneale

Against: Nil

CARRIED 6/0

At 1:52 pm, Cr Catherine Redding returned to the meeting.

12.7 ACCEPTANCE OF TENDERS UNDER DELEGATION - DECEMBER 2020**MINUTE 028/2021**

Moved: Cr Ron Campey Seconded: Cr Robert Kneale

1. That Council note the determination of tenders under delegation for the period to December 2020.

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

Against: Nil

CARRIED 7/0

12.8 2021 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - CANBERRA 20-23 JUNE 2021**MINUTE 029/2021**

Moved: Cr Cameron Staines Seconded: Cr Ron Campey

- 1. That Council approve both the Mayor and the Deputy Mayor to attend the National General Assembly in Canberra on 20 – 23 June 2021.**
- 2. That Council consider putting any motion(s) to the National General Assembly in accordance with the Discussion Paper Criteria (which close on 26 March 2021).**
- 3. That Council authorise the Mayor to lodge motion(s) to the National General Assembly in accordance with the Discussion Paper Criteria.**

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

Against: Nil

CARRIED 7/0

12.9 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE**MINUTE 030/2021**

Moved: Cr Cameron Staines Seconded: Cr Maxine Booby

- 1. That Council note the Minutes of the Audit, Risk and Improvement Committee meeting held on 16 December 2020.**
- 2. That Council accept the resignation from Mr Conrad Bolton and formally thank him for his service to Council as a member of the Audit, Risk and Improvement Committee.**
- 3. That Council not fill the vacancy on the Audit, Risk and Improvement Committee, due to the current membership satisfying its Terms of Reference.**

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

Against: Nil

CARRIED 7/0

12.10 NARRA-BRIGHT EVENT - REQUEST FOR SUSPENSION OF ALCOHOL FREE ZONE**MINUTE 031/2021**

Moved: Cr Lloyd Finlay Seconded: Cr Catherine Redding

- 1. That Council suspend the Alcohol Free Zone along Maitland Street, Narrabri (between Lloyd Street and Bowen Street) from 5:00PM Friday 19 March 2021 to 12:00AM Sunday 21 March 2021, for the purposes of encouraging businesses to offer outdoor dining during the Narra-BRIGHT CBD Activation event.**

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

Against: Nil

CARRIED 7/0

12.11 RIGHT OF CARRIAGE WAY - LOT 3 DP1154624**MINUTE 032/2021**

Moved: Cr Maxine Booby Seconded: Cr Cameron Staines

- 1. That Council grant an easement for Right of Carriage Way 3.5 metre burdening Lot 3 DP1154624 and benefitting Lot 4 DP1154624.**
- 2. That Council authorise the General Manager to sign all necessary documents to give effect to the transaction.**

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

Against: Nil

CARRIED 7/0

12.12 CODE OF MEETING PRACTICE - RECOGNITION AND ACKNOWLEDGEMENT OF SERVICE MEN AND WOMEN**MINUTE 033/2021**

Moved: Cr Ron Campey Seconded: Cr Cameron Staines

- 1. That Council adopt the Code of Meeting Practice to include the recognition of Australian service men and women.**

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

Against: Nil

CARRIED 7/0

12.13 QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2020**MINUTE 034/2021**

Moved: Cr Ron Campey Seconded: Cr Lloyd Finlay

- 1. That Council adopt the Quarterly Budget Review Statement for the period ended 31 December 2020 as the revised Budget estimates for the year ended 30 June 2021 and the Operational Plan and Capital Works Plan be amended accordingly.**

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

Against: Nil

CARRIED 7/0

12.14 OPERATIONAL AND SERVICE PLAN QUARTERLY REPORT - DECEMBER 2020**MINUTE 035/2021**

Moved: Cr Cameron Staines Seconded: Cr Lloyd Finlay

- 1. That Council adopt the December 2020 Quarterly Operational and Service Plan Report, as attached, detailing Council's progress in meeting its actions, capital works and key performance measures.**

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

Against: Nil

CARRIED 7/0

12.15 DELIVERY PROGRAM 6 MONTHLY PROGRESS REPORT - DECEMBER 2020**MINUTE 036/2021**

Moved: Cr Lloyd Finlay Seconded: Cr Ron Campey

- 1. That Council adopt the Delivery Program 6 Monthly Progress Report, as attached, detailing Council's progress in meeting its objectives, strategies and measures up to the December 2020 period.**

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

Against: Nil

CARRIED 7/0

13 CONFIDENTIAL (CLOSED COUNCIL) MEETING**MINUTE 037/2021**

Moved: Cr Lloyd Finlay Seconded: Cr Ron Campey

That at 2.23pm Council move into Closed (Public Excluded) Meeting of Council and that the press and members of the public be asked to leave the room whilst Council considers the following items:

13.1 Provision Of New Doctors Residence in Boggabri

This matter is considered to be confidential under Section 10A(2) - (f) 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 details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

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

Against: Nil

CARRIED 7/0

13.1 PROVISION OF NEW DOCTORS RESIDENCE IN BOGGABRI**MINUTE 038/2021**

Moved: Cr Lloyd Finlay Seconded: Cr Maxine Booby

- 1. That Council provide a suitable prefabricated home on vacant Council land at 37 Dalton Street Boggabri, at an estimated cost of \$274,800.**
- 2. That the provision of the home be funded from the Maules Creek Coal Voluntary Planning Agreement (VPA) for Boggabri Community projects.**
- 3. That Council upon the successful completion of the new residence, place 29 Laidlaw St, Boggabri for sale with an authorised real estate agent in its current condition; any profits from sale are to be placed into a reserve for Community Projects within Boggabri.**
- 4. That rental income received from 37 Dalton Street, Boggabri be placed into a reserve (restricted) for maintenance and upkeep of the 37 Dalton Street Boggabri.**
- 5. That Council approve the use of the Council Seal for all relevant documents to enact this resolution.**

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

Against: Nil

CARRIED 7/0

Cr McMahon arrived at the meeting at 2.43pm.

MINUTE 039/2021

Moved: Cr Annie McMahon Seconded: Cr Cameron Staines

That at 2.45pm 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 Chair of the Meeting or their nominee.

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

Against: Nil

CARRIED 8/0

14 MEETING CLOSED

The Meeting closed at 2.46pm.

The minutes of this meeting are scheduled to be confirmed at the Ordinary Council Meeting to be held on 23 March 2021.

.....
CHAIRPERSON

9 MAYORAL MINUTE

9.1 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR FEBRUARY/MARCH 2021**Responsible Officer:** Ron Campbell, Mayor**Author:** Delece Hartnett, Personal Assistant to GM & Mayor**Attachments:** Nil**RECOMMENDATION**

- 1. That Council note the Mayoral Appointments for the period February/March 2021.**

MAYORAL MINUTE

For the information of Councillors, I provide details of my Mayoral appointments and attendances between the dates, as follows:

Wednesday 17 February 2021

- Attended Wee Waa Chamber of Commerce evening Meeting at the Imperial Hotel, Wee Waa.

Monday 22 February 2021

- Attended New England Joint Organisation Quarterly Board Meeting (via Zoom conference link).

Tuesday 23 February 2021

- Attended February 2021 Ordinary Council Meeting with Councillors and Management.

Wednesday 24 February 2021

- Attended Lillian Hulbert Award Presentation with the nominees, families and staff also in attendance.

Thursday 25 February 2021

- Media interviews with ABC New England and 2TM radio stations, regarding the Council resolution for the Boggabri Doctor housing.

Monday 1 March 2021

- Attended meeting at Wee Waa High School with Principal on the recent location change to the current temporary site, Mitchell Street (Wee Waa Primary School).

Tuesday 2 March 2021

- Attended March 2021 Councillor Briefing Workshop with Councillors and Management.

Wednesday 3 March 2021

- Participated within the CREATE Event brief for the upcoming Council initiated Festival.
- Met with representatives from NSW Department of Education - School Infrastructure, for an updated progress report, discussing the ongoing Wee Waa High School remediation, with the General Manager also in attendance.

Thursday 4 March 2021

- Flew to Sydney in preparation for the Country Mayors Association meeting the following day, as scheduled.
- Met with Inland Rail/ARTC representatives to discuss ongoing Inland Rail development and the N2N EIS progression to date.

Friday 5 March 2021

- Attended quarterly Country Mayors Association meeting in Sydney, with the General Manager also in attendance.
- Met with ClearWater Australia representative to discuss water options for the Inland Port with the General Manager also in attendance.
- Returned home on evening flight from Sydney.

Thursday 11 March 2021

- Attended familiarisation tour with LGNSW representatives in preparation for the LGNSW Water Conference in July 2021.
- Spoke to The Hon Sam Farraway MLC regarding the latest developments on the Wee Waa High School and staff, and the way forward on these issues.

Friday 12 March 2021

- Undertook media interview with Prime7 regarding the Shire's CREATE Festival event for March.
- Meet with The Hon Sarah Mitchell, NSW Minister for Education and others, regarding the latest developments on the Wee Waa High School.
- Attended and welcomed community members to the CREATE Festival Launch evening event at The Crossing Theatre Exhibition room, along with fellow Councillors, staff and resident artists in attendance.

10 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

10.1 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 [↓](#) 
2. Summary of Public Submissions Received [↓](#) 

DELIVERY PROGRAM ALIGNMENT

1 Society

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

Strategy 1.3.3 All towns and villages have access to at least one quality meeting place to facilitate social gathering

EXECUTIVE SUMMARY

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

The primary focus of this Precinct is on creating a wonderful community asset to be utilised by the local community for entertainment and outdoor passive recreation as well as a “must stop destination” for tourists travelling through Narrabri Shire with access to the Narrabri CBD area.

Council has developed a draft masterplan outlining numerous elements to the Narrabri Sport and Tourism Precinct. Draft masterplan public exhibition period ended on 1 March 2021; Council received five (5) submissions.

Council is now requested to review submissions and adopt the masterplan.

Adoption of the draft masterplan provides formal Council commitment to the project – thus making available a greater range of financial assistance from both the Federal and State Government grant funding bodies. As has been reported to Council previously this project is an identified project for funding under the Santos Narrabri Gas Project VPA.

RECOMMENDATION

1. That Council adopt the Narrabri Sport and Tourism Precinct Masterplan, as attached to this report.

BACKGROUND

During 2019, Council started developing a masterplan for a destination stop in Narrabri, 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.

The primary focus of this Precinct is on creating a wonderful community asset to be utilised by the local community for entertainment and outdoor passive recreation as well as a “must stop destination” for tourists travelling through Narrabri Shire with access to the Narrabri CBD area.

From this scope, a masterplan for the *Narrabri Sport and Tourism Precinct* has been developed for the site located behind the Crossing Theatre.

Council placed the Precinct masterplan on public exhibition during the month of February 2021.

CURRENT SITUATION

Council has developed a draft masterplan outlining numerous elements to the *Narrabri Sport and Tourism Precinct* (Precinct).

The public exhibition period for the draft masterplan ended on 1 March 2021; Council is now requested to review submissions and adopt the masterplan.

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

FINANCIAL IMPLICATIONS

A basic costing for the masterplan has been developed, including all the deliverable elements. These forecasts will be kept internal (confidential) due to the future tendering requirements of the project.

The draft masterplan contains numerous recreational and entertainment elements; which strategically can be implemented in a staged approach.

Council will have the flexibility to seek funding for the entire project or seek and apply for multiple grants under a staged development approach.

The masterplan is an identified project within the 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).

With the implementation of the Narrabri Sports and Tourism Precinct masterplan will come the decommissioning and closing of the playground within Collins Park, Narrabri. Council is required to be mindful of its *Sport, Recreation and Open Space Plan 2017-2032*, service level provisions to parks and open spaces across the Shire and the close proximity of the existing playground and the proposed playground within the Precinct masterplan. The decommissioning also removes the safety concern with the location of the Collins Park playground and the Collins Park cricket pitch(es).

CONSULTATION

Public exhibition of this plan for submissions was held for the period 1 February 2021 to 1 March 2021.

During the period Council received five (5) submissions. Issues raised in the submissions were:

- Disability Access:
 - All ages and mobilities.
 - Access to playground areas and other elements.
- Placement and type of Play Equipment:

- The placement of age-related play equipment together.
- Senior play area is too young.
- Consideration of shared not separate playing areas.
- Install lots of benches around play area.
- Roadways within Precinct area:
 - Removal of road behind ovals.
 - Concern over gating of road behind ovals.
- Overflow carpark will inhibit truck parking.
- Cultural considerations:
 - A Yarning Circle.
 - Kamilaroi Language hopscotch.
 - In-language welcome signs.
 - Local totem sculptures with accompanying plaques.
- Suggested inclusion of viewing platform on creek.

A full list of the matters raised in each submission is attached to this report, with an accompanying management comment.

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 and again held on 2 March 2021 during the Councillors debriefing session

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

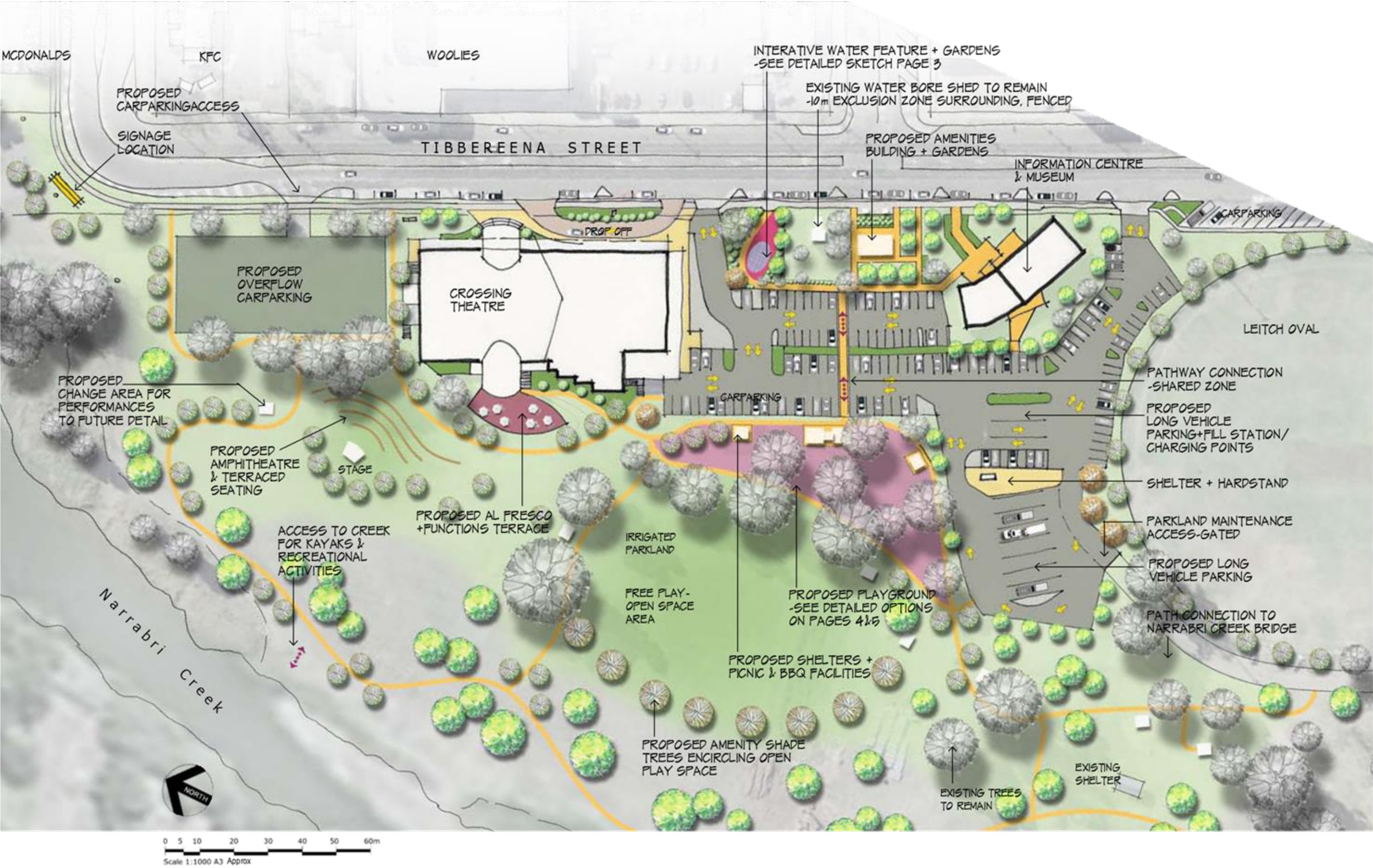
No	Title
1	Title Sheet & Locality plan
2	Landscape Masterplan Overall site
3	Interactive Water Feature & Gardens
4	Landscape Mastepplan-Concept 1 Playground & Recreational Facilities
5	Landscape Mastepplan-Concept 2 Playground & Recreational Facilities
6	Landscape elements-parklands
7	Landscape elements-iconic 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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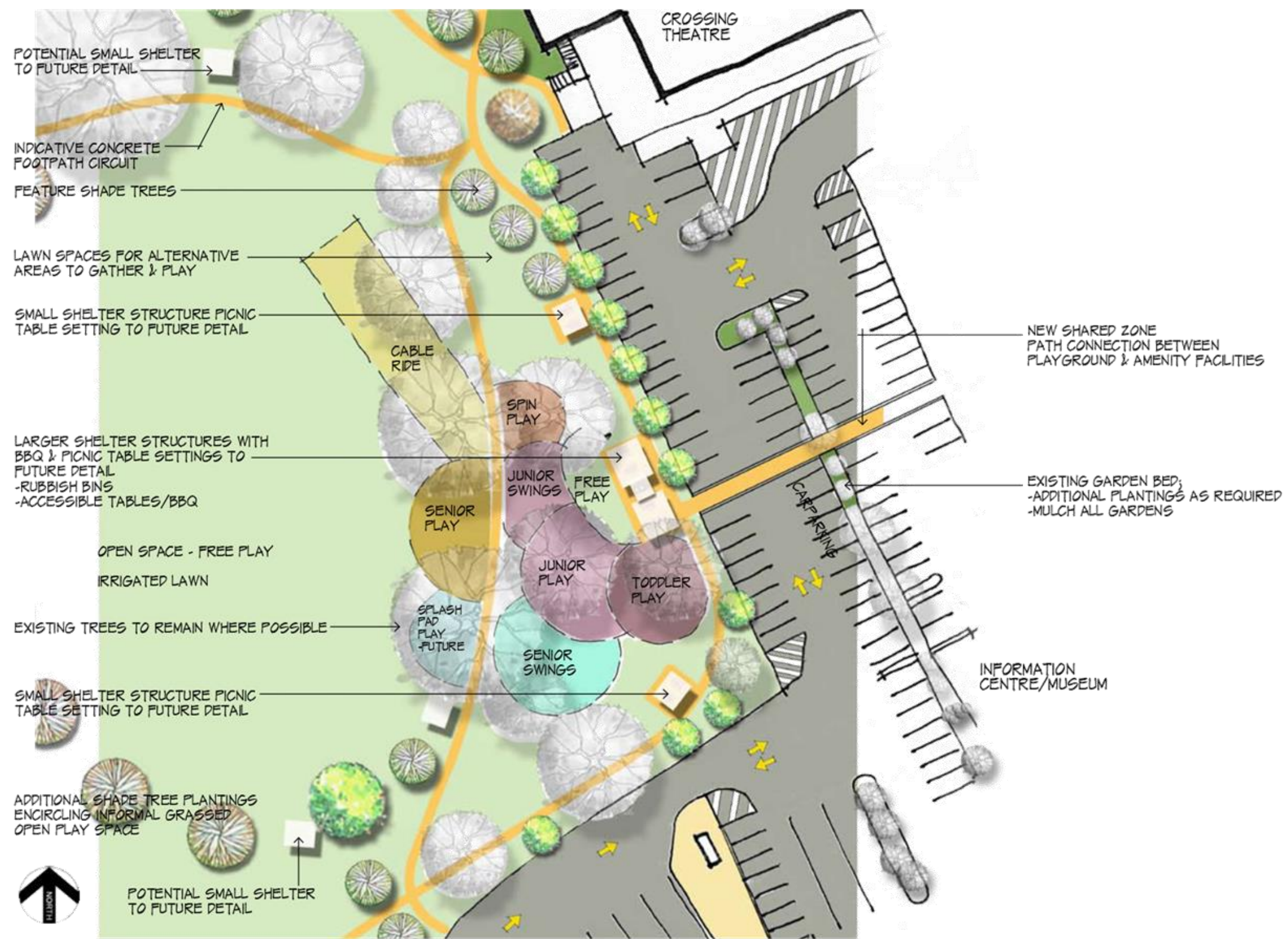
Landscape Masterplan- Interactive water feature + gardens

NARRABRI SPORT & TOURISM PRECINCT
NEWELL HIGHWAY, NARRABRI, NSW

Landscape Masterplan

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Landscape Masterplan-Concept 1
Playground & Recreational facilities-circle zones

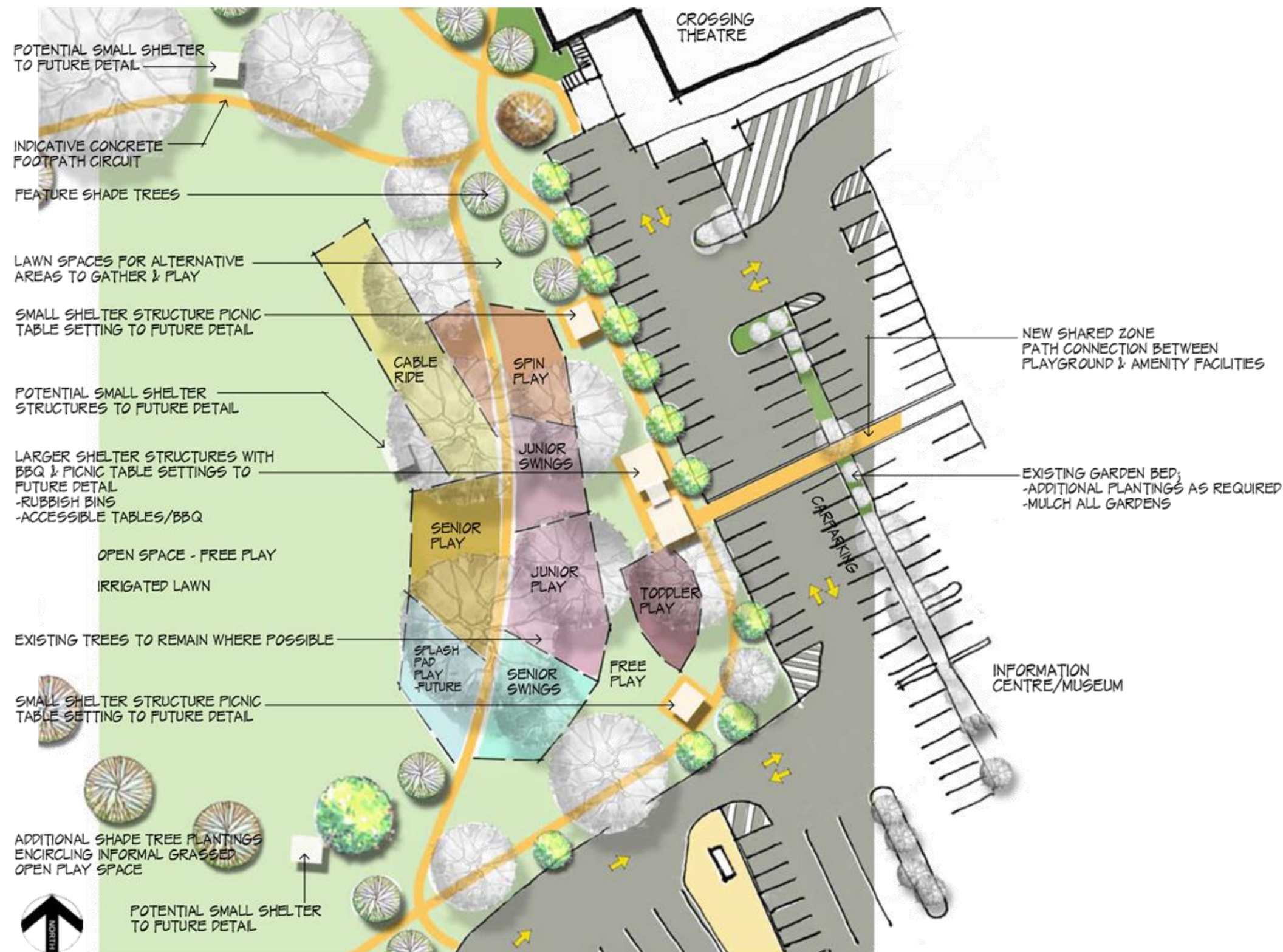
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NARRABRI SPORT & TOURISM PRECINCT
NEWELL HIGHWAY, NARRABRI, NSW

Landscape Masterplan

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

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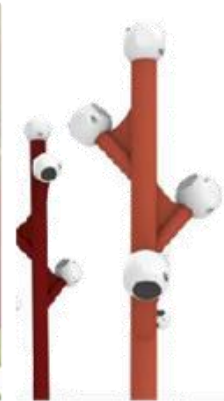
NARRABRI SPORT & TOURISM PRECINCT
NEWELL HIGHWAY, NARRABRI, NSW

Landscape Masterplan

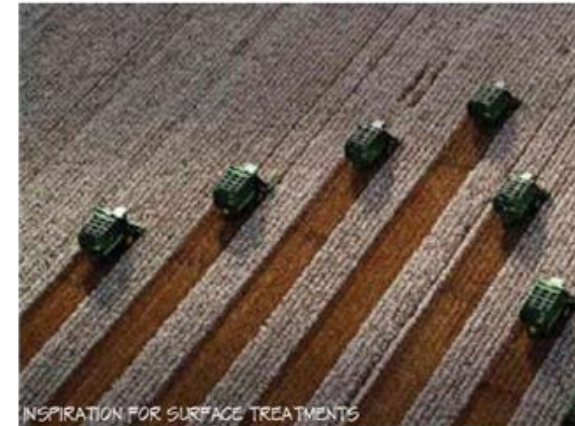
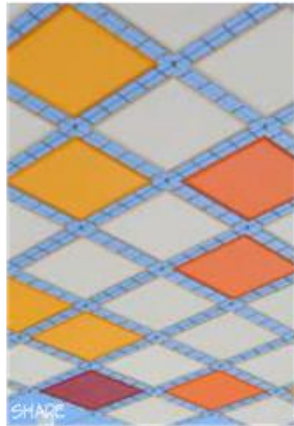
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PLAYSPACE ENTRY



PICNIC SHELTERS



PARKLANDS



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 man in a plaid shirt and jeans is standing inside a large, blue, curved structure with two large circular openings. The structure is made of wood and has a green trim. The man is standing in the left opening, with his arms outstretched. The structure is set on a blue mat in a park-like setting with trees in the background.

A photograph of a modern playground with green and orange equipment, including a large structure with a horizontal bar and ropes, set against a backdrop of trees and a clear blue sky.

Prepared by

inSite

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Narrabri Sports and Tourism Precinct Masterplan Submissions Received

Date Received & Submitter	Key Comments	Management Comment
11/02/2021 Amanda Clark	<ol style="list-style-type: none"> 1. Consideration of all ages and mobilities. 2. Consideration of shared not separate playing areas. 3. Generally, supportive of masterplan 	<p>Will be considered during detailed design*.</p> <p>Will be considered during detailed design*.</p>
12/02/2021 Ally Thomson	<ol style="list-style-type: none"> 1. Removal of road behind ovals. 2. Overflow carpark will inhibit truck parking. 3. Install lots of benches around play area. 4. Consider placing age related play equipment together. 5. Senior play area is too young. 6. Supportive of masterplan. 	<p>No road is proposed to be removed.</p> <p>New location of driveway to overflow carpark will be investigated.</p> <p>Will be considered during detailed design*.</p> <p>Will be considered during detailed design*.</p> <p>Will be considered during detailed design*.</p>
12/02/2021 Jessica Promnitz	<ol style="list-style-type: none"> 1. Consider disability access to playground areas. 2. Concern over gating off road behind ovals. 3. Supportive of masterplan. 	<p>Will be considered during detailed design*.</p> <p>Gate is not intended to be locked for significant lengths of time. Gate to be used at specific events. Not included to restricted access.</p>
25/02/2021 Pattie Lettice	<ol style="list-style-type: none"> 1. Inclusion of a Yarning Circle. 2. Suggestion to include Kamilaroi Language hopscotch. 3. Suggestion to include in language welcome signs. 4. Suggestion to include totem sculptures with accompanying plaques. 	<p>Will consider, noting that the water feature is currently conceptualised with aboriginal theming.</p> <p>Will be considered during detailed design*.</p> <p>Will be considered during detailed design*.</p> <p>Will be considered during detailed design*.</p>
28/02/2021 Paul Robinson	<ol style="list-style-type: none"> 1. Concerns on disability access on features of masterplan. 2. Concerns on how orders will be placed in Al Fresco area. 3. Suggested inclusion of viewing platform on creek. 4. No automatic doors at Narrabri Region Visitor Information Centre. 5. Concerns with general site access 	<p>Will be considered during detailed design*.</p> <p>Will be determined by operational requirements of Crossing Theatre Café.</p> <p>Will review.</p> <p>Out of scope of masterplan, however, will pass comment to relevant Council Manager for their consideration.</p> <p>The upgrade of the carpark between the Theatre and VIC will be completed in the early stages of the implementation of the Masterplan.</p>

*: Noting that currently under consideration by Council is a masterplan; and not a detailed design of the precinct.

11 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

11.1 N2IP PLANNING PROPOSAL

Responsible Officer: Andrew Brown, Executive Manager Corporate Planning & Workforce

Author: Cara Stoltenberg, Strategic & Major Projects Planner

Attachments:

1. N2IP Planning Proposal [↓](#) 
2. Summary of Public Submissions Received [↓](#) 
3. N2IP Planning Proposal DPI Comments [↓](#) 
4. N2IP Planning Proposal BCS Directorate Comments [↓](#) 
5. N2IP Planning Proposal Essential Energy Comments [↓](#) 

DELIVERY PROGRAM ALIGNMENT**3 Economy**

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

Strategy 3.2.2 Develop at least one flood free intermodal site that has access to quality infrastructure and the proposed inland rail network

EXECUTIVE SUMMARY

The planning proposal to amend the provisions of the *Narrabri Local Environmental Plan 2012* to facilitate the Northern New South Wales Inland Port (N2IP) precinct was reported to Council for consideration at its meeting held on 22 September 2020; where it was resolved to proceed to request a Gateway determination from the NSW Department of Planning Industry and Environment (DPIE).

Council then resolved at its meeting held on 24 November 2020 that the Planning Proposal be placed on public exhibition for a period of twenty-eight (28) days, excluding between 20 December 2020 and 10 January 2021 (inclusive), in accordance with the *Environmental Planning and Assessment Regulation 2000* and that Council invite submissions from the community during this period. At an Extra-Ordinary Council Meeting held on 27 January 2021, Council extended the exhibition period for the N2IP Planning Proposal for an additional fourteen (14) days. The period and extension of public exhibition has now closed.

Through the exhibition periods, a total of fourteen (14) submissions were received. Eleven (11) submissions were received during the first period and a further three (3) submissions were received during the extended/additional period. Issues raised in submissions are discussed in this report.

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

In further support of the comprehensive and broad consultation undertaken, in accordance with current NSW Legislation, public exhibition of planning proposals is not required until after a Gateway Determination has been issued. Council begun consultation well in advance of a Gateway determination being issued.

Council in the review and assessment of submissions received needs to assess them in reference to the matter at hand; that being the Planning Proposal to amend the LEP. The Planning Proposal does not include any future development of the land, and as such, the likelihood of what may or may not be developed on the site in the future, cannot be determined nor assessed at this time.

Council is aware that the Planning Proposal has been well reported in the local media by way of Council initiated media releases and that there exists a large awareness within the community of the proposal and its significance to the future of Narrabri Shire.

RECOMMENDATION

- 1. That Council determine to make the Plan in accordance with Section 3.36(2)(a) of the *Environmental Planning and Assessment Act 1979*; using the local plan-making authority powers provided to it.**
- 2. That Council endorse the Preliminary Site Investigation for the Narrabri Logistics and Industrial Hub Precinct completed by JBS&G dated 22 November 2019; and recognise and commit that they are the responsible landowner and that further contamination work is required at the Development Application stage.**
- 3. That Council request an alteration to the Gateway Determination to remove condition 1c) (pertaining to the requirement to produce a contamination report) for the Planning Proposal.**

BACKGROUND

Local Environment Plans (LEPs) start with a Planning Proposal for a purpose. Such a proposal is then assessed by the DPIE through what is called the 'Gateway' process. There are currently five (5) steps in this process:

1. The Planning Proposal – the planning proposal authority prepares the planning proposal.
2. Gateway – the Minister (or delegate) decides whether the planning proposal can proceed (with or without variation) and subject to other matters including further studies being undertaken, public consultation, public hearings, agency consultation and time frames.
3. Community Consultation – the proposal is publicly exhibited as required by the Minister.
4. Assessment – the planning proposal authority reviews public submissions. Parliamentary Counsel then prepares a draft local environmental plan.
5. The Making of the LEP – with the Minister's (or delegate's) approval the local environmental plan is published on the NSW legislation website and becomes law.

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 N2IP precinct. The Planning Proposal proposes to:

- Rezone the subject 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.

As part of Council's initial investigation of the subject site, environmental consultants JBS&G were engaged to complete a Preliminary Site Investigation (PSI) of the subject site. This PSI was placed on public exhibition with the Planning Proposal and other required auxiliary documentation.

The DPIE 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.**

The above-mentioned public exhibition period included consideration of the 'blackout' period as detailed in relevant DPIE guidelines. However, during the submission period Council received a request from two (2) residents of Yarrie Lake Road requesting an extension to the exhibition period. The request received 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; and
3. The lack of specific plans provided for the development.

Due to the November Ordinary Council Meeting resolution any further decision on the exhibition period for the Planning Proposal required Council endorsement. Therefore, an Extra-Ordinary Council Meeting was held on 27 January 2021. Council then resolved the following:

- 1. That Council note the extensive and detailed consultation undertaken on the Northern NSW Inland Port Planning Proposal.**
- 2. That Council extend the exhibition period for the Northern NSW Inland Port Planning Proposal for a period of fourteen (14) days, to assist in the review of the submissions and feedback received, with the review being the subject of a further report to Council.**

CURRENT SITUATION

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 Planning Proposal was publicly exhibited for a period greater than twenty-eight (28) days from 7 December 2020 until 25 January 2021. During this time a total of eleven (11) separate submissions were received. All the submissions received were from long term residents of Yarrie Lake Road. The objections raised in these submissions can be summarised as follows:

- Concerns over safety of school children and school bus stops along Yarrie Lake Road;
- Concerns over increased traffic along Yarrie Lake Road and the safety of all road users;
- Questions raised regarding the feasibility of Yarrie Lake Road for any entry or exit to the site, when Culgoora Road has just been updated and is a better choice;
- Opposing any entry/exit off Yarrie Lake Road for the proposed N2IP development;
- Potential decline in property values of their surrounding residential properties;
- Potential negative effects on the existing amenity of the area, in terms of the potential for increased noise and dust from future development;
- Recommendations regarding traffic to the site be separated from the existing Yarrie Lake residential area;
- Recommends new rail crossing on Culgoora Road;
- Recommends upgrade to the Culgoora Road/Yarrie Lake Road intersection; and
- Dispute Council’s previous reference to the amount of time, and which surrounding residents, have been consulted on the planning proposal.

An additional two (2) weeks was then given until 14 February 2021 for receipt of submissions.

A total of three (3) submissions were received during the extended timeframe.

- One (1) of these submissions was written by a resident of Yarrie Lake Road who had not previously lodged a submission.
- One (1) was written by a person external to the Narrabri Shire, and
- One (1) was a group submission signed by twenty-one (21) residents of Yarrie Lake Road (sixteen (16) of whom had originally provided a submission and eight (8) that hadn’t). The objections raised in these submissions can be summarised as follows:
 - Increased dust and noise when building the N2IP;
 - Increased noise levels from the industries that will be built on site;
 - No overriding vision or intent for the combined site described in the Planning Proposal;
 - Recommend Council master plan a ‘Port Precinct’ that includes the surrounding lands so that the estate co-exists harmoniously with its surrounds and that each additional business builds on a sustainable solution;

- Consideration has not been given to any services that potential workers may need at the site;
- Detrimental effects on existing neighbourhood if project goes ahead such as; safety, traffic increases, amenity of neighbourhood, and decreased land values;
- Recommends traffic to the site be separated from the Yarrie Lake residential area;
- Recommends new rail crossing on Culgoora Road;
- Recommends upgrade to the Culgoora Road/Yarrie Lake Road intersection; and
- Dispute Council's previous reference to the amount of time, and which surrounding residents, have been consulted on the Planning Proposal.

A full list of the matters raised in each submission is attached to this report.

It is imperative in the assessment of submissions received that Council assess same in reference to the matter at hand; that being the Planning Proposal to amend the LEP. 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 Planning Proposal does not include any future development of the land, and as such, the likelihood of what may or may not be developed on the site in the future, cannot be determined nor assessed at this time.

There are currently nine different planning approval pathways in NSW. The size and scale of development determine which of the assessment pathways is appropriate. It is not currently known what size and/or type of development may wish to locate at the subject site, therefore a specific planning pathway cannot be decided upon, nor can the requirements that may apply to such process.

Using the "Development with Consent" pathway as an example; if the size and type of a proposed development fulfilled the requirements for "Development with Consent" (requiring consent), a Development Application would be required to be lodged with Council. As part of the assessment of all Development Applications in NSW, the following legislative requirements would be applicable and therefore necessary to consider:

Environmental Planning and Assessment Act 1979

4.15 Evaluation

(cf previous s 79C)

(1) Matters for consideration—general *In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application—*

(a) the provisions of—

(i) any environmental planning instrument, and

- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
- (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
- (v) (Repealed)*
- that apply to the land to which the development application relates,*
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.*

Concerns expressed from residents regarding potential traffic and other associated issues on Yarrie Lake Road will be appropriately considered during the assessment of any proposed Development Application. As stated above, Council is currently not considering any development at the subject site. Council is considering a Planning Proposal that proposes to change the zoning and minimum lot size of the land only.

Any development that may be proposed for the subject site in the future will be required to be assessed through the relevant development assessment pathway as required by NSW legislation. The development assessment process, when and if commenced, will require consideration of issues, including but not limited to the following:

- Permissibility;
- Traffic and access;
- Flood Hazard and impact;
- Social and economic impact;
- Section 4.15 of the *Environmental Planning & Assessment Act 1979*;
- Consistent with the objectives of the relevant zone/s;
- The development is a suitable use of the land;
- The development complies with the relevant planning instruments;
- The development will not result in an overall adverse effect upon the extent and adequacy of facilities available to the local community;
- Impacts on the surrounding area, environment and adjoining development;
- The public interest; and
- Submissions made.

In addition to the public exhibition of the Planning Proposal, one on one, as well as group meetings, have been held with surrounding residents, prior to and during, the public exhibition process, with feedback largely in favour of progressing the Planning Proposal. During the exhibition period Council met with several interested local business owners who were examining options to relocate their

businesses to the site the subject of the Planning Proposal. Some surrounding residents have met with Council on at least three (3) occasions face to face. Council representatives at these meetings have included the Mayor, General Manager, executive staff and senior planning staff as well as the consultant assisting Council with the Planning Proposal. During the public exhibition period an invitation was extended by Council using their social media channels, their website and the local newspaper to the general public to register for a Community Consultation Session on the Planning Proposal. Only three (3) members of the public registering for the Community Consultation Session held in Council's Chambers, and online, on Thursday 21 January 2021 at 2:00pm, and one (1) additional local resident turning up on the day. Those local residents in attendance were generally supportive of the Planning Proposal and future development of the N2IP. However, one (1) attendee did express concerns about the potential noise and traffic impacts on existing nearby residents as they currently lived near the subject site. One (1) attendee, being a local business owner advised that they may consider moving their business to the N2IP site if it facilitated them in the future. Currently the Planning Proposal proposes modification to the Narrabri LEP 2012 to include the insertion of a Special Activities zone as follows;

".....2 Permitted without consent

Environmental protection works

3 Permitted with consent

Aquaculture; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3"

The purposes shown on the Land Zoning Map are as follows;

- Freight Transport Facility;
- Heavy Industrial Storage Establishment;
- Heavy Industry;
- High Tech Industry;
- Rural Industry;
- Transport Depot; and
- Truck Depot.

It is considered that the inclusion of the following as being permitted with consent; *"any development that is ordinarily incidental or ancillary to development for that purpose"* would create the opportunity for the consideration of proposed developments subservient to the other industries that may locate at the site for the provision of a necessary item.

The Gateway Determination required Council to consult with ten (10) public authorities/organisation under section 3.34(2)(d) of the *Environmental Planning and Assessment Act 1979*. Each public authority was provided with a copy of the Planning Proposal and all supporting material and given twenty-one (21) days to comment. All agencies were written to a further time to advise they had been given until 14 February 2021 to provide their comments. Three (3) responses were received, being from the following agencies:

- Essential Energy;

- Department of Primary Industry; and
- Department of Biodiversity, Conservation and Science.

All agencies were in support of the Planning Proposal and their comments are attached to this report.

DPIE and Council staff have discussed condition 1c) of the Gateway Determination regarding the requirement to produce a further contamination report. Council advised that the PSI completed by JBS&G for the subject site had been placed on public exhibition with the Planning Proposal.

It is noted that site contamination has not been raised as a concern during the public exhibition period. The PSI concludes the following;

- *Whilst the investigation identified soil impacts and the potential for soil vapour, ground gas and groundwater impacts to be present in some areas at the site, the investigation did not identify the potential for gross or widespread contamination which may preclude rezoning and development for the proposed industrial use of the site. Identified impacts are considered representative of common contaminants and potentially contaminating land use activities which can be readily addressed during the DA stage (i.e. including completion of detailed site investigations consistent with relevant Council DCPs and SEPP 55 requirements) for redevelopment and assessment for site suitability; and*
- *In the absence of gross or widespread contamination, the requirements of the DUAP/EPA (1998) Managing Land Contamination: Planning Guidelines for this type of rezoning are considered to have been satisfied, namely that the rezoning can proceed, “provided that measures are in place to ensure that the potential for contamination and the suitability of the land for any proposed use are assessed once detailed proposals are made” (s.4.1.2 DUAP 1998).*

The investigation also further concluded the following:

- *It is recommended that a detailed site investigation be undertaken upon submission of the DA for redevelopment of any land within the site.*
- *It is also recommended that Hazardous Building Material Surveys (HBMS) be undertaken on existing site structures prior to any demolition and redevelopment works on individual land parcels.*

The conclusion of the investigation states that the subject site is suitable for rezoning purposes and that further assessments are required at the development stage. The submitted investigation is also considered to satisfy the requirements of the Planning Guidelines SEPP 55—Remediation of Land (SEPP), as the SEPP requires consideration of a report on a preliminary investigation where a rezoning allows a change of use that may increase the risk to health or the environment from contamination.

Council should endorse the PSI and, as the landowner, recognise and commit that further contamination work may be required at the development application stage.

FINANCIAL IMPLICATIONS

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

As the public exhibition period was re-opened, the associated costs were 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

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.

It is to be noted that in accordance with current NSW Legislation, public exhibition of Planning Proposals is not required until after a Gateway Determination has been issued.

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 eight (8) letters.

Date	Subject	Communication
28 January 2021	Advice of public exhibition of revised Planning Proposal being extended for a further two (2) weeks until 14 February 2021.	Posted letter sent by registered mail.
1 December 2020	Advice of revised Planning Proposal being publicly exhibited for an extended period from 7 December 2020 to 25 January 2021 to cover the Christmas break.	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 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.

A further face to face meeting was initiated by residents of Yarrie Lake Road and was held in Council's Chambers on 16 December 2020 with the General Manager, the Mayor, Council Planning staff and Consultant in attendance. A Community Consultation Session was also offered to the general public encouraging people throughout the whole Shire to register to attend. The session was held in Council's Chambers on 21 January 2021 with only four (4) people in attendance as well as Council Planning Staff and Consultant.

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.

Planning Proposal

Northern NSW Inland Port (N2IP)

Yarrie Lake Road, Narrabri

Prepared for:

Narrabri Shire Council

November 2020



REPORT DETAILS	
Project Number	19011
Project Name	Planning Proposal – Northern NSW Inland Port
Project Address	488 & 622 Yarrie Lake Road and 237 Culgoora Road, Narrabri
Client	Narrabri Shire Council
Prepared by	Erika Dawson
Revision	H
Date	16 November 2020



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Disclaimer

This report is prepared solely for Narrabri Shire Council (the 'client') and any future landowners (or their delegated representatives) of the subject lot(s) and is not for the benefit of any other person and may not be relied upon by any other person.

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1 Introduction

1.1 Overview

This Planning Proposal (PP) has been prepared for Narrabri Shire Council (NSC) to explain the intended effect of and justification for the proposed amendment to *Narrabri Local Environmental Plan 2012 (LEP)*.

1.2 The Proposal

The intent of the proposed LEP amendment 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

This PP will amend both the LEP and associated LEP mapping.

1.3 The Site

This PP applies to the land as outlined in the following table and as shown in **Figure 1**.

Table 1: Planning Proposal Land

Lot/DP	Street Address
Lot 159 DP 852877	488 Yarrie Lake Road
Lot 158 DP 711841	622 Yarrie Lake Road
Lot 2 DP 622404	237 Culgoora Road
Lot 2 DP 1260166	Culgoora Road
Part Lot 1102 DP 1169062	Culgoora Road

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri



Source: (NSW Spatial Services n.d.)

Figure 1: Site Location

1.4 Legislative Framework

This PP has been prepared to satisfy the requirement of section 3.33 of the *Environmental Planning & Assessment Act 1979 (EP&A Act)*. This PP has been prepared in accordance with the *Planning Proposals: A guide to preparing planning proposals (the Guide)* (NSW Government Planning & Environment 2018), which provides the Planning Secretary's requirements pursuant to section 3.33(3) of the EP&A Act.

1.5 Format of Report

Consistent with the Guide, this PP has been prepared in the following format:

- Section 1 provides an introduction and overview of the PP.
- Section 2 provides an overview of the site and its features.
- Section 3 provides an overview of the existing legislative framework
- Section 4 contains the prescribed requirements for PPs including:
 - Part 1 – Objectives or intended outcomes
 - Part 2 – Explanation of Provisions
 - Part 3 – Justification
 - Part 4 – Mapping
 - Part 5 – Community Consultation
 - Part 6 – Project Timeline

The completed Information Checklist provided in Attachment 1 of the Guide is provided in **Appendix A**.

2 The Site

2.1 Title Details

The subject site is comprised of five (5) lots:

- Lot 158 DP 711841;
- Lot 159 DP 852877;
- Lot 2 DP 622404;
- Lot 2 DP 1260466; and
- Part Lot 1102 DP 1169062.

The Certificates of Title and title diagrams are provided in **Appendix B**.

2.1.1 Lot 158

Lot 158 has an area of 155 hectares. There are no listed encumbrances on the title.

2.1.2 Lot 159

Lot 159 has an area of 119.1 hectares. There are no listed encumbrances on the title.

2.1.3 Lot 2 DP 622404

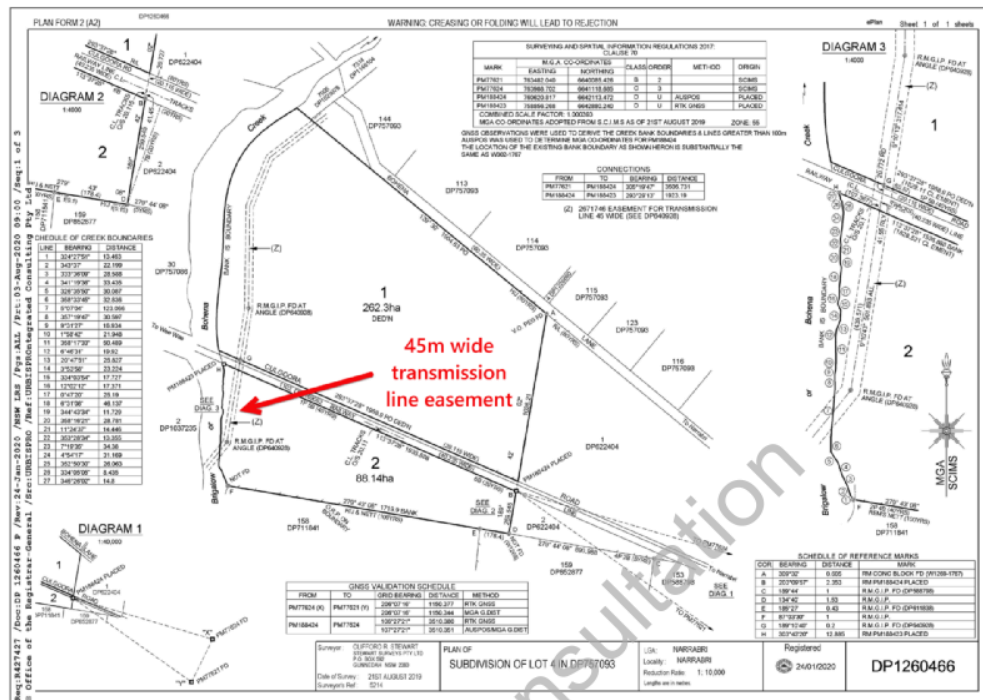
Lot 2 has an area of 13.59 hectares. There are no listed encumbrances on the title.

2.1.4 Lot 2 DP 1260466

Lot 2 has an area of 88.14 hectares. The lot is encumbered by:

- a 45m wide easement for transmission line, which is vested in Country Energy (refer **Figure 2**).

Planning Proposal – Northern NSW Inland Port
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Source: (Gleeson 1988)

Figure 2: Easement Plan

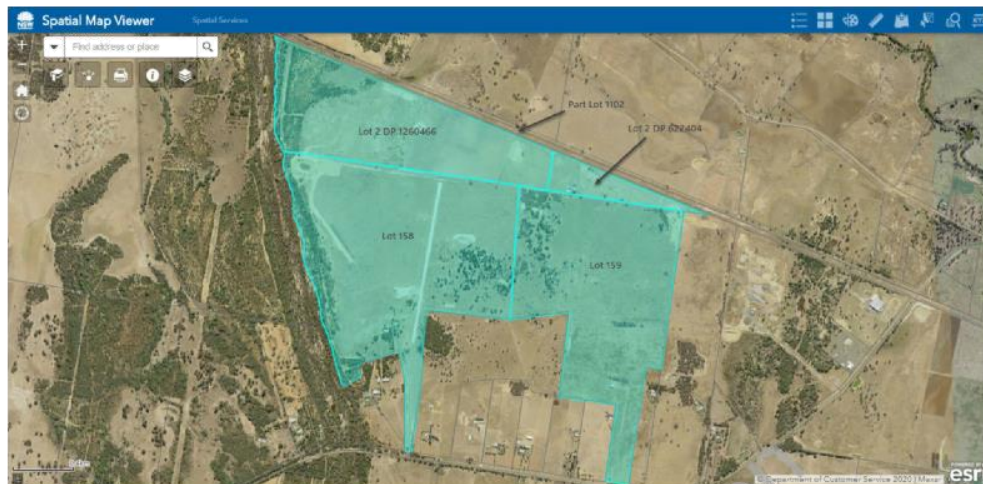
2.1.5 Part Lot 1102

Lot 1102 is the lot on which the existing railway line is located. The lot extends from Narrabri West for approximately 19kms. The part of Lot 1102 the subject of this application extends from the eastern extent of Lot 2 DP 622404 to the western extent of Lot 2 DP 1260466. This part of Lot 1102 has an area of approximately 13 ha. There are no listed encumbrances on the title.

2.2 Land Use

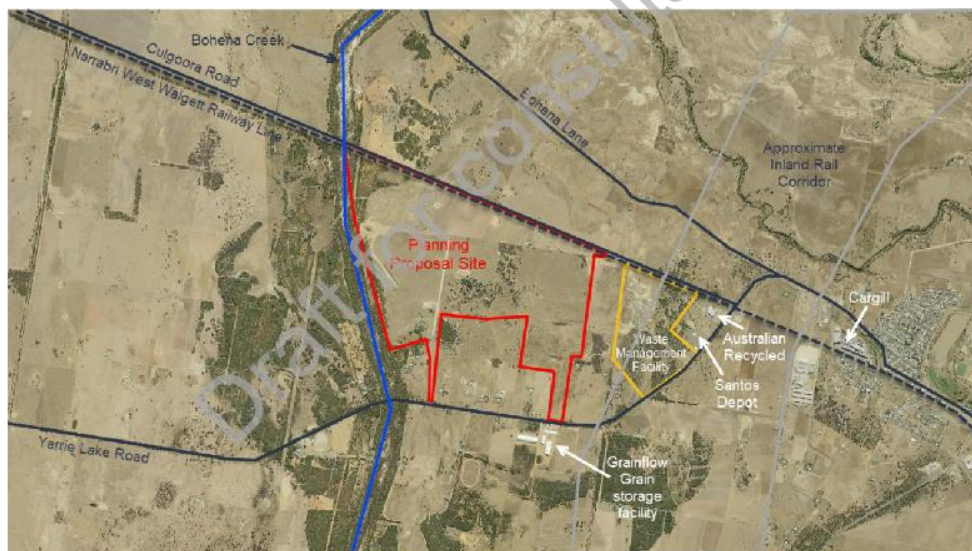
The site is characterised by agricultural land uses, predominantly comprising grazing as shown in **Figure 3**. Likewise, the land surrounding the site is predominantly characterised by agricultural land uses, with scattered dwellings, industries and waste management facility as shown in **Figure 4**.

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri



Source: (NSW Spatial Services n.d.)

Figure 3: Site Aerial Photograph

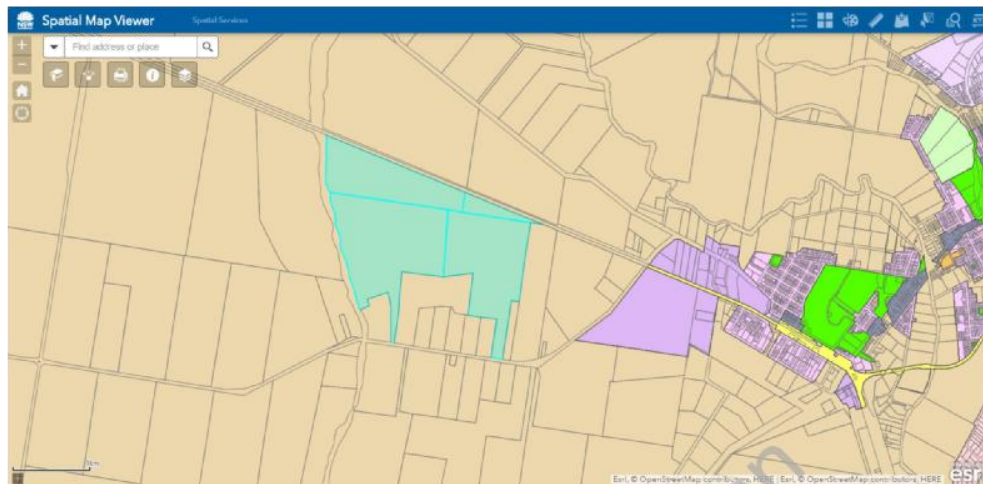


Source: (NSW Spatial Services 2019)

Figure 4: Surrounding Land Uses

The subject site and its immediate surrounds are zoned RU1 Primary Production under *Narrabri Local Environmental Plan 2012 (LEP)* as shown on **Figure 5**. At the south western edge of the existing urban area of Narrabri is an existing area of IN1 General Industrial zoned land.

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Source: (NSW Spatial Services n.d.)

Figure 5: LEP Zoning Map

The site is not mapped as Biophysical Strategic Agricultural Land under the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007* (Mining SEPP). **Figure 6** shows the location of the nearest BSAL mapped areas.



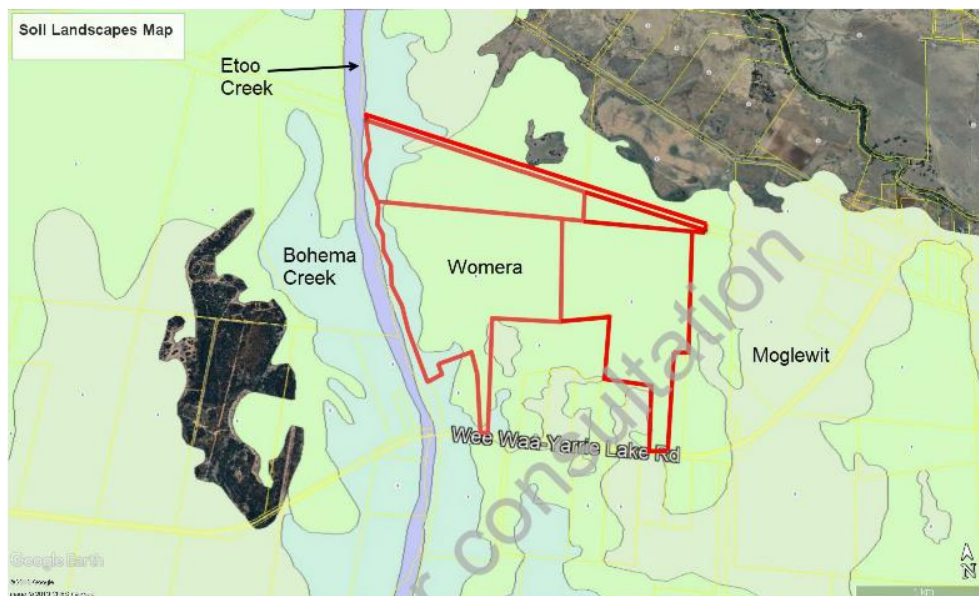
Source: (NSW Government n.d.)

Figure 6: Biophysical Strategic Agricultural Land Map

2.3 Soils & Geology

2.3.1 Soil Landscapes

A review of the NSW Office of Environment & Heritage's *eSpade* website revealed the site is located predominantly within the Womera Soil Landscape, with smaller areas in the Bohemia Creek and Moglewit Soil Landscapes. **Figure 7** show the location and extent of these soil landscapes.



Source: (Google 2019) (NSW Office of Environment & Heritage n.d.)

Figure 7: Soil Landscapes Map

2.3.1.1 Womera Soil Landscape

The Womera Soil Landscape is characterised by the following (NSW Office of Environment & Heritage 2016):

- **Landscape**— Broad, clayey, often gilgaied, stagnant alluvial plain dominated by older alluvium in the north of the Pilliga Outwash. Slopes <1%, local relief 0 - 3 m, elevation 180 - 240 m. Extensively cleared open-woodland.
- **Soils**— Deep (>150 cm), imperfectly drained, Eutrophic, Brown or Yellow Sodosols (Solodic Soils) and Epipedal to Selfmulching, Grey Vertosols (Grey Clays). Minor giant, scalded, poorly-drained, Episodic-Gypsic Crusty Brown Vertosol (Brown Clays) in north.
- **Qualities and limitations**— localised complex soils, localised poor moisture availability, localised non-cohesive soils, widespread foundation hazard, localised productive arable land, localised woody weeds, localised dieback, widespread recharge zone, localised discharge zone, localised salinity hazard, localised wind erosion hazard, localised gully erosion hazard, widespread sheet erosion hazard, localised high run-on, widespread poor drainage, widespread seasonal waterlogging, widespread flood hazard.

2.3.1.2 Bohemia Creek Soil Landscape

The Bohemia Creek Soil Landscape is characterised by the following (NSW Office of Environment & Heritage 2016):

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri

- **Landscape**— Narrow alluvial terraces on Quaternary sheetwash alluvium in the western Pilliga Outwash. Slopes 0 -2%, local relief <3 m, elevation ~240 - 300 m. Largely uncleared woodland in the south, extensively cleared woodland in the north.
- **Soils**— Dominated by deep (>150 cm), well-drained Red Kandosols (Red Earths). Rapidly drained Rudosols and low terraces of rapidly drained Stratic Tenosols (Earthy Sands/Alluvial Soils) in unmapped areas of Etoo Creek (etta).
- **Qualities and limitations**— localised complex soils, widespread poor moisture availability, widespread non-cohesive soils, localised foundation hazard, widespread recharge zone, localised discharge zone, localised streambank erosion hazard, localised high run-on, localised poor drainage, localised flood hazard.

2.3.2 Soil Fertility

A review of OEH's *Estimated Inherent Soil Fertility of NSW* (**Figure 8**) shows that the site is mapped as predominantly having moderately-low soil fertility, with a small area of moderate soil fertility along the creek.



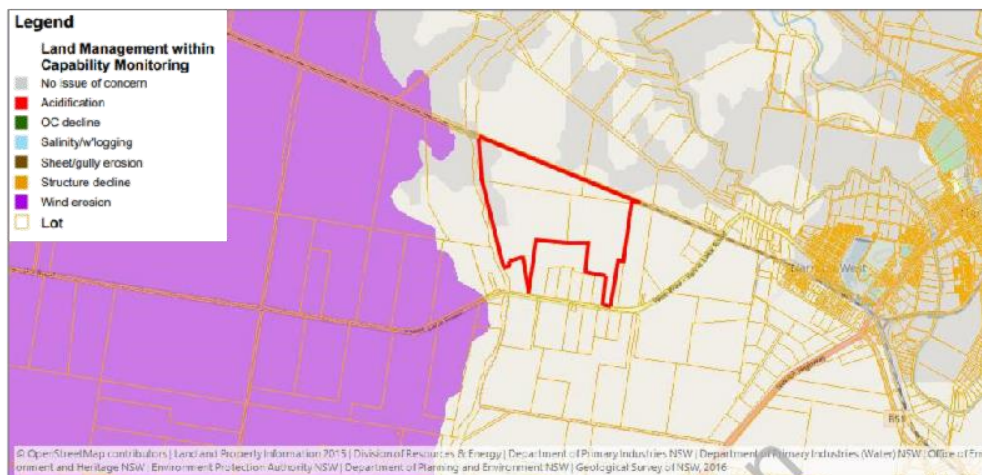
Source: (NSW Government n.d.)

Figure 8: Soil Fertility

2.3.3 Land Management within Capability Monitoring

A review of OEH's *Land Management within Capability Monitoring* dataset (**Figure 9**) shows much of the site is not mapped, however a small area (light grey) is mapped as not having any issues of concern.

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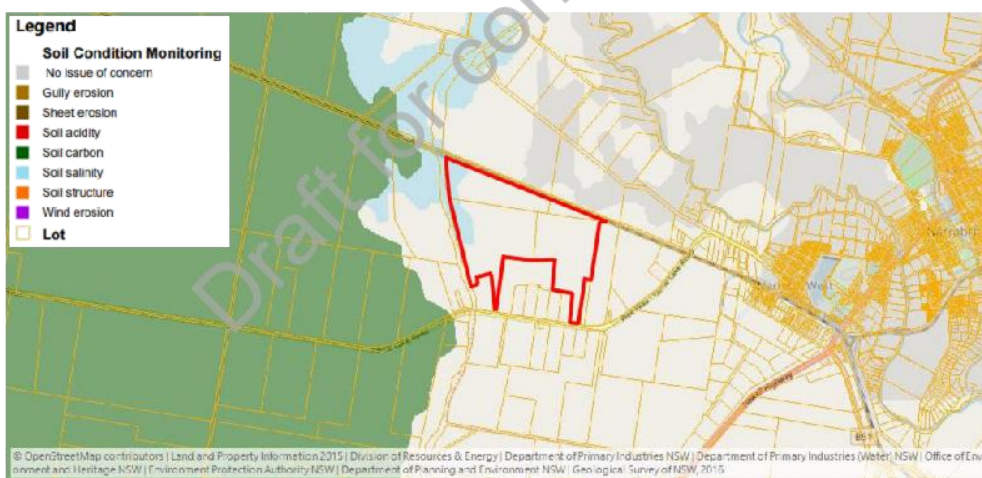


Source: (NSW Government n.d.)

Figure 9: Land Management within Capability Monitoring

2.3.4 Soil Condition Monitoring

A review of OEH's *Soil Condition Monitoring* dataset (Figure 10) shows much of the site is not mapped, however a small area (light blue) is mapped as soil salinity.



Source: (NSW Government n.d.)

Figure 10: Soil Condition Monitoring

2.3.5 Land & Soil Capability

A review of OEH's *Land & Soil Capability Mapping for NSW* dataset (Figure 11) shows the site is mapped as predominantly Capability 3, with a small area mapped as Capability 4 and 6.

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri



Source: (NSW Government n.d.)

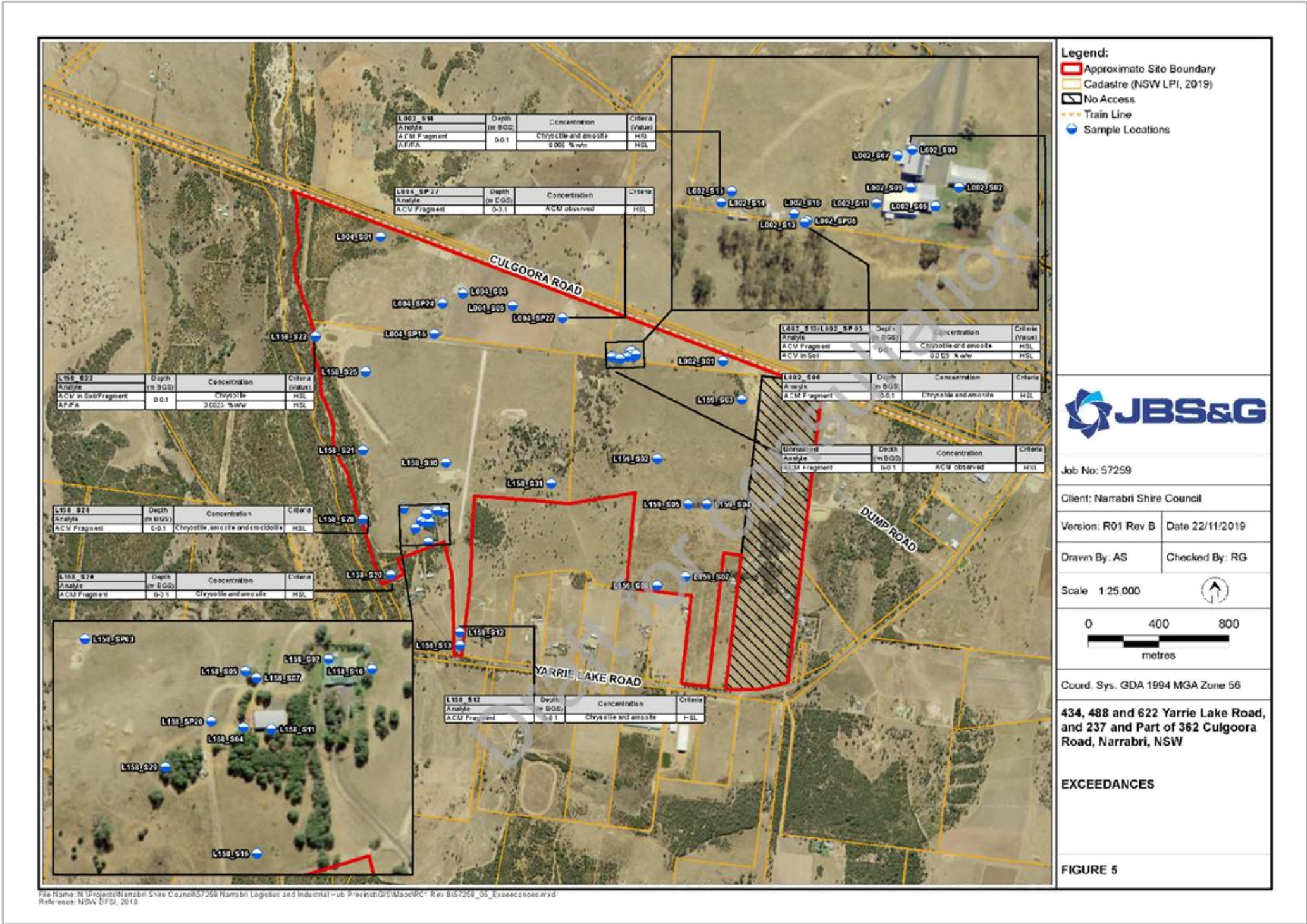
Figure 11: Land & Soil Capability Mapping for NSW

2.3.6 Contamination

A Preliminary Site Investigation (PSI) was undertaken for the site by JBS&G. The PSI identified the following:

- The site has historically been used for rural residential and agricultural purposes from early 1920s until the present;
- Council operated Narrabri Tip is located along the northern portion of the eastern boundary of the site. Depending on the depth and scale/type of landfilling and the direction of groundwater flow, there is potential for groundwater impacts to migrate onto the site. Similarly, there is the potential for hazardous ground gases relating to landfilled materials to migrate from the landfill across the northeast boundary of the site.
- Localised salinity is a characteristic of the soil landscape group the site is present within however due to prolonged drought conditions, visual indicators of high salinity were not obvious;
- Imported materials including slag and cotton husks were observed at the site as stockpiles or applied to the site surface. Slag was utilised to stabilise the ground on tracks and near cattle troughs, and cotton husks were sourced for their ability to hold moisture and were commonly dispersed across the paddocks. The source of the sandy material used to construct an airstrip is unknown. No significant filling was observed across the site, with dam walls appearing to be constructed of reworked natural clays from the site;
- TRHs were reported in soil samples from two locations (L002_S07_0.0-0.1 and L002_S16_0.0-0.1) exceeding the adopted ecological and management assessment criteria, while all remaining individual or 95% UCL mean concentrations of chemical contaminants fell below the laboratory limit of reporting (LOR) and/or the adopted site criteria;
- Asbestos impacts were present at ten locations (L002_S06_FRAG, L002_S13_FRAG/ L002_S13_0-0.1, L002_S14_0.0-0.1, L158_S12_FRAG, L158_S20FRAG, L158_S22FRAG/ L158_S22_0-0.1, L158_S28FRAG, L002_SP05 (associated with L002_S13), L004_SP27 and a location in the north western corner of Lot 159), exceeding the adopted health criteria; and
- Aesthetic issues were observed including ACM (noted above), above ground storage tanks and chemical storage drums/containers, hydrocarbon staining and general waste (JBS&G 2019).

The locations of the exceedances are shown in **Figure 12**.



Source: (JBS&G 2019)

Figure 12: Contamination Exceedances



The PSI concluded that:

- Whilst the investigation identified soil impacts and the potential for soil vapour, ground gas and groundwater impacts to be present in some areas at the site, the investigation did not identify the potential for gross or widespread contamination which may preclude rezoning and development for the proposed industrial use of the site. Identified impacts are considered representative of common contaminants and potentially contaminating land use activities which can be readily addressed during the DA stage (i.e. including completion of detailed site investigations consistent with relevant Council DCPs and SEPP 55 requirements) for redevelopment and assessment for site suitability; and
- In the absence of gross or widespread contamination, the requirements of the DUAP/EPA (1998) Managing Land Contamination: Planning Guidelines for this type of rezoning are considered to have been satisfied, namely that the rezoning can proceed, “provided that measures are in place to ensure that the potential for contamination and the suitability of the land for any proposed use are assessed once detailed proposals are made” (s.4.1.2 DUAP 1998) (JBS&G 2019).

The PSI provided the following recommendations:

- It is recommended that a detailed site investigation be undertaken upon submission of the DA for redevelopment of any land within the site.
- It is also recommended that Hazardous Building Material Surveys (HBMS) be undertaken on existing site structures prior to any demolition and redevelopment works on individual land parcels (JBS&G 2019).

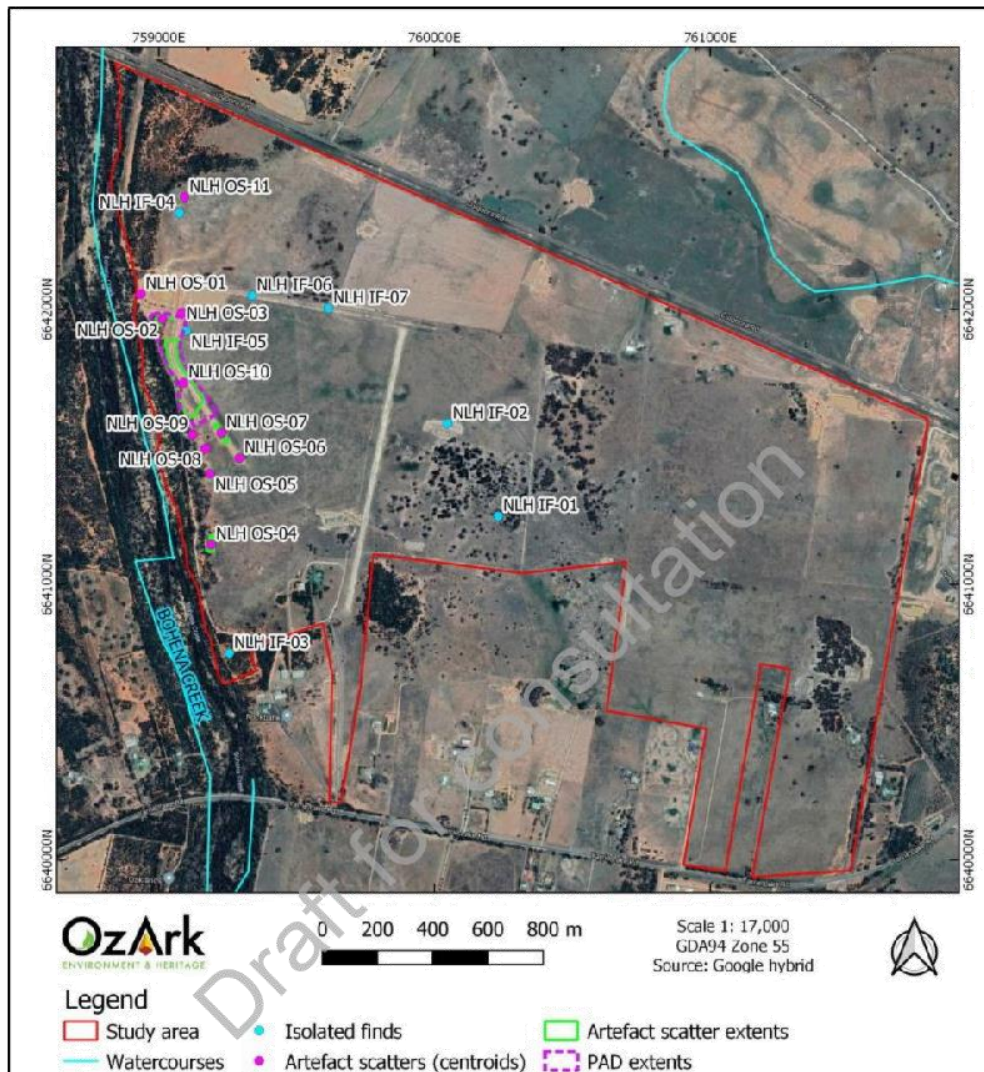
2.4 Aboriginal Heritage

A search of the Aboriginal Heritage Information Management System (AHIMS) was undertaken for the site and its immediate surrounds. A copy of the search is provided in **Appendix C**. The search identified:

- Two (2) Aboriginal sites are recorded in or near the search location; and
- Zero Aboriginal places have been declared in or near the search location.

A subsequent *Aboriginal Heritage Assessment Report: Opportunities and Constraints* is in the process of being prepared by OzArk Environment & Heritage for the project. Initial findings indicate that eighteen Aboriginal sites have been recorded within the study area (see **Figure 13**). These were predominantly located adjacent to the riparian corridor.

Planning Proposal – Northern NSW Inland Port
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Source: (OzArk Environment & Heritage 2019)

Figure 13: Location of recorded sites in the study area

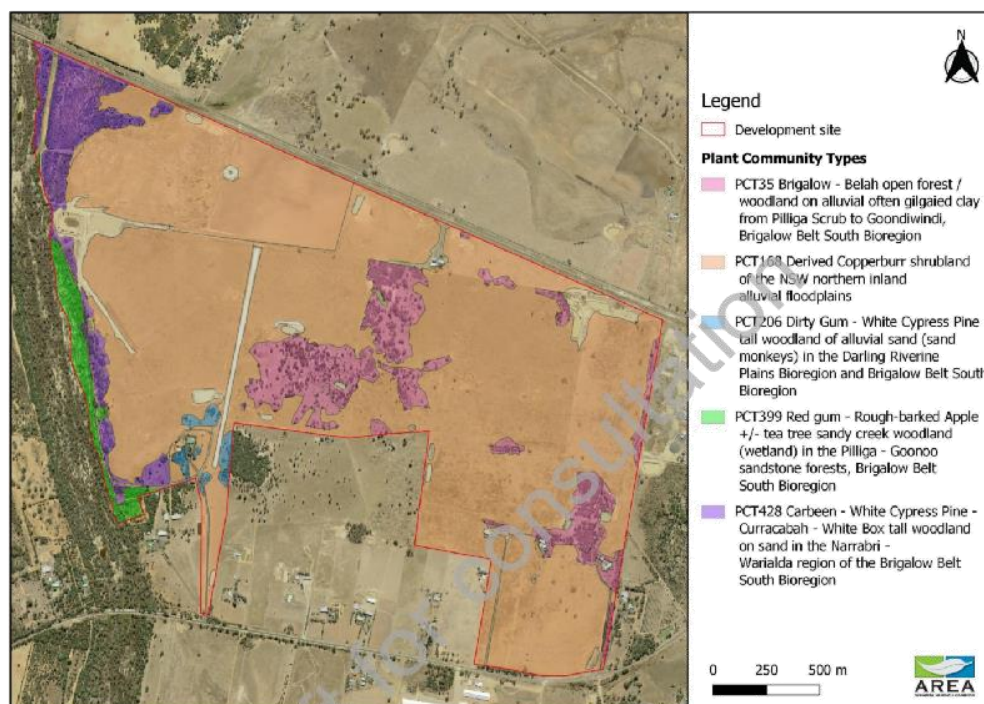
2.5 European Heritage

A search of the State Heritage Register and LEP was undertaken for the site and its surrounds. There are no listed items of European heritage on or within the vicinity of the site.

2.6 Biodiversity

2.6.1 Plant Community Types

A Biodiversity Assessment Overview has been prepared by Area Environmental for the precinct. It identified five Plant Community Types (PCT) on site as shown in **Figure 14**.



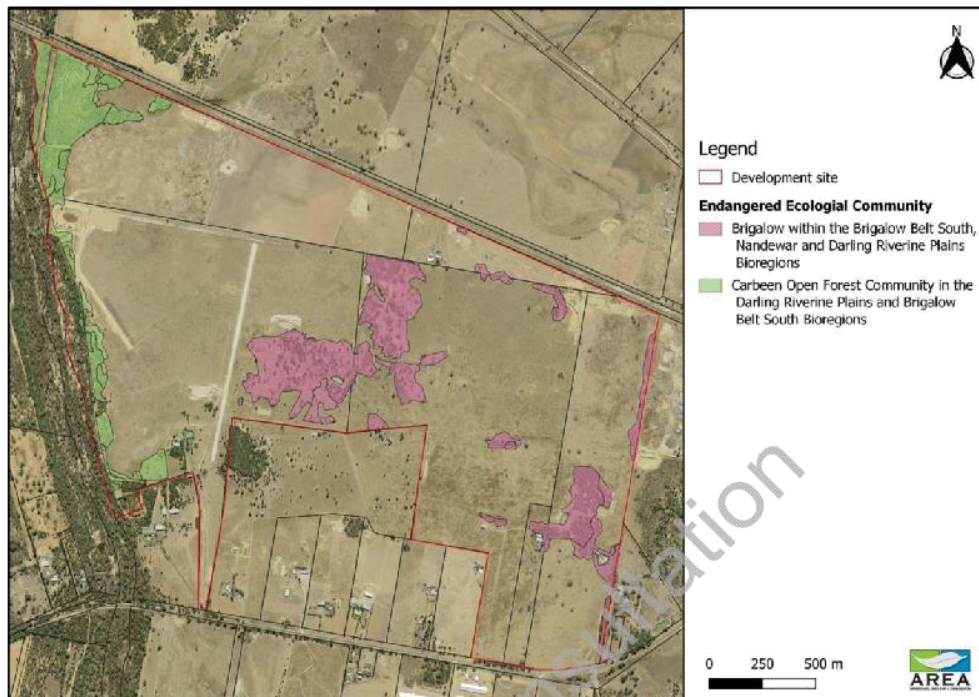
Source: (Area Environmental 2019)

Figure 14: Plant Community Type (PCT) Map

Of these two (2) are listed as Threatened Ecological Communities (TEC) under the *Biodiversity Conservation Act 2016*, being:

- PCT35- Brigalow within the Brigalow Belt South, Nandewar and Darling Riverine Plains Bioregions (Part)
- PCT428 - Carbeen Open Forest Community in the Darling Riverine Plains and Brigalow Belt South Bioregions (Part)

The location and extent of the TECs are show on **Figure 15**.



Source: (Area Environmental 2019)

Figure 15: Endangered Ecological Communities

2.6.2 Threatened Species

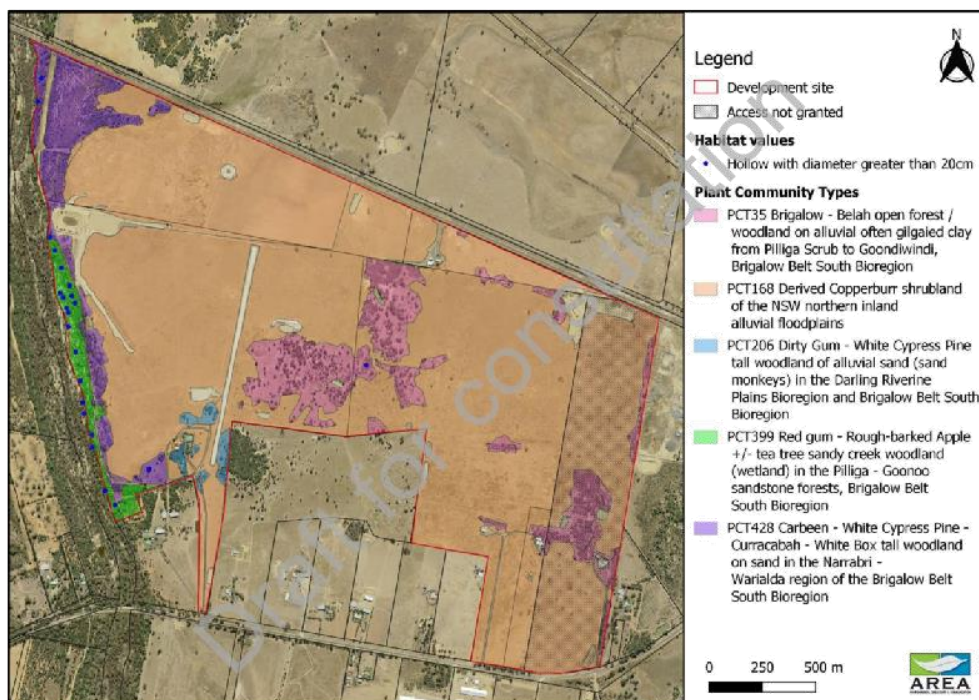
The following threatened species were recorded on site during the assessment:

- Microbats were recorded during all nights of the week. Results included at least one threatened bat species – Little Pied Bat, *Chalinolobus picatus* (Vulnerable BC Act). This species was recorded on BAT 1 which was located in PCT428 adjacent to Bohena Creek (Figure 2). This species roosts in caves, rock outcrops, mine shafts, tunnels, tree hollows and buildings.
- Grey-crowned Babblers, *Pomatostomus temporalis temporalis* (Vulnerable BC Act), and their nests were recorded in all treed PCTs
- A Little Eagle, *Hieraaetus morphnoides* (Vulnerable BC Act), was observed sitting on a fence in the north east corner of the development site. Numerous large stick nests were observed in the development site in all treed PCTs, potentially indicating this species nests in the development site.
- Square-tailed Kite, *Lophoictinia isura* (Vulnerable BC Act), recorded resting and flying in the development site and may nest in all treed areas with reasonable patch size.
- Winged Peppergrass, *Lepidium monophloeoides* (Endangered BC Act and EPBC Act), was recorded in three lots – Lot 2 DP1260466, Lot 158 DP711841 and 159 DP852877, in PCT168 (Figure 6) and in one vegetation plot (Plot 14). As the assessment was undertaken in a severe drought, the species is considered to have potential to occur in all areas of PCT168. The area of extent of this population might be able to be refined with provision of the flood study maps showing floodplains / areas of inundation in the study area.
- Belson's Panic, *Homopholis belsonii* (Endangered BC Act and Vulnerable EPBC Act), recorded in one gilgai in PCT35.

- A Diamond Firetail, *Stagonopleura guttata* (Vulnerable BC Act), nest was recorded in PCT399 on the edge of Bohena Creek.
- Glossy-black Cockatoo, *Calyptorhynchus lathami* (Vulnerable BC Act), evidence of feeding recorded in PCT399 and PCT428 on the edge of Bohena Creek.
- Barking Owl, *Ninox connivens* (Vulnerable BC Act), call heard during nocturnal assessment in PCT399 and PCT428 on the edge of Bohena Creek.
- Squirrel Glider, *Petaurus norfolcensis* (Vulnerable BC Act), call heard during nocturnal assessment in PCT399 on the edge of Bohena Creek.

The majority, but not all threatened species constraints are associated with PCTs along Bohena Creek.

Large hollows (greater than 15 centimetres diameter) and greater than five metres above the ground are suitable nesting sites for species including the Glossy Black Cockatoo. The location of the identified hollows as described are shown in **Figure 16**.



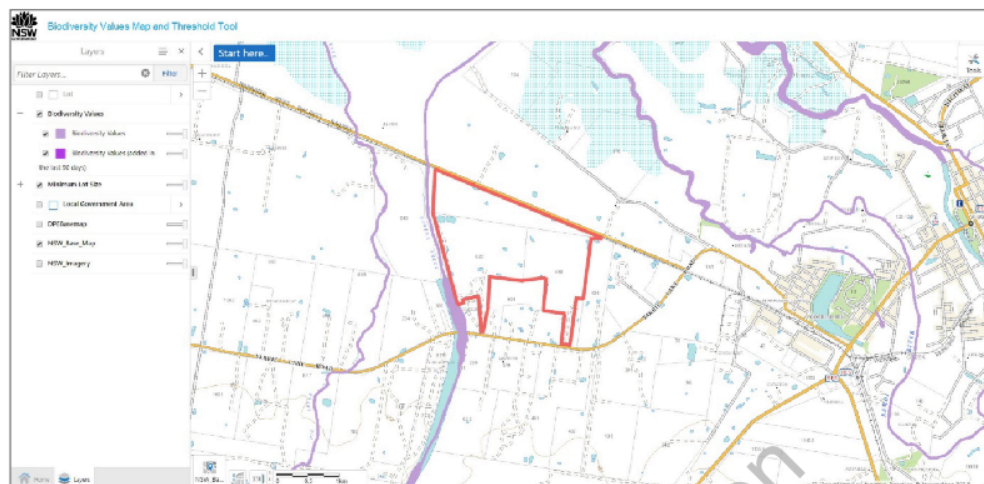
Source: (Area Environmental 2019)

Figure 16: Identified Hollows

2.6.3 Biodiversity Values

The western most part of the site has been identified as comprising Biodiversity Values as shown on the Biodiversity Values Map (**Figure 17**).

Planning Proposal – Northern NSW Inland Port
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Source: (NSW Department of Planning and Environment n.d.)

Figure 17: Biodiversity Values Map

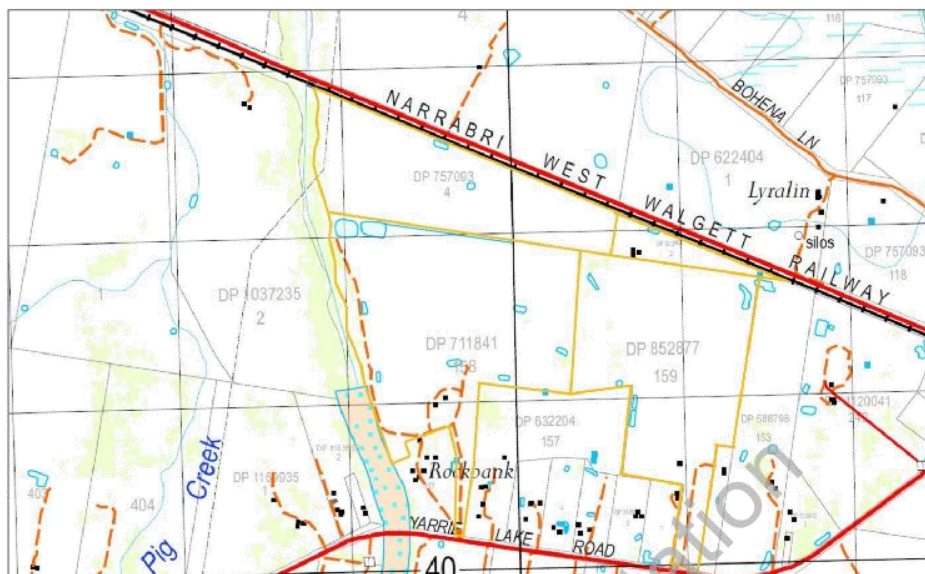
2.7 Surface Water

The site is identified as being in the Bohena Creek Water Source under the *Water Sharing Plan for the Namoi Unregulated and Alluvial Water Sources 2012* (NSW Government n.d.).

As shown in **Figure 18**, the site contains a number of dams and a pipeline running east/west along the northern boundary of Lot 158. Whilst quite flat, the site generally falls to the west to Bohena Creek. Upstream of the site, Bohena Creek is mapped as a mainly dry lake, however, also forms a perennial stream both up and downstream of the site. Bohena Creek is classified as a third order stream under the Strahler System.

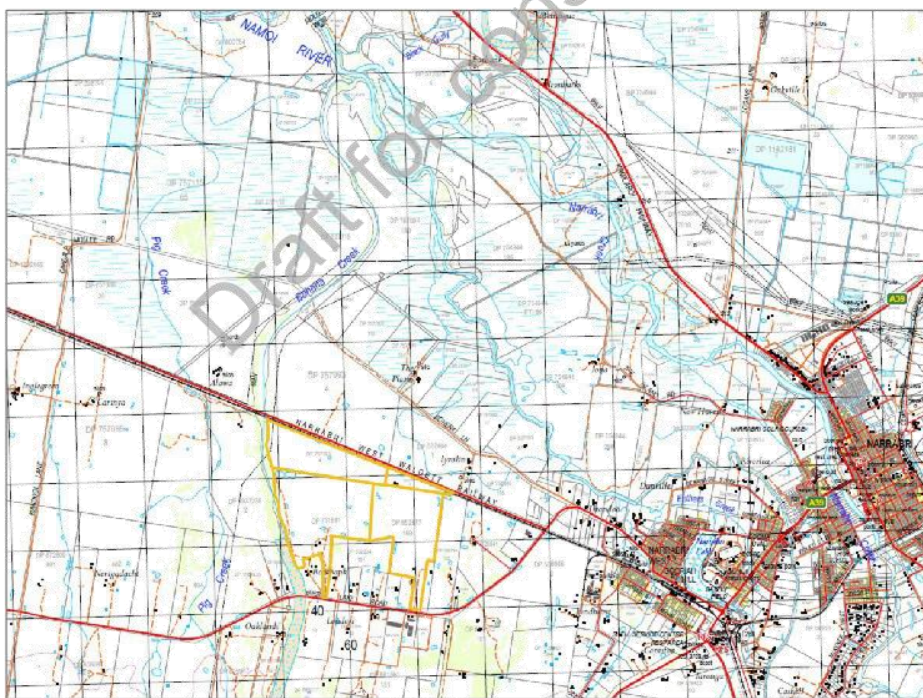
As shown in **Figure 19**, Bohena Creek flows in a northwards direction from the site. Its confluence with the Namoi River is approximately 6.5 km downstream.

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Source: (NSW Government Spatial Services 2017)

Figure 18: Topographic Map Site



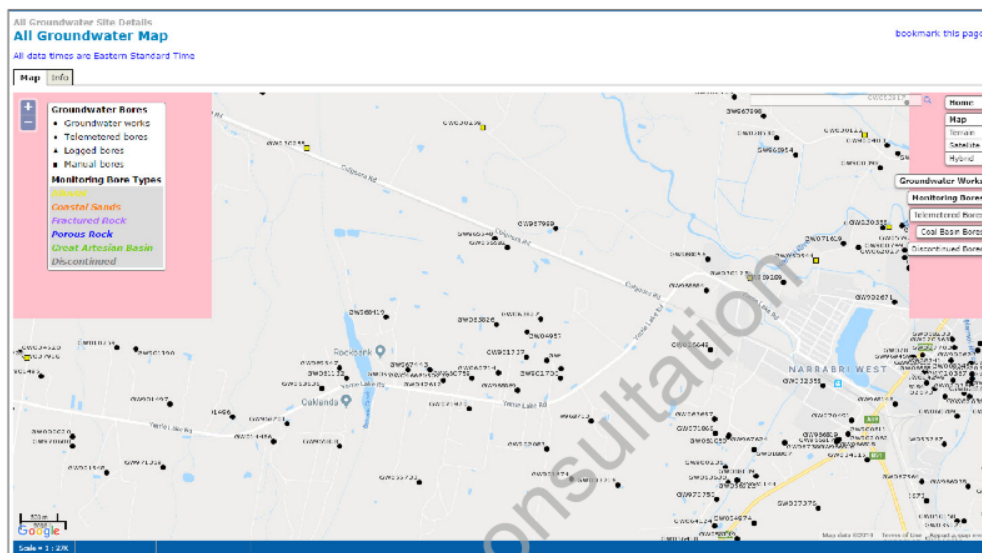
Source: (NSW Government Spatial Services 2017)

Figure 19: Topographic Map Overview

2.8 Groundwater

The site has been identified as being within the Lower Namoi Groundwater Source which is covered by the Lower Namoi Alluvium Water Sharing Plan (NSW Government n.d.).

A review of the All Groundwater website revealed numerous existing groundwater bores located within the vicinity of the site (**Figure 20**).



Source: (WaterNSW n.d.)

Figure 20: Groundwater Map

The following table outlines the characteristics of each bore.

Table 2: Groundwater Bore Information

Bore	Purpose	Depth	SWL	Salinity
GW968419*	Domestic	120m	15m	Good
GW046671	Stock, Domestic	34.7m	N/A	N/A
GW054077	Stock	40m	15.1m	Fair
GW967443	Domestic	76.24m	14.5m	N/A
GW050237	Stock, Domestic	28m	N/A	N/A
GW042612	Irrigation	74.6m	12.1m	Good
GW060759	Stock, Domestic	98.7m	6.1m	N/A
GW060714	Domestic	152m	N/A	N/A
GW901737	Irrigation	180m	N/A	N/A
GW968869	Domestic	84m	26m	777mg/L @ 26m & 4000mg/L @ 12m
GW965548*	Domestic	100.6m	10m	N/A

Table 2: Groundwater Bore Information

Bore	Purpose	Depth	SWL	Salinity
GW056582*	Stock, Domestic	29.3m	10.7m	N/A
GW063826*	Monitoring Bore	185m	9m	N/A
GW063827	Monitoring Bore	185m	8m	Salty
GW049575*	Stock, Domestic	60m	N/A	N/A
GW967879	Irrigation	110m	60m	N/A
GW966227	Stock, Domestic, Irrigation	142m	8.5m	N/A
GW902700	Domestic	141m	8.2m	N/A
GW967999	Domestic	42m	31m	Good
GW030255	Monitoring bore	21.3m	4.2m	N/A

Notes:

* Located on site

N/A Not available

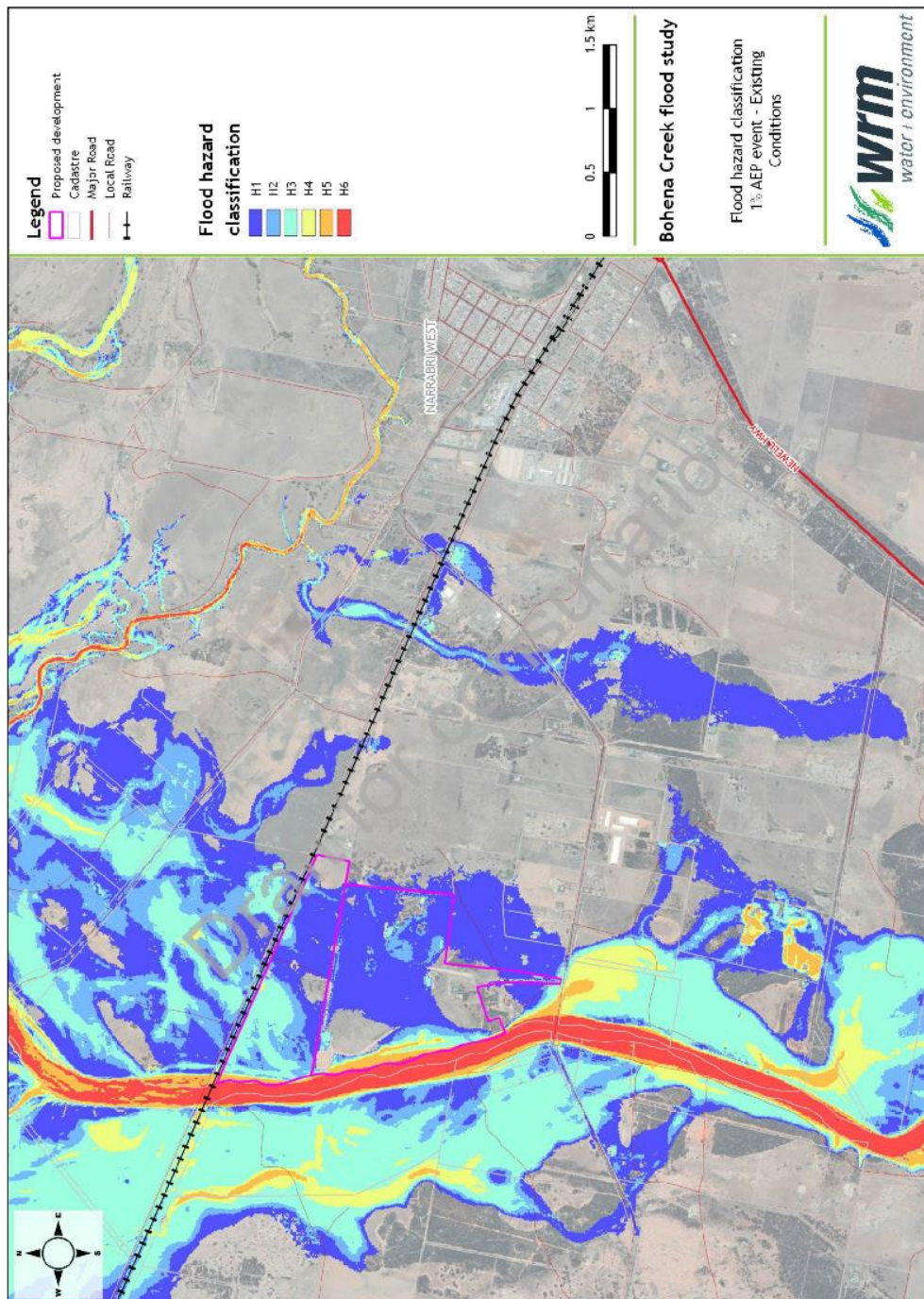
2.9 Flooding

The site is not mapped as being within a Flood Planning Area (FPA) on the LEP. However, this is because the site is outside of the flood model that the FPA is based upon.

A further flood study has been undertaken for the Bohena Creek Catchment as part of this PP. The Bohena Creek is a tributary of the Namoi River. As part of the flood study, consistent with the Floodplain Development Manual, the model has included consideration of climate change by increasing peak rainfall and storm volume by 30% for the 1% Annual Exceedance Probability (AEP) flood. This is considered to be the “worst case” of the three climate change sensitivity analyses recommended by the NSW Government (WRM Water + Environment 2019).

Figure 21 shows the provisional hydraulic hazard for the 1% Flood for the site. It can be seen that the vast majority of the study area that is subject to inundation has a H1 hazard classification. As further explained by Figure 22, is generally safe for people, vehicles and buildings.

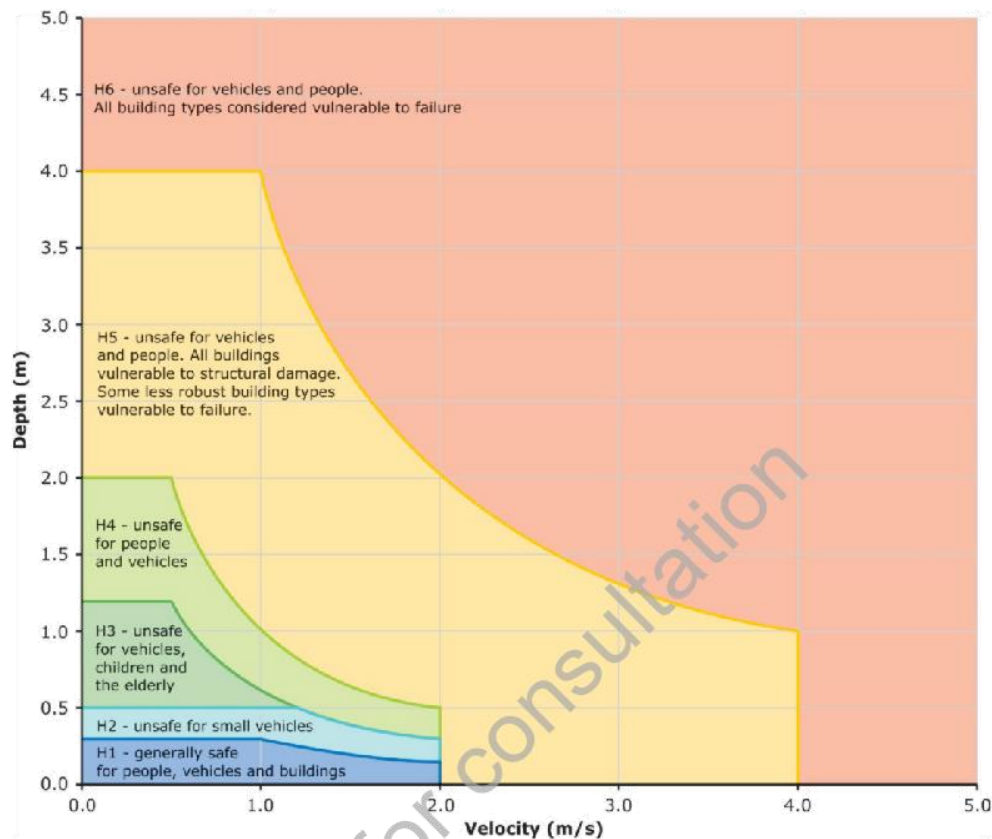
Planning Proposal – Northern NSW Inland Port
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Source: (WRM Water + Environment 2019)

Figure 21: Provisional Hydraulic Hazard – 1% AEP Event

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Source: (Australian Institute for Disaster Resilience 2017)

Figure 22: Provisional Hydraulic Hazard Categories

2.10 Bushfire

The site is not mapped on Council's Bush Fire Prone Land Map. Nevertheless the vegetation on site and its surrounds is considered to comprise bushfire prone vegetation in accordance with the NSW Rural Fire Services (RFS) Guide for Bush Fire Prone Land Mapping (NSW Rural Fire Services 2015). In this regard the RFS' Planning for Bush Fire Protection has been considered in the preparation of this PP.

2.11 Access

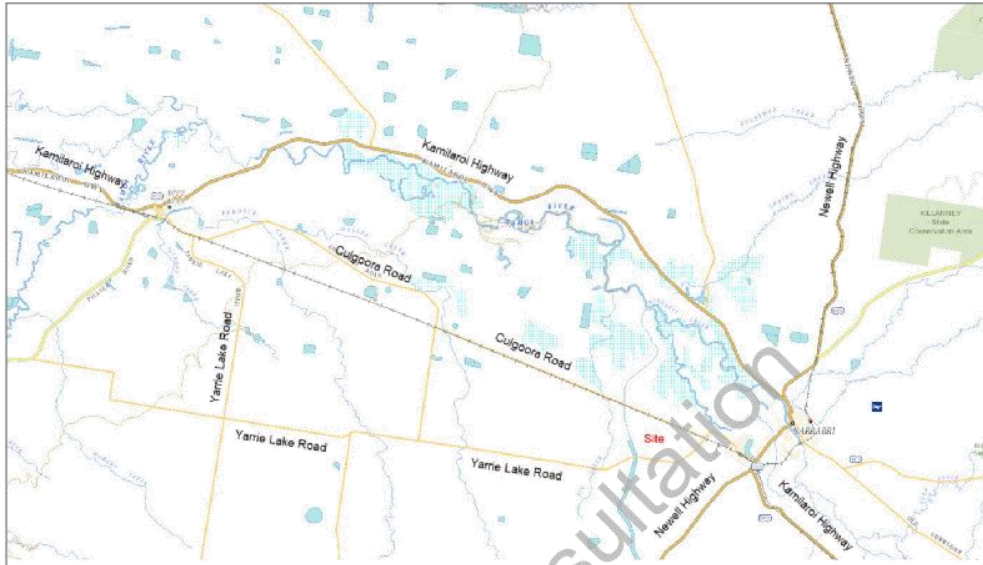
2.11.1 Roads

The wider and local road network surrounding the site is shown in **Figure 22** and **Figure 23**.

The site currently has access to Yarrie Lake Road, which is a two lane two way sealed rural road. Yarrie Lake Road provides access from Narrabri West to Wee Waa south of the railway line. Heading eastwards from the site, Yarrie Lake Road becomes Goobar Street at the intersection with Bukhai Street. It then becomes Bukhai Street and Mooloolbar Street prior to its intersection with the Newell Highway (Cooma Road/A39). The posted speed limit on Yarrie Lake Road is 100km/h, dropping to 80km/hr at the approach to Goobar Street. Goobar, Bukhai and Mooloolbar Streets have a 50km/h posted speed limit.

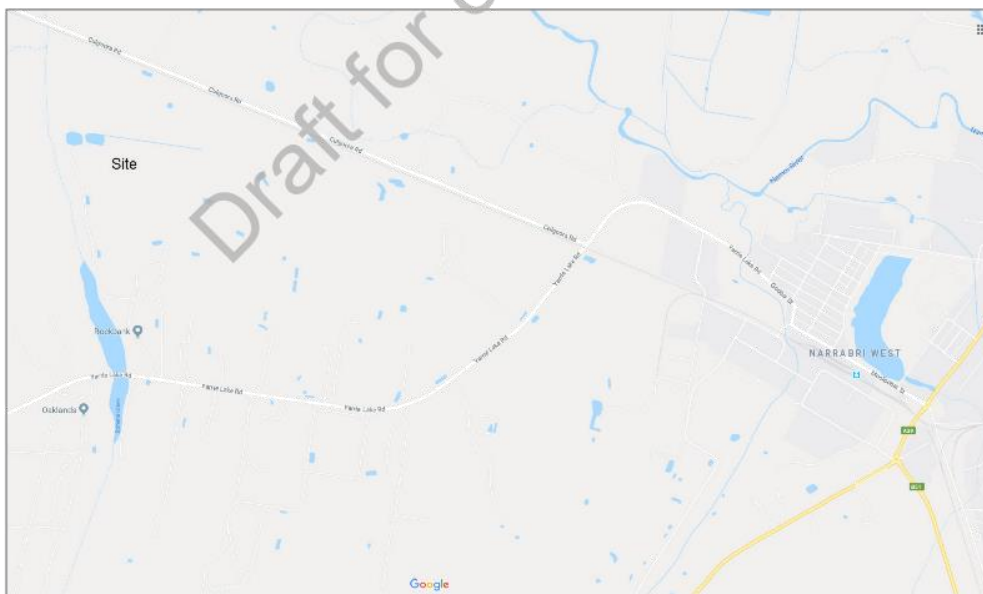
Planning Proposal – Northern NSW Inland Port
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Culgoora Road is a two-lane two way sealed rural road. It provides access from Narrabri West to Wee Waa north of the railway line. Culgoora Road is located immediately to the north of the railway line corridor. The posted speed limit on Culgoora Road is 100km/h.



Source: (NSW Spatial Services 2019)

Figure 23: Wider Road Network



Source: (Google 2019)

Figure 24: Local Road Network

2.11.2 Intersections

The intersection of Yarrie Lake Road and Culgoora Road to the east of the site is a BAR/BAL type intersection controlled by give way signs.

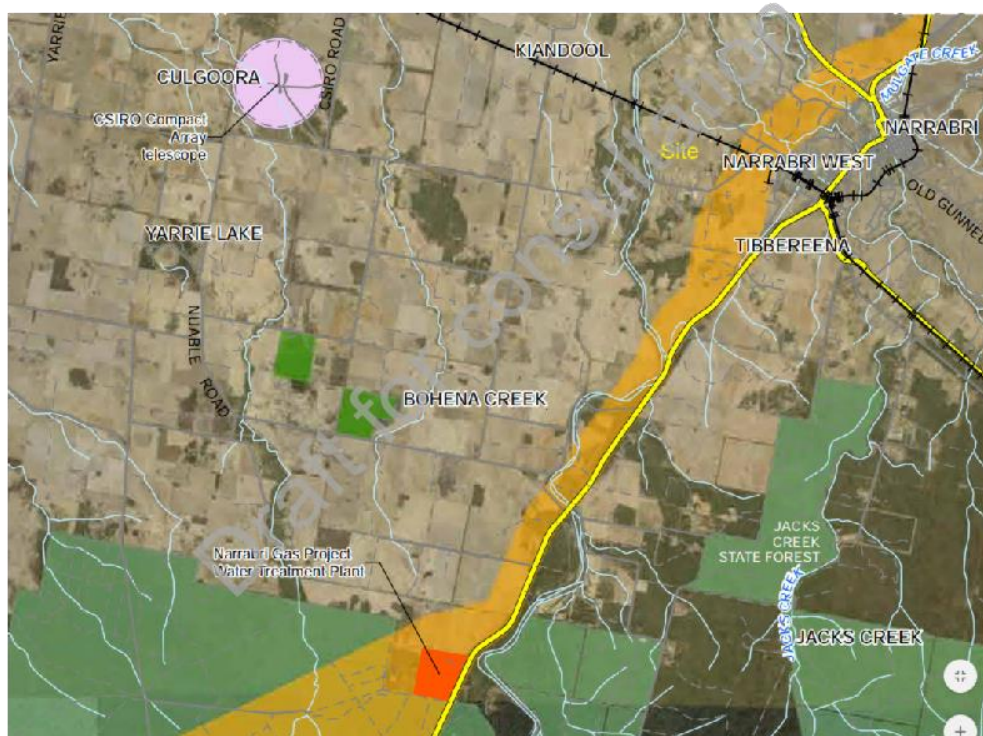
The Narrabri West Walgett Railway line intersection with Yarrie Lake Road to the east of the site is an at-grade passive crossing controlled by stop signs.

The intersection of Mooloobar Street and the Newell Highway is controlled by a roundabout.

2.11.3 Rail

The Narrabri West Walgett Railway line runs along the north of the site. It extends from the Werris Creek Mungindi Railway Line in the east (Narrabri West) to Walgett in the west via Wee Waa and Burren Junction. It is a single line adjacent to the site.

The Inland Rail Project has an identified study corridor that is located to the east of the site as shown in **Figure 24**.



Source: (Australian Rail Track Corporation (ARTC) n.d.)

Figure 25: Inland Rail Study Corridor

3 Existing Legislative Framework

3.1 Zoning

As shown in **Figure 5**, the site is zoned RU1 Primary Production under the LEP. The objectives of the RU1 Zone are:

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

The land use table for the RU1 Zone is as follows:

2 Permitted without consent

Building identification signs; Environmental protection works; Extensive agriculture; Farm buildings; Forestry; Home occupations; Intensive plant agriculture; Roads

3 Permitted with consent

Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Depots; Dual occupancies; Dwelling houses; Environmental facilities; Extractive industries; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Helipads; Home businesses; Home industries; Information and education facilities; Intensive livestock agriculture; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Roadside stalls; Rural industries; Rural workers' dwellings; Signage; Turf farming; Water recreation structures; Water supply systems

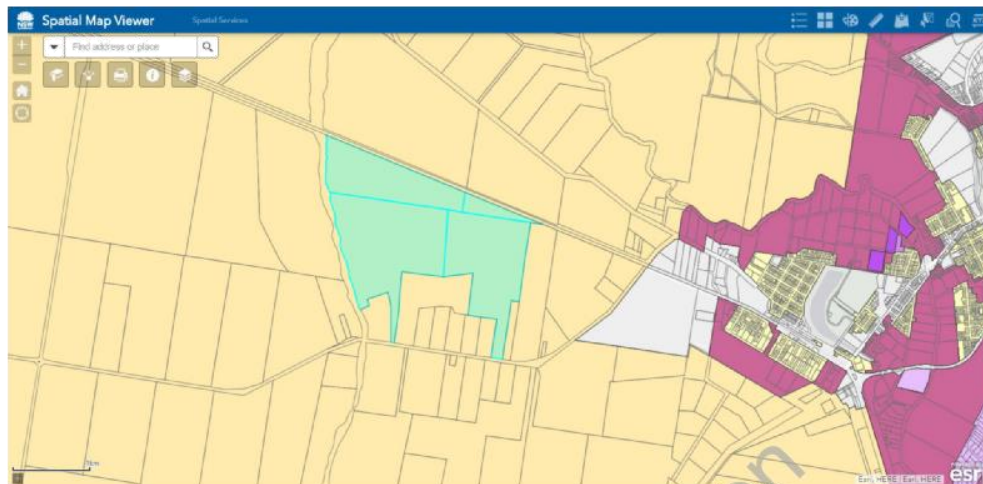
4 Prohibited

Any development not specified in item 2 or 3

3.2 Minimum Lot Size

The site has a Minimum Lot Size (MLS) of 100 hectares under the LEP as shown in **Figure 25**.

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri



Source: (NSW Spatial Services n.d.)

Figure 26: LEP Minimum Lot Size Map

4 Planning Proposal

4.1 Part 1: Objectives or Intended Outcomes

4.1.1 Objectives & Intended Outcomes

The Guide identifies that Part 1 of a PP should consist of:

... a short, concise statement setting out the objectives or intended outcomes of the planning proposal. It is a statement of what is planned to be achieved, not how it is to be achieved. It should be written in such a way that it can be easily understood by the general community (NSW Government Planning & Environment 2018).

The objective of this PP is to facilitate the development of a logistics and industrial hub on a significant area of land located adjacent to the intersection of the Narrabri West Walgett Railway line and the proposed Inland Rail corridor. The subject land is referred to as the Northern NSW Inland Port (**NzIP**).

The proposed amendment will:

- amend the Narrabri Local Environmental Plan 2012 (LEP);
- amend the Land Zoning Map; and
- amend the Lot Size Map.

4.1.2 Location & Context

This is addressed in **Section 2**.

4.1.3 Background

A Strategic Business Case was prepared for the Narrabri Shire Logistics and Industrial Hub by Arcadis. The following provides a summary from the business case as background to this document.

In 2013 Transport for New South Wales (TfNSW) published its NSW Freight and Ports Strategy as an extension to the freight network strategy articulated in the preceding NSW Long Term Transport Master Plan – a strategy focused on a freight network throughout NSW that allows the efficient flow of goods to their market - a commitment to support the projected growth of product and its supply chain transport efficiencies throughout regional NSW.

In 2018 the Hon. Gladys Berejiklian MP the Premier for NSW issued an update on the Premier's Priorities with an ongoing commitment to support opportunities for creating jobs and delivering critical infrastructure to regional areas.

Narrabri Shire Council has responded to these prospectuses with a proposal to develop the Narrabri Shire Logistics and Industrial Hub (Hub), connected to the Walgett CRN line and access to the 'spine' of the national freight network between Melbourne and Brisbane, the Inland Rail. The proposed Hub would provide a dedicated facility to attract national organisations to Narrabri Shire, leading to an increase in economic development activities in the region.

The Hub would be able to accommodate business and industry across a broad spectrum including small, medium and large industrial and commercial operations. Narrabri Shire Council is engaged in conversations with Santos in an effort to attract a large commercial tenant at the Hub whose very presence would require a substantial capital investment and create up to 200 full time equivalent jobs at the Hub. This in turn would broaden and strengthen the economic base of the Shire. The Hub would provide a suitable location for this and other industrial and commercial operations through a coordinated approach to land use, infrastructure planning and development.

From Narrabri Shire Council's perspective, the establishment of the Hub would assist in strengthening the existing economy and continue to increase the current Gross Regional Product (GRP) of \$1.2billion.

The proposed Hub represents a proposal of nationally significant critical infrastructure with an opportunity to enhance the efficiency of the flow of goods through the region, increase industry diversity and enhance opportunities for regional employment (Arcadis 2019).

4.1.4 Summary

The planning proposal represents a significant amendment to the Narrabri Regional Local Environmental Plan 2012 as a considerable area of valuable employment generating land is captured by the proposed zone and lot size changes.

It is important to note that while Council has analysed these broad range of issues, specific impacts relating to future development proposals will need to be addressed via development application processes to determine the feasibility of proposed development types in specific sections of the subject lands.

4.2 Part 2: Explanation of Provisions

The Guide identifies that Part 2 of a PP is to provide:

... a more detailed statement of how the objectives or intended outcomes are to be achieved by means of amending an existing LEP. ... explanation of provisions to identify what zones or development standards are being proposed (NSW Government Planning & Environment 2018).

The proposed outcome for the PP will be achieved by the following measures.

4.2.1 Modification to the Land Use Table

It is intended to modify the Land Use Table to insert the new SP1 Special Activities Zone as follows:

Zone SP1 Special Activities

1 Objectives of zone

- To provide for special land uses that are not provided for in other zones.
- To provide for sites with special natural characteristics that are not provided for in other zones.
- To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.
- To recognise the Northern NSW Inland Port Precinct as a special industrial enterprise area.
- To provide suitable land for a national multi-modal freight and transport interchange.
- To encourage the growth of the freight logistics industry and provide economic benefits for Narrabri.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Aquaculture; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3

4.2.2 Amending the Land Zoning Map

It is proposed to amend Land Zoning Map Sheet LZN_004 to:

- Rezone the western part of the site to E3 Environmental Management;
- Rezone the railway line area and 60m south of the railway line lot to SP2 Infrastructure with “Rail Infrastructure Facility” shown as the permissible use; and
- Rezone the eastern part of the site to SP1 Special Activities Zone with the following listed permissible uses:
 - Freight Transport Facility;
 - Heavy Industrial Storage Establishment;
 - Heavy Industry;
 - High Technology Industry;
 - Rural Industry;
 - Transport Depot; and
 - Truck Depot.

The proposed Zoning Map is provided in **Appendix D**.

4.2.3 Amending the Lot Size Map

It is proposed to amend Lot Size Map Sheet LSZ_004 to remove the minimum lot size requirement from the precinct. The proposed Lot Size Map is provided in **Appendix D**.

4.3 Part 3: Justification

The Guide identifies that Part 3 is to set out the case for the making the proposed LEP. The following section provides a response to the questions outlined in the guide.

Planning Proposal – Northern NSW Inland Port
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Table 3: Planning Proposal Justification

Provision	Response
Section A: Need for the Planning Proposals	
Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?	<p>The PP is consistent with <i>New England and North West Regional Plan 2017</i> (see Appendix B) and is included in the Local Strategic Planning Statement (LSPS) and Growth Management Strategy (GMS).</p> <p>The PP is consistent with Council's Community Strategic Plan, which has the following strategies:</p> <p>3.2.1 Promote Narrabri Shire as a Regional Logistics Hub</p> <p>3.2.2 Develop at least one flood free intermodal site that has access to quality infrastructure and the proposed inland rail network</p> <p>3.2.3 Explore opportunities for increasing efficiency in freight movements</p>
Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	<p>A planning proposal is the only legal mechanism for amending the LEP to update the Land Zoning Map and Lot Size Map to facilitate the Northern NSW Inland Port Precinct.</p> <p>Other land use zonings could be utilised; however, the proposal is considered to provide the best fit for the intended development outcome.</p> <p>Council is seeking Delegated Authority to make this LEP and is submitting the delegated plan making reporting template and evaluation criteria for the delegation of plan making functions with the request for a Gateway Determination.</p>
Section B – Relationship to strategic planning framework	
Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?	
Assessment Criteria	
a) Does the proposal have strategic merit? Will it:	
<ul style="list-style-type: none"> give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or 	Yes. See assessment in Appendix E .

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Table 3: Planning Proposal Justification

Provision	Response
<ul style="list-style-type: none"> give effect to a relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement; or 	<p>The PP is consistent with Narrabri's LSPS and GMS. The Northern NSW Inland Port is included in the LSPS and GMS.</p> <p>The PP is consistent with Council's Community Strategic Plan, which has the following strategies:</p> <p>3.2.1 Promote Narrabri Shire as a Regional Logistics Hub</p> <p>3.2.2 Develop at least on flood free intermodal site that has access to quality infrastructure and the proposed inland rail network</p> <p>3.2.3 Explore opportunities for increasing efficiency in freight movements</p>
<ul style="list-style-type: none"> responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans. 	<p>The proposal is a response to the implementation of the Inland Rail project, which has the study corridor being located adjacent to the site. The Regional Plan states:</p> <p><i>The proposed Melbourne to Brisbane Inland Rail has the potential to reshape freight movements. The 2010 Melbourne-Brisbane Inland Rail Alignment Study, prepared by the Australian Rail Track Corporation (ARTC), identified the preferred corridor for inland rail, passing through Narrabri and Moree. The fine-scale alignment of the corridor is yet to be settled, and planning, engineering design and assessment will be finalised by the Australian Government and ARTC. The NSW Government will work with councils and the Australian Government during this period.</i></p> <p><i>Growth in containerised freight of grain and meat products could require new intermodal terminals and supporting rail infrastructure. Narrabri, Moree and Tamworth support existing and proposed intermodal terminals and will continue to be significant areas for outbound containerised freight</i></p> <p><i>Any new freight and logistics hubs and intermodals must be close to freight network corridors and infrastructure. These assets should also be protected from urban encroachment and incompatible land uses to protect freight and cargo handling capacity.</i></p> <p><i>Narrabri Shire Council is developing a transport and manufacturing hub masterplan that will take advantage of existing intermodal facilities and investment in rail and natural gas infrastructure.</i></p> <p>The proposal responds to this.</p>
b) Does the proposal have site-specific merit, having regard to the following?	

Planning Proposal – Northern NSW Inland Port
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Table 3: Planning Proposal Justification

Provision	Response
<ul style="list-style-type: none"> the natural environment (including known significant environmental values, resources or hazards) and 	A desktop assessment has been provided in Section 2 of this report. Furthermore, detailed assessments are being currently undertaken for the site including biodiversity, Aboriginal heritage, contamination, flooding and bushfire. From the preliminary information available the site is suitable for the proposal.
<ul style="list-style-type: none"> the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and 	<p>The existing land uses are addressed in Section 2.2.</p> <p>There are no approved or future land uses that are known to be different to the existing uses.</p>
<ul style="list-style-type: none"> the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision. 	Transport and Servicing Strategies are being prepared for the precinct. Once complete, Council will investigate options for funding of infrastructure requirements to facilitate the development including modifications to Contributions Plan(s).
Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?	<p>The PP is consistent with Narrabri's LSPS and GMS. The Northern NSW Inland Port is included in the LSPS and GMS.</p> <p>The PP is consistent with Council's Community Strategic Plan, which has the following strategies:</p> <p>3.2.1 Promote Narrabri Shire as a Regional Logistics Hub</p> <p>3.2.2 Develop at least on flood free intermodal site that has access to quality infrastructure and the proposed inland rail network</p> <p>3.2.3 Explore opportunities for increasing efficiency in freight movements</p>
Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?	Yes. See assessment in Appendix F .
Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.g.1 directions)?	Yes. See assessment in Appendix G .
Section C – Environmental, social and economic impact	
Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?	<p>The preliminary biodiversity assessment indicates that the site contains a number Plant Community Types (PCTs), of which two (2) were identified as being Threatened Ecological Communities (TEC). The development also has the potential to impact on a number of threatened species.</p> <p>The development will be best designed to avoid impact on these areas.</p>

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri

Table 3: Planning Proposal Justification

Provision	Response
	The biodiversity assessment is in the process of being finalised.
Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	<p>Flooding</p> <p>The site is impacted by flooding. A flood assessment is being prepared for the site. The development will be designed to ensure development is located to avoid impacts from flooding.</p> <p>Bushfire</p> <p>The site contains vegetation that is considered to comprise bushfire prone vegetation in accordance with the NSW Rural Fire Services (RFS) <i>Guide for Bush Fire Prone Land Mapping</i>. The development will be designed to comply with the RFS' <i>Planning for Bush Fire Protection</i> Guidelines.</p>
Q9. Has the planning proposal adequately addressed any social and economic effects?	<p>Aboriginal heritage</p> <p>An Aboriginal Heritage Assessment has identified that the site contains eighteen Aboriginal sites. The majority of these are located within the vicinity of the riparian corridor.</p> <p>The development will be best designed to avoid impact on these areas.</p> <p>The Aboriginal Heritage Assessment is in the process of being finalised.</p> <p>Economic</p> <p>The Strategic Business Case prepared for the precinct indicated that it could facilitate up to 900 new full-time equivalent jobs.</p>
Section D – State and Commonwealth interests	
Q10. Is there adequate public infrastructure for the planning proposal?	Yes. Whilst the servicing strategy is being finalised, it has been confirmed that the site can be serviced in terms of water supply, effluent disposal and stormwater management.
Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?	Consultation will be undertaken in accordance with the requirements of a Gateway determination.

4.4 Part 4: Mapping

The existing and proposed mapping for the PP is provided in **Appendix D**.

4.5 Part 5: Community Consultation

It is intended that the following community consultation will be undertaken as part of the PP:

- Public Exhibition period of a minimum of 28 days or as otherwise advised by DPIE, including
 - NSC Notices Section within local newspapers;
 - NSC's website;
 - NSC's social media;
 - Static display at NSC's Administration Centre; and
 - Notices on the land.
- Consultation with government departments/agencies including:
 - DPIE – Environment, Energy & Science Group
 - DPIE – Regions, Industry, Agriculture & Resources Group
 - DPIE – Water Division
 - ARTC
 - Essential Energy
- Letters to stakeholders

Public exhibition and consultation will be undertaken in accordance with the requirements of a Gateway Determination.

4.6 Part 6: Project Timeline

The following table provides the indicative timeline for the project.

Table 4: Anticipated Project Timeline

Task	Timeframe
Anticipated commencement date (date of Gateway Determination)	October 2020
Anticipated timeframe for the completion of technical information	Studies will be complete and ready for exhibition with the planning proposal.
Government agency consultation	Subject to Gateway Determination requirements
Commencement and completion dates for public exhibition period	28 days
Dates for public hearing (if required)	Not required
Timeframe for consideration of submissions	2 weeks – dependent on the level of community interest in the proposal
Timeframe for further consideration of the proposal	2 -4 weeks – dependent on the level of community interest in the proposal
Date of submission to PCO and the Department to finalise the LEP	February 2021
Anticipated date Council will make the plan (if delegated)	March 2021
Anticipated date Council will forward to the department for notification	March 2021

5 References

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Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri

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Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri

Draft for consultation

Appendix A

Information Checklist

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri

STEP 1: REQUIRED FOR ALL PROPOSALS
(under s3.33(2)(a-e) of the EP&A Act)

- Objectives and intended outcome
- Mapping (including current and proposed zones)
- Community consultation (agencies to be consulted)
- Explanation of provisions
- Justification and process for implementation (including compliance assessment against relevant section 9.1 direction/s)

STEP 2: MATTERS – CONSIDERED ON A CASE BY CASE BASIS
(Depending on complexity of planning proposal and nature of issues)

Planning Matters or Issues	to be considered	N/A		to be considered	N/A
Strategic Planning Context					
Consistent with the relevant regional, district or corridor/precinct plans applying to the site, including any draft regional/district or corridor/precinct plans released or public comment; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Consistent with a relevant local council strategy that has been endorsed by the Department; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Seeking to update the current planning controls if they have not been amended in the last 5 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Site Description / Context					
Aerial photographs	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Site photos / photomontage	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Traffic and Transport Considerations					
Local traffic and transport	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
TMAP	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Public transport	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Cycle and pedestrian movement	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Environmental Considerations					
Bushfire Hazard	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Acid sulphate Soil	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Noise impacts	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Hora and/or fauna	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Soil stability, erosion, sediment, landslip assessment and subsidence	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Water quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Stormwater management	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Environmental Considerations					
Flooding	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Land/site contamination (SEPP55)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Sea level rise	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Urban design Considerations					
Existing site plan (buildings, vegetation, roads, etc)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Building mass/block diagram study (changes in building height and FSR)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Lighting impact	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Development yield analysis (potential yield of lots, houses, employment generation)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Economic Considerations					
Economic impact assessment	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Detail centres hierarchy	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Employment land	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Social and Cultural Considerations					
Heritage impact	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Aboriginal archaeology	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Open space management	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
European archaeology	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Social and cultural impacts	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Stakeholder engagement	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Infrastructure Considerations					
Infrastructure servicing and potential funding arrangements	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Miscellaneous / Additional Considerations					
List any additional studies that should be undertaken post Gateway determination	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri

Draft for consultation

Appendix B

Titles & Title Diagrams

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 158/711841

SEARCH DATE	TIME	EDITION NO	DATE
14/6/2019	8:22 AM	6	9/9/2018

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LAND

LOT 158 IN DEPOSITED PLAN 711841
AT NARRABRI WHST
LOCAL GOVERNMENT AREA NARRABRI
PARISH OF COOMA COUNTY OF WHITE
TITLE DIAGRAM DP711841

FIRST SCHEDULE

WAYNE ROBERT HANNAFORD
LERANN PATRICIA HANNAFORD
AS JOINT TENANTS (T 1294301)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- 2 PROVISIONS OF S. 235A CROWN LANDS CONSOLIDATION ACT 1913 AS TO BOUNDARIES TO RIVERS AND LAKES AFFECTING THE PART OF THE LAND ABOVE DESCRIBED FORMERLY PART OF PORTION 15
- 3 1897830 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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Yarrie Lake Road, Narrabri

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Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 159/852877

SEARCH DATE	TIME	EDITION NO	DATE
2/9/2019	4:44 PM	4	9/5/2017

LAND

LOT 159 IN DEPOSITED PLAN 852877
AT NARRABRI WEST
LOCAL GOVERNMENT AREA NARRABRI
PARISH OF COOMA COUNTY OF WHITE
TITLE DIAGRAM DP852877

FIRST SCHEDULE

WINSTON STANLEY HAYNE (T AM372142)

SECOND SCHEDULE (1 NOTIFICATION)

1. LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)

NOTATIONS

UNREGISTERED DEALINGS: NIL

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PLAN FORM 2

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Plan Drawing only to appear in this space

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Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/622404

SEARCH DATE	TIME	EDITION NO	DATE
2/9/2019	4:42 PM	10	9/9/2018

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LAND

LOT 2 IN DEPOSITED PLAN 622404
LOCAL GOVERNMENT AREA NARRABRI
PARISH OF COOMA COUNTY OF WHITE
TITLE DIAGRAM DD622404

FIRST SCHEDULE

KEVIN ARTHUR STUBBS
VICKI KAY STUBBS
AS JOINT TENANTS (T 7699989)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - BEE CROWN GRANT(9)
- 2 A1184594 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

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Yarrie Lake Road, Narrabri

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Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri



LAND
REGISTRY
SERVICES

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/1260466

SEARCH DATE	TIME	EDITION NO	DATE
3/8/2020	9:59 AM	2	23/3/2020

LAND

LOT 2 IN DEPOSITED PLAN 1260466
AT NARRABRI
LOCAL GOVERNMENT AREA NARRABRI
PARISH OF COOMA COUNTY OF WHITE
TITLE DIAGRAM DP1260466

FIRST SCHEDULE

NARRABRI SHIRE COUNCIL (T AP901554)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- 2 2671746 BASEMENT FOR TRANSMISSION LINE 45 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
9936219 BASEMENT NOW VESTED IN COUNTRY ENERGY
- 3 DP1260466 RESTRICTION(S) ON THE USE OF LAND

NOTATIONS

UNREGISTERED DEALINGS: NIL

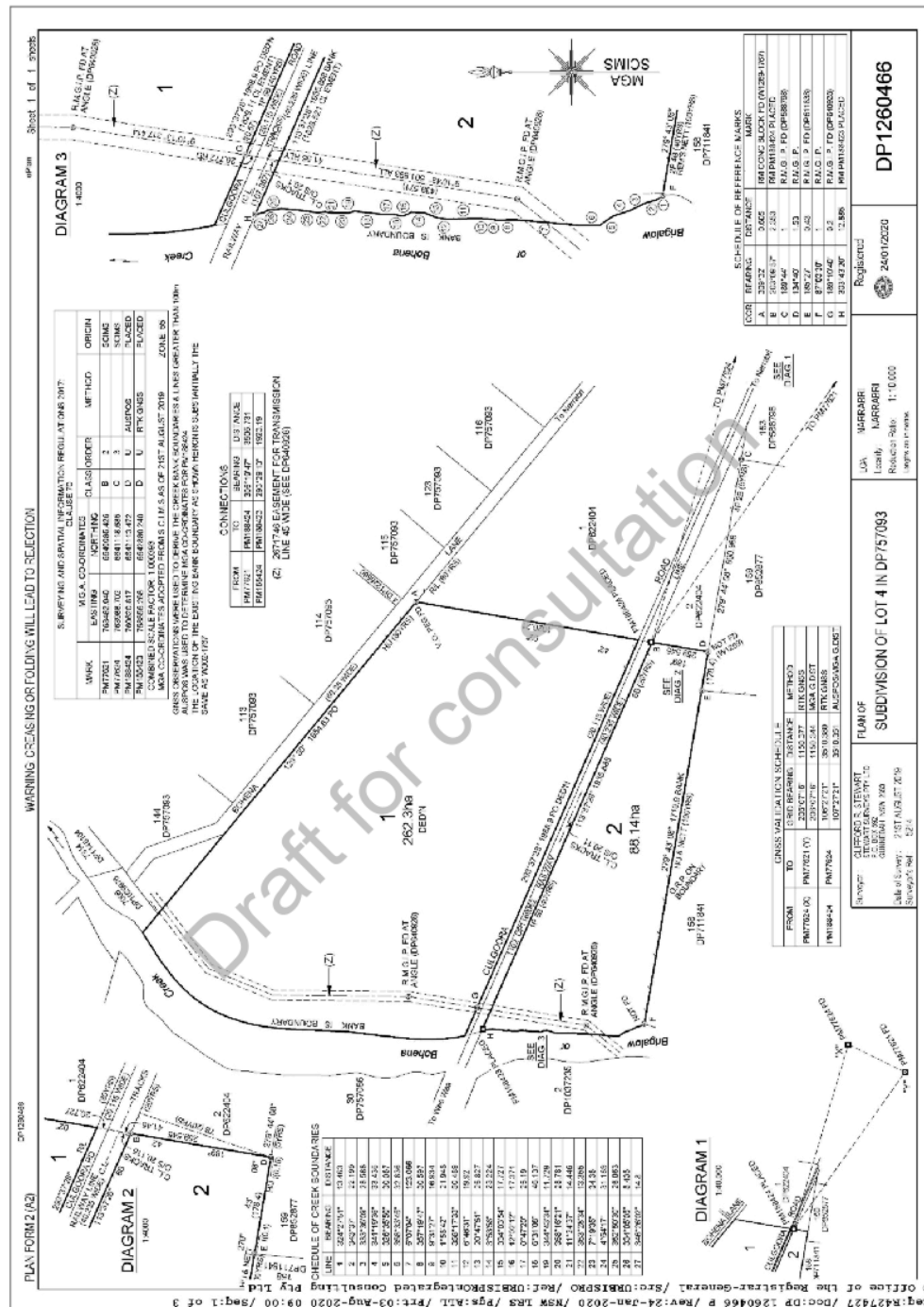
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Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1102/1169062

SEARCH DATE	TIME	EDITION NO	DATE
28/1/2020	8:04 AM	1	6/9/2011

LAND

LOT 1102 IN DEPOSITED PLAN 1169062
AT NARRABRI
LOCAL GOVERNMENT AREA NARRABRI
PARISH OF BORAL COUNTY OF WHITE
PARISH OF COOMA COUNTY OF WHITE
PARISH OF GURLEIGH COUNTY OF WHITE
PARISH OF QUINN COUNTY OF WHITE
TITLE DIAGRAM DP1169062

FIRST SCHEDULE

COUNTRY RAIL INFRASTRUCTURE AUTHORITY (CA160310)

SECOND SCHEDULE (2 NOTIFICATIONS)

- LIMITED TITLE. LIMITATION PURSUANT TO SECTION 29T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- LAND EXCLUDES MINERALS (S.134 PUBLIC WORKS ACT, 1900)

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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PRINTED ON 28/1/2020

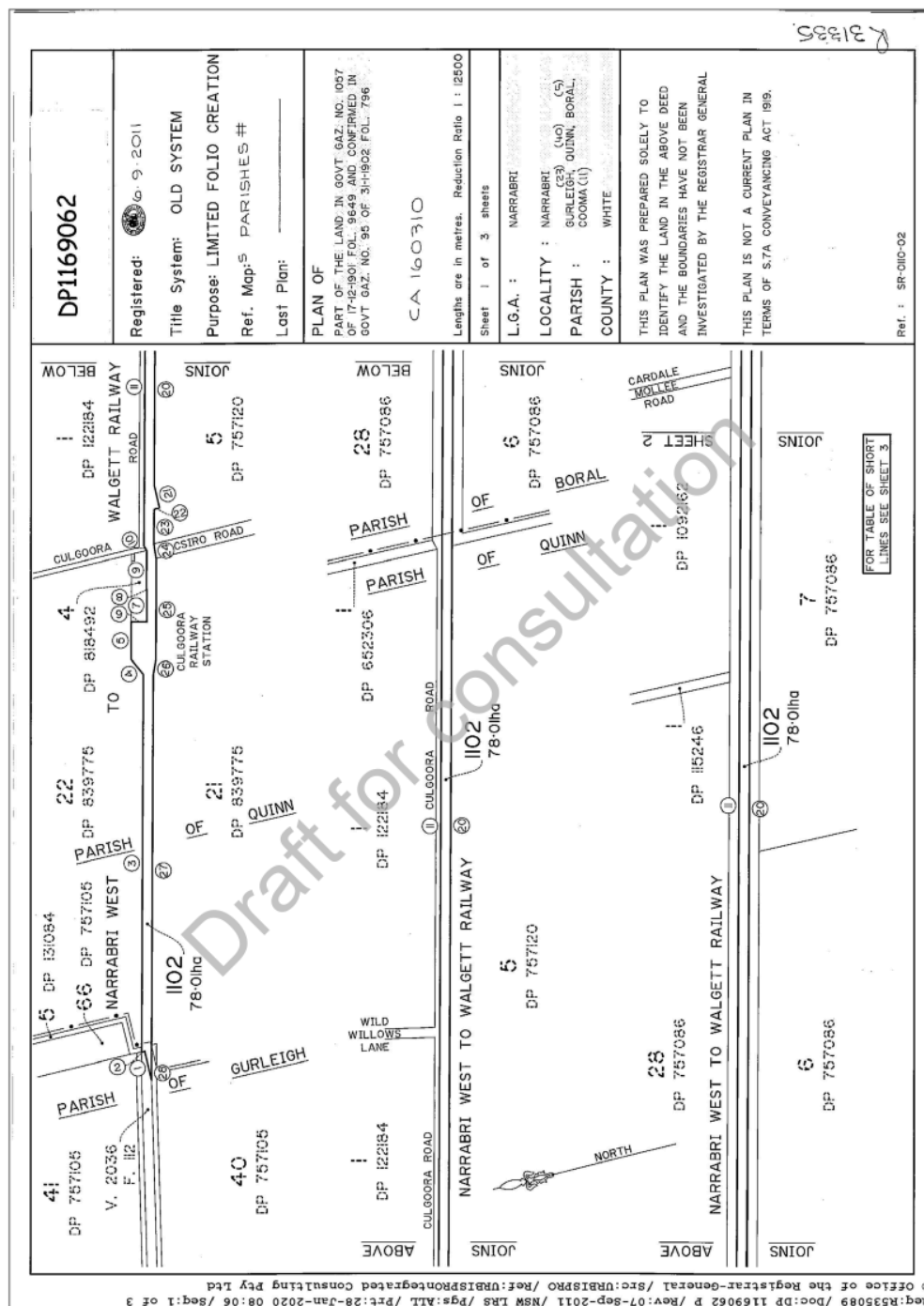
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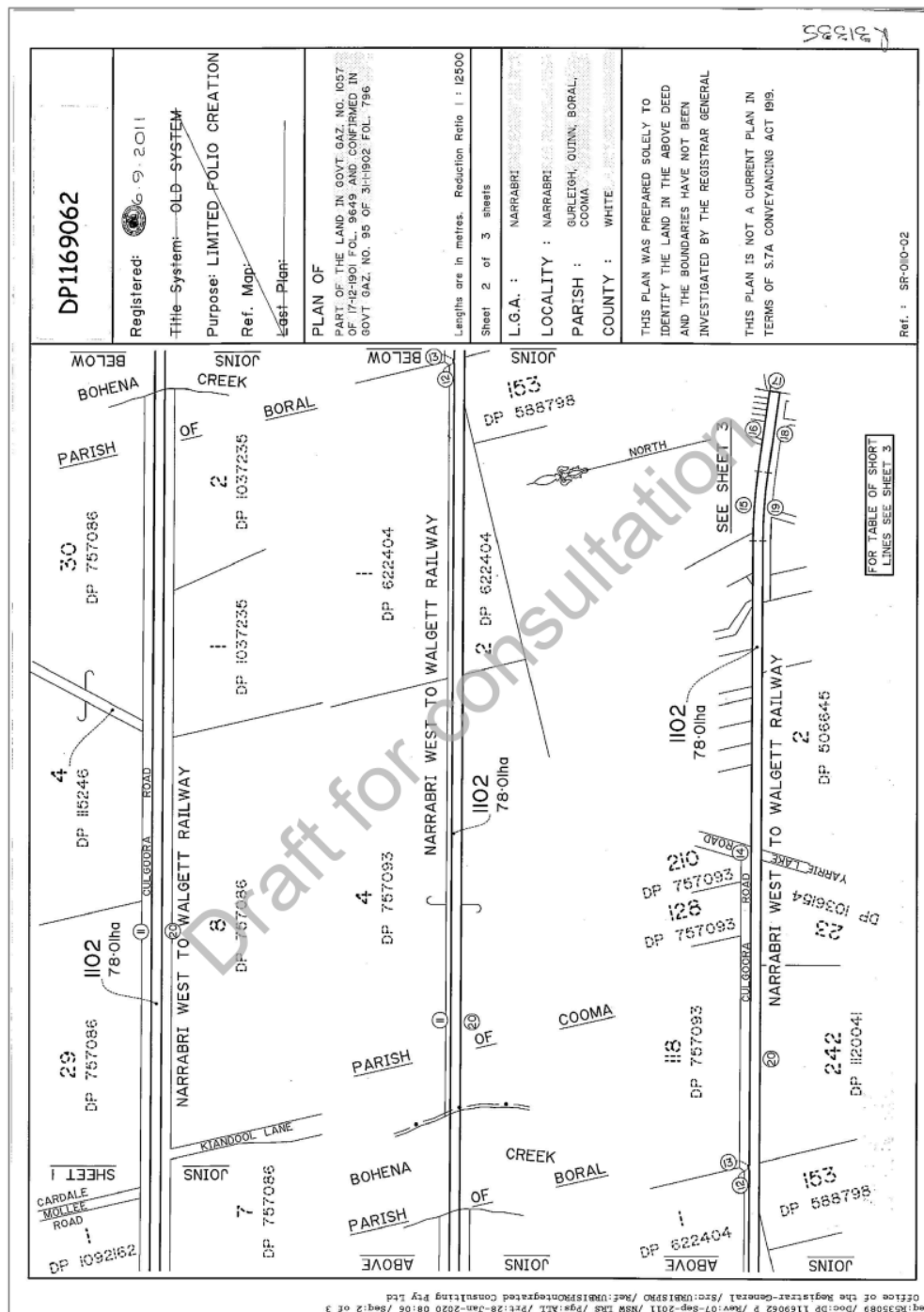
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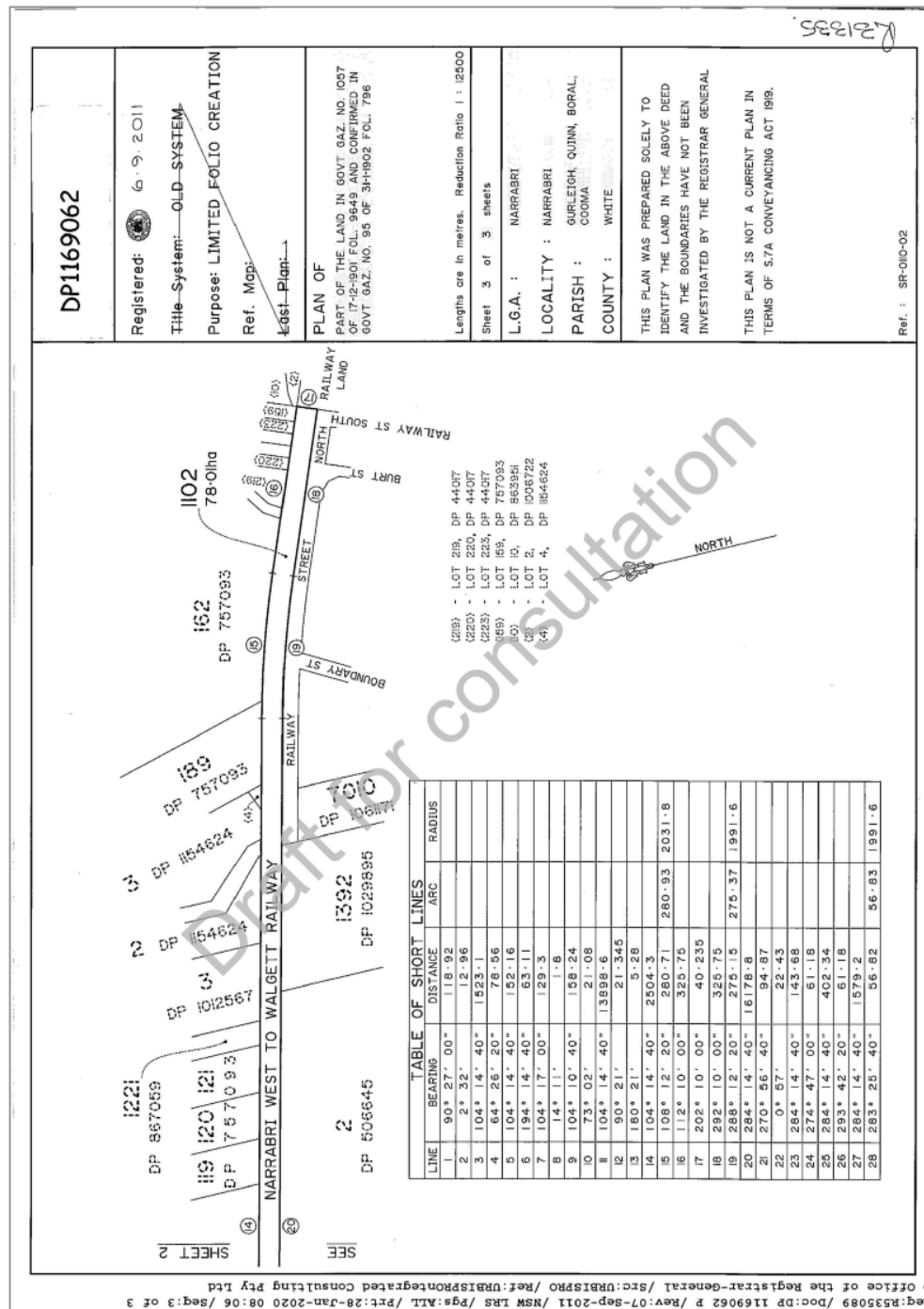
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GLOBAL XTERRAIN



Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri





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Draft for consultation

Appendix C

AHIMS Search

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri



AHIMS Web Services (AWS) Search Result

Purchase Order/Reference: 18011

Client Service ID: 427190

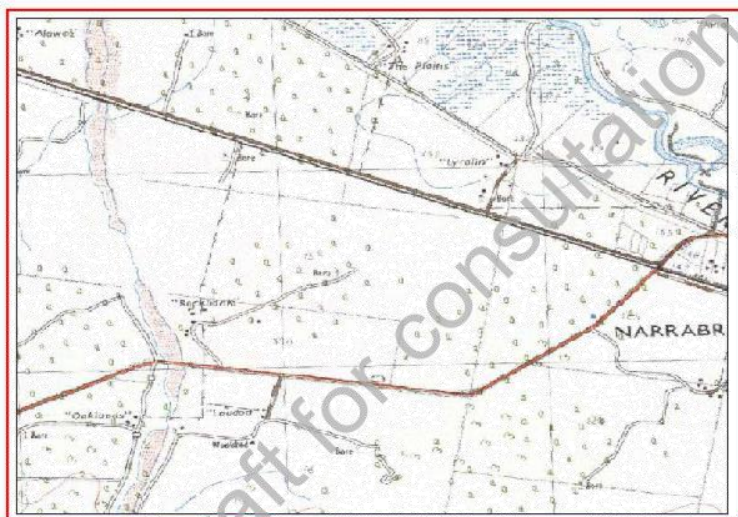
Integrated Consulting
PO Box 9026
Bathurst West New South Wales 2795
Attention: Erika Dawson
Email: erika@integratedconsulting.com.au

Date: 12 June 2019

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lat, Long From : -30.3504, 149.6054 - Lat, Long To : -30.3159, 149.74 with a Buffer of 50 meters, conducted by Erika Dawson on 12 June 2019.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

2	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location.*

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If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search: if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](http://www.nsw.gov.au/gazette) (<http://www.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request.

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings;
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

3 Marist Place, Parramatta NSW 2150
Locked Bag 5020 Parramatta NSW 2220
Tel: (02) 9585 6380 Fax: (02) 9873 8599

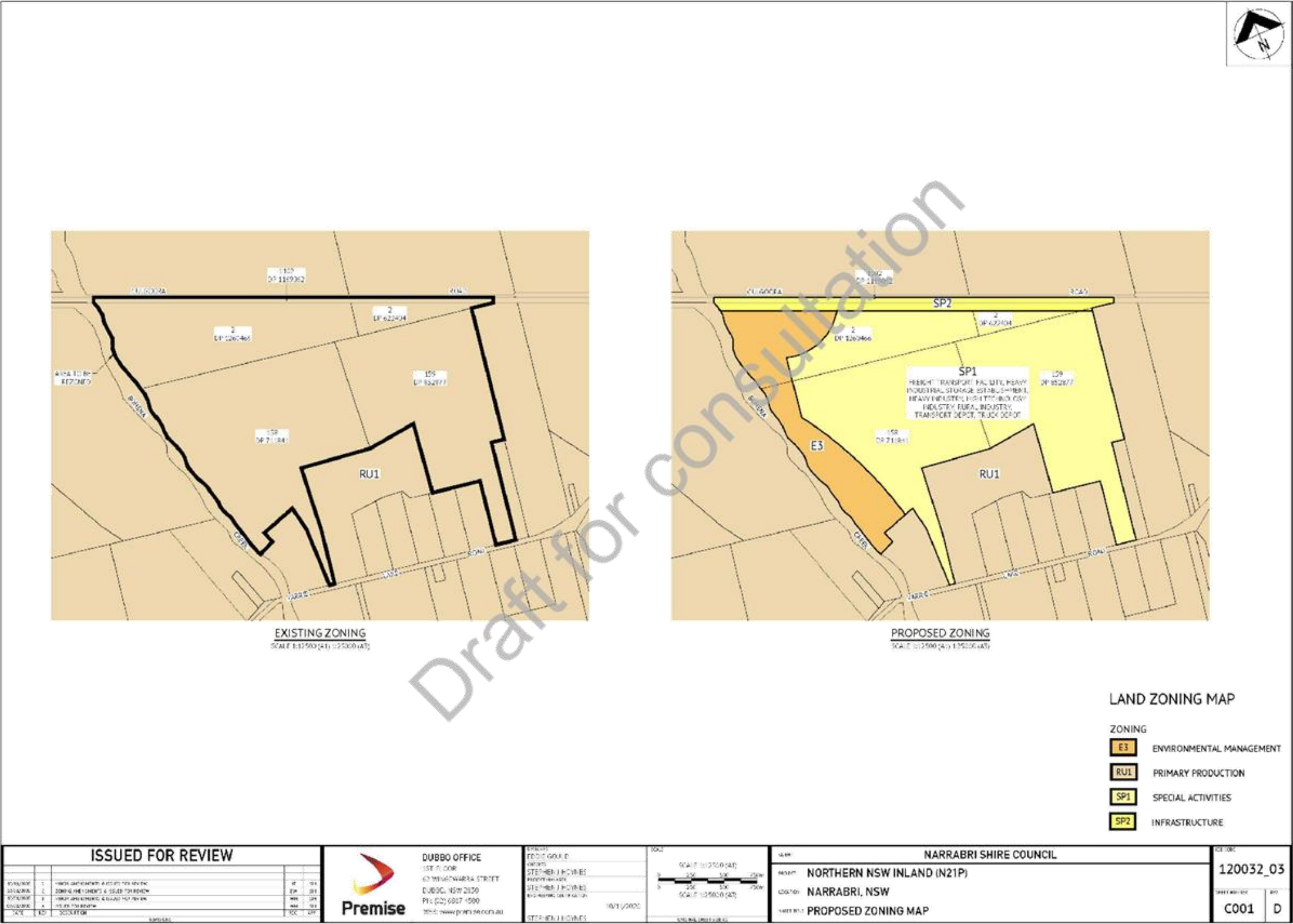
ADN 30 841 387 271
Email: ahims@environment.nsw.gov.au
Web: www.environment.nsw.gov.au

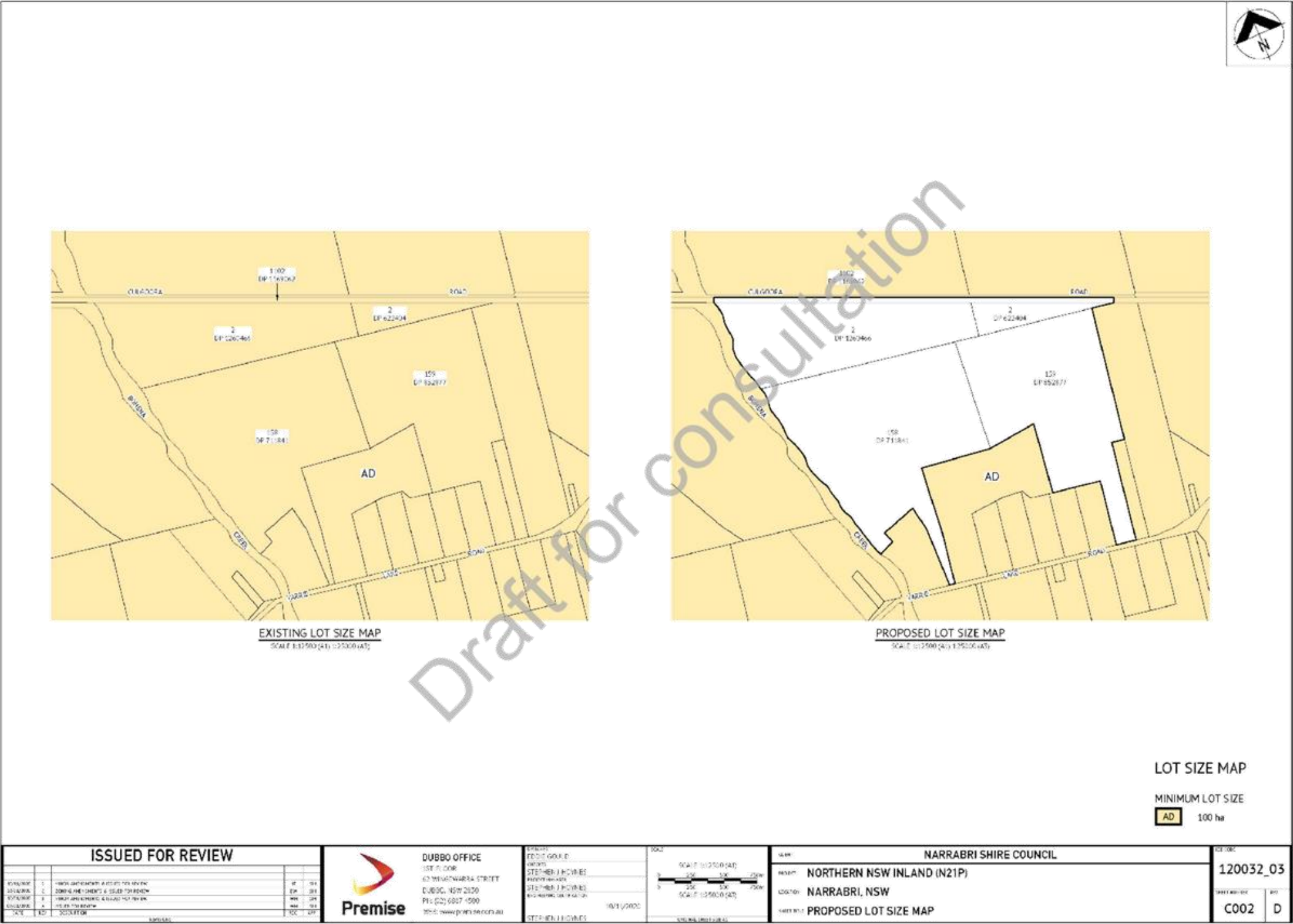
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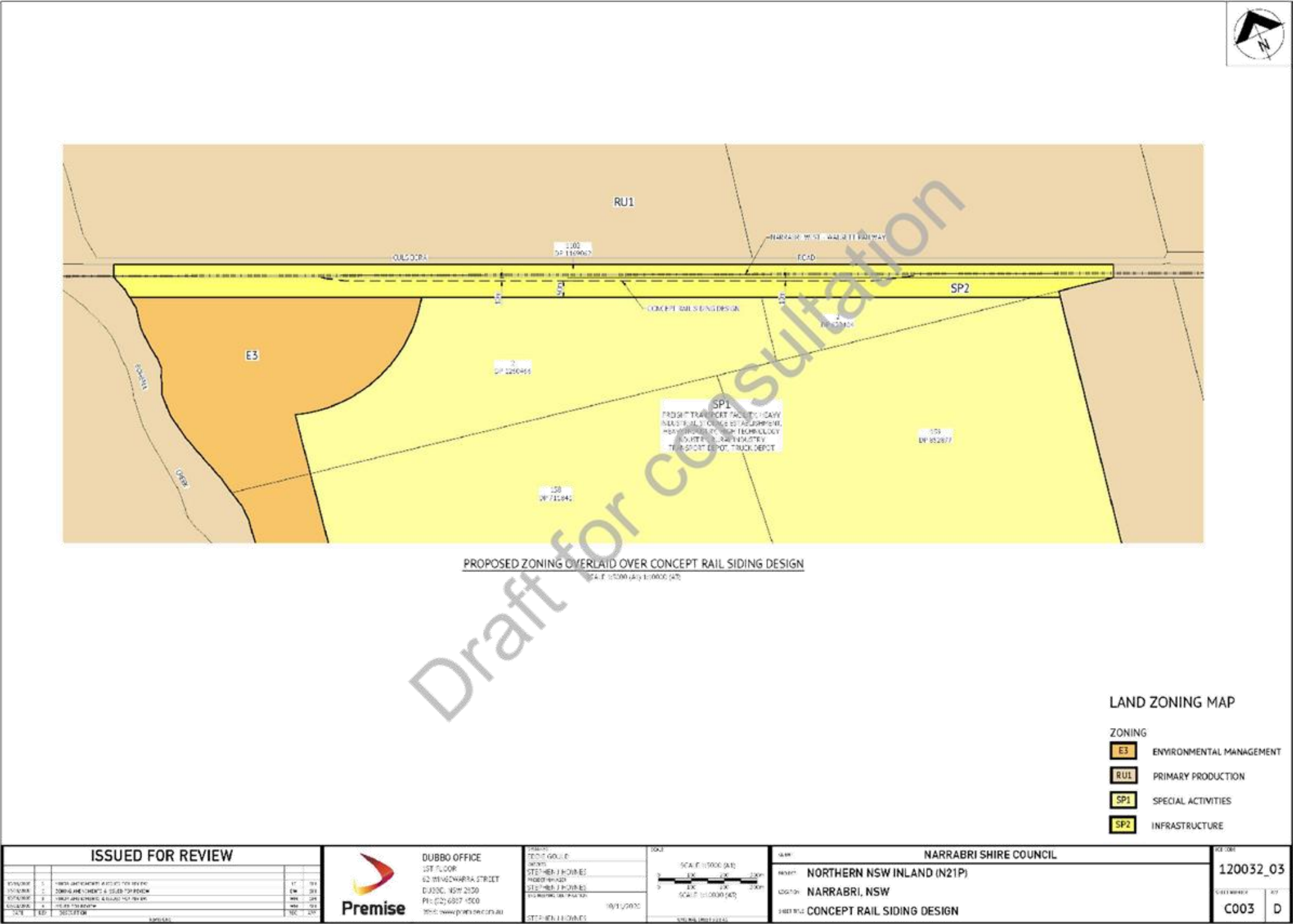
Draft for consultation

Appendix D

Draft LEP Maps







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Draft for consultation

Appendix E

Regional Plan Assessment

Table 5: New England North West Regional Plan 2036

Actions	Comments
Goal 1: A strong and dynamic regional economy	
Direction 7: Build strong economic centres	
7.4 Facilitate economic activity around industry anchors, such as health and education facilities, through planning controls that encourage clusters of complementary uses and address infrastructure needs.	The N2IP will be focussed around the existing rail infrastructure and inland rail.
7.5 Promote an appropriate mix of land uses and prevent the encroachment of sensitive uses on employment land through local planning controls.	The zoning will facilitate a range of suitable and complementary land uses. The land surrounding the site is constrained by flooding, BSAL and a 100-ha minimum lot size, which would limit further development of this land. Therefore future encroachment of sensitive land uses is not expected.
7.6 Deliver an adequate supply of employment land through local growth management strategies and local environmental plans.	Consistent with the LSPS and GMS
Goal 2: A healthy environment with pristine waterways	
Direction 10: Sustainably manage and conserve water resources	
10.4 Adopt an integrated approach to water cycle management to consider regional climate change, water security, sustainable demand and growth, and the natural environment.	The servicing strategy will consider ways to adopt an integrated approach to water cycle management to consider regional climate change, water security, sustainable demand and growth, and the natural environment
10.5 Incorporate measures to improve water efficiency in urban and rural settings, including water sensitive urban design for new developments, into local planning policies.	The servicing strategy will consider ways to improve water efficiency including water sensitive urban design for new developments.
Direction 11: Protect areas of potential high environmental value	
11.1 Focus development to areas of least biodiversity sensitivity and implement the 'avoid, minimise, offset' hierarchy to biodiversity and areas of high environmental value.	The precinct will be designed in accordance with the avoid, minimise, offset' hierarchy for areas of biodiversity and high environmental value.
11.2 Ensure local plans consider areas of high environmental value to avoid potential Development impacts.	The precinct will be designed in accordance with the avoid, minimise, offset' hierarchy for areas of biodiversity and high environmental value.
11.3 Encourage the identification of vegetated areas adjacent to aquatic habitats and riparian corridors in local plans.	An enhanced riparian corridor area will be incorporated into the precinct.
Direction 12: Adapt to natural hazards and climate change	
12.1 Minimise the risk from natural hazards and the projected effects of climate change by identifying hazards, managing risks and avoiding vulnerable areas, particularly when considering new urban release areas.	The precinct has been located in an area that has an acceptable level of risk from flooding and bushfire. Future development will be designed to respond to the requisite risks of these natural hazards.
12.2 Incorporate new knowledge on regional climate projections, including flooding and bushfire risk, related cumulative impacts, and findings of the New	Bushfire and Flooding assessments will consider climate change impacts

Table 5: New England North West Regional Plan 2036

Actions	Comments
England North West Enabling Regional Adaptation Project in local plans for new development.	
12.3 Review and update floodplain and bushfire mapping to manage risk, particularly where urban growth is being investigated.	Mapping will be updated as part of a separate review of the LEP (for flooding) and bushfire prone land mapping (as required under the RF Act).
Goal 3: Strong infrastructure and transport networks for a connected future	
Direction 13: Expand emerging industries through freight and logistics connectivity	
13.1 Implement local planning controls to protect freight and logistics facilities from encroachment of sensitive land uses.	The land surrounding the site is constrained by flooding, BSAL and a 100-ha minimum lot size, which would limit further development of this land. Therefore future encroachment of sensitive land uses is not expected and as such separate land use controls are not proposed.
13.2 Work with the Australian Government and councils as the Melbourne to Brisbane Inland Rail Corridor project progresses.	The precinct has been designed to respond to the inland rail project.
13.3 Integrate cross-border transport planning between NSW and Queensland.	Not applicable to this project.
13.4 Locate freight and logistics facilities to maximise existing infrastructure, support future industrial development and capitalise on inter-regional connections and external markets.	The intent of the N2IP project to achieve this action.
Direction 14: Enhance transport and infrastructure networks	
14.1 Protect freight and utility infrastructure and corridors through local plans and strategies to protect network opportunities and distribution from incompatible land uses or land fragmentation.	The precinct will assist in the protection of freight corridors associated with the N2IP.
14.2 Minimise the impact of development on the regional and State road network and rail corridors by identifying buffer and mitigation measures.	The precinct will assist in the protection of freight corridors associated with the N2IP.
14.3 Support councils to investigate opportunities to provide greater access for high productivity vehicles.	Not applicable to this project.
14.4 Prioritise projects that address impediments to the regional freight network and work with stakeholders to upgrade transport network capacity as demand changes.	Not applicable to this project.
Local Government Narratives	
Priorities:	
• Support economic diversification and strengthening including upskilling health and education workers.	The N2IP will assist with facilitating economic diversification for Narrabri.
• Continue to develop access and logistics infrastructure on appropriate sites to encourage new industry opportunities.	The N2IP will achieve this priority.
• Identify and promote wind, solar and other renewable energy opportunities.	The N2IP will provide the opportunity for the use of alternative energies.

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Appendix F

Applicable State Environmental Planning Policies

Table 6: Application of SEPPs

SEPP	Comments
SEPP 33 – Hazardous & Offensive Development	Applies to potentially hazardous and/or potentially hazardous industries. Whilst not strictly applicable to PPs, consideration is required of the nature of the developments to be accommodated within the precinct to ensure land use safety conflicts can be avoided or managed.
SEPP (Koala Habitat Protection) 2019	Does not apply to PPs. However future DAs would be required to consider the SEPP as it applies to Narrabri Local Government Area (LGA) and the site being over 1 hectare in size. No koalas were recorded on site during the biodiversity assessment. However, it was identified that the site may provide for a breeding habitat for koalas in the vicinity of the creek. Further consideration of SEPP would be required for any future DA.
SEPP 55 – Remediation of Land	SEPP 55 no longer applies to PPs. However future DAs would be required to consider the SEPP. A Preliminary Site Investigation (PSI) has been carried out for the site by JBS&G. It is summarised in Section 2.3.6. The assessment concludes that whilst the investigation identified soil impacts and the potential for soil vapour, ground gas and groundwater impacts to be present in some areas at the site, the investigation did not identify the potential for gross or widespread contamination which may preclude rezoning and development for the proposed industrial use of the site. Identified impacts are considered representative of common contaminants and potentially contaminating land use activities which can be readily addressed during the DA stage (i.e. including completion of detailed site investigations consistent with relevant Council DCPs and SEPP 55 requirements) for redevelopment and assessment for site suitability. In the absence of gross or widespread contamination, the requirements of the DUAP/EPA (1998) Managing Land Contamination: Planning Guidelines for this type of rezoning are considered to have been satisfied, namely that the rezoning can proceed, “provided that measures are in place to ensure that the potential for contamination and the suitability of the land for any proposed use are assessed once detailed proposals are made” (s.4.1.2 DUAP 1998) (JBS&G 2019).
SEPP Infrastructure 2007	The Infrastructure SEPP doesn't contain any provisions relating to PPs. However, there are some that would relate to future development: Development likely to affect an Electricity Transmission or Distribution Networks The site is traversed by an Essential Energy electricity transmission line surrounded by a 45m wide easement. Where development is to be carried out within or adjacent to the easement, consultation is required with the electricity supply authority to determine concerns regarding potential safety risks. This consultation should occur as part of the PP process to ensure future development is appropriately located. Development adjacent to pipeline corridors There is potential for the precinct to be provided with a reticulated gas supply. Where development is to be carried out on land adjacent to a pipeline corridor: <ul style="list-style-type: none"> • potential safety risks or risks to the integrity of the pipeline that are associated with the development to which the application relates are required to be identified and taken into consideration; • consultation is to be undertaken with the pipeline operator; and • the response from the pipeline operator is to be taken into consideration.

Table 6: Application of SEPPs

SEPP	Comments
	<p>These matters should be considered, and consultation undertaken as part of the PP process to ensure future development is appropriately located.</p> <p>Development in or adjacent to rail corridors</p> <p>There are a number of provisions that relate to the future development of the site including:</p> <ul style="list-style-type: none"> • Development involving access via level crossings; • Development adjacent to rail corridors; and • Excavation in, above, below or adjacent to rail corridors. <p>Each of these requires:</p> <ul style="list-style-type: none"> • consultation/concurrence of the rail authority; • Consideration of <i>inter alia</i> safety impacts, structural impacts, and operational impacts. <p>These matters should be considered and consultation undertaken as part of the PP process to ensure future development is appropriately located.</p> <p>Development in or adjacent to road corridors and road reservations</p> <p>A development (including subdivision) that is considered to be 'traffic generating' requires consultation with the NSW Roads and Maritime Service (RMS), consideration of the accessibility of the site and potential traffic safety, congestion and parking implications.</p> <p>These matters should be considered and consultation undertaken as part of the PP process to ensure future development is appropriately located.</p>
SEPP Primary Production and Rural Development 2019	<p>State Significant Agricultural Land (SSAL)</p> <ul style="list-style-type: none"> • No SSAL has been identified by the SEPP to date.
SEPP Vegetation in Non-Rural Areas 2017	<p>The SEPP applies to the removal of vegetation in non-rural zones where it is not included in a DA. No provisions are applicable to PPs.</p> <p>Any future vegetation removal would need to be considered under this SEPP if it is undertaken outside of a DA. Note Exempt and Complying Development is not obviated from the consideration of the approval requirements of the Vegetation SEPP.</p>

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Appendix G

Ministerial Directions

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Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
1	Employment & Resources		
1.1	Business & Industrial Zones	<p>This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).</p> <p>A planning proposal must:</p> <ul style="list-style-type: none"> (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Secretary of the Department of Planning and Environment. <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning and Environment (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy which: <ul style="list-style-type: none"> (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the 	<p>The PP will provide a new SP1 zoned area. This will be consistent with the NENW Region Plan and Council's LSPS and GMS that are in the process of being finalised.</p> <p>N/A – not inconsistent with the direction.</p>

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Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		<p>planning proposal relates to a particular site or sites), and</p> <p>(iii) is approved by the Secretary of the Department of Planning and Environment, or</p> <p>(b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning and Environment which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>	
1.2 Rural Zones	This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).	<p>A planning proposal must:</p> <p>(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p> <p>(b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the</p>	<p>The PP will rezone land from RU1 to SP1 and E3 and remove the minimum lot size provisions.</p> <p>The PP is consistent with the NENW Region Plan, and Council's LSPS and GMS that are in the process of being finalised.</p>

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Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		Director-General) that the provisions of the planning proposal that are inconsistent are:	
		(a) justified by a strategy which:	
		(i) gives consideration to the objectives of this direction,	
		(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and	
		(iii) is approved by the Director-General of the Department of Planning, or	
		(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or	
		(c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or	
		(d) is of minor significance.	
1.3 Mining, Petroleum Production and Extractive Industries	This direction applies when a relevant planning authority prepares a planning proposal that would have the effect of:	(4) In the preparation of a planning proposal affected by this direction, the relevant planning authority must:	Consultation will be undertaken with the former DPI in accordance with this direction.
	(a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or	(a) consult the Director-General of the Department of Primary Industries (DPI) to identify any:	Issues likely to lead to land use conflict between other land uses and development of identified resources and existing identified developments will be identified and taken into consideration.
		(i) resources of coal, other minerals, petroleum or extractive material	

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Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
	(b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.	<p>that are of either State or regional significance, and</p> <p>(ii) existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and</p> <p>(b) seek advice from the Director-General of DPI on the development potential of resources identified under (4)(a)(i), and</p> <p>(c) identify and take into consideration issues likely to lead to land use conflict between other land uses and:</p> <p>(i) development of resources identified under (4)(a)(i), or</p> <p>(ii) existing development identified under (4)(a)(ii).</p>	
		<p>(5) Where a planning proposal prohibits or restricts development of resources identified under (4)(a)(i), or proposes land uses that may create land use conflicts identified under (4)(c), the relevant planning authority must:</p> <p>(a) provide the Director-General of DPI with a copy of the planning proposal and notification of the relevant provisions,</p> <p>(b) allow the Director-General of DPI a period of 40 days from the date of notification to provide in writing any</p>	<p>Consultation will be undertaken with the former DPI in accordance with this direction.</p>

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Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		<p>objections to the terms of the planning proposal, and</p> <p>(c) include a copy of any objection and supporting information received from the Director-General of DPI with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) before undertaking community consultation in satisfaction of section 57 of the Act.</p>	
		<p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the provisions of the planning proposal that are inconsistent are of minor significance.</p>	N/A – not inconsistent with the direction.
1.5 Rural Lands	<p>(3) This direction applies when a relevant planning authority prepares a planning proposal that:</p> <p>(a) will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or</p> <p>(b) changes the existing minimum lot size on land within a rural or environment protection zone.</p>	<p>(4) A planning proposal to which clauses 3(a) or 3(b) apply must:</p> <p>(a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Secretary of the Department of Planning and Environment, and any applicable local strategic planning statement</p> <p>(b) consider the significance of agriculture and primary production to the State and rural communities</p>	<p>(a) The PP is consistent with the NENW Region Plan, and Council's LSPS and GMS that are in the process of being finalised.</p> <p>(b) The site is not mapped as BSAL land. The site is fragmented from other agricultural land and impacted by other land uses. It is not considered to be of significance agriculturally to the state and rural communities.</p>

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Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		(c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources	(c) the PP will improve protection of biodiversity, cultural heritage and riparian areas on site.
		(d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions	(d) the natural and physical constraints of the site have been considered as part of the design of the precinct as outlined throughout this report.
		(e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities	(e) the N2IP will promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities.
		(f) support farmers in exercising their right to farm	(f) whilst the N2IP will displace agricultural land, it will assist farming activities in the region through improved transportation connections for produce and facilitate value adding opportunities.
		(g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land uses	(g) The precinct is located within a discrete area, isolated from other agricultural land by road and rail infrastructure. The land surrounding the site is constrained by flooding, BSAL and a 100-ha minimum lot size, which would limit further development of this land. Therefore future encroachment of sensitive land uses and thus land use conflict is not expected.
		(h) consider State significant agricultural land identified in State Environmental Planning Policy (Primary Production and Rural Development) 2019 for the purpose of ensuring the ongoing viability of this land	(h) the land is not State Significant Agricultural Land.

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Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		(i) consider the social, economic and environmental interests of the community	(i) the social, economic and environmental interests of the community will be considered through the community consultation process.
		(5) A planning proposal to which clause 3(b) applies must demonstrate that it:	N/A – the PP will remove the MLS, however, will also remove the rural zone.
		(a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses	
		(b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains	
		(c) where it is for rural residential purposes:	
		i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres	
		ii. is necessary taking account of existing and future demand and supply of rural residential land	
		A planning proposal may be inconsistent with the terms of this direction only if the relevant	N/A – not inconsistent with the direction.

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Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		<p>planning authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy which:</p> <ol style="list-style-type: none"> gives consideration to the objectives of this direction, identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and is approved by the Secretary of the Department of Planning & Environment and is in force, or <p>(b) is of minor significance.</p>	
2. Environment and Heritage			
2.1 Environment Protection Zones	This direction applies when a relevant planning authority prepares a planning proposal.	<p>(4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>(5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development</p>	<p>The PP includes an E3 zone to protect the environmentally significant land on site</p> <p>The PP will increase the environmental protection standards for the site.</p>

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Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 “Rural Lands”.	
		(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:	N/A – not inconsistent with the direction.
		(a) justified by a strategy which:	
		(i) gives consideration to the objectives of this direction,	
		(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and	
		(iii) is approved by the Director-General of the Department of Planning, or	
		(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or	
		(c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or	

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Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		(d) is of minor significance.	
2.3 Heritage Conservation	This direction applies when a relevant planning authority prepares a planning proposal.	<p>(4) A planning proposal must contain provisions that facilitate the conservation of:</p> <p>(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</p> <p>(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</p>	<p>Existing LEP provisions relating to heritage conservation would remain.</p> <p>A <i>Heritage Assessment Report: Opportunities and Constraints</i> was prepared by OzArk for the PP as outlined in Section 2.4. It identified 18 Aboriginal sites have been recorded within the study area.</p> <p>The majority of the items of Aboriginal heritage significance would remain within the E3 zoned area. Four items would be located within the SP1 zoned area. These have been identified as being of lower significance.</p> <p>Any disturbance to these items would require an Aboriginal Heritage Impact Permit. This would be addressed at the subsequent development application stage.</p>
		(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of	N/A – not inconsistent with the direction.

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Table 7: Consideration of Ministerial Directions

No.	DIRECTION		COMMENTS
	Applicability	Provision	
		Planning (or an officer of the Department nominated by the Director-General) that: (a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or (b) the provisions of the planning proposal that are inconsistent are of minor significance.	
2.6 Remediation of Contaminated Land	<p>This direction applies when a planning proposal authority prepares a planning proposal applying to:</p> <ul style="list-style-type: none"> (a) land that is within an investigation area within the meaning of the Contaminated Land Management Act 1997, (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out, (c) the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land: <ul style="list-style-type: none"> (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred 	<ul style="list-style-type: none"> (4) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land specified in paragraph (2) if the inclusion of the land in that zone would permit a change of use of the land, unless: <ul style="list-style-type: none"> (a) the planning proposal authority has considered whether the land is contaminated, and (b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal 	<p>A Preliminary Site Investigation (PSI) has been carried out for the site by JBS&G. It is summarised in Section 2.3.6.</p> <p>The assessment concludes that whilst the investigation identified soil impacts and the potential for soil vapour, ground gas and groundwater impacts to be present in some areas at the site, the investigation did not identify the potential for gross or widespread contamination which may preclude rezoning and development for the proposed industrial use of the site. Identified impacts are considered representative of common contaminants and potentially contaminating land use activities which can be readily addressed during the DA stage (i.e. including completion of detailed site investigations consistent with relevant Council DCPs and</p>

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
	to in Table 1 to the contaminated land planning guidelines has been carried out, and	authority is satisfied that the land will be so remediated before the land is used for that purpose.	SEPP 55 requirements) for redevelopment and assessment for site suitability.
	(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).	In order to satisfy itself as to paragraph (4)(c), the planning proposal authority may need to include certain provisions in the local environmental plan.	
		(5) Before including any land specified in paragraph (2) in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines. Note: In this direction, contaminated land planning guidelines means guidelines under clause 3 of Schedule 6 to the Environmental Planning and Assessment Act 1979.	In the absence of gross or widespread contamination, the requirements of the DUAP/EPA (1998) Managing Land Contamination: Planning Guidelines for this type of rezoning are considered to have been satisfied, namely that the rezoning can proceed, "provided that measures are in place to ensure that the potential for contamination and the suitability of the land for any proposed use are assessed once detailed proposals are made" (s.4.1.2 DUAP 1998) (JBS&G 2019).
3. Housing, Infrastructure and Urban Development			
3.4 Integrating Land Use and Transport	This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.	A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001).	The PP will be generally consistent with the aims, objectives and principles of: (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001).

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		<p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy which: <ul style="list-style-type: none"> (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance. 	N/A – not inconsistent with the direction.

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
4. Hazard and Risk			
4.3 Flood Prone Land	This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.	<p>A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).</p> <p>A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.</p> <p>A planning proposal must not contain provisions that apply to the flood planning areas which:</p> <ul style="list-style-type: none">(a) permit development in floodway areas,(b) permit development that will result in significant flood impacts to other properties,(c) permit a significant increase in the development of that land,(d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or(e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or	<p>A flood study prepared in accordance with the Floodplain Development Manual 2005 has determined that the site is located in a low flood risk area and is an appropriate use in accordance with the NSW Flood Prone Land Policy</p> <p>The site is not mapped as being within the flood planning area. Nevertheless, further investigations have revealed that the site is subject to inundation. The PP will be cognisant of the flood risk.</p> <p>The PP will not permit development in a floodway.</p> <p>Further investigations are being undertaken to ensure that development of the PP site will not result in:</p> <ul style="list-style-type: none">• significant flood impacts to other properties• a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services• permit development to be carried out without development consent, other than environmental protection works.

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		structures in floodways or high hazard areas), roads or exempt development.	
		A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).	N/A – Not for residential development.
		For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).	N/A – no flood planning level proposed as part of this PP.
		A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director-General) that: (a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles	Narrabri Shire Council is currently preparing a floodplain risk management plan (FRMP) prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005 for Narrabri including the location of the PP. The FRMP is due to be completed within the next few months. The PP is consistent with the draft FRMP.

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		and guidelines of the Floodplain Development Manual 2005, or (b) the provisions of the planning proposal that are inconsistent are of minor significance.	
4.4 Planning for Bushfire Protection	This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.	In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made, A planning proposal must: (a) have regard to Planning for Bushfire Protection 2006, (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and (c) ensure that bushfire hazard reduction is not prohibited within the APZ. A planning proposal must, where development is proposed, comply with the following provisions, as appropriate: (a) provide an Asset Protection Zone (APZ) incorporating at a minimum:	The land is not mapped as bushfire prone land and is not in proximity to any mapped land. Therefore, consultation is not required. Despite not being mapped as bushfire prone land, the vegetation on site and its surrounds is considered to comprise bushfire prone vegetation in accordance with the NSW Rural Fire Services (RFS) Guide for Bush Fire Prone Land Mapping. The PP has been designed to comply with PBP 2006 and the subsequent PBP 2019. A Strategic Bush Fire Study has been prepared for the PP to avoid placing inappropriate developments in hazardous areas. The Strategic Bush Fire Study will ensure the development is provided with appropriate APZs, access including perimeter roads, access to water, and appropriately designed electricity and gas supplies.

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		<ul style="list-style-type: none"> (i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and (ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with, (c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks, (d) contain provisions for adequate water supply for firefighting purposes, (e) minimise the perimeter of the area of land interfacing the hazard which may be developed, (f) introduce controls on the placement of combustible materials in the Inner Protection Area. 	

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service, to the effect that, notwithstanding the non-compliance, the NSW Rural Fire Service does not object to the progression of the planning proposal.	N/A – not inconsistent with the direction.
5. Regional Planning			
5.10 Implementation of Regional Plans	This direction applies to land to which a Regional Plan has been released by the Minister for Planning.	Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.	The PP is consistent with the NENW Regional Plan as outlined in Table 5.
		A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning and Environment (or an officer of the Department nominated by the Secretary), that the extent of inconsistency with the Regional Plan:	N/A – not inconsistent with the direction.
		(a) is of minor significance, and	
		(b) the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of its vision, land use strategy, goals, directions or actions.	

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
6. Local Plan Making			
6.1 Approval and Referral Requirements	This direction applies when a relevant planning authority prepares a planning proposal.	<p>A planning proposal must:</p> <ul style="list-style-type: none">(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:<ul style="list-style-type: none">(i) the appropriate Minister or public authority, and(ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General),prior to undertaking community consultation in satisfaction of section 57 of the Act, and(c) not identify development as designated development unless the relevant planning authority:<ul style="list-style-type: none">(i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and	The PP does not include any provisions requiring the concurrence, consultation or referral of development applications to a Minister or public authority.

Planning Proposal – Northern NSW Inland Port
Yarrie Lake Road, Narrabri

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		(ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.	
		A planning proposal must be substantially consistent with the terms of this direction.	N/A – not inconsistent with the direction.

N2IP Planning Proposal Public Submissions Received.

Date Received & submitter	Key Comments	Rezoning Issue or Development Issue
22/01/2021 Brendan MacKenzie	<ol style="list-style-type: none"> 1. Social & economic impacts on the Yarrie Lake Road residents due to the proposed entrance & exit of the Inland Port being on Yarrie Lake Road. 2. In support of proposed Inland Port, however Culgoora Road is more suitable for vehicle 3. Environmental impacts on both the natural & built environment due to the proposed entrance & exit of the Inland Port being on Yarrie Lake Road. 4. That Council have not considered or assessed the following likely impacts. <ol style="list-style-type: none"> a) High volume of traffic on Yarrie Lake Road. b) Noise. c) Yarrie Lake Road not Road Train Rated. d) Increased traffic accidents. e) Decreased residential property values. 	Development issues.
25/01/2021 Shire Resident	<ol style="list-style-type: none"> 1. Rezoning & subsequent development of the land may impact on current private & quite amenity. 2. Greater acknowledgement of existing adjoining land uses (particularly residential). 3. Ability of proponents to satisfy the proposed new zone objectives with regards to the proximity to residential receivers. 4. Support a "buffer zone" around the proposed Inland Port & reference the previously proposed buffer zone that has been removed. 5. Lack of information included in the PP regarding potential impacts to residential receivers. 6. Perceived impact from future development of site from noise, emissions, traffic & other impacts. 7. In support of proposed Inland Port, however the potential rezoning of the land itself may have negative impact on residential property value. 8. Invite inspection of their property to mitigate any potential issues or compensation where this is not the case. 	Raises issues with both the rezoning, & potential future development.
22/01/2021 Phillips Seed Grading	<ol style="list-style-type: none"> 1. Hub establishment is extremely close to residential properties & is going to disrupt their quality of life & amenity. 2. Have issues with potential of a fertiliser factory going in backing onto their property. 3. Request that a traffic study be done on the proposal. 4. Request buffer zone for noise, chemical's & odour to protect residents from the potential impacts the new industrial activities will create from the industrial Hub. 5. Potential devaluation of properties. 6. Requests potential for Council to buy them out. 	Development issues.

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N2IP Planning Proposal Public Submissions Received.

	<ol style="list-style-type: none"> 7. Have concerns about the safety of their children utilising the school bus on Yarrie Lake Road with increased traffic. 8. They have not been properly consulted on the Industrial Hub. 	
22/01/2021 Jeffrey & Tania King	<ol style="list-style-type: none"> 1. Object to the proposal to have the Inland Rail Hub entry/exit onto Yarrie Lake Road. 2. Culgoora Road has had significant upgrading this past year whereas Yarrie Lake Road will have significant traffic increase, but would need significant upgrading itself to accommodate. 3. The property in question is only around 300m wide & would have detrimental affect environmentally, on their property it's value & our livestock. 4. The Yarrie Lake entry/exit would severely affect all property owners bordering the hub but would affect nobody on the Culgoora Road. 5. They state they have only received 2 letters concerning the hub, around early 12 months ago & nothing since & were told there would be a discussion around this. 	Development issues.
22/01/2021 Fred & Susan Browning	<ol style="list-style-type: none"> 1. Hub establishment is extremely close to residential properties & is going to disrupt their quality of life & amenity. 2. Have issues with potential of a fertiliser factory in proposal. 3. Request that a traffic study be done on the proposal. 4. Request buffer zone for noise, chemical's & odour to protect residents from the potential impacts the new industrial activities will create from the industrial Hub. 5. Potential devaluation of properties. 6. Have concerns about the safety of children utilising the school bus on Yarrie Lake Road with increased traffic. 7. They have not been properly consulted on the Industrial Hub. 8. The hub site has been chosen in haste & is not suitable. 	Development issues.
23/01/2021 Kevin & Carmel Woolford	<ol style="list-style-type: none"> 1. States that the proposal identifies Yarrie Lake Road as the access point for heavy vehicles, however no information given on effects of existing road/road users. 2. Their local school bus service uses Yarrie Lake Road & notes that currently the minimal road verges are already a cause for concern. 3. The current width of the Yarrie Lake Road does not allow for the safe passage of passing vehicles when it involves heavy vehicles. 4. There are limited residential dwellings, within close proximity to the road, that will be adversely affected by the increased volume of traffic & noise. 5. They propose that Council reconsider the access point to the Inland Port. 6. Should the Council see fit not to change the proposed access point to the Inland Port, as a major road user of Yarrie Lake Road & a company that values the lives & safety of children under our care, we would like additional information about how the safety issues that I have raised are going to be addressed. 	Development issue.

N2IP Planning Proposal Public Submissions Received.

21/01/2021 Jade Lees	<ol style="list-style-type: none"> 1. States that they have not once been engaged by Council. Found out about proposal from Northern Daily Leader & wrote to the General Manager. To date has received no response. Has only ever received 1 letter from Council regarding the PP. 2. Danger of increased traffic on Yarrie Lake Road 3. The actual Map of the development & interaction of the site with his land & dwelling. 4. The main proposed access to the project directly adjacent to his property & boundary fence on the western side & the amount of noise, dust, smell & vibration that may affect them & the associated legalities. 5. In support of the future development but not the proposed location & questions how the chosen site is suitable. 6. I have concerns about the ground water potential run off from this proposal. 	Development issues.
25/01/2021 Robert Browning	<ol style="list-style-type: none"> 1. Lack of the provision of accurate information. 2. Inaccurate consultation. 3. That the location is the wrong one. 4. Decline of value of properties. 5. Safety concerns of increased traffic on Yarrie Lake Road. 6. Need for a traffic study. 7. Need for details of proposed connection with existing & Inland Rail's rail line/s. 8. No buffer area for noise, odour & vibration. 9. No noise considerations of possible future developments. 10. Possible environmental issues not investigated. 11. The public have not been provided with the feasibility study for the 12. Council hypercritical using the same arguments discussed here to object to the Inland Rail proposal. 13. Requests Council cease this proposal & investigate another site. 	Raises issues with both the rezoning, & potential future development.
25/01/2021 Richard Bales	<ol style="list-style-type: none"> 1. Should not be on Yarrie Lake Road. 2. Potential devaluation of properties. 3. Have concerns about the safety of children utilising the school bus on Yarrie Lake Road with increased traffic. 4. Potential noise & environmental issues with potential new businesses. 5. Another location would be better. 	Development issues.
25/01/2021 Herbert & Jennifer Gale	<ol style="list-style-type: none"> 1. Contact wasn't made with surrounding landowners when the site was being purchased by Council. 2. Do not agree with Council's statement in the January 2021 Business Paper that ".... limited consultation has occurred with landowners on Yarrie Lake Road is fictitious". 3. Question why access would be proposed on Yarrie Lake Road & not Culgoora Road as it has been upgraded recently for heavy vehicles. 	Development issues.

N2IP Planning Proposal Public Submissions Received.

	<ol style="list-style-type: none"> Compare the proposed development to previous operation of Corglen when increased traffic/trucks used the road & the road was dangerous & noisy. Safety concerns with school bus stops. Devaluation of their land. Suggest another site be considered. 	
18/1/2021 Hartlow Pty Ltd	<ol style="list-style-type: none"> Question why access would be proposed on Yarrie Lake Road & not Culgoora Road as it has been upgraded recently for heavy vehicles. Increased volume of traffic & noise on Yarrie Lake Road will ruin the existing tranquillity. Concerns over AB triples using Yarrie Lake Road. Safety concerns with school bus stops. Safety concerns of proposed access at 622 Yarrie Lake Road & the blind spot at the corner of Boheena Creek. Potential health issues if the rumoured fertilizer plant goes ahead. Devaluation of their land. 	Development issues.
14/2/2021 Allen & Cathleen Hedges	<ol style="list-style-type: none"> Increased dust & noise when building the Port. Increased noise levels from the industries that will be built there. 	Development issues.
14/2/2021 Amanda Hannay	<ol style="list-style-type: none"> No overriding vision or intent for the combined site described in the planning proposal. Recommend Council master plan a 'Port Precinct' that includes the surrounding lands so that the estate co-exists harmoniously with its surrounds and that each additional business builds on a sustainable solution. Consideration has not been given to any services that potential workers may need at the site. 	Raises issues with both the rezoning, & potential future development.
14/2/2021 Shire Residents	<ol style="list-style-type: none"> Detrimental effects on existing neighbourhood if project goes ahead such as; safety, traffic increases, amenity of neighbourhood, & decreased land values. Recommends traffic to the site be separated from the Yarrie Lake rural residential area. Recommends new rail crossing on Culgoora Road. Recommends upgrade to the Culgoora Road/Yarrie Lake Road intersection. Dispute Council's previous reference to the amount of time, & which surrounding residents, have been consulted on the planning proposal. 	Development issues.



OUT21/287

Cara Stoltenberg
Strategic and Major Project Planner
Narrabri Shire Council

Email: [REDACTED]

Dear Ms Stoltenberg

**Northern NSW Inland Port Planning Proposal – Planning Proposal
2020_NARRB_001_00**

Thank you for the opportunity to provide comment for the above proposal as per your correspondence dated 14 December 2020.

The NSW Department of Primary Industries (NSW DPI) Agriculture provides advice to consent authorities about the protection and growth of agricultural industries and the resources upon which these industries depend to provide economic growth.

While the area of the proposal is zoned RU1 Primary Production and has agricultural activity undertaken on parts of the area, the planning proposal is supported. The area has a multitude of land uses undertaken on site and on neighbouring lands that have diminished the lands primary production value, additionally the inland port should assist surrounding agribusinesses remain competitive and prosper.

Should you require clarification on any of the information contained in this response please contact Andrew Scott, Agricultural Landuse Planning Officer, on 0427245313.

Yours sincerely

A black rectangular box redacting the signature of Tamara Prentice.

25/1/21

Tamara Prentice
Manager Agricultural Land Use Planning

NSW Department of Primary Industries - Agriculture
Locked Bag 21, Orange NSW 2800
Email: landuse.ag@dpi.nsw.gov.au | www.dpi.nsw.gov.au | ABN: 19 948 325 463



Planning,
Industry &
Environment

Our ref: DOC21/6189
Your ref: PP_2020_NARRB_001_00

Cara Stoltenberg
Strategic and Major Projects Planner
Narrabri Shire
[REDACTED]

Dear Cara

Planning Proposal – Northern NSW Inland Port

Thank you for your e-mail dated 14 December 2020 to the Biodiversity, Conservation and Science Directorate (BCS) of the Department of Planning, Industry and Environment (formerly the Office of Environment and Heritage) inviting comments on the Northern NSW Inland Port Planning Proposal.

BCS has the following primary areas of interest relating to strategic land use planning proposals:

1. The impacts of development and settlement intensification on biodiversity;
2. Adequate investigation of the environmental constraints of affected land;
3. Avoiding intensification of land use and settlement in environmentally sensitive areas (ESAs); and
4. Ensuring that development within a floodplain is consistent with the NSW Government's Flood Prone Land Policy, the principles set out in the Floodplain Development Manual, and applicable urban and rural floodplain risk management plans.

We also understand that planning proposals must comply with current statutory matters such as the Local Planning Directions under S117 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

We generally support strategic planning proposals which:

- Avoid rural settlement intensification in areas of biodiversity value and other environmentally sensitive areas;
- Include objectives, such as 'no net loss of native vegetation'; and
- Minimise flood risk to human life, property and the local environment while maintaining floodplain connectivity for environmental benefit.

Some specific comments on the proposed rezone are included below. For all other matters please refer to **Attachment A** which includes our generic recommendations for local government strategic planning. Council should ensure that those matters within Attachment A which are relevant to the rezoning proposal have been appropriately addressed.

Biodiversity

It is understood that while areas of the site have been highly modified large stands of native vegetation occurs, comprising five plant community types (PCTs), including two threatened ecological communities (EECs) listed under the *Biodiversity Conservation Act 2016*.

It is noted that the biodiversity assessment provided indicates that the proposed impacts will trigger entry into the BOS and that without the implementation of avoidance measures of native vegetation an offset requirement will be generated. It is noted that, besides the five PCTs being impacted, there are ten flora and fauna species that will generate species credit species while a further two will require survey to remove the need for the assessor to assume presence across the proposal site.

Flooding

It is understood that the Narrabri Walgett Railway bridge has the required 1% AEP flood protection level and the local runoff from catchments east of the proposed development does not affect the site. However, for the 1% AEP event, the creek has insufficient channel capacity and outbreak flows occur at several locations. Specifically, outbreak flows inundate the site by generally less than 0.25 m except for the western part of Lot 4 DP757093, where flood depths exceed 0.50 m.

BCS recommends further investigation into the specific flood impacts of the proposed footprint building layout. Such hydraulic analysis will be essential to determine the necessary minimum floor levels in the future development, service roads and parking lots.

If you require any further information regarding this matter, please contact David Geering, Conservation Planning Officer, via david.geering@environment.nsw.gov.au or (02) 6883 5335.

Yours sincerely



Michelle Howarth
A/Senior Team Leader Planning North West
Biodiversity, Conservation and Science Directorate

18 January 2021

ATTACHMENT A

Biodiversity, Conservation and Science Directorate (North West Branch) general advice for local government strategic planning

Biodiversity Values

Rural settlement intensification can have significant impacts on biodiversity. Development will have short and long-term negative impacts on biodiversity. These negative impacts are caused by activities such as:

- the clearing of house and building sites;
- the disturbance caused by infrastructure (such as new roads, fence lines, dams and access to utilities); and
- the construction of asset protection zones for statutory fire protection.

The cumulative effect of multiple subdivisions will magnify these substantial impacts on biodiversity. These impacts are not regulated by the *Biodiversity Conservation Act 2016* or *Local Land Services Act 2013*.

There is also a need to recognise climate change as a severe and wide ranging threat to biodiversity in NSW. Rising temperatures and sea-levels, changed rainfall and fire regimes will affect biodiversity in complex and often unpredictable ways. As a result of climate change, current threats to biodiversity, including habitat loss, weeds, pest animals and drought, are expected to intensify.

In many cases, existing approaches to biodiversity conservation (protection of intact vegetation, species recovery, mitigation of current threats and revegetation and restoration activities) will form the basis of adaptation programs to address the impacts of climate change. Reducing existing threats to biodiversity, such as habitat loss, pests and weeds is the most effective option for enabling species to adapt to climate change (at least in the short term) as this will increase the capacity of species to persist in their current locations and form the base from which migration can occur.

Council has the responsibility to control the location and, to a degree, development standards of settlement and other land use intensification. Local Environmental Plans (LEPs) can be used to avoid settlement and development in Environmentally Sensitive Areas (ESAs) including areas of remnant native vegetation.

The S117 Directions in the Environmental Planning and Assessment Act 1979 (EP&A Act) require that Councils in preparing a new LEP must include provisions that facilitate the protection and conservation of ESAs. As a minimum, these provisions must aim to maintain the existing level of protection for ESAs within the LGA, as afforded by the current LEP.

As a matter of priority the BCS recommends six actions be taken by Councils when developing new LEPs. These will address the S117 Directions, and protect biodiversity from growth, development and associated pressures and changes:

1. Implement appropriate Environmental Zonings;
2. Avoid development in remnant native vegetation;
3. Establish large minimum lot sizes;
4. Conduct comprehensive environmental studies if areas of high environmental sensitivity occur in sites where there is a strong imperative to intensify land use;
5. Include a biodiversity overlay and clauses within the LEP; and
6. Define biodiversity protection and management measures in Development Control Plans (DCPs).

1. Implement appropriate Environmental Zonings

The zone, E1 'National Parks and Nature Reserves', should be applied to all of the NPWS estate within the LGA. We also encourage Councils to apply other environmental and water ways zones in appropriate areas.

The E1 zoning is intended to apply to all lands acquired under the *National Parks and Wildlife Act 1974* (NP&W Act), and therefore is not limited to only the 'National Park' and 'Nature Reserve' classifications.

BCS is also strongly supportive of the implementation of appropriate environmental zonings to other areas identified to have high biodiversity. Private and public lands with high conservation values, including those providing linkages or corridors, can be protected in LEPs through appropriate zoning and/or via overlays with associated development controls. Councils should implement land use zonings such as E2-E4 and W1-W2 to provide as much protection as possible to biodiversity and ecological communities. Specific advice regarding the use of these zones is included in Practice Note previously forwarded to Council.

In particular, we advocate the application of the E2 zone to areas of private or Crown lands that are presently managed primarily for conservation (such as crown reserves or areas under conservation covenants).

We also recommend that Travelling Stock Reserves (TSRs) with known conservation values are included in E3 zones at a minimum, although E2 zoning would be preferred. Mapping of TSRs, including identified conservation values, is available via the Grassy Box Woodlands Conservation Management Network. This mapping can be accessed via <http://gbwcmn.net.au/node/6>.

2. Avoid development in remnant native vegetation

- *Council, through the Land Use Strategy and LEP, can protect biodiversity by avoiding development such as settlement and other land use intensification, in areas of remnant native vegetation.*
- *Development should be directed to areas that have already been cleared, unless such areas have been identified as having environmental importance.*

Avoiding development in areas of native vegetation will contribute to the achievement of State biodiversity targets.

Settlement should also be avoided in locations that are likely to be targeted for investment. Landholders in such areas may receive incentive funding for protection and enhancement of native vegetation or revegetation of cleared areas.

BCS will not support strategic land use recommendations or LEP provisions that allow further settlement opportunities in these areas, particularly if Council assumes that ongoing management could be effectively controlled by complex DCP rules.

To assist, the best available mapping of remnant native vegetation has been supplied to Council as part of an interagency package of ESA mapping and associated Technical and Practice Notes to help Council identify areas where further settlement intensification should not be allowed. At the broad strategic level, these maps can be used to identify areas that are most likely to be free from significant land, water or biodiversity constraints, therefore more suited to development.

Excluding remnant native vegetation from development pressure on private land could be largely achieved by retaining such areas on relatively large holdings, within RU1 and RU2 zones for example.

Similarly, higher density settlement in 'fire prone' locations should be avoided in the first instance. Where residential areas abut native vegetation there is pressure for the required Asset Protection

Zones and other hazard management measures to encroach on that vegetation, particularly where adequate existing cleared land has not been retained to fulfil that role.

Avoiding settlement in remnant native vegetation is also likely to avoid bushfire prone lands and protect any Aboriginal cultural heritage that may remain in such areas.

3. Establish large minimum lot size limits

Minimum lot size limits should be large in RU1 and RU2 zones as well as environmentally sensitive areas. This will reduce the pressures of development and settlement on biodiversity in rural lands.

Minimum lot size limits can be used to reduce the pressures of development and settlement on biodiversity. The LEP should define realistically large minimum lot size limits with associated dwelling provisions to control the intensity of development and settlement.

In particular, Council needs to ensure that minimum lot sizes in environmentally sensitive areas are of an appropriately large size to control the cumulative impact of any development and settlement intensification permitted in those areas by the LEP.

Council needs to adopt a risk-based approach to this matter. The selected sizes should be designed to meet expectations of rural living while minimising the adverse environmental impacts of any settlement that may occur with the sub division.

If Council is strongly of the opinion that lot sizes need to be reduced then this should not be applied uniformly across the shire with environmentally sensitive areas excluded from such revisions.

4. Conduct targeted environmental studies

Where development in areas of native vegetation or environmentally sensitive areas cannot be avoided, a targeted environmental study should be conducted. This should focus on ensuring a "maintain or improve" outcome for biodiversity.

Where Council is unable to avoid applying zonings or minimum lot sizes which permit essential development intensification in remnant native vegetation, a targeted study should be conducted to investigate the biodiversity values of the area. Any study should determine how potential impacts can be mitigated or, where this is not possible, offset through conservation management of other areas.

This study and any resulting objectives and zonings should aim to ensure a 'maintain or improve' outcome. This is a vital step in the strategic planning process and in effectively addressing the S117 Directions.

5. Include a biodiversity overlay and suitable clauses within the LEP

BCS strongly recommends the use of overlays and associated provisions with the LEP to provide additional protection for biodiversity.

It is particularly important to define assessment and development control provisions for those instances where development or settlement intensification cannot be avoided in remnant native vegetation.

LEPs should include objectives and provisions that require a 'maintain or improve' outcome for native vegetation and threatened species whenever clearing of native vegetation or environmentally sensitive areas cannot be avoided

Overlays can also be used to update any existing 'environmentally sensitive lands' provisions in current LEP and therefore meet the requirements of the S117 Directions to at least maintain existing environmental protection standards.

Importantly, the use of such overlays is consistent with the Department of Planning, Industry and Environment (DPIE) Practice Note PN 09-002v (30 April 2009) on environmental zonesⁱ which states:

'Local environmental provisions may be applied where zone provisions need to be augmented in order to ensure that special environmental features are considered. For example, rural land that is still principally for agriculture but which contains environmentally sensitive areas may be zoned RU1 or RU2 and the environmental sensitivities managed through a local provision and associated ('overlay') map.

The benefits of this approach include:

- *The intended conservation or management outcomes for land can be clearly articulated in the LEP.*
- *Areas are clearly defined and controls streamlined.*
- *Sub-zones are not created. (These are not permitted under the standard instrument).*

Provisions for environmentally sensitive areas may include multiple natural resource or other features such as acid sulfate soils and riparian land. A local provisions clause may include objectives and, where the sensitivity is a mappable attribute, a map would accompany the provision'.

BCS advocates the inclusion of the environmentally sensitive land overlays developed by the former Departments of Water and Energy, Environment and Climate Change, and Primary Industries (Fisheries). These overlays and clauses have been prepared to provide Council with information on resource assets and environmental constraints and how these assets and constraints should be managed during the assessment of development applications. The use of the environmentally sensitive areas overlays supplied by agencies is now common-place in both exhibited and gazetted LEPs.

The use of these overlays and clauses and how these may affect land uses are outlined in the previously mentioned Practice Note and Technical Note. When implemented in this way the layers and clauses do not exclude development. Rather, they act as a flag for values that may be present at a site. Sites should be checked for these potential values prior to any development approval. If the values are present at the site, the impact should be avoided or, if this is not possible, at the very least minimised and mitigated.

6. Define biodiversity protection and management measures in Development Control Plans

Biodiversity protection and management measures should be defined in DCPs for all areas zoned for rural small holdings, residential and other development intensifications.

We view DCPs as a secondary mechanism to provide biodiversity protection and management measures. It is vital that biodiversity values are first considered strategically in zoning decisions and development assessment provisions. We do not consider it acceptable to completely defer consideration of these matters to the DCP stage.

It is also important to consider the threats to remnant native vegetation posed by adjoining land uses.

For example, threats to biodiversity associated with nearby growth and intensification of residential land use include (but are not limited to):

- Clearing;
- domestic animals;

- invasive plants;
- effluent and waste dispersion;
- changes in hydrology and hydraulics;
- increasing access due to fire trails and other tracks; and
- firewood collection.

Particular attention should be paid to relevant Key Threatening Processes identified and listed under the *Biodiversity Conservation Act 2016*. Mechanisms to abate threats to ESAs (such as implementing codes of practice, best management practice, alternative designs and operations, control technology and buffers between remnant vegetation and small holdings) should be considered.

Council should recognise that buffers may be necessary between environmentally sensitive areas and other land uses. The size of the buffer will vary depending on the nature or activity being undertaken and the level of management control required to prevent or minimise adverse impacts. Provisions should be made to rigorously assess any developments within environmentally sensitive areas and adjoining buffers to prohibit land uses and activities that threaten the ecological integrity, values and function of the area.

Some forms of development adjacent to national parks and reserves can impact on their values and should be avoided or restricted. Council should consider how these areas could be buffered from incompatible development and activities so that potential conflicts can be minimised.

The Departments Guidelines for Developments adjacent to NPWS Estateⁱⁱ have been designed to assist Councils when they are assessing development on lands adjoining NPWS estate. However, the issues identified in these guidelines are also relevant when considering buffers for protection of environmentally sensitive areas.

ⁱ http://www.planning.nsw.gov.au/Plans-for-Your-Area/Local-Environmental-Plans/~/_media/F1001EC0B1C443CD83286163B43891B8.ashx

ⁱⁱ Guidelines for consent and planning authorities for Developments adjacent to National Parks and Wildlife Service Land (NPWS, 2020):
<http://www.environment.nsw.gov.au/protectedareas/developmntadjoiningdecc.htm>

Re: Northern NSW Inland Port Planning Proposal - PP_2020_NARRAB_001_00 - ATTENTION: CARA STOLTENBERG



Fiona Duncan

To: Council

Cc: Network Planning; Neville Cooper; Paul Hamill; Andrew Wykes; Peter Anderson

1 You replied to this message on 18/01/2021 9:40 PM.



Reply
 Reply All
 Forward
 ...

Mon 18/01/2021 12:26 PM

Dear Sir/Madam,

We refer to the above matter and to your correspondence dated 14 December 2020 seeking comment from Essential Energy in relation to the planning proposal.

Strictly based on the documents submitted, Essential Energy has no comments to make as to potential safety risks arising from the planning proposal.

Essential Energy makes the following general comments:

1. If the planning proposal changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.
2. Any existing encumbrances/easements in favour of Essential Energy (or its predecessors) noted on the title of the affected properties should be complied with.
3. If any existing electrical infrastructure is to be re-located or any proposed new or increased load requirements are identified, the Applicant will need to contact Essential Energy's Contestable Works team for requirements via email contestableworks@essentialenergy.com.au. Note that these works will be carried out at the Applicant's expense.
4. Essential Energy's records indicate there is electricity infrastructure located within the properties and within close proximity of the properties. At all times, including during the construction phase, any activities within these locations must be undertaken in accordance with the latest industry guideline currently known as *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*. Approval may be required from Essential Energy should activities within the properties encroach on the electricity infrastructure.

Should you require any clarification, please do not hesitate to contact us.

Regards

Fiona Duncan
Conveyancing Officer
Legal & Conveyancing
Governance & Corporate Services



T: 02 6589 8773 (Ext 88773) | conveyancingteam@essentialenergy.com.au
PO Box 5730 Port Macquarie NSW 2444 | essentialenergy.com.au
General enquiries: 13 23 91 | Supply interruptions (24hr): 13 20 80

Follow us

11.2 SUSPENSION OF ALCOHOL FREE AREA - NARRABRI AFL CARNIVAL

Responsible Officer: Shane Burns, Director Infrastructure Delivery

Author: Anthony Smetanin, Manager Design Services

Attachments: Nil

DELIVERY PROGRAM ALIGNMENT**2 Environment**

Objective 2.1 We will maintain our open spaces, natural environment and heritage for future generations

Strategy 2.1.3 Passive recreational open spaces are well maintained and accessible for public use

EXECUTIVE SUMMARY

The Crossroads Hotel (on behalf of the Narrabri Australian Rules Football Club) has requested the suspension of the Alcohol-Free Area at Leith Oval (No.3 Oval) for the purposes of conducting a promotional event for the AFL Carnival.

RECOMMENDATION

1. That Council suspend the Alcohol-Free Area on Leith Oval (No.3 Oval) between the hours of 12:00PM to 6:00PM, for the purposes of conducting a promotional event for the Narrabri Australian Rules Football Club. The adjacent road will remain an Alcohol-Free Zone.

BACKGROUND

Council has received a *Request for Suspension of Alcohol Free Zones* application from the Crossroads Hotel on 10 February 2021, requesting a temporary suspension of the Alcohol Free Area within Leitch Oval (No.3 Oval) Narrabri. The purpose of the temporary suspension will be to promote the AFL Carnival on behalf of the Narrabri Australian Rules Football Club.

CURRENT SITUATION

The suspension of the Alcohol-Free Area has been requested from 12:00PM to 6:00PM Saturday 10 April 2021.

This event has been held successfully over previous years and is expected to attract between 100 to 200 people. Security will be provided by the Crossroads Hotel for the duration of the event. The purpose of the event is to help promote the Narrabri Australian Rules Football Club and raise funds for the club.

The Crossroads Hotel have submitted the required application and included a copy of their current Public Liability Insurance Certificate for \$20,000,000 for the event.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY AND POLICY IMPLICATIONS

The proposal is in accordance with Council's Alcohol-Free Public Spaces Policy.

As per the Ministerial Guidelines on Alcohol-Free Zones produced by the NSW Department of Local Government *"A council must pass a valid resolution to suspend or cancel a particular alcohol-free zone."*

Leitch Oval (No.3 Oval) is a public open space area and Council has a duty of care obligation to maintain the safety of the general public.

CONSULTATION**External Consultation**

- Crossroads Hotel.

Internal Consultation

- Manager Parks and Open Spaces.

12 OUR ECONOMY



THEME 3: OUR ECONOMY

STRATEGIC DIRECTION 3: PROGRESSIVE AND DIVERSE ECONOMY

By 2027, we will have developed a strong, diverse economy that attracts, retains and inspires business, industry and tourism growth.

COMMUNITY ENGAGEMENT

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

COMMUNITY SERVICES

Current services provided within the Narrabri Shire community include:

- Economic development
- Planning and development
- Entertainment and conferences
- Local and regional tourism and events
- Saleyards
- Airport

COMMUNITY OUTCOMES

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

- Increased community events, conferences and entertainment
- Increased employment through industry innovation, investment and value adding
- Established freight hub for the Norther Inland Region
- Increased housing availability and affordability
- Broadened economic base

12.1 TEMPORARY EVENTS PLANNING PROPOSAL

Responsible Officer: Andrew Brown, Executive Manager Corporate Planning & Workforce

Author: Cara Stoltenberg, Strategic & Major Projects Planner

Attachments: 1. PP1-2021  

DELIVERY PROGRAM ALIGNMENT**2 Environment**

Objective 2.2 We will protect our environment through sustainable planning and well-resourced emergency services

Strategy 2.2.1 Community emergency service providers are well resourced to adequately prepare and respond to natural disasters and emergencies

EXECUTIVE SUMMARY

The objectives and intended outcomes of this Planning Proposal (**PP**) are:

1. To enable certain Temporary Events and development associated with Temporary Events on land zoned RE1 Public Recreation and/or any public roads to be undertaken as exempt development; and
2. To remove duplication of the approvals process under the *Local Government Act 1993*, the *Roads Act 1993* and the *Environmental Planning and Assessment Act 1979* as it relates to temporary events and development associated with Temporary Events by not requiring development approval to be granted under the *Environmental Planning and Assessment Act 1979*.

To achieve this intent, a PP is required to be submitted to the Department of Planning Industry and Environment (DPIE) to seek a Gateway Determination. This PP will amend the Narrabri Local Environmental Planning 2012 ("LEP").

RECOMMENDATION

1. That Council endorse the Planning Proposal to amend the provisions of the Narrabri Local Environmental Plan 2012 to enable Temporary Events and development associated with Temporary Events on land zoned RE1 Public Recreation and/or any public roads within the Shire to be undertaken as exempt development 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.

BACKGROUND

The preparation of a PP is the first step in the DPIE Gateway Process, the process for making or amending local environmental plans.

The attached PP recommends an amendment to the LEP to enable Temporary Events and development associated with Temporary Events on land zoned RE1 Public Recreation and/or any

public roads within the Shire to be undertaken as exempt development. The planning proposal also removes duplication of the approvals process under the *Local Government Act 1993*, the *Roads Act 1993* and the *Environmental Planning and Assessment Act 1979*.

The existing approval pathway for anyone wanting to hold an event on land within the Shire such as community fundraising events, bake sales, and the like, involves multiple applications and fees including the lodgment of a development application, as well as a local approval, and in some instances a section 138 Roads Act approval. It is considered that numerous different applications are unnecessary and an amendment to the LEP is the only method to reduce the requirement for multiple applications and the most effective means of permitting Temporary Events within public reserves and roads without multiple approvals.

The requirement for approval to be obtained under the *Local Government Act 1993* and the *Roads Act 1993* will remain.

The PP is attached for Council's consideration.

If Council adopts the attached PP, then it would be sent to the DPIE who would indicate if it considers the PP suitable for exhibition. The DPIE may also place conditions on any approval for exhibition, stipulate the timeframe and terms of that exhibition and require consultation with any public authorities that it deems necessary.

The estimated time frame for the LEP amendment process is outlined in the PP attached to this report.

CURRENT SITUATION

The PP attached to this report is an amendment to an earlier PP ("**the original PP**") that proposed to amend the provisions of the LEP to enable Temporary Events and development associated Temporary Events on land zoned RE1 Public Recreation and/or any public roads within the Shire to be undertaken without Development Consent. Council at its October 2018 ordinary Council Meeting resolved the following;

- That Council:
 1. *Endorse the Planning Proposal to amend the provisions of the Narrabri Local Environmental Plan 2012 to enable Temporary Events and development associated Temporary Events on land zoned RE1 Public Recreation and/or any public roads within the Shire to be undertaken without Development Consent and forward the Planning Proposal to the Department of Planning and Environment with a request for a Gateway Determination.*
 2. *Notify the Department of Planning and Environment of its intention to use the plan making power delegated to Council by the Department to make the proposed amendment to Narrabri Local Environmental Plan 2012.*
 3. *Delegate to the General Manager any necessary amendments required to the Planning Proposal as a result of considerations by the Department of Planning and Environment or as a result of the Gateway Determination.*

A Gateway Determination was requested for the original PP on 7 November 2018 and a Gateway Determination was received by Council on 4 December 2018. The original PP was placed on public exhibition between 13 December 2018 and 18 January 2019. During this time no submissions were received. Council requested comments from Roads and Maritime, now called

Transport for NSW (TfNSW), and the NSW Rural Fire Service (RFS) on 6 December 2018. RFS advised on 24 January 2019 that they had no comments. TfNSW advised the following on 10 January 2019:

“Roads and Maritime, at this time, withholds making comment and requests an opportunity to discuss the proposed amendments with Council. Specifically, Roads and Maritime seeks further information to understand the implications of allowing traffic generating land uses in the RU1 zone without compromising road safety and traffic efficiency on high speed rural classified roads”.

While the above comment was in reference to another PP Council had requested comments for at the same time which sought to amend the permitted uses in the RU1 Primary Production Zone, it was also given as a response to the original PP. On-going communication and correspondence between Council and TfNSW since that time concluded with TfNSW advising Council they would support a clause similar to that used by Ryde Council, and if the following “Note 2” was included;

- *Note 2—Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners’ property rights and the common law still apply.*

The PP proposes to amend the following components of the LEP in relation to Temporary Events:

- *Insert Temporary Events and development associated Temporary Events on land zoned RE1 Public Recreation and/or any public roads within the Shire into **Schedule 2 Exempt development**.*

It has been agreed with TfNSW that the new exempt development provision is proposed to read as follows;

- 1) *Development for the purposes of temporary uses including community events (such as ceremonies, cultural celebrations, exhibitions, fetes, fairs, gatherings, markets or sporting events).*
- 2) *Must be on land zoned RE1 Public Recreation and/or any public roads within the Shire.*
- 3) *Maximum number of patrons on any one site —300.*
- 4) *Must not be conducted for more than 12 days (up to a maximum of 3 consecutive days) in any period of 12 months.*
- 5) *May only operate between 7.00 am and 9.00 pm.*
- 6) *Must provide sufficient toilet facilities and access to water for patrons and staff.*
- 7) *The noise level of any open air entertainment must not exceed the background noise level by more than 5dB(A) when measured at the nearest residential boundary.*
- 8) *Must provide adequate artificial lighting, if necessary, to permit safe movement of patrons.*
- 9) *Operator must have arrangements for the collection, by an authorised trade waste contractor, of waste and recyclable materials that are generated by the event or use.*
- 10) *Must not include permanent physical change to the fabric of the location where the use occurs.*
- 11) *Must maintain emergency vehicle access to and around the premises.*

- 12) *Must not restrict pedestrian access to public facilities unless alternative access is provided.*
- 13) *Must not prevent pedestrian access to existing footpaths unless alternative pedestrian pathways are provided (alternative pedestrian pathways are to have physical barriers erected between the pathway and any adjoining road).*
- 14) *Must not restrict any car parking required to be provided by a condition of a development consent or plan of management applying to the land or any vehicular or pedestrian access to or from the land.*
- 15) *Must not redirect the flow of any surface water or ground water, or cause sediment to be transported, onto an adjoining property.*
- 16) *Must be covered by a policy of insurance taken out by the person carrying out the development that adequately covers the public liability of the person in respect of the carrying out of the development for an amount approved by the owner of the land on which the development is carried out.*
- 17) *If it is the erection of a temporary structure—be erected on a surface that is sufficiently firm and level to sustain the structure while in use.*
- 18) *If it is the erection of a temporary structure—be able to resist loads determined in accordance with the following Australian and New Zealand Standards—*
 - (i) *AS/NZS 1170.0:2002, Structural design actions, Part 0: General principles,*
 - (ii) *AS/NZS 1170.1:2002, Structural design actions, Part 1: Permanent, imposed and other actions,*
 - (iii) *AS/NZS 1170.2:2011, Structural design actions, Part 2: Wind actions.*

Note 1—[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) specifies exempt development under that Policy. The Policy has State-wide application. This Schedule contains additional exempt development not specified in that Policy.

Note 2—Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

Note 3—This clause only permits one temporary event to occur at any given time.

Note 4—This clause is applicable to class 2, 3 and 4 events as defined by the Guide to Traffic and Transport Management for Special Events.

Note 1 and 2 are currently included in the LEP, TfNSW propose the inclusion of Note 3 and 4. However, the final drafting of the amendment will be at the discretion of the NSW Parliamentary Counsel.

Council have recently received advice from DPIE that outlines the following two (2) options to finalise the original PP:

1. Continue as is with the new clause whereby Parliamentary Counsel will draft the legal wording and determine whether it is possible to include notes to satisfy TfNSW. However, all events will still require an assessment under Part 5 of the EP & A Act, and TfNSW have not advised they are agreeable to this option; or

2. Amend the original PP to deal with the matter as 'exempt' development similar to that used by Ryde Council thereby resolving the Part 5 issue. This approach would however require Council to amend the PP and obtain a Gateway alteration from DPIE.

As the previous Council resolution referred specifically to "development without consent", an amendment to the original PP is required to be reported to Council before requesting a new Gateway Determination.

The PP is attached for Council's consideration.

If Council resolves to adopt the attached PP, the next step is to forward lodge the PP to DPIE via the NSW Planning Portal requesting a Gateway Determination. DPIE may then place conditions on any approval for exhibition, stipulate the timeframe and terms of that exhibition and require consultation with any public authorities that it deems necessary.

The estimated time frame for the LEP amendment process is outlined in the attached PP.

FINANCIAL IMPLICATIONS

Council's adoption of the recommendation has no financial implications.

STATUTORY AND POLICY IMPLICATIONS

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

CONSULTATION

The original PP was placed on public exhibition between 13 December 2018 and 18 January 2019. During this time no submissions were received.

The terms of any consultation required to complete this LEP amendment will be stipulated by the DPIE when it issues a new Gateway Determination in relation to the PP.

No formal public consultation has been carried out in relation to the amended PP.

External Consultation

- NSW Department of Planning, Industry and Environment.
- Transport for NSW.
- NSW Rural Fire Service.

Internal Consultation

- Design Services Manager.
- Community Facilities Manager.

Planning Proposal 01/2021

Proposed Amendment to *Narrabri Local Environmental Plan 2012*

**Amendment to enable Temporary Events on land reserved
for public recreation and/or a public road to be added to
Schedule 2 Exempt Development.**



Version 01

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PART 1: OBJECTIVES OR INTENDED OUTCOMES

SECTION A – BACKGROUND

This planning proposal recommends an amendment to the *Narrabri Local Environmental Plan 2012* (LEP 2012) to enable Temporary Events and development associated with Temporary Events on land zoned RE1 Public Recreation and/or any public roads within the Shire to be undertaken as Exempt Development. The planning proposal also removes duplication of the approvals process under the *Local Government Act 1993*, the *Roads Act 1993* and the *Environmental Planning and Assessment Act 1979* (EP & A ACT)

This document sets out the justification for and explains the intended effect of the recommended amendment.

The preparation of the planning proposal is the first step in New South Wales (NSW) Planning, Industry and Environment's (DPIE) Gateway Process, the process for making or amending local environmental plans. It has a number of steps, set out in Table 1 that requires this document to be revised as it progresses through the Gateway Process. This document is currently at Step 1: Planning Proposal.

No.	Step	Explanation
1.	Planning Proposal	Council prepares a document explaining the effect of and justification for making or amending a local environmental plan.
2.	Gateway Determination	The Department of Planning and Environment determines whether a planning proposal should proceed.
3.	Community Consultation	The planning proposal is publicly exhibited.
4.	Assessment	Council considers any submissions it receives in response to the public exhibition, changing the planning proposal as necessary.
5.	Drafting	Parliamentary Counsels Office prepares a draft local environmental plan.
6.	Decision	The Minister (or delegated plan making authority) approves the local environmental plan, making it law.

Table 1 Gateway Process

The remainder of this document is split into the following parts:

Part	Explanation
1.	The objectives and intended outcomes of the proposal
2.	An explanation of the provisions to be included in LEP 2012
3.	Justification for the objectives and intended outcomes
4.	Mapping
5.	Projected timeline

Table 2: Parts of Planning Proposal

SECTION B – OBJECTIVES

The objectives and intended outcomes of this planning proposal are:

1. To enable certain Temporary Events and development associated with Temporary Events on landzoned RE1 Public Recreation and/or any public roads to be undertaken as Exempt Development;
2. To remove duplication of the approvals process under the *Local Government Act 1993*, the *Roads Act 1993* and the EP & A Act as it relates to Temporary Events and development associated with Temporary Events by not requiring development approval to be granted under the EP & A Act.

PART 2: EXPLANATION OF PROVISIONS

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007 (MCP SEPP) was made to ensure that such things as the demolition of buildings, subdivision of land the conversion of fire alarm systems were matters that required development consent. The MCP SEPP makes these forms of development require consent across NSW.

The MCP SEPP also introduced State-wide provisions to enable:

- The erection of temporary structures with development consent, and
- Limited change of use in certain business zones to occur without development consent.

The Standard Instrument LEP contains standard clauses that were intended to supersede the clause of the MCP SEPP.

It is understood that the DPIE is reviewing SEPPs to simplify and modernise the planning system by removing duplicated, redundant, and outdated planning controls. DPIE proposes to improve and simplify NSW development standards by repealing SEPP No.1 – Development Standards and MCP SEPP. The planning provisions contained in these two policies will be incorporated in local planning controls. The submission period for the repeal of these two SEPPs has closed and now being considered.

The LEP 2012 is based on the Standard Instrument LEP and contains provision 2.8 Temporary use of land which requires development consent to be obtained for development on land in any zone for a temporary use for a maximum period of 28 days in any period of 12 months.

To achieve the planning proposal's objectives, it is proposed to amend the LEP 2012 to enable Temporary Events and development associated with Temporary Events (in certain circumstances, ie. temporary structures and signage) to be undertaken as Exempt Development on land zoned RE1 Public Recreation and/or any public roads.

This planning proposal does not propose to modify provision 2.8 Temporary use of land under the Narrabri LEP 2012 but rather allow for events to be exempt from development consent on land zoned RE1 Public Recreation and/or any public roads. The planning proposal will allow for temporary structures that are associated with the event to be erected as Exempt Development.

This planning proposal relates to all land within the LEP 2012 area that is zoned RE 1 Public Recreation or a public road.

The planning proposal intends to enable this by amending LEP 2012 by inserting the following in to Schedule 2 Exempt Development:

- 1) *Development for the purposes of temporary uses including community events (such as ceremonies, cultural celebrations, exhibitions, fetes, fairs, gatherings, markets or sporting events).*
- 2) *Must be on land zoned RE1 Public Recreation and/or any public roads within the Shire.*
- 3) *Maximum number of patrons on any one site —300.*
- 4) *Must not be conducted for more than 12 days (up to a maximum of 3 consecutive days) in any period of 12 months.*
- 5) *May only operate between 7.00 am and 9.00 pm.*
- 6) *Must provide sufficient toilet facilities and access to water for patrons and staff.*

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- 7) *The noise level of any open air entertainment must not exceed the background noise level by more than 5dB(A) when measured at the nearest residential boundary.*
- 8) *Must provide adequate artificial lighting, if necessary, to permit safe movement of patrons.*
- 9) *Operator must have arrangements for the collection, by an authorised trade waste contractor, of waste and recyclable materials that are generated by the event or use.*
- 10) *Must not include permanent physical change to the fabric of the location where the use occurs.*
- 11) *Must maintain emergency vehicle access to and around the premises.*
- 12) *Must not restrict pedestrian access to public facilities unless alternative access is provided.*
- 13) *Must not prevent pedestrian access to existing footpaths unless alternative pedestrian pathways are provided (alternative pedestrian pathways are to have physical barriers erected between the pathway and any adjoining road).*
- 14) *Must not restrict any car parking required to be provided by a condition of a development consent or plan of management applying to the land or any vehicular or pedestrian access to or from the land.*
- 15) *Must not redirect the flow of any surface water or ground water, or cause sediment to be transported, onto an adjoining property.*
- 16) *Must be covered by a policy of insurance taken out by the person carrying out the development that adequately covers the public liability of the person in respect of the carrying out of the development for an amount approved by the owner of the land on which the development is carried out.*
- 17) *If it is the erection of a temporary structure—be erected on a surface that is sufficiently firm and level to sustain the structure while in use.*
- 18) *If it is the erection of a temporary structure—be able to resist loads determined in accordance with the following Australian and New Zealand Standards—*
 - (i) *AS/NZS 1170.0:2002, Structural design actions, Part 0: General principles,*
 - (ii) *AS/NZS 1170.1:2002, Structural design actions, Part 1: Permanent, imposed and other actions,*
 - (iii) *AS/NZS 1170.2:2011, Structural design actions, Part 2: Wind actions.*

Note 1—[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) specifies exempt development under that Policy. The Policy has State-wide application. This Schedule contains additional exempt development not specified in that Policy.

Note 2—Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

Note 3—This clause only permits one temporary event to occur at any given time.

Note 4—This clause is applicable to class 2, 3 and 4 events as defined by the Guide to Traffic and Transport Management for Special Events.

PART 3: JUSTIFICATION

In accordance with the DPIE's *Guide to Preparing Planning Proposals*, this section considers the following issues:

- Section A: Need for the planning proposal
- Section B: Relationship to strategic planning framework
- Section C: Environmental, social and economic Impact
- Section D: State and Commonwealth Interests

SECTION A – NEED FOR THE PLANNING PROPOSAL

1. Is the planning proposal the result of any strategic study?

In July 2012 the CBD Masterplan was prepared to guide future upgrade works and new strategic planning initiatives for the Narrabri CBD. The Masterplan promotes the best economic and social outcomes along with significant streetscape and amenity improvements. The vision for the Narrabri CBD contained within the Masterplan is *"a place for all people in all seasons, which reflects the heart and values of the Narrabri community. The Narrabri CBD is the centre of a flourishing local economy with a welcoming and comfortable atmosphere. The CBD's physical elements work together to support current community needs, future local growth and community development opportunities."*

The function of the CBD is a local service centre is enhanced through attractive street embellishments, practical environmental initiatives and the retention and further development of diverse, quality shopping and social experiences for locals and tourists alike."

The Masterplan identifies that town planning controls that apply to the Narrabri CBD area, together with other town planning and urban design initiatives will have a strong influence on the built form outcomes, land use, conservation of significant historical elements and other important environmental outcomes within the town centre. The Masterplan provides a number of objectives and proposals for action including:

B.3 Social Planning Proposals – Council to encourage community use of the Core CBD Area by facilitating community events and activities in the Core CBD area

Whilst the Masterplan focuses on the Narrabri CBD the encouragement of community events and activities across the entire Narrabri LGA is seen as an opportunity and builds upon the existing major events.

The need to develop provisions for Temporary Events continues to grow as Local Government Areas (LGAs) encourage and develop events within their communities.

It is noted that in recent times a number of Council's, including Gloucester, Newcastle, Port Stephens and Great Lakes have included provisions within their LEPs relating to Temporary Events.

It is considered that this planning proposal is a proactive and positive step in encouraging Temporary Events to be carried out on Public Reserves as Exempt Development. This planning proposal will not provide for exemptions for Temporary Events on private lands however, Development Consent requirements for such events will continue to be assessed by Council.

2. Is the planning proposal the best means of achieving the objectives or

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intended outcomes or is there a better way?

It is considered that an amendment to the LEP 2012 is the only method to achieve the objectives and outcome sought by this planning proposal.

The current version of the LEP 2012 does not address this land use and as such this planning proposal is considered the most effective means of permitting Temporary Events within public reserves and roads providing other necessary permits (Local Government Act 1993, Roads Act 1993 etc) are obtained.

Provision 68 of the Local Government Act 1993 requires that a person can only carry out an activity such as:

- Engage in a trade of business
- Direct or procure a theatrical, musical or other entertainment for the public
- Construct a temporary enclosure for the purpose of entertainment
- For fee or reward, play a musical instrument or sing
- Set up, operate or use a loudspeaker or sound amplifying device
- Deliver a public address or hold a religious service or public

meeting with the consent of Council.

Under the current LEP 2012 development consent is required for temporary events to be held. In many instances, approval is also required under provision 68 of the Local Government Act as outlined above. The requirement for approval to be obtained under the Local Government Act 1993 will remain.

SECTION B –RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The *New England North West Regional Plan 2036*, hereafter referred to as the *Regional Plan*, was prepared by the DPIE to give strategic direction to development in the New England North West Region and is a relevant consideration for this planning proposal.

The *Regional Plan* recognises the network of regional cities and centres support diverse industries and that as their industries grow, centres will thrive and require high quality health, education and recreation options. The *Regional Plan* goes on to further recognise the regional cities of Tamworth and Armidale and the strategic centres of Narrabri, Moree, Inverell and Glen Innes will be the focus of employment and services.

The *Regional Plan* sets out four regionally focused goals and Direction's and Actions as policy measures targeted toward achieving the Plans goals.

The goals of the *New England North West Regional Plan 2036* are:
 Goal 1 – A strong and dynamic regional economy
 Goal 2 – A healthy environment with pristine waterways

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Goal 3 – Strong infrastructure and connected transport networks for a connected future
Goal 4 – Attractive and thriving communities

The following Direction is considered relevant to this planning proposal:

Direction 8: Expand tourism and visitor opportunities under *Goal 1 – A strong and dynamic regional economy* recognises that the New England North West hosts major events and that there is an opportunity to expand tourism visitation and expenditure. The *Regional Plan* recognises that tourism generates employment and business growth that contributes to economic outcomes.

It is considered that this planning proposal provides flexibility and opportunities for the Narrabri Shire community to develop new events and enhance existing events by providing a streamlined process for Temporary Events.

The *Local Government Narratives* within the *Regional Plan* identifies priorities for each Council within the *Regional Plan* area. The relevant Narrabri LGA priorities for this planning proposal include:

- *Expand nature based adventure and cultural tourism places and enhance visitor experiences* – it is considered that this planning proposal is a positive and proactive way in achieving this priority as it allows Temporary Events to be held on Public Reserves to be permitted as Exempt Development.
4. Is the planning proposal consistent with the local Council's Community Strategic Plan or other local strategic plan?

The *Community Strategic Plan 2027* presents the community endorsed vision and strategic plan for Narrabri Shire which was prepared in 2017 and relates to the entirety of the Narrabri Local Government Area.

The Strategic Plan's vision is "*Narrabri Shire will be a strong and vibrant regional growth centre providing a quality living environment for the entire Shire community.*"

The *Strategic Plan* estimates that tourism related output to Narrabri Shire was estimated at \$51 million in 2016, generated by local businesses and organisations servicing tourist demand in the Narrabri Shire.

The *Strategic Plan* promotes the development of partnerships with the community, government and non-government agencies to work towards achieving social outcomes that includes:

- *Increased community arts, events and entertainment.*

This planning proposal does not directly relate to any provisions or outcomes of the *Strategic Plan*, however it is considered that it proactively provides the opportunity for an increase in community events and entertainment. Temporary Events have the capacity to encourage economic development and tourism in the Narrabri LGA by promoting and expanding on nature-based adventure and cultural tourism linked to the areas natural and scenic qualities as well as providing an opportunity for local businesses to market goods and services. This in turn will further encourage the Narrabri LGA as a tourist destination attracting new residents and businesses to the region.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007 (MCP SEPP) is the only SEPP applicable to this planning proposal.

MCP SEPP was made to ensure that such things as the demolition of buildings, subdivision of land the conversion of fire alarm systems were matters that required development consent. The MCP SEPP makes these forms of development require consent across NSW.

The MCP SEPP also introduced State-wide provisions to enable:

- The erection of temporary structures with development consent, and
- Limited change of use in certain business zones to occur as Exempt Development.

The Standard Instrument LEP contains standard clauses that were intended to supersede the clause of the MCP SEPP.

It is understood that the DPIE is reviewing SEPPs to simplify and modernise the planning system by removing duplicated, redundant and outdated planning controls. The DEP proposes to improve and simplify NSW development standards by repealing SEPP No.1 – Development Standards and MCP SEPP. The planning provisions contained in these two policies will be incorporated in local planning controls. The submission period for the repeal of these two SEPPs has closed and now being considered.

The LEP 2012 is based on the Standard Instrument LEP and contains provision 2.8 Temporary use of land which requires development consent to be obtained for development on land in any zone for a temporary use for a maximum period of 28 days in any period of 12 months.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 Directions)?

The Minister for Planning issues Local Planning Directions that Council must follow when preparing a planning proposal. The directions cover the following broad categories:

- Employment and resources
- Environment and heritage
- Housing, infrastructure and urban development
- Hazard and risk

Each S. 9.1 Ministerial Direction is listed below with an annotation stating whether it is relevant to the planning proposal and comments relating to its consistency with the corresponding objective. The planning proposal has considered all Ministerial Directions and is consistent with all Local Planning Directions.

S. 9.1 Direction Title	Consistency of Planning Proposal
1.1 Business and Industrial Zones	Not applicable. The planning proposal does not propose to rezone land and will not affect the provision of this Direction.

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1.2 Rural Zones	Not applicable. The planning proposal does not propose to rezone land and will not affect the provision of this Direction.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4 Oyster Aquaculture	Not applicable.
1.5 Rural Lands	Not applicable. The planning proposal does not propose to rezone land and will not affect the provision of this Direction.
2.1 Environment Protection Zones	Not applicable. The planning proposal does not propose to rezone land and will not affect the provision of this Direction.
2.2 Coastal Protection	Not applicable.
2.3 Heritage Conservation	Not applicable. Temporary Events do not require any permanent building works or development that will impact on heritage items of places.
S. 9.1 Direction Title	Consistency of Planning Proposal
2.4 Recreation Vehicle Areas	Not applicable.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable.
3.1 Residential Zones	Not applicable. The planning proposal does not propose to rezone land and will not affect the provision of this Direction.
3.2 Caravan Parks and Manufactured Home Estates	Not applicable.
3.3 Home Occupations	The planning proposal will retain the provisions of the principle LEP which provides for this use without consent in most circumstances.
3.4 Integrating Land Use and transport	Not applicable.
3.5 Development Near Licensed Aerodromes	Not applicable.
3.6 Shooting Ranges	Not applicable.
4.1 Acid Sulfate Soils	Not applicable.
4.2 Mine Subsidence and Unstable Land	Not applicable.
4.3 Flood Prone Land	Not applicable. The planning proposal does not directly affect provisions relating to flood prone land. Flood policy would continue to be enforced on flood-prone land.
4.4 Planning for Bushfire Protection	The planning proposal would not affect existing bushfire planning provisions. These provisions would continue to be enforced for developments on bushfire prone land.
5.1 Implementation of Regional Strategies (Revoked 17 October 2017)	Not applicable.
5.2 Sydney Drinking Water Catchments	Not applicable.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.

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5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	Not applicable.
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008)	Not applicable.
5.7 Central Coast (Revoked 10 July 2008)	Not applicable.
5.8 Second Sydney Airport: Badgerys Creek	Not applicable.
5.9 North West Rail Link Corridor Strategy	Not applicable.
5.10 Implementation of Regional Plans	Consistent.
6.1 Approval and Referral Requirements	Not applicable.
6.2 Reserving Land for Public Purposes	Not applicable.
6.3 Site Specific Provisions	Not applicable.
7.1 Implementation of A Plan for Growing Sydney	Not applicable.
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
S. 9.1 Direction Title	Consistency of Planning Proposal
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Plan	Not applicable.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable.

Table 3: SECTION 9.1 MINISTERIAL DIRECTIONS AND CONSISTENCY WITH THIS PLANNING PROPOSAL

SECTION C – ENVIRONMENTAL SOCIAL AND ECONOMIC IMPACT

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The planning proposal will not impact upon critical habitats, threatened species, populations or ecological communities of their habitats.

8. Are there any other environmental effects as a result of the planning proposal and

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how are they proposed to be managed?

No. The planning proposal will not have any likely environmental effects.

Provision 89 of the Local Government Act 1993 outlines the matters that must be taken into consideration when considering an application for approval for an activity such as an event. Amongst other things council is required to take into consideration protection of the environment, protection of public health, safety and convenience and any items of cultural and heritage significance which might be affected.

Additionally, any land that is owned by council and is classified as Community Land under the Local Government Act 1993 must have a "Plan of Management". Community Land is generally open to the public and includes parks, reserves and sports grounds. Plans of Management also must address any environmental areas and how the land is to be used and managed.

It is considered there are sufficient requirements in place that will ensure that any areas of critical habitat or threatened species, populations or ecological communities, or their habitats will not be adversely affected as a result of this planning proposal.

9. How has the planning proposal adequately addressed any social and economic effects?

It is considered that the planning proposal would have positive social and economic effects by providing an opportunity for Temporary Events to be held on Public Reserves as Exempt Development.

The potential for and continuation of existing successful events to be held in the Narrabri Shire LGA will encourage direct and in-direct economic benefits to the region. The events also provide an opportunity for local producers and craftspeople's to market their products which benefits a wide variety of industries.

SECTION D – COMMONWEALTH AND STATE INTERESTS

10. Is there adequate public infrastructure for the planning proposal?

Not applicable. It is considered that there are no additional infrastructure implications from this planning proposal.

11. What are the views of State and Commonwealth public authorities in accordance with the Gateway determination?

Relevant State and Commonwealth Government Agencies will be consulted in accordance with the requirements of any Gateway Determination.

PART 4: MAPPING

This planning proposal is limited to amendment to the written instrument only and no mapping changes are proposed. Narrabri LEP 2012 maps can be viewed online on the NSW Legislation website.

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www.legislation.nsw.gov.au

PART 5: COMMUNITY CONSULTATION

In accordance with the *NSW DPIE guidelines to preparing LEP's*, upon Gateway Determination adjoining landholders and any affected community organisations will be formally notified of the proposal and invited to provide comment.

In accordance with prevailing DPIE Guidelines and the provisions of the Environmental Protection Authority Act, the planning proposal will also be notified publicly for the prescribed period in local newspapers and Council's website at <http://www.narrabri.nsw.gov.au/>

Public exhibition will be carried out in accordance with the requirements of the EPA Act, EPA Regulations and the Gateway Determination.

PART 6: PROJECT TIMELINE

It is expected that the relevant steps in the planning proposal process will be completed as set-out in the table below:

Milestone	Timeframe
Council endorse the Planning Proposal	March 2021
Gateway Determination issued by the Department of Planning, Industry and Environment	April 2021
Completion of technical assessment	May 2021
Public exhibition of the planning proposal and any required consultation with any public authorities	June - July 2021
Consideration of any submissions received made during public notification/consultation	July – August 2021
Refer proposal to Parliamentary Counsel and obtain Opinion	September 2021
Determination to make the LEP and notification of the LEP on legislation website	November 2021

Note: this project timeline has been drafted on the assumption that Council will be permitted to utilise its delegated plan making powers by DPIE. Timeframes for achieving milestones may be subject to change pending issues arising during the planning proposal process.

13 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

13.1 INVESTMENT REPORT - FEBRUARY 2021

Responsible Officer: Lindsay Mason, Director Corporate and Community Services

Author: Tim McClellan, Manager Financial Services

Attachments: Nil

DELIVERY PROGRAM ALIGNMENT**4 Leadership**

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

Strategy 4.4.3 Report in a clear, concise manner that is easily understood

EXECUTIVE SUMMARY

Council is required to consider a report on its investments in accordance with clause 212 of the *Local Government (General) Regulation 2005*.

During the month:

- Two (2) investments matured, totalling \$3 million.
- One (1) new investment was placed, totalling \$2 million.

Council's Responsible Accounting Officer has certified that Council's investments are in accordance with requirements.

RECOMMENDATION

1. That Council note the Investment Report for February 2021.

BACKGROUND

Council is required to consider a report on its investments in accordance with clause 212 of the *Local Government (General) Regulation 2005*.

CURRENT SITUATION

The following is a summary of investment movements for February 2021.

Investments maturing during the month:

- | | | | |
|------------|-----------|-------------|------------------|
| • 03/02/21 | AMP | \$2,000,000 | 266 days @ 1.60% |
| • 17/02/21 | Judo Bank | \$1,000,000 | 364 days @ 2.00% |

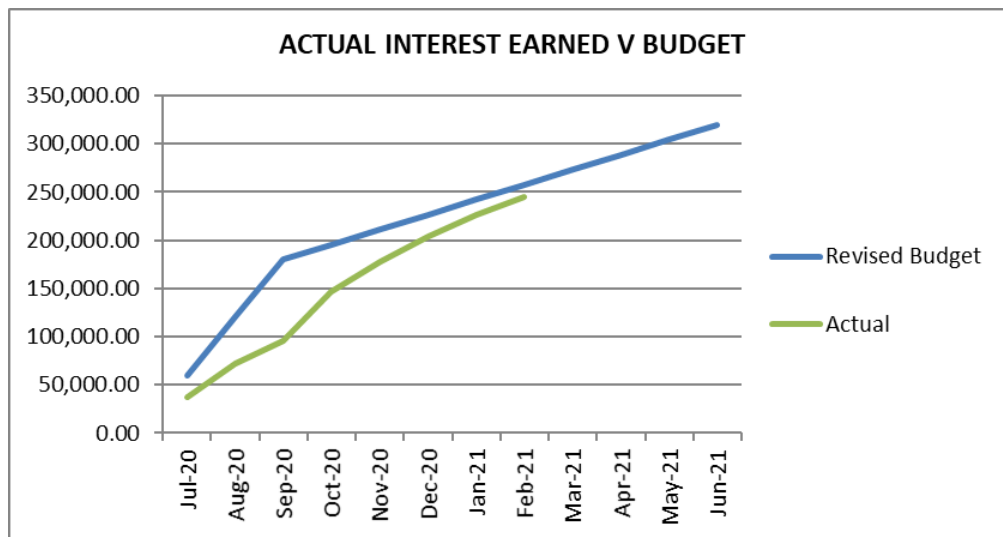
New Investment secured during the month:

- | | | | |
|------------|-----|-------------|------------------|
| • 03/02/21 | AMP | \$2,000,000 | 175 days @ 0.70% |
|------------|-----|-------------|------------------|

	Market Value (\$)	Term (days)	Rate	Maturity Date	% of Portfolio
Short Term Deposits (<1 yr)	30,000,000.00				86.16%
NAB	4,000,000.00	91	0.45%	03/03/21	11.49%
Macquarie Bank	2,000,000.00	364	1.70%	24/03/21	5.74%
Bank of Sydney	1,000,000.00	124	0.45%	31/03/21	2.87%
Rural Bank	2,000,000.00	273	0.85%	21/04/21	5.74%
BOQ	2,000,000.00	152	0.43%	28/04/21	5.74%
NAB	1,000,000.00	154	0.45%	05/05/21	2.87%
AMP	1,000,000.00	154	0.60%	05/05/21	2.87%
BOQ	2,000,000.00	266	0.73%	19/05/21	5.74%
AMP	2,000,000.00	189	0.70%	26/05/21	5.74%
Aus Unity	1,000,000.00	365	1.05%	10/06/21	2.87%
BOQ	1,000,000.00	273	0.63%	14/07/21	2.87%
AMP	2,000,000.00	175	0.70%	28/07/21	5.74%
ME Bank	3,000,000.00	240	0.45%	11/08/21	8.62%
AMP	1,000,000.00	363	0.80%	25/08/21	2.87%
NAB	2,000,000.00	366	0.75%	01/09/21	5.74%
Judo Bank	1,000,000.00	364	1.05%	15/09/21	2.87%
AMP	2,000,000.00	336	0.75%	27/10/21	5.74%
Cash Deposits	4,817,626.79				13.84%
NAB At Call A/c	1,500,000.00	At Call	0.25%	n/a	4.31%
NAB Working A/c	3,317,626.79	At Call	0.00%	n/a	9.53%
Total Cash & Investments	34,817,626.79				100.00%

Movements within Bank account for the reporting period (\$)

Cash Book balance at 31 January 2021	1,021,034.69
Plus Receipts	5,533,424.78
Less Payments	-3,997,663.22
Cash Book balance at 28 February 2021	2,556,796.25
Less Outstanding Deposits	-1,670,436.13
Plus Unpresented Payments	2,431,266.67
Reconciliation Balance as at 28 February 2021	3,317,626.79



Investment Rate Summary for February 2021

Average Interest Rate on Investments: 0.82%

Weighted Average Interest Rate on Investments 0.69%

Council's Benchmarks

Bank Bill Swap Rate (BBSW) 90-day index (01/03/2021)¹ 0.03%

Average 11am Cash Rate 0.10%

FINANCIAL IMPLICATIONS

Interest income for the month was \$17,784, bringing the income earned for the year to \$244,597.

STATUTORY AND POLICY IMPLICATIONS

Clause 212 of the *Local Government (General) Regulation 2005* requires Council's Responsible Accounting Officer to provide a monthly report setting out the details of all money that the Council has invested under section 625 of the *Local Government Act 1993*.

It is certified that Council's investments have been made in accordance with:

- *Local Government Act 1993*.
- *Local Government (General) Regulation 2005*.
- Ministerial Investment Order dated 12 January 2011.
- Council's Investment Policy dated 15 August 2017.

CONSULTATION

External Consultation

Nil.

Internal Consultation

- Responsible Accounting Officer.

¹ Source: www.asx.com.au

13.2 DELEGATES REPORT - MAULES CREEK COAL COMMUNITY CONSULTATIVE COMMITTEE MEETING - 17 FEBRUARY 2021

Responsible Officer: Robert Kneale, Councillor

Author: Delece Hartnett, Personal Assistant to Mayor & General Manager

Attachments: 1. Minutes from Maules Creek Coal CCC Meeting - Wednesday 17 February 2021  

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

RECOMMENDATION

That Council note Cr Kneale's Delegates Report from the Maules Creek Coal Community Consultative Committee Meeting held on Wednesday 17 February 2021.

DELEGATES REPORT

The Maules Creek Coal Community Consultative Committee held a meeting on Wednesday 17 February 2021.

The Minutes from the meeting are attached.

Notes: Notes of the 32nd Meeting of the Maules Creek Coal Community Consultative Committee
Held at the Boggabri Golf Club

Wednesday 17 February 2021

Members Present: Andrew Garratt (AG) – WHC, Ross Wilson (RW) – WHC, Emma Bulkeley (EB) – WHC, Cr Robert Kneale (RK) – Narrabri Shire Council, Jack Warnock (JW) – Community Representative, Robyn Grover (RG) – Community Representative, Steve Eather (SE) – Community Representative, Libby Laird (LL) – Maules Creek Community Representative

Apologies: Simone Moodie (SMo) – Community Aboriginal Representative, David Paull (DP) – Sustainable Living Armidale (SLA), Lyndell Crowley (LC) – Boggabri Business & Community Progress Association, Darren Swain (DS) - WHC, Debbie Corlet (DC) – Independent Secretary, Corinne Culbert-Rafferty (alternate Independent Secretary)

Independent Chair: David Ross (DR)

Minutes: Jacob Payne (JP)

Agenda Items	Who to Present
1. Introductions and apologies	DR
2. Declaration of pecuniary or other interests	ALL
3. Business arising from the previous minutes – Action List Distributed	DR
4. Minutes (notes) of the previous meetings – Wed 28 October 2020	DR
5. Correspondence	DR
6. Overview of the mine	RW / AG
7. Environmental monitoring	EB
8. General business	ALL
9. Next Meetings	DR

Agenda Item	Discussion	Action/By Whom
1.	Welcome and Apologies - DR welcomed everyone to the CCC. He observed in particular that not only was the Independent Secretary was an apology but, as of yesterday, so was the alternate. He thanked JP for assisting at short notice.	
2.	Declaration of pecuniary or other interests - DR shared that he is paid a fee to chair these meetings	
3.	Business Arising from the previous minutes - DR advised that the action for Lyndell (LC) to update the Green flyer with contact details is to be kept open	
4.	Confirmation of the minutes of the previous meeting (28 October 2020) - All agreed and approved the previous meeting minutes.	
5.	Correspondence - No correspondence has been received.	
6.	<p>WHC Presentation by Ross Wilson, Emma Bulkeley and Andrew Garrett</p> <p>Company Report & Overview of Activities</p> <ul style="list-style-type: none"> FY21 target production 12Mtpa ROM (Run of Mine) coal. Jan 2021 TRIFR (Total Recordable Injury Frequency Rate 5.45 – Slightly up from last year. <p>Health and Safety</p> <p>COVID-19 Management:</p> <ul style="list-style-type: none"> Continued monitoring of compliance with current COVID-19 preventative measures. Continued monitoring of NSW Public Health Order and WorkSafe Australia. Ensuring our workforce remains informed. Business continuation plan in light of COVID border restrictions. <p>COVID-19 Discussion:</p> <p>RW reported on the current measures in place. These included: personnel numbers in light vehicles have been restricted (3 in a Hilux and 4 in a Land cruiser/Prado) as are numbers in employee commuter buses; all people in vehicles to wear mask at all times; and there are random audits of employee buses to ensure compliance.</p> <p>Projects:</p> <ul style="list-style-type: none"> Vehicle hierarchy change management – change from NSW road rules to the Vehicle Hierarchy system. A lighting system is to be implemented on equipment to aid in the flow of traffic 	

<p>Employment:</p> <ul style="list-style-type: none"> Continued focus on local, indigenous, and female employment with ongoing training programs undertaken. There have been 73 new trainees employed from October to December 2020. 21 were female. <p>JW – Enquired as to why the total number of employees on site has risen so significantly since the previous meeting. RW and EB explained that additional contractors have been brought on for the various projects on site.</p> <p>RK – Asked how many people are on site for a typical shift (approximately) RW - Observed that there are approximately 250 per day shift and less for a night shift.</p> <p>Air Quality Management:</p> <ul style="list-style-type: none"> Publicly available results of TEOM1 available on the EPA website. Annual rolling average for TEOM1 is 7.22 ug/m³ at 31 Dec 2020 (criteria 30ug/m3). Ongoing dust suppressant application across the operation. <p>Ground Water: Bores are generally consistent with the historical data.</p> <p><u>Biodiversity Management</u></p> <p>Feral Animal Management:</p> <ul style="list-style-type: none"> 45 out of total 75 pigs trapped were from the Maules Creek offset properties from DEC 2020. 170 out of total 324 baits (1080) taken were from the Maules Creek offset properties <p>Revegetation and Tree Watering:</p> <ul style="list-style-type: none"> Completed 2020 tree planting program on Maules Offset properties. 60,000 tree seedlings planted over 1100ha. Initial survival checks confirm very high survival – Good season <p>JW – Enquired as to how long the seedlings are typically watered for? EB – Seedlings are typically watered regularly throughout summer for a period of 12 weeks.</p> <p>Weed Control: Targeted seasonal weed control along Riparian areas of green cestrum</p> <p>Threatened Flora:</p> <ul style="list-style-type: none"> All 34 Pomaderris queenslandica seedlings are surviving – Originally sourced from the Leard Forest population. Additional Pomaderris seed collected in November from Pilliga <p>Fire Management:</p> <ul style="list-style-type: none"> Completed Annual Fuel Load Assessments. Currently planning 2021 Autumn Ecological Burn Program. <p>Fencing and Waste Management:</p> <ul style="list-style-type: none"> Mt Lindesay Offsets completed in December. New fencing for Wirradale 	
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<p>Upcoming Works:</p> <ul style="list-style-type: none"> • Feral Animal Monitoring and Control Program in March 2021. Planning for Biodiversity Tree Planting Program 2021 • Continued seasonal Weed control and Tree watering programs. Commence planning 2021 Autumn ecological burn program. Commence Autumn flora 2021 monitoring. Continue routine threatened flora inspections and programs <p>LL – Asked if the extension for finding the MCCM EPBC offsets has been applied for and approved.</p> <p><u>Project Approval Modifications</u></p> <p>MCC Landform MOD: This was submitted on the 29th of January 2021. Is to be going on exhibition tomorrow Thursday 18 February.</p> <p>MCC Powerline MOD:</p> <ul style="list-style-type: none"> • Intend to install and connect electricity to the Roma Bore. This will require a minor modification to the Project Approval PA 10_0138. The power line will be on Whitehaven owned property within a cleared and currently cropped paddock. Due diligence work has identified no impact to vegetation or archaeology. Will enable electrification of the pump which is currently powered by a diesel generator <p>EB - MCCM is currently working on this modification.</p> <p>AHS (Autonomous Haulage System) Production to Date – February 2021:</p> <ul style="list-style-type: none"> • Twelve (12) EH5000s are now converted for autonomous operation. >35,000 loads hauled autonomously. >4,650,000 bank cubic metres (BCM) of waste moved. >170 personnel trained to work with AHS so far. <p>RW - explained that there is a set of grids identified on a path/map and the trucks stick to those grids. The Operator can take control of the truck at any time.</p> <p>RK – Will there be other equipment converted to autonomous.</p> <p>RW – Not at this stage</p> <p>RK – The concern surround AHS is people losing jobs</p> <p>RW – Although truck drivers will gradually be replaced, operators will be retrained to perform the large variety of ancillary roles required to keep the trucks operational.</p> <p>Community:</p> <ul style="list-style-type: none"> • Whitehaven continues to support the local Community with donations and sponsorships. Donations for October to December 2020 is ~\$35,500.00 – increase from last couple of quarters. More information on Sponsorships and Donations can be found at: 	<p>ACTION 1 – EB to find out if EPBC extension approved</p> <p>ACTION 2 – EB to notify DR of link for updated Mod once it goes online</p>
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	<p>https://whitehaven.com.au/sustainability/community/donations-sponsorships/. Whitehaven provided sponsorship to the Westpac Rescue Helicopter for \$50,000 as part of the release of the new EX8000 excavator bucket. Whitehaven staff also donated approximately \$43,000 to Westpac.</p> <p>Complaint details:</p> <ul style="list-style-type: none"> Hotline Number – For ALL Whitehaven Sites is 1800WHAVEN (1800 942 836). Received one complaint for the quarter in relation to onsite lighting. <p>JW: Believes that the lights on the western dumps are also affecting his property – Expressed that this is not a formal complaint, just a curiosity. EB: MCCM will identify which lights are interfering with your property and correct the issue (Action assigned).</p> <p>General Discussion: RW – Reported that both Silica and Coal dust levels on site have reduced by approximately 50% over the last 6 months. LL – Why are silica levels high to begin with? RW – This is an industry wide issue that comes with working with material containing silica. It is especially apparent with sedimentary materials which is what we have in the region. LL: Asked RW if topography of mine site might exacerbate onsite dust? RK – What measures are the mine taking to reduce the levels? RW – The only way to prevent the dust is to eliminate it at its source. The primary method for doing this is to saturate the work area so that particles are unable to become airborne. LL – Discussed the fact that this rock from the Tarrawonga mine is being put on roads across the Shire and the silica issue should be a concern to everyone. That silica is an issue also to near neighbours as it blows off the top of the mine site walls when it is windy. RW – No overburden material excavated at MCCM leaves site. LL- agree with RW that it was coming from the Leard Forest mine area.</p>	ACTION 3 - Identify which lights are interfering with JWs property and correct the problem
7.	<p>General Business: LL: Requested information; there is community interest regarding the Hunter to QLD Gas pipeline and how it will affect Maules Creek and the mines offset properties as the pipeline appears to intersect WHC land. A list of questions were provided.</p> <p>EB – In response to the question, “What is the purpose of the addendum in the water management plan?” – It was to allow for the relocation of a Clear Water Dam (CWD) diversion on the western side of the mine and the installation of a clean water system on the eastern side of the mine.</p> <p>DR – Reminded the group that it has an upcoming site visit to the offsets in May and that he would investigate with DS the feasibility of also including a visit to AHS dispatch.</p>	

	<p>DR – As per CCC guidelines, I am obligated to initiate a conversation with you all to discuss what you would like included in the meetings over the remainder of the year.</p> <p>A group discussion was then held on this. Suggestions that were raised by the CCC included:</p> <ul style="list-style-type: none"> • Discussing the written material they received in the past from Jock Laurie relating to coal operations in the region. Unfortunately this information is no longer being produced. • Invite Resource Regulator to present as objectives have changed and they are doing away with MOP for rehabilitation management plans • Outside input via presentations: More information and a presentation on the silica dust be offered to the community. This could be from MCCM or a WorkSafe NSW representative. <p>DR – Commented that they can accommodate one government representative presentation per joint CCC</p> <p>LL – There appears to be confusion surrounding the environmental trust.</p> <p>RG – Would CCC members be opposed to having their email contact details included in the Green flyer?</p> <p>LL – Recommends having upcoming meeting dates also added so questions can be forwarded to reps.</p> <p>ALL – Agreed to RGs request</p>	<p>ACTION 4 – DR to present on Environmental Trust at May Joint CCC meeting</p> <p>ACTION 5 - RG to update the Green flyer with CCC member email details and upcoming meeting dates</p>
8.	<p>Next meetings:</p> <ul style="list-style-type: none"> • 12th of May with the Joint CCC on 13th of May • 11th of August • 27th of October with the Joint CCC on 28th of October 	<p>ACTION 6 – DR to email upcoming meeting dates to members of the CCC</p>

Meeting Closed:

4:32 pm

Appendix 1: Actions

Page No	Action No	Description	Date Raised
	1	DR to contact the EPA regarding the continuation of NRAQC	17 February 2021
4	2	EB to identify if MCCM have received the extension for the EPBC	17 February 2021
4	3	EB to email DR the link when the modification goes on exhibition	17 February 2021
5	4	EB to Identify which lights are interfering with JWs property and correct the issue	17 February 2021
6	5	DR to present on the environmental trust at the joint CCC meeting in May 2021	17 February 2021
6	6	RG to update the Green flyer with CCC member contact details and upcoming meeting dates	17 February 2021
6	7	DR to email the CCC members the dates for all upcoming 2021 meetings	17 February 2021

Appendix 2: Questions from LL

Re: Hunter Gas Pipeline

1. What is known by WHC of the location of the Hunter to Queensland gas pipeline route, including the revision of the route?
2. Where does it intersect the biodiversity offsets?
3. The route involves clearing a 30m corridor for the pipeline, and from community understanding of maps, in whc's case in the offset country. How much WHC owned country is this? (all mines)
4. What is whc's position on the pipeline? Will it agree to this buffer?
5. Will/has WHC Signed a letter of access/authority?
6. Would you allow forced entry access?

Re: Miscellaneous topics

1. How much Namoi river water was used during 2019/20 water year?
2. What is the height of the Northern embankment?
3. What was the original intent/purpose of the northern embankment and has that changed?
4. Have tyres ever been buried on the MCCM site?
5. What is the role of the addendum to the water management plan?
6. What areas of the mine site does it specifically refer to?

13.3 DELEGATES REPORT - NARRABRI GAS PROJECT COMMUNITY CONSULTATIVE COMMITTEE - 17 FEBRUARY 2021

Responsible Officer: Robert Kneale, Councillor

Author: Delece Hartnett, Personal Assistant to Mayor & General Manager

Attachments: 1. Minutes - Narrabri Gas Project Community Consultative Committee - Wednesday 17 February 2021 [↓](#) 

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

RECOMMENDATION

That Council note Cr Kneale's Delegates Report from the Narrabri Gas Project Community Consultative Committee Meeting held on Wednesday 17 February 2021.

DELEGATES REPORT

The Narrabri Gas Project Community Consultative Committee held a Meeting on Wednesday 17 February 2021.

The Minutes from the meeting are attached.



MEETING MINUTES

Narrabri Gas Project (NGP)

Community Consultative Committee (CCC)

Meeting # 1

DATE / TIME

17 February 2021
9:22am

LOCATION

The Crossing Theatre (upstairs meeting room)
Tibbereena Street, Narrabri

FACILITATOR

Garry West

MINUTE TAKER

Penny Magann-Jones

ATTENDEES

- ◆ Garry West (Independent Chair)
- ◆ Rohan Boehm (People for the Plains)
- ◆ Peter Brookhouse (Community)
- ◆ Jocelyn Cameron (CWA)
- ◆ Jocelin Jansson (North West LLS)
- ◆ David Scilley (NSW Farmers)

- ◆ Russell Stewart (Narrabri Chamber of Commerce)
- ◆ Lynn Trindall (Narrabri LALC)
- ◆ Jack Warnock (Community)
- ◆ Cr Cathy Redding (Narrabri Shire Council)
- ◆ Cr Rob Kneale (Narrabri Shire Council)
- ◆ Annie Moody (Santos)
- ◆ Andrew Snars (Santos)

APOLOGIES

- ◆ Ravi Chandra (Santos)

GUESTS

- ◆ Todd Dunn (Santos)

Discussions

NO.	DISCUSSIONS
1. Welcome	The Chair welcomed all to the meeting and acknowledged Gomeroi country on which the meeting was held as well as Elders past, present and future and all Aboriginal persons present.
Independent secretariat services.	Chair thanked all members for their nominations, special thanks to returning or former CCC members for their renomination as their previous experience of the CCC process will be valuable moving forward. Chair advised members that he had completed a Site Tour of NGP on Monday and gained many insights in NGP from the experience.
Overview of CCC function	Chair advised CCC members an independent Secretary would be engaged for the recording of CCC Meeting Minutes in the future. However, that is not in place for this meeting and requested to record the meeting for the purpose of preparing the minutes. No objections. Chair outlined process of Minute drafting, consultation and confirmation with a 2-3 week turnaround.
Member Introductions	Community Consultative Committee (CCC) established under Section A21 of Conditions of Consent as part of the approval process. CCC Independent Chair and Committee Members appointed by NSW Planning, Industry and Environment (DPIE). Format differs from previous voluntary CCC. Committee is to provide community consultation into Stage 1 of NGP development (Appraisal Phase). As Stage 1 (Appraisal Phase) develops CCC Members will receive presentations and reports from Santos to distribute and consult with their stakeholders and provide feedback.
Declaration of pecuniary or other	All members introduced themselves and outlined their areas of expertise
	Chair advised that he would follow up any outstanding Declarations of Pecuniary or other interest forms.

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MEETING MINUTES

Narrabri Gas Project (NGP)

Community Consultative Committee (CCC)

interests / Code of Conduct	<p>Chair advised he is paid by Santos for his role as Independent Chair.</p> <p>Jack Warnock – Landholder/Community Member Member advised group that he was in the process of selling his landholdings, which could be a 12 month process.</p> <p>Annie Moody – Santos Annie advised that she, Ravinesh and Andrew were Santos staff and shareholders.</p>
3. Project Update Overview	<p>Andrew Snars (Santos – Regional Manager) Andrew provided CCC Members with an Introduction and Background of Santos. Updated members on the current approval status of NGP. On 30 September 2020, the NSW Independent Planning Commission approved the Narrabri Gas Project with 134 consent conditions. On 24 November 2020, Santos welcomed Federal Environment Minister Sussan Ley's approval of the Narrabri Gas Project. Next steps: Address Conditions of Consent including the formation of committees and finalisation of management plans. All plans must be in place prior to the commencement of the 12-18 month appraisal program which will precede the Final Investment Decision (FID) for the Phase 2 (Construction Phase) of NGP development. Provided background information regarding the Four advisory groups: Aboriginal Cultural Heritage Advisory Group, Biodiversity Advisory Group, Water Technical Advisory Group Greenhouse Gas Emissions Advisory Group and how that information would feed back into the CCC.</p>
Phasing/Schedule	<p>Todd Dunn (Santos - Narrabri Gas Project Manager) Currently focusing on developing key Management Plans with feedback from community, stakeholders, government, Aboriginal groups, and landholders to meet NGP Conditions of Consent prior to Management Plan lodgement for approval with NSW Planning Secretary. Once all approvals are in place, a 12-to-18-month appraisal drilling program will be undertaken to inform the phased development of the Project. Appraisal Phase to include 10 new wells (6 new wells and 4 core holes), seismic and water monitoring network works. If approved, works to be carried out in the second half of 2021 Estimate Final Investment Decision (FID) anticipated first half of 2023.</p>
Social Impacts Overview	<p>Andrew Snars (Santos – Regional Manager) Andrew outlined the need to understand and measure potential community impacts to maximise the community benefits of NGP. Advised Santos has engaged GHD to provide an updated baseline Social Impact Assessment which will inform the Social Impact Management Plan required to meet Phase 2 Conditions of Consent prior to a Final Investment Decision (FID) and approvals to allow Phase 2 to take place. Voluntary Planning Agreement (VPA) will see \$14.5 million invested in partnership with Narrabri Shire Council to improve and expand community infrastructure. Community Benefits Fund (CBF) is expected to deliver up to \$120 million to the region which would be used to support major initiatives and infrastructure projects in the areas in which Santos operate.</p> <p>Q: Will presentations be made available to CCC Members? A: All CCC presentations will be made available with final CCC Meeting Minutes. Q: What seismic activities will take place? CSIRO (GISERA) Report tabled? A: Chair will discuss appropriate action with CSIRO and Santos. Q: CBF was originally advised at \$160 million? Why has it decreased? A: CBF calculation is based on 10% of royalties due in each year which is calculated based on wellhead price. Landholder Benefit Fund is to benefit hosts of NGP wells who receive a percentage of the well head price. NGP Community Benefit Fund paper was presented to NSW Government in June outlining new framework. (https://narrabrigasproject.com.au/community/future-investment/ and https://www.resourcesandgeoscience.nsw.gov.au/landholders-and-community/coal-seam-gas/community/community-benefits-fund) Critical to differentiate between VPA and CBF. Important to remember VPA doesn't commence until FID is made and CBF framework is not yet finalised.</p>

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MEETING MINUTES

Narrabri Gas Project (NGP)

Community Consultative Committee (CCC)

	<p>Q: Current housing availability, infrastructure, essential services and vacant land will not sustain influx of workers.</p> <p>A: Santos currently has low staffing numbers based in Narrabri. Santos understands the current infrastructure constraints and plans to utilise the available camps during the construction phase. GHD study is currently in the desktop assessment phase but will progress in the future to assess baseline social key metrics.</p> <p>Q: GHD Study – will the CCC to be provided with design prior to rollout.</p> <p>A: GHD will consult with the community regarding design. GHD Report is a Santos study for internal use.</p> <p>Q: Can CCC Members be involved with CBF?</p> <p>A: They can but need to remain impartial and separate from CCC with framework yet to be released.</p>
4. Proponent Reports	<p>Four advisory groups are being established under the NSW Planning, Industry and Environment Conditions of Consent requirements:</p> <ul style="list-style-type: none"> • Aboriginal Cultural Heritage Advisory Group (ACHAG) • Biodiversity Advisory Group (BAG) • Water Technical Advisory Group (WTAG) • Greenhouse Gas Emissions Advisory Group (GGEAG) <p>NSW Planning, Industry and Environment have approved that Garry West Chair all Advisory Groups to ensure continuity. BAG, WTAG and GGEAG still in establishment phase and formation in progress. All Advisory Groups need to be operational prior to commencement of Phase 1.</p> <p>Aboriginal Cultural Heritage Advisory Group (ACHAG) meeting held Tuesday 16th February with discussions regarding draft Aboriginal Cultural Heritage Management Plan taking place. Next meeting will be held Monday 22nd March to work through the Plan, provide input and feedback to ensure aboriginal culture and heritage protection.</p> <p>Q: Will minutes of advisory groups be circulated to CCC</p> <p>A: Chair will refer back with response to this at the next meeting.</p>
5. General Business	<p>Chair reminded members that CCC membership is prescribed by NSW Planning, Industry and Environment and the process of nominating proxy/alternate members of the CCC if unable to attend scheduled meetings.</p> <p>Q: What degree of reporting will Santos provide to CCC? How will Santos respond to queries?</p> <p>A: Responses will be provided asap if information is available. Annual reports are lodged to government departments and can be provided noting some of these may be confidential and therefore unable to be distributed. Santos Shopfront staff on hand to answer questions.</p> <p>Member advised in his capacity as a member of Boggabri Coal CCC that reports are provided quarterly, and he would like to see similar in this instance. Chair advised he would investigate AGL Gas Project reporting and discuss with DPIE.</p> <p>Chair envisages CCC meeting 3-4 times per year and working with Santos regarding Management Plan timelines to schedule meetings in accordance with these deadlines.</p> <p>Member and Guest names to appear on CCC Meeting Agenda. Agenda's will be provided approximately 3 weeks prior to meeting date.</p>

MEETING MINUTES

Narrabri Gas Project (NGP)

Community Consultative Committee (CCC)

Actions

NO.	ACTIONS	ACTION BY	DUE DATE
1	GHD to be invited to attend future CCC meeting	Andrew	ASAP
2	CSIRO (GISERA) to be invited to future CCC meeting	Chair	ASAP
3	Confirm Advisory Group Minutes go to CCC	Chair	Next CCC Meeting

Next Meeting (TBC)Tuesday 18th May 2021, 9:30am, The Crossing Theatre (upstairs meeting room) – Tibbereena Street, Narrabri, 239

13.4 DELEGATES REPORT - COUNTRY MAYORS ASSOCIATION MEETING - 5 MARCH 2021

Responsible Officer: Ron Campbell, Mayor

Author: Delece Hartnett, Personal Assistant to Mayor & General Manager

Attachments: 1. Country Mayors Association Meeting Minutes - 5 March 2021  

DELIVERY PROGRAM ALIGNMENT**4 Leadership**

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

Strategy 4.4.2 Ensure effective and sound local governance practice

RECOMMENDATION

1. That Council note Mayor Campbell's Delegates Report from the Country Mayors Association Ordinary Meeting and Annual General Meeting held in Sydney on Friday 5 March 2021.

DELEGATES REPORT

The Minutes from the Country Mayors Association Ordinary Meeting and Annual General Meeting held in Sydney on Friday 5 March 2021, are attached.



Country Mayors Association of NEW SOUTH WALES

Chairperson: Cr Ken Keith OAM
PO Box 337 Parkes NSW 2870
02 6861 2333
ABN 92 803 490 533

MINUTES

GENERAL MEETING

FRIDAY, 5 MARCH 2021 CLUB YORK, SYDNEY

The meeting opened at 9.04 a.m.

1. ATTENDANCE:

Albury City Council, Cr Kevin Mack, Mayor
Armidale Regional Council, Mr James Roncon, General Manager
Bega Valley Shire Council, Cr Russell Fitzpatrick, Mayor
Bellingen Shire Council, Cr Dominic King, Mayor
Bland Shire Council, Cr Brian Monaghan, Mayor
Bland Shire Council, Mr Ray Smith, General Manager
Blayney Shire Council, Cr Scott Ferguson, Mayor
Broken Hill City Council, Cr Darriea Turley, Mayor
Broken Hill City Council, Mr Jay Nankivell, Acting General Manager
Cabonne Shire Council, Cr Kevin Beatty, Mayor
Cabonne Shire Council, Mr Brad Burns, General Manager
Coolamon Shire Council, Cr Bruce Hutcheon, Deputy Mayor
Coolamon Shire Council, Mr Tony Donoghue, General Manager
Cootamundra-Gundagai Regional Council, Cr Abb McAlister
Cootamundra-Gundagai Regional Council, Mr Phil McMurray, General Manager
Dubbo Regional Council, Cr Ben Shields, Mayor
Dubbo Regional Council, Mr Michael McMahon, CEO
Dungog Shire Council, Cr John Connors, Mayor
Dungog Shire Council, Mr Gareth Curtis, General Manager
Forbes Shire Council, Cr Jenny Webb, Deputy Mayor
Forbes Shire Council, Mr Steve Loane, General Manager
Glen Innes Shire Council, Cr Carol Sparkes, Mayor
Goulburn Mulwaree Council, Cr Bob Kirk, Mayor
Goulburn Mulwaree Council, Mr Warrick Bennett, General Manager
Gunnedah Shire Council, Cr Jamie Chaffey, Mayor
Gunnedah Shire Council, Mr Eric Growth, General Manager
Gwydir Shire Council, Cr John Coulton, Mayor
Gwydir Shire Council, Mr Max Eastcott, General Manager
Hilltops Council, Cr Brian Ingram, Mayor
Kempsey Shire Council, Cr Liz Campbell, Mayor
Kempsey Shire Council, Mr Craig Milburn, General Manager

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Kiama Municipal Council, Cr Mark Honey, Mayor
Kiama Municipal Council, Ms Jessica Rippon, Acting General Manager
Kyogle Council, Cr Danielle Mulholland, Mayor
Lachlan Shire Council, Cr John Metcalf, Mayor
Lachlan Shire Council, Mr Greg Tory, General Manager
Leeton Shire Council, Cr Paul Maytom, Mayor
Leeton Shire Council, Ms Jackie Kruger, General Manager
Lithgow City Council, Cr Ray Thompson, Mayor
Lithgow City Council, Mr Craig Butler, General Manager
Liverpool Plains Shire Council, Cr Doug Hawkins, Mayor
Liverpool Plains Shire Council, Ms Joanna Sangster, General Manager
Mid-Western/Mudgee Regional Council, Cr Des Kennedy, Mayor
Moree Plains Shire Council, Cr Katrina Humphries, Mayor
Moree Plains Shire Council, Mr Lester Rodgers, General Manager
Narrabri Shire Council, Cr Ron Campbell, Mayor
Narrabri Shire Council, Mr Stewart Todd, General Manager
Narromine Shire Council, Cr Craig Davies, Mayor
Narromine Shire Council, Ms Jane Redden, General Manager
Oberon Council, Cr Kathy Sajowitz, Mayor
Oberon Council, Mr Gary Wallace, General Manager
Orange City Council, Cr Reg Kidd, Mayor
Parkes Shire Council, Cr Ken Keith, Mayor
Port Stephens Council, Cr Ryan Palmer, Mayor
Port Stephens Council, Mr Wayne Wallace, General Manager
Queanbeyan-Palerang Regional Council, Mr Tim Overall, Mayor
Singleton Council, Cr Sue Moore, Mayor
Snowy Valleys Council, Cr James Hayes, Mayor
Temora Shire Council, Cr Rick Firman, Mayor
Temora Shire Council, Mr Gary Lavelle, General Manager
Tenterfield Shire Council, Cr Peter Petty, Mayor
Upper Lachlan Shire Council, Cr John Stafford, Mayor
Uralla Shire Council, Cr Michael Pearce, Mayor
Uralla Shire Council, Ms Kate Jessep, General Manager
Walcha Council, Cr Eric Noakes, Mayor
Walcha Council, Mr Chris Weber, Acting General Manager
Warren Shire Council, Cr Milton Quigley, Mayor
Warren Shire Council, Mr Stephen Glenn, General Manager
Warrumbungle Shire Council, Cr Ambrose Doolan, Mayor
Yass Valley Council, Cr Rowena Abbey, Mayor
LGNSW, Cr Linda Scott, President
LGNSW, Mr Scott Phillips, CEO

APOLOGIES:

As submitted

SPECIAL GUESTS:

Hon Brad Hazzard MP, Minister for Health and Medical Research
Mr David Salisbury, Executive Manager Engineering and Mr Geoff Burgess, Head
of Strategic Council Partnerships, Essential Energy

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2. Welcome

Chairman Cr Ken Keith welcomed Cr John Medcalf OAM, Mayor and Mr Greg Troy, General Manager, Lachlan Shire Council and Mr Don Murray from the former Premiers team to the meeting

3. ADOPTION OF MINUTES OF PREVIOUS MEETING:

RESOLVED that the minutes of the General Meeting held on 6 November 2020 be accepted as a true and accurate record (Tenterfield Shire Council / Kyogle Council).

4. Matters Arising from the Minutes

The Road Classification Review final report is due in July 2021 and Country Mayors needs to follow up at that time

5. Membership

RESOLVED that Lachlan Shire Council be admitted as a member of the Association (Forbes Shire Council / Broken Hill City Council)

6. CORRESPONDENCE

Outward

(a) Insurance Council of Australia, requesting its members to extend the 12 month period of rental assistance to those residents who have lost their primary dwelling

(b) The Hon David Littleproud MP, Minister for Agriculture, Drought and Emergency Management, asking that the Commonwealth extend rental relief to bushfire affected individuals and families who lost their primary dwelling

(c) The Hon Dr Annabelle Bennett AC SC, Commissioner of the Royal Commission National Natural Disaster Arrangements, regarding the development of emergency management structures, for the future management of natural disasters

(d) The Secretariat of the Electoral Districts Redistribution Panel, requesting that they distinguish between the needs of metropolitan and country electorates when making decisions regarding electoral boundaries

(e) Cr Robert Mustow, Mayor, Richmond Valley Council, advising that Richmond Valley has been admitted as a member of the Association

(f) The Hon Scott Morrison MP, Prime Minister of Australia, requesting that Local Government be represented on the National Cabinet with membership from ALGA

(g) Mr Peter Duncan AM, Independent Panel for the Road Classification Review and Transfer, thanking for his presentation to the 6 November meeting

(h) The Hon Melinda Pavey MP, Minister for Water, Property and Housing, requesting that in respect to essential water security infrastructure such as dams that consideration be given by the State Government to providing respite from NSW Government costs

(i) The Hon Shelley Hancock MP, requesting that when considering the recommendations of the IPART Review that recommendation 34 regarding mining rates not be adopted

(j) The Hon Mick Veitch MLC, Shadow Minister for Industry and Trade, Rural Roads, Rural Affairs and Western Sydney, thanking him for his presentation to the 6 November meeting

(k) Ms Mary O'Kane, NSW Independent Bushfire Inquiry, thanking her for her presentation to the 6 November meeting

(l)The Hon Keith Pitt MP, Minister for Resources, Water and Northern Australia, requesting improved engagement and involvement for projects to be funded under the National Water Infrastructure

NOTED

7. FINANCIAL REPORT

RESOLVED That the financial reports for the last quarter were tabled and accepted (Kyogle Council / Coolamon Shire Council)

8. LGNSW Update Cr Linda Scott, President

The update outlined Advocacy Wins December 2020 to February 2021, Work Undertaken and Opportunities for Collaboration (Copy Attached)

9. Issues of Importance to Country Mayors

The Chairman outlined the process of each items responsibility for implementation he had undertaken with LGNSW which was reviewed by the Executive Committee on Thursday 4 March 2021. A number of implementation alterations had been made which will be conveyed to LGNSW. It is recommended that the areas to receive immediate attention by Country Mayors be Water Security, Access to Health Services and Financial Assistance Grants and Country Mayors will endeavor to invite guest speakers relating to those areas to future meetings

RESOLVED That the Executive Committee continue with the agreed process (Orange City Council / Moree Plains Shire Council)

10. Financial Assistance Grants

RESOLVED That the Country Mayors;

1. Call on the Federal Minister for Regional Health, Regional Communications and Local Government the Hon Mark Coulton MP, to repeal Part 1 Sec 6 2b of the Local Government Financial Assistance Act 1995 to avoid the mandatory minimum per capita grant amount, as per the resolution passed at the Australian Local Government Associations National General Assembly in 2019.

2. Call on LGNSW and ALGA to review their policy positions on the Federal Governments Financial Assistance Grants to reflect the resolution passed at the ALGA 2019 National General Assembly and remove the pre-requisite of additional FAGs funding for any changes in the formula at present.

3. Call on the NSW Local Government Grants Commission to do everything within its power to ensure that no Council receives less than their 2020 FAGs allocation in the future, and that there be transitional arrangements put in place to ensure that the FAGs are distributed in accordance with the principles of horizontal fiscal equalisation as outlined in the Local Government Financial Assistance Act, should the Australian Government make the proposed changes to remove the minimum per capita grant amount. (Kyogle Council / Moree Plains Shire Council)

11. Solar Farms

Solar Farms and their affect on agricultural land was discussed

12. Town Planning Zones

The State Government proposes to reduce Town Planning zones to three and the criteria will not be released until June

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13. Forced Amalgamations

The fact that a number of councils want to de-amalgamate was noted but councils need to wait for a review to be able to put their case

14. Relocating COVID Isolation to Rural Areas

RESOLVED That Country Mayors oppose the establishment of COVID quarantine accommodation in rural areas (Dubbo Regional Council / Moree Plains Shire Council)

14. Future Meetings of Country Mayors Association

RESOLVED That CMA General Meetings commence at 8.30am and conclude at 1.00pm, that guest speakers at General Meetings be limited to two, that additional time be allocated for General Business items, that the President of LGNSW be allocated time at each meeting for updates, and that General Business items be submitted by members in advance with the Chairman having the discretion to accept motions from the floor in an emergency (Tenterfield Shire Council / Kyogle Council)

15. Hon Brad Hazzard MP, Minister for Health and Medical Research

The last twelve months have been grueling with severe restrictions. The State is trying to strike a balance between Regions and the City during a 100 year event. Shutdowns or limitation of movement in areas were required and overall the NSW community has respected the concerns and interests. Dealing with the other States in border areas has been stressful to some. The number of General Practitioners has dropped by 15% in regional areas in Australia as doctors do not want to work 24/7 as they want a balance in life and they need to be able to talk medically with others. The State has introduced generalist programs for generalist rural doctors and the additional money allocated to regional hospitals has attracted specialists. An additional \$121million has been allocated for ambulance stations and \$100 million for better ambulance facilities. Another 8,300 staff across the system are being employed. More is being done through virtual health which saves appointments for minor matters.

16. Increases in RFS Contributions and Emergency Services Levy

RESOLVED that Country Mayors call on the State Government to work with Country Mayors and LGNSW to develop and implement an Emergency Services Levy (Blayney Shire Council / Cabonne Shire Council)

16. Mr David Salisbury, Executive Manager Engineering and Mr Geoff Burgess, Head of Strategic Council Partnerships, Essential Energy

Essential Energy covers 86 Local Government areas and is regulated by the Australian Regulator which sets distribution charges. A major challenge is a contestable service. If Essential Energy is unable to provide a service another provider is appointed and that provider has to be supplied with design services etc. Essential Energy is working strategically with Councils regarding energy needs and subdivisions. Renewal Energy Zones have been established to plan for when coal mines close and other energy sources need to be found. During the bushfires Essential Energy lost 3,200 poles and they are trying to transition from timber poles to composite poles but unfortunately at the present time there are few providers

There being no further business the meeting closed at 12.55pm.

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14 CONFIDENTIAL (CLOSED COUNCIL) MEETING

Nil reports.

15 MEETING CLOSED
