



SENSO RESOURCES PTY LTD

PLANNING PROPOSAL

For proposed

AMENDMENT TO SCHEDULE 1 ADDITIONAL PERMITTED USES

Lot 113 in DP 1097382

177 Riverside Drive, Narrabri, NSW, 2390

Prepared for: Senso Resources P/L
1/123 Fitzroy Street
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Our reference: 14097



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CONTENTS

1.0 Introduction.....	6
2.0 Proposal Objective	7
3.0 Planning Context	11
3.1 Narrabri Local Environmental Plan 2012	11
3.2 Current Land Use	12
3.3 Proposed Land Uses	13
4.0 Explanation of Provisions	15
5.0 Justification.....	16
5.1 Need for Planning Proposal	16
5.2 Relationship to Strategic Planning Framework	19
5.3 Environmental, Social & Economic Impacts	29
5.4 State and Commonwealth Interests	33
6.0 Community Consultation.....	34
7.0 Project Timeline	35
8.0 Conclusion.....	36
9.0 References	37
Appendix A Narrabri Shire Council Development Application Consent – Bed and Breakfast.....	A-1
Appendix B Gleeson Surveying – Detailed Contour Survey	B-2



FIGURES

Figure 1: Site Locality Plan	8
Figure 2: Site Aerial Plan	9
Figure 3: Site Zoning Plan	10
Figure 4: Flood Planning Map	32

TABLES

Table 1: Explanation of Provisions.....	15
Table 2: Compliance with State Environmental Planning Policy	20
Table 3: Planning Proposal Consistency with Ministerial Directions	21
Table 4: Proposed Project Timeline	35

PLATES

Plate 1: Existing Dwelling on the Subject Property.....	31
Plate 2: Surrounding Dwellings Constructed within the Flood Prone Land Area	31



1.0 Introduction

Mitchel Hanlon Consulting Pty Ltd has been engaged to prepare a planning proposal to amend the Narrabri Local Environmental Plan 2012 Schedule 1 Additional permitted uses to include Lot 113 in DP 1097382 located at 177 Riverside Drive, Narrabri.

The subject land is predominantly zoned R5 Large Lot Residential under the Narrabri Local Environmental Plan 2012 (NLEP 2012). A small proportion of the lot bordering Narrabri Creek is zoned RU1 Primary Production. The lot zoning is not proposed to be modified.

It is proposed to amend the Narrabri Local Environmental Plan 2012 to include additional uses in Schedule 1 for Lot 113 in DP 1097382 to allow for “hotel or motel accommodation” and “function centre” land uses to be carried out on the subject land.

The site is owned by Senso Resources Pty Ltd and contains a large existing five bedroom residence that was granted planning approval in February 2014 for a Bed and Breakfast land use. Appendix A includes a copy of the development approval for the Bed and Breakfast.

Existing infrastructure on the site a large commercial-styled four (4) bedroom residence, with five (5) one bedroom self-contained bedrooms for bed and breakfast use. The residence has a motel design external appearance. In addition, there is a separate two-storey structure approved as a granny flat adjacent to the main dwelling.

Access to the site is gained via an existing driveway on Riverside Drive and the site has the Narrabri Creek as its eastern boundary. The site has extensive existing kerb and gutter sealed bitumen roads connecting the various large external sheds and structures.

This planning proposal has been prepared in accordance with the Department of Planning and Infrastructure’s ‘Guide to Preparing Planning Proposals’ (DP&I, 2012a).



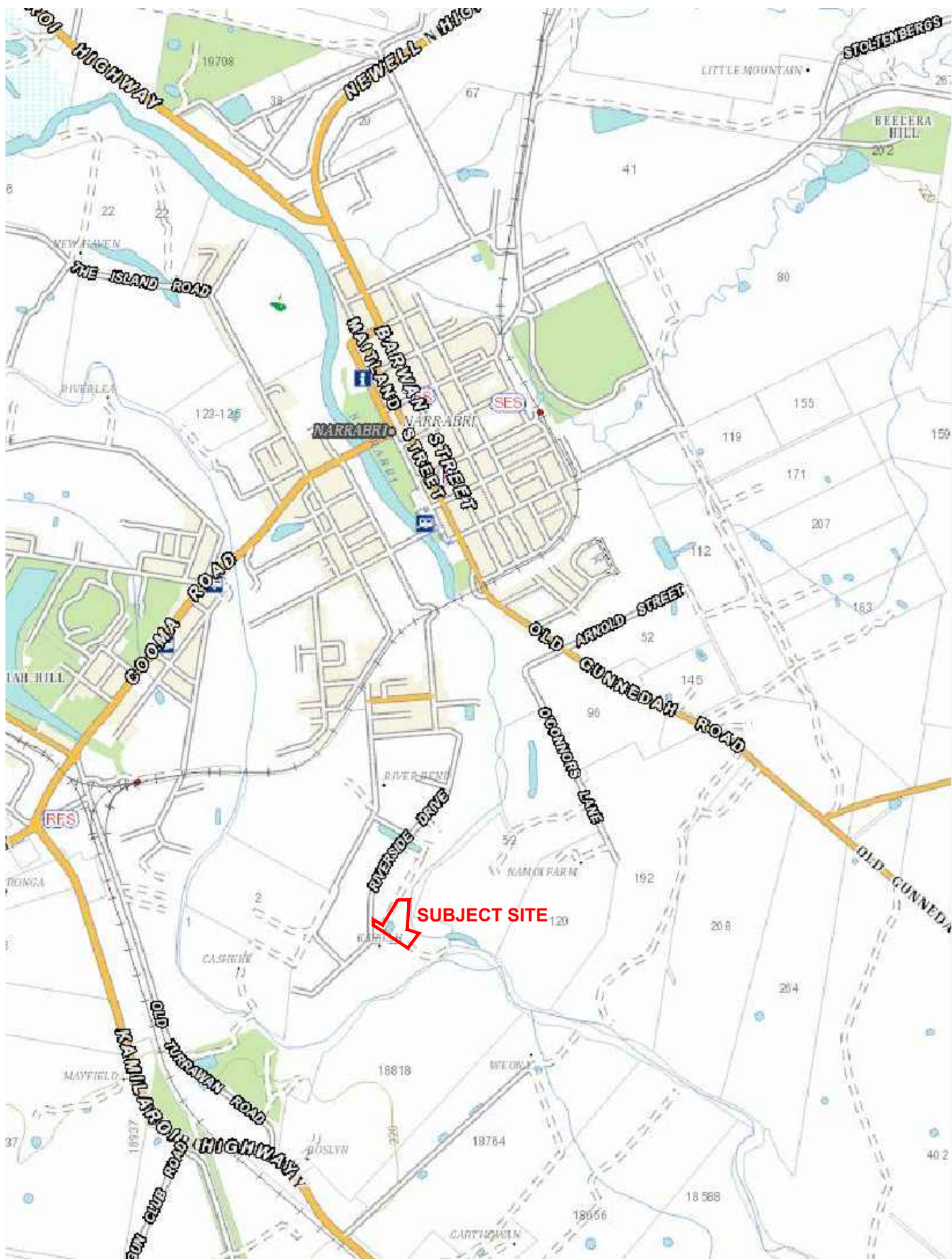
2.0 Proposal Objective

The objective of the planning proposal is to amend the Narrabri Local Environmental Plan 2012 (NLEP 2012) to include a Number 3 under Schedule 1 Additional permitted uses for Lot 113 in DP 1097382 located at 177 Riverside Drive, Narrabri.

The site in relation to the immediate locality is presented in Figure 1. A site aerial plan is shown in Figure 2.

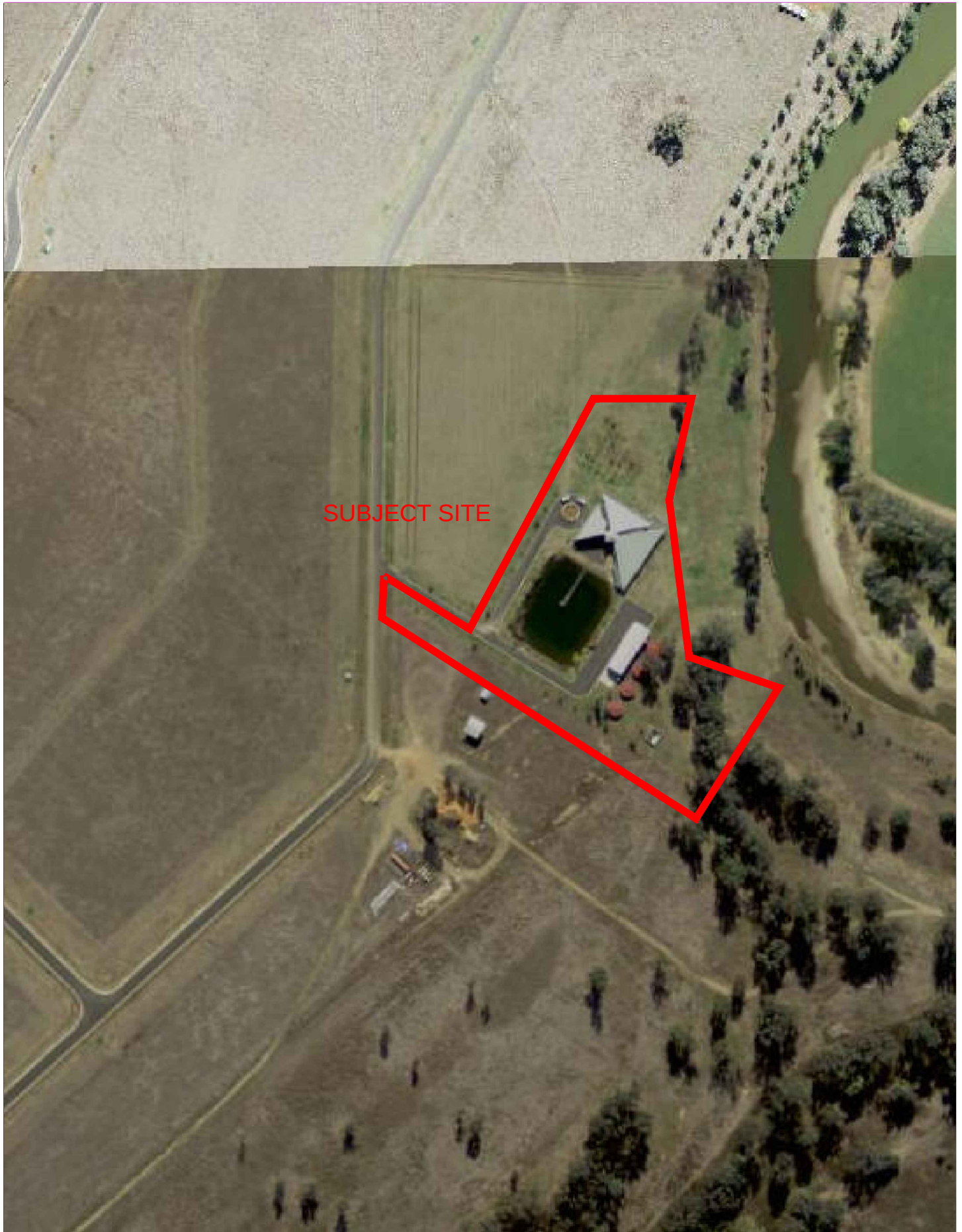
The subject site is predominantly zoned R5 Large Lot Residential, with a small portion of the lot bordering Narrabri Creek zoned RU1 Primary Production under the NLEP 2012. The lot is to remain under this zoning. Figure 3 shows the sites zoning as per the NLEP 2012.

The proposed modification will facilitate additional development uses on the land to include a “hotel or motel accommodation” and “function centre”. This will complement the existing “bed and breakfast” approval for the site.



LOCALITY PLAN

177 Riverside Drive, Narrabri



SITE AERIAL PLAN

177 Riverside Drive, Narrabri

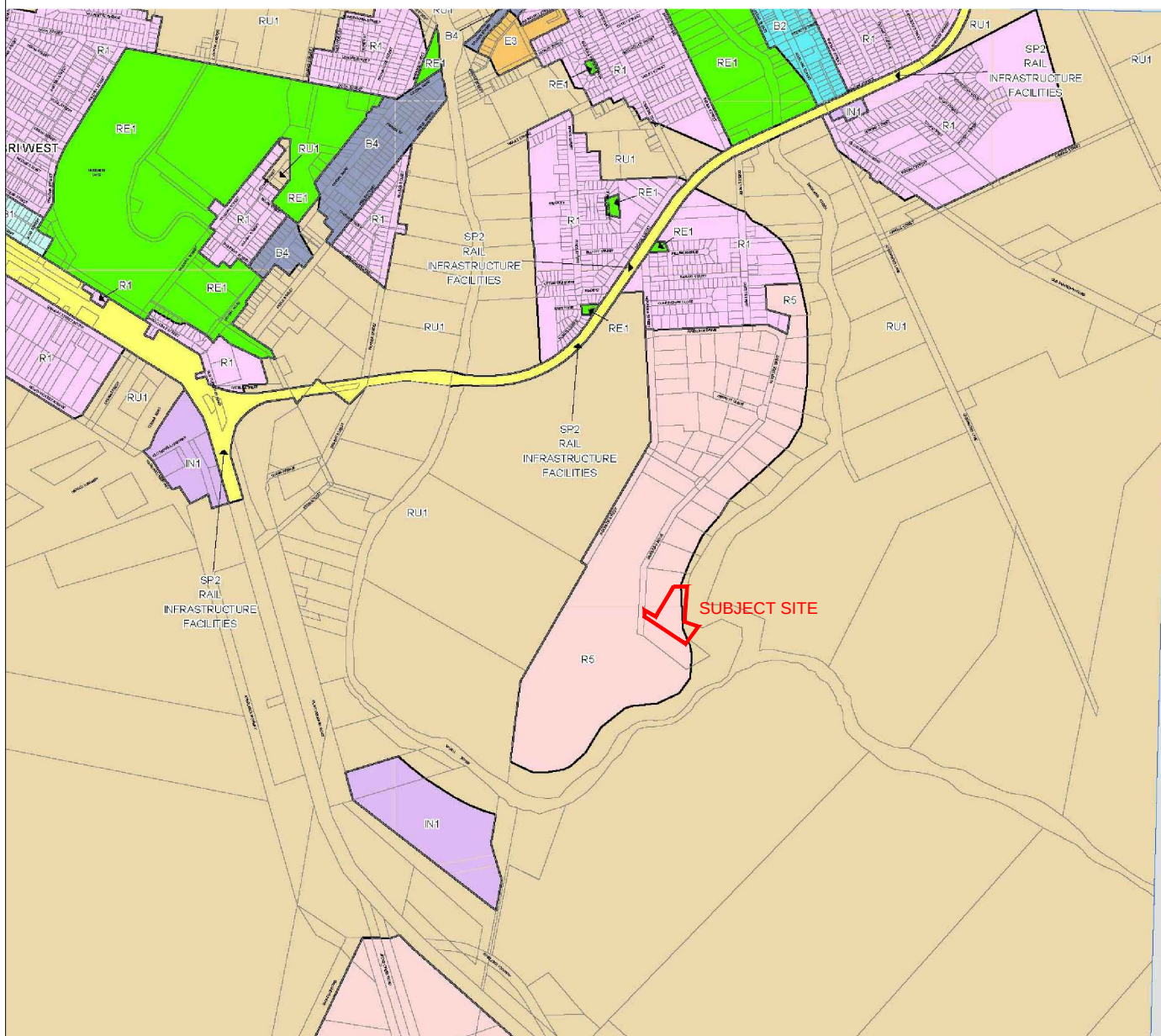
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FIGURE 2
Not to Scale

Zone

B1	Neighbourhood Centre
B2	Local Centre
B4	Mixed Use
E1	National Parks and Nature Reserves
E3	Environmental Management
IN1	General Industrial
IN2	Light Industrial
R1	General Residential
R5	Large Lot Residential
RE1	Public Recreation
RE2	Private Recreation
RU1	Primary Production
RU3	Forestry
RU4	Primary Production Small Lots
RU5	Village
SP2	Infrastructure

NARRABRI LOCAL ENVIRONMENTAL PLAN 2012



SITE ZONING MAP

177 Riverside Drive, Narrabri



3.0 Planning Context

3.1 Narrabri Local Environmental Plan 2012

The site is currently zoned R5 Large Lot Residential and RU1 Primary Production under the Narrabri Local Environmental Plan 2012. Predominantly, the lot is zoned R5 Large Lot Residential, and it is on this section of the lot that the proposed development would occur.

The current zoning of the land is shown in Figure 3 (p10). Narrabri Local Environmental Plan 2012 defines R5 Large Lot Residential as follows:-

Zone R5 Large Lot Residential

1 Objectives of zone

- a) To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- b) To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- c) To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- d) To minimise conflict between land uses within this zone and land uses within adjoining zones.

2 Permitted without consent

Environmental protection works; Extensive agriculture; Home occupations; Roads; Water reticulation systems

3 Permitted with consent

Bed and breakfast accommodation; Building identification signs; Business identification signs; Dual occupancies; Dwelling houses; Extractive industries; Flood mitigation works; Group homes; Home businesses; Home industries; Open cut mining; Recreation areas; Seniors housing; Waste or resource transfer stations; Water supply systems

4 Prohibited

Water storage facilities; Any other development not specified in item 2 or 3.



3.2 Current Land Use

Existing infrastructure on the site includes a large commercial-styled four (4) bedroom residence, with five (5) one bedroom self-contained bedrooms for bed and breakfast use. The residence has a motel design external appearance. In addition, there is a separate two-storey structure approved as a granny flat adjacent to the main dwelling.

Access to the site is gained via an existing driveway on Riverside Drive and the site has the Narrabri Creek as its eastern boundary. The site has extensive existing kerb and gutter sealed bitumen roads connecting the various large external sheds and structures.

The current dwellings on the site incorporate an area of approximately 750 m², with approximately 300 m² available for future accommodation.

The site currently has approval for a “Bed and Breakfast” accommodation. The LEP definition includes:

“Bed and breakfast accommodation” means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests’ rooms, and
- (c) dormitory-style accommodation is not provided.

Clause 5.4 of the NLEP 2012 outlines the controls relating to the number of bedrooms for bed and breakfast accommodation. The NLEP 2012 allows for no more than five (5) bedrooms to be used for this type of development.



3.3 Proposed Land Uses

This planning proposal seeks to include additional land uses of “Function Centre” and “Hotel or Motel Accommodation” to the site. The LEP definition of these land uses includes:

“Function centre” means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

“Hotel or motel accommodation” means a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short-term accommodation on a commercial basis and that:

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests’ vehicles,

but does not include backpackers’ accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

“Bed and breakfast accommodation” and “Hotel or motel accommodation” are classified as a type of “Tourist and visitor accommodation” under the NLEP 2012. The definition of “Tourist and visitor accommodation” includes:

“Tourist and visitor accommodation” means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:

- (a) backpackers’ accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) hotel or motel accommodation,
- (e) serviced apartments,

but does not include:

- (f) camping grounds, or
- (g) caravan parks, or
- (h) eco-tourist facilities.



This planning proposal seeks a text amendment for the land identified as Lot 113 in DP 1097382. This modification proposes to allow for a number of complementary land uses on the site. The additional proposed land uses of “Function centre” and “Hotel or motel accommodation” will allow the proponent to further investigate the feasibility of accommodation options on the site.



4.0 Explanation of Provisions

This planning proposal seeks to amend Schedule 1 'Additional permitted uses' of the Narrabri Local Environmental Plan 2012. Table 1 outlines the explanation of provisions for this proposal. The proposed change is to include "Function centre" and "Hotel or motel accommodation" as permitted with development consent land uses for Lot 113 in DP1097382, 177 Riverside Drive, Narrabri.

Table 1: Explanation of Provisions

NARRABRI LEP AMENDMENT	EXPLANATION OF PROVISIONS
Lot 113 in DP1097382, 177 Riverside Drive Narrabri NSW 2390	It is proposed to amend Schedule 1 'Additional permitted uses' of the NLEP 2012 to include Lot 113 in DP1097382.

There are no other proposed changes to the NLEP 2012.



5.0 Justification

5.1 Need for Planning Proposal

Is the planning proposal a result of any strategic study or report?

Narrabri Shire Growth Management Strategy

Narrabri Shire Growth Management Strategy (December 2009) prepared by Edge Land Planning for the Narrabri Shire Council provides a future direction for the settlements and land within the rural areas of the Shire. It was the first stage in the review of Narrabri Local Environmental Plan No. 2 (LEP2) being prepared for the entire Shire. This Growth Management Strategy (GMS) provides the strategic direction for the draft LEP as well as providing guidance for the future development pattern of the Shire.

This Strategy identifies that there was a reduction in people employed in the “Accommodation and Food Services” sector in the Narrabri local government area (LGA) from 2001-2006 of 14% (56 people). The percentage of people employed in the accommodation and food services sector within the Narrabri LGA is 6.1% (Edge Land Planning, 2009). The major employers within the LGA include agriculture, forestry and fishing (25.2%) and retail trade (10%).

Narrabri Shire Economic Development Strategy

The Narrabri Shire Economic Development Strategy (AEC Group, 2011) identifies that Narrabri boasts a variety of tourism assets in the Shire area, such as Yarrie Lake, Mount Kaputar National Park and the Australia Telescope. These tourism assets have the potential to support economic development in the LGA.

The Strategy recognises that one of the weaknesses of the Shire is accommodation availability. The resource sector growth in the Narrabri region has put pressure on the availability of accommodation and the lack of available rooms is constraining the tourism sector.

The planning proposal will create the potential for new accommodation and food service employment opportunities for local Narrabri residents. It has the potential to bring new tourism opportunities to Narrabri and diversify the accommodation options of the LGA.



Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is the most appropriate method for amending the Narrabri Local Environmental Plan 2012.

The alternative method of achieving the land use changes for the site is to rezone the site as a 'special use' zone or include the uses of "Function center" and "Hotel or motel accommodation" as a permitted with consent uses. These options are considered not the best options as it would fragment the land zoning map and potentially allow for these uses to develop in inappropriate locations of the NLEP 2012. The map rezoning option would also potentially limit the future uses of the site and affect resale value of the site.

A text amendment to the NLEP 2012 was identified as the best means of achieving the desired additional land use opportunities for the site.

This option has been selected as it allows for an insertion of the additional permitted with development consent uses relevant for the Lot, without requiring a map rezoning.

This option (text amendment) is also proposed given the uniqueness of the site in comparison to the surrounding land holdings. The site is considered to be unique within the surrounding R5 zoned land given the extensive facilities present within the site and the fact that the site currently has approval to operate as a 'bed and breakfast', its natural assets and proximity to the creek and also its location in relation to Narrabri town center.

A majority of the surrounding landholdings contained within the "Riverbend Estate" are currently serviced via council owned restricted (low flow) water and (gravity feed) sewerage infrastructure. At present the site contains an existing dwelling, associated water storage and ancillary infrastructure considerably larger than that of the other dwellings within the R5 zoning.

The current servicing provisions present significant restriction to the development of similar land uses within the surrounding area. The future development of a "hotel or motel accommodation" or a "function center" within the area would require the significant augmentation of existing water storage and sewerage systems.

Under the current servicing provisions, water is transferred from the Council low flow main to water storage tanks within each lot and then distributed to dwellings as required. Sewage is conveyed from the dwellings to a holding tank within each lot before being transferred into the council network under gravity feed.

The subject site has significantly more water storage provisions than surrounding lots and a suitable sized sewerage system (also deemed to be considerably larger than surrounding lots).



It is considered that to adequately service any future development of this nature within the surrounding area, would require significant investment by the developers (and potentially Council). Any future development of this nature within the R5 zoning would create a drain on already stressed infrastructure.

Given the predominant land use and lack of necessary infrastructure within the surrounding locality it is considered that the remaining landholdings within the zone would be unsuitable for use as a “hotel or motel accommodation” or a “function center” and as such would not benefit from the additional use being applied to the entire R5 zoning.

The rezoning of the site to a more suitable zoning was considered but was determined that this process would create a spot rezoning and could potentially cause land use conflict in the future. Alternatively the rezoning of the site will create a precedent in the area and may promote further rezonings in the future. This is considered to be an undesirable planning outcome for the continued operation of the R5 zone.

As such, a text amendment to allow an addition use for the subject site is considered the best way to facilitate the continued operation of the site and to ensure the planning objectives of the R5 zoning are maintained within the locality.

To assist in the determination of the future appearance and use of the subject site, the proponent has provided a preliminary concept plan [Refer to Appendix C], which details potential alternations to the existing dwelling, associated infrastructure and landscaping.

It should be noted that the provided plan is only a concept and any details contained within it are preliminary in nature and as such, these details are subject to change. The plan has been provided for the sole purpose of the planning proposal. The provided concept plan is in no way intended to be used to facilitate a Development Application.



5.2 Relationship to Strategic Planning Framework

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

Strategic Regional Land Use Policy

The Department of Planning and Infrastructure released the Strategic Regional Land Use Policy for the New England and North West in September 2012 (NSW DP&I, 2012b).

One of the key issues identified for the New England and North West is the maintaining a greater diversity in housing and accommodation types. Narrabri LGA has been identified as one area in particular having a demand for rural residential and lifestyle housing. The planning proposal is consistent with the regional strategy, as it will allow for the consideration of accommodation and diversify the types of short-stay accommodation available in the region.

Is the planning proposal consistent with the local Council's Community Strategic Plan or other local strategic plan?

It is considered that the proposed land use change is consistent with the following strategic planning document:

Narrabri Shire Growth Management Strategy 2009

As outlined previously, Edge Land Planning were engaged by Narrabri Shire Council to produce a strategy which would 'provide a future direction for the settlements and land within the rural areas of the Shire'. The report provides a strategic direction for the preparation of a draft comprehensive LEP as well as providing guidance for the future development pattern of the Shire. The document is endorsed by the Department of Planning and Infrastructure.

Narrabri Shire Economic Development Strategy

The Narrabri Shire Economic Development Strategy (AEC Group, 2011) identifies that Narrabri boasts a variety of tourism assets in the Shire area, and they have the potential to support economic development in the LGA.

The Strategy recognises that one of the weaknesses of the Shire is accommodation availability. The resource sector growth in the Narrabri region has put pressure on the availability of accommodation and the lack of available short-stay rooms is constraining the tourism sector.



The potential for a new function centre in the LGA also will provide new tourism and hospitality opportunities. Tourists visiting the area for conferences or weddings will bring additional economic support to existing businesses.

The planning proposal is consistent with the Council’s local strategic planning documents. This proposal will create the potential for new accommodation and function centre employment opportunities for local residents. It has the potential to bring new hospitality opportunities to Narrabri and diversify the accommodation options of the Shire.

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

The following State Environmental Planning Policy (SEPP) is considered by Narrabri Shire Council to be relevant to the subject land:

- SEPP No. 55 – Remediation of Land

An assessment has been undertaken to determine the level of consistency the planning proposal has with the relevant State Environmental Planning Policy (SEPP). The result of the assessment are provided in Table 2.

Table 2: Compliance with State Environmental Planning Policy

SEPP	RELEVANCE	IMPLICATIONS
SEPP 55 Remediation Land	– The object of this Policy is to provide for a Statewide planning approach to the remediation of contaminated land.	The planning proposal does not have any implications in terms of the application of the provisions of SEPP 55. The subject site is not known to be contaminated. The site is not listed on the NSW EPA Register of Contaminated Sites, or the Contaminated Land -Record of Notices.



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

Table 3: Planning Proposal Consistency with Ministerial Directions

MINISTERIAL DIRECTIONS	PROVISIONS	IMPLICATIONS
1. Employment and Resources		
1.1		
Business & Industrial Zones	Not applicable to this planning proposal.	The subject site is not within an existing or proposed business or industrial boundary.
1.2		
Rural Zones	Not applicable to this planning proposal.	The subject site is not within an existing or proposed rural zone.
1.3		
Mining, Petroleum Production & Extractive Industries	Not applicable to this planning proposal.	The planning proposal does not relate to the rezoning of land with a known future associated with the Mining, Petroleum Production and Extractive Industries.
1.4		
Oyster Aquaculture	Not applicable to this planning proposal.	The planning proposal does not relate to a Priority Oyster Aquaculture Area.
1.5		
Rural Lands	Not applicable to this planning proposal.	The subject site is not within an existing or proposed rural or environment protection zone.



2. Environment and Heritage

2.1		
Environment Protection Zones	Not applicable to this planning proposal.	The planning proposal does not relate to or impact on a known 'Environment Protection Zone'.
2.2		
Coastal Protection	Not applicable to this planning proposal.	The subject site is not within the coastal zone.
2.3		
Heritage Conservation	Not applicable to this planning proposal.	The planning proposal will not affect land in a known heritage conservation area.
2.4		
Recreation Vehicle Areas	Not applicable to this planning proposal.	The planning proposal does not relate to a Recreational Vehicle Area.

3. Housing, Infrastructure and Urban Development

3.1		
Residential Zones	The objectives of this direction are: to encourage a variety and choice of housing types to provide for existing and future housing needs,	The planning proposal provides consistency with this direction. The proposal seeks to encourage a variety of short-term accommodation options for the Narrabri LGA.



- o to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
- o to minimise the impact of residential development on the environment and resource lands.

The proposal aims to make efficient use of the existing infrastructure and services of the site. Electricity, telecommunications and adequate water supply services are existing for the site.

There is no proposal to subdivide or rezone environmentally sensitive or resource lands.

3.2

Caravan Parks and Manufactured Home Estates

Not applicable to this planning proposal.

The planning proposal does not restrict land available for caravan parks or manufactured home estates.

3.3

Home Occupations

Not applicable to this planning proposal.

The planning proposal does not relate to home occupations.

3.4

Integrating Land Use and Transport

Not applicable to this planning proposal.

The planning proposal does not relate to transport access.

3.5

Development Near Licensed Aerodromes

Not applicable to this planning proposal.

The proposal is not in the vicinity of a licensed aerodrome.

3.6

Shooting Ranges

Not applicable to this planning proposal.

The planning proposal does not relate to or impact on a shooting range.



4. Hazard and Risk

4.1		
Acid Sulfate Soils	Not applicable to this planning proposal.	There are no known occurrences of acid sulfate soils in the Narrabri Region.
4.2		
Mine Subsidence and Unstable Land	Not applicable to this planning proposal.	The land is not identified to be an area affected by mine subsidence or unstable land.
4.3	When this direction applies	
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. What a relevant planning authority must do if this direction applies (4) 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 <i>Floodplain Development Manual 2005</i> (including the <i>Guideline on Development Controls on Low Flood Risk Areas</i>). (5) 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.	The subject site has been identified as being subject to flood related development controls, in particular clause 6.2 Flood Planning of the NLEP 2012. Therefore this direction applies to the planning proposal. This planning proposal will consider the principles of these guiding documents and are outlined in more detail in section 5.3. This planning proposal is for a text modification to Schedule 1 of the NLEP 2012. The proposal does not include the rezoning of land within the flood prone areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.



(6) A planning proposal must not contain provisions that apply to the flood planning areas which:

- (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 structures in floodways or high hazard areas), roads or exempt development.

Any subsequent development as a result of the planning proposal will be subject to further Development Application and relevant flood mitigation requirements.

The development does not propose development in floodway areas as the subject site is deemed to be outside of identified floodway of Narrabri Creek.

The proposal is considered to have minimal impact on the flow regime of the Narrabri Creek. The proposal is unlikely to have a significant flood impact on other properties.

The planning proposal will not permit a significant increase in the development of land. Any future development that could be deemed to significantly increase the development of the land will be subject to further assessment and a separate Development Application.

There will be no flood mitigation measures, infrastructure or services required from government spending as a result of the proposed development. Any flood mitigation measures will be at the cost of the proponent.

The planning proposal does not seek to permit development to be carried out without development consent. Any proposed accommodation or function centre development will be subject to the relevant development approval process.



(7) 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).

This planning proposal will not impose flood related development controls above the residential flood planning level for residential development on land.

(8) 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).

This planning proposal does not seek to determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005.

4.4

Planning for Bushfire Protection

Not applicable to this planning proposal.

The planning proposal site is not identified as bush fire prone as per the Narrabri LEP 2012. The Narrabri/Moree Bush Fire Management Committee (BFMC) Bush Fire Management Plan (2010) identifies the site as a part of the Narrabri township asset protection zone.

5. Regional Planning

5.1

When this direction applies

Implementation of Regional Strategies

(3) This direction applies when a relevant planning authority prepares a planning proposal.

Narrabri Shire is subject to the Strategic Regional Land Use Policy that was released by the Department of Planning and Infrastructure in September 2012. The planning proposal is considered to be consistent with this strategy.



What a relevant planning authority must do if this direction applies

(4) Planning proposals must be consistent with a regional strategy released by the Minister for Planning.

Furthermore, the planning proposal is considered to be consistent with the objectives of the local strategy, the 'Narrabri Shire Growth Management Strategy' which is endorsed by the Department of Planning and Infrastructure.

5.2

Sydney Drinking Water Catchments

Not applicable to this planning proposal.

The site is not within the Sydney drinking water catchment.

5.3

Farmland of State and Regional Significance on the NSW Far North Coast

Not applicable to this planning proposal.

The planning proposal does not relate to state or regionally significant farmland on the NSW Far North Coast.

5.4

Commercial and Retail Development along the Pacific Highway, North Coast

Not applicable to this planning proposal.

The planning proposal does not relate to commercial and retail development along the Pacific Highway, North Coast.

5.5

Second Sydney Airport: Badgerys Creek

Not applicable to this planning proposal.

The planning proposal is not in proximity to a second airport site at Badgerys Creek.



6. Local Plan Making

6.1

Approval and Referral Requirements

Not applicable to this planning proposal.

Not deemed applicable.

6.2

Reserving Land for Public Purposes

Not applicable to this planning proposal.

The planning proposal does not relate to land that is reserved for public purpose.

6.3

Site Specific Provisions

Not applicable to this planning proposal.

The planning proposal does not seek to impose restrictive site specific provisions.

The proposed additional land uses for the site are complementary to the existing Bed and Breakfast accommodation land use. The proposed land uses are not considered to restrict the site specific planning controls and considered conducive to the surrounding residential land zoning.

7. Metropolitan Planning

7.1

Implementation of the Metropolitan Plan for Sydney 2036

Not applicable to this planning proposal.

The site is not subject to the Metropolitan Plan for Sydney 2036.



5.3 Environmental, Social & Economic Impacts

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?

The proposal is unlikely to adversely affect critical habitat, threatened species, ecological communities or their habitats. The site has been historically used for livestock grazing and cleared previously for this purpose. A number of exotic tree species have been planted as a tree line along the entrance road, and around the existing dwelling in the property. An orchard has been planted near the existing dwelling with exotic fruit species.

The native vegetation along the Narrabri Creek is outside of the proposed building envelope. It is not envisaged that any future development proposal will impact on the native vegetation nor propose clearing of native vegetation on the site.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The subject site is within the Flood Planning Land identified in the NLEP 2012, Flood Planning Map – Sheet FLD_004B. Figure 4 shows the subject site in relation to the identified flood prone land extent.

A preliminary contour survey of the property has been undertaken by Gleeson Surveyors, Narrabri. The existing topography of the site slopes gently to the creek area. The top of the riverbank and existing retaining wall within the creek bank is at RL 208.70 m. The existing dwelling and infrastructure is located at RL 216.6 m, eight (8) metres above the top of the riverbank. The contour detail survey is included as Appendix B.

The previous development application, for construction of the existing dwelling, approved the location of the dwelling in relation to the flood risks of the site. The existing dwelling is shown in Plate 1. Surrounding neighbouring dwellings have also been approved and constructed within the flood prone area. The surrounding dwellings are shown in Plate 2.

Any proposed development on the site will be subject to a development approval process. As part of this process, the flood risks of the site will be assessed with regards to 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) (DIPNR, 2005).



The Narrabri Floodplain Management Study (Bewsher Consulting Pty Ltd,1999) will also be referred to in relation to site specific flood mitigation measures. There are no other environmental effects anticipated as part of the planning proposal.



Plate 1: Existing Dwelling on the Subject Property

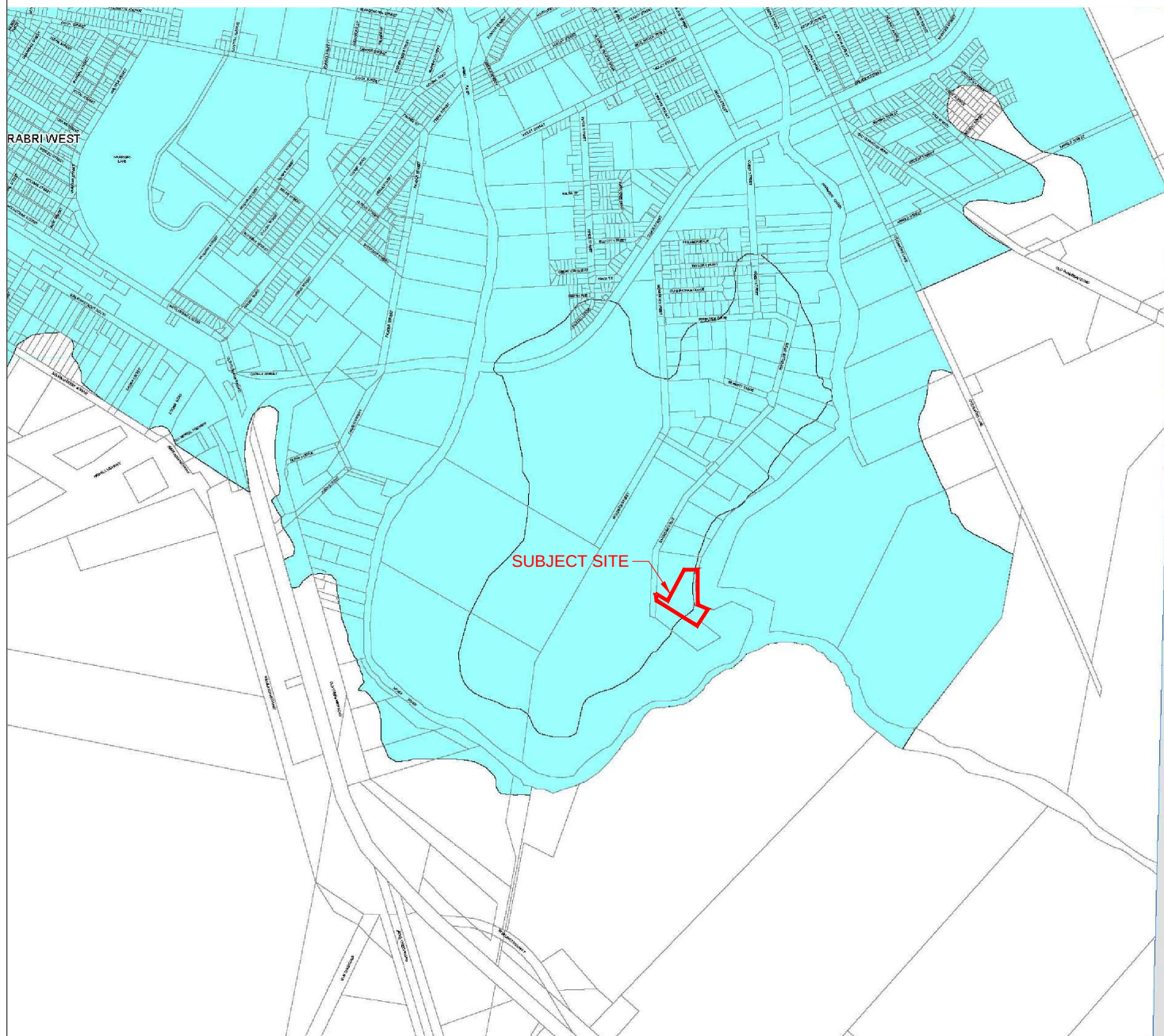


Plate 2: Surrounding Dwellings Constructed within the Flood Prone Land Area

NARRABRI LOCAL ENVIRONMENTAL PLAN 2012

Flood Planning Land

Flood Planning Area



FLOOD PLANNING MAP

177 Riverside Drive, Narrabri



How has the planning proposal adequately addressed any social and economic impacts?

The social and economic impact of the planning proposal is predicted to be positive as it will allow for the construction of new accommodation and function centre for the Narrabri LGA. The addition of a new hotel/motel accommodation and function centre development will create new accommodation options in the area and potentially create new tourism job positions.

As the Narrabri Shire Economic Development Strategy (AEC Group, 2011) identifies, there is currently a shortfall of suitable short-term accommodation options in the region due to the demand that mining development has placed on housing. The potential for a function centre complex providing for weddings or conferences will bring visitors to Narrabri and new tourism opportunities. The planning proposal seeks to complement the existing land use approval for a bed and breakfast on the site.

5.4 State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

Investigations show that there will be adequate existing infrastructure to service the site. The subject site is serviced by electricity, stormwater, telecommunications, sewer services and has access via a sealed road.

What are the views of State and Commonwealth public authorities consulted with the gateway determination?

It is proposed that the issues raised by State and Commonwealth public authorities will be addressed during the Planning Proposal public exhibition phase.



6.0 Community Consultation

In accordance with the NSW Department of Planning's Guidelines to Preparing LEPs, upon Gateway Determination adjoining landholders and any affected community organisation will be formally notified of the proposal and invited to provide comment.

In accordance with the prevailing Departmental Guidelines and the provisions of the EP & A Act, the Planning Proposal will also be publicly notified for the prescribed period via:

- Local Newspapers; and
- Council's website <http://www.narrabri.nsw.gov.au/>



7.0 Project Timeline

In accordance with the NSW Planning & Infrastructure “A Guide to Preparing Planning Proposals” a Part 6 Project timeline has been developed. The proposed project timeline is detailed in the table below:

Table 4: Proposed Project Timeline

PLANNING PROPOSAL COMPONENT	PROPOSED TIME PERIOD
Anticipated commencement date (date of Gateway determination)	Late October 2014
Public exhibition period	November 2014
Public hearing dates (if required)	Late November 2013
Timeframe for consideration of submissions	December 2014/January 2015
Timeframe for consideration of proposal post exhibition	February 2015
Date of submission to the Department to finalise the LEP	Late February 2014
Anticipated date RPA will make the plan (if delegated)	March 2015
Anticipated date RPA will forward to the department for notification	Late March 2015

It should be noted that the above timeframes are estimates only and are subject to change in accordance with any unforeseen proposal developments.



8.0 Conclusion

Mitchel Hanlon Consulting Pty Ltd has been engaged to prepare a planning proposal to amend the Narrabri Local Environmental Plan 2012 Schedule 1 Additional permitted uses to include Lot 113 in DP 1097382 located at 177 Riverside Drive, Narrabri.

It is proposed to include additional uses in Schedule 1 for Lot 113 in DP 1097382, 177 Riverside Drive, Narrabri, to potentially allow for “hotel or motel accommodation” and “function centre” land uses to be carried out on the subject land.

The subject land is predominantly zoned R5 Large Lot Residential Primary Production under the Narrabri Local Environmental Plan 2012 (NLEP 2012). This zoning is not proposed to be modified.

This planning proposal seeks to complement the existing “Bed and Breakfast” development approval for the site.

177 Riverside Drive, Narrabri is considered a unique site due to the existing approved development and infrastructure on the site, its natural assets and location that offers the opportunity to enhance the identified lack of accommodation and function center options within Narrabri area.



9.0 References

AEC Group, (2011) *Narrabri Shire Economic Development Strategy*, Narrabri Shire Council, July 2011.

Bewsher Consulting Pty Ltd, (1999) *Narrabri Floodplain Management Study*, Volumes 1-4,
http://www.narrabri.nsw.gov.au/files/uploaded/file/Planning%20and%20Development/Floodplain%20Management%20Study_Part1.pdf, website accessed 20 August 2014.

Department of Infrastructure, Planning and Natural Resources (DIPNR), (2005) *Floodplain Development Manual – the management of flood liable land*, April 2005,
<http://www.environment.nsw.gov.au/floodplains/manual.htm>, website accessed 20 August 2014.

Edge Land Planning, (2009) *Narrabri Shire Growth Management Strategy*, Narrabri Shire Council, December 2009.

Narrabri/Moree Bush Fire Management Committee (BFMC) (2010) *Bush Fire Risk Management Plan*,
http://www.rfs.nsw.gov.au/dsp_content.cfm?cat_id=1040, website accessed 23 June 2014.

Narrabri Shire Council Local Environmental Plan (NLEP) 2012,
<http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+636+2012+cd+0+N>, website accessed 18 August 2014.

NSW Department of Planning and Infrastructure (DP&I), (2012a) *A Guide to Preparing Planning Proposals*, October 2012,
http://www.planning.nsw.gov.au/Portals/0/LocalEnvironmentalPlans/A_guide_to_preparing_planning_proposals_Oct12.pdf, website accessed 18 August 2014.

NSW Department of Planning and Infrastructure (DP&I), (2012b) *New England North West Strategic Regional Land Use Plan*, September 2012,
http://www.planning.nsw.gov.au/Portals/0/StrategicPlanning/SRLUP_NE_NW_low_res.pdf, website accessed 20 August 2014.



Appendix A Narrabri Shire Council Development Application Consent – Bed and Breakfast

Our Reference: TM:HM:MR;DA230/2014
Your Reference: DA230/2014
Contact Name: Mr Hamish McTaggart
Telephone: (02) 6799 6852

10 February 2014

Campbell McIntosh
Senso Resources
PO Box 1752
Tamworth NSW 2340

Dear Sir/Madam,

Re: Development Application No. 230/2014

HAVE YOU OBTAINED CONSTRUCTION CERTIFICATE APPROVAL?

Please find enclosed Council's Notice of Determination for development application DA 230/2014 pursuant to Section 80(1)(a) of the *Environmental Planning and Assessment Act, 1979*.

You are advised to read the Notice of Determination carefully and observe/implement all conditions of consent.

YOU ARE REMINDED THAT THIS IS A DEVELOPMENT CONSENT ONLY AND DOES NOT AUTHORISE THE COMMENCEMENT OF BUILDING WORK. A CONSTRUCTION CERTIFICATE FROM EITHER COUNCIL OR PRIVATE CERTIFYING AUTHORITY IS REQUIRED PRIOR TO WORK BEING UNDERTAKEN ON THE SITE.

Failure to comply with the requirements of this determination is an offense under *Environmental Planning and Assessment Act, 1979* and Council will take action in accordance with its responsibility under the Act.

Yours sincerely,



Mr Tony Meppem
MANAGER STRATEGY AND LAND USE MANAGEMENT



NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION
Environmental Planning and Assessment Act 1979

Development application: DA 230/2014

Applicant name: Senso Resources
Applicant address: PO Box 1752 Tamworth, NSW 2340

Land to be developed: Lot 113 DP 1097382

Description of development: Bed & Breakfast and Building Alterations

Owner/s: Senso Resources

Determination: Your development has been determined by the **granting of consent** subject to the conditions in the attached schedule.

Date of Determination: 10 February 2014
Date from which the Consent Operates: 10 February 2014
Date the Consent Lapses: 10 February 2019

Has a Public Inquiry been held into the application? No.
Right of Appeal: The applicant can appeal against the determination in the Land and Environment Court within 12 months of the date on which you received this notice. The applicant cannot appeal if a Commission of Inquiry was held and the development is Designated Development or State Significant Development.

Mr Tony Meppem Date 10/2/2014
MANAGER STRATEGY AND LAND USE MANAGEMENT

SCHEDULE OF DEVELOPMENT CONSENT CONDITIONS

1. The determination shall be regarded as being in accordance with the particulars and information set out and described in Development Application No. 230/2014 registered in Council's records as of 5 December 2013 except where varied by any or all of the following conditions. Any additional development not subject to this approval shall require the further consent of Council.

2. No more than five (5) bedrooms are permitted to be used in conjunction with the operation of the Bed & Breakfast. These bedrooms shall be Room 1, 2, 3, 4 & 5 as marked on the approved plans. At no time shall a guest of the Bed & Breakfast be permitted to reside in the area identified as Private Space on the approved plans.

Reason: To ensure compliance with the Narrabri Local Environmental Plan 2012.

3. A minimum of one (1) self-contained accessible occupancy unit shall be provided to the premise. Plans indicating compliance with the requirements of the Commonwealth (Access to Premises- Buildings) Standards 2010 shall be provided to and approved Council or an accredited Certifier prior to the issue of any Construction Certificate

Reason: To ensure compliance with the requirements for equitable access to buildings

4. Any demolition work shall be in accordance with the requirements of *AS2601 The Demolition of Structures*.

REASON: To comply with statutory requirements.

5. Prior to the commencement of the proposed development, the applicant shall submit a formal application for a Construction Certificate under Part 4A of the *Environmental Planning & Assessment Act 1979* together with all prescribed fees, plans and specifications be submitted to and approved by Council, or alternatively a privately certified Construction Certificate be lodged with Council no less than forty eight (48) hours prior to the commencement of the proposed development.

REASON: To comply with Council's statutory requirements.

6. The applicant shall notify Council, not less than forty eight (48) hours prior to the commencement of the work of:

- date of commencement of the work.
- name of the principle certifying authority for the issue of compliance, occupation and/or subdivision certificates.

REASON: To comply with Council's statutory requirements.

7. The development shall be constructed in accordance with the requirements of the Building Code of Australia 2013 or any subsequent version adopted at the time of lodgement of the construction certificate.

REASON: So that the development complies with the requirements imposed under Clause 78A of the Environmental Planning and Assessment Regulations

2000, as amended and Section 80A(11) of the Environmental Planning and Assessment Act 1979, as amended.

8. Residential building work

1. Construction work that involves residential building work (within the meaning of the Home Building Act 1989) shall not be carried out unless the principal certifying authority for the development to which the work relates:

- (a) in the case of work to be done by a licensee under that Act:
 - (i) has been informed in writing of the licensee's name and contractor licence number, and
 - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, or
- (b) in the case of work to be done by any other person:
 - (i) has been informed in writing of the person's name and owner-builder permit number, or
 - (ii) that the value of the work is less than \$20,000.00.

REASON: To comply with Council's statutory requirements.

9. The finished floor level of all habitable rooms shall remain 500mm above the 1:100 year flood event.

REASON: To ensure development is not subject to avoidable flood inundation.

10. All works associated with the construction of the buildings (not operation of the proposal post Occupation Certificate), involving electric or pneumatic tools, or other noisy operations, shall be restricted to the following hours of operation:

- Monday to Saturday 7am to 6pm
- Sunday Nil
- Public Holidays Nil

NOTES:

- All noise generating activities are subject to the requirements of the Protection of the Environment Operations Act 1997 and associated regulations and amendments.
- This condition of consent does not relieve the developer (or employees, contractors etc) from the requirements of the relevant Noise Control legislation.

REASON: To ensure that the development does not interfere with the amenity of the area.

11. Any damage caused to Council's infrastructure including but not limited to footpaths, roads, drainage, Kerb and Gutters, laybacks or other public land shall be restored in accordance with Council's Design Specifications at the full cost to the developer. Where a dispute arises over the person(s) responsible for the damage, Council shall reserve the right to carry out work to remedy such damage(s) at the applicants cost.

REASON: To comply with Council's requirements.

12. Unless otherwise approved by Council all stormwater shall be disposed of via the existing on-site stormwater infrastructure.

REASON: To comply with Council's requirements to ensure the site/buildings are adequately protected from storm water.

PRIOR TO OCCUPATION CERTIFICATE

13. Prior to the occupation of the premise and operation of the Bed & Breakfast an Occupation Certificate shall be obtained from the Principal Certifying Authority.

Advice:

- If the certificate is being issued by a private certifier, the certificate is to be lodged with Council not less than forty eight (48) hours to the occupation of the building/structure.

REASON: To comply with Council's statutory requirements.

14. Prior to the issue of any Occupation Certificate disabled access shall be provided to the premise in accordance with the requirements of the Commonwealth (Access to Premises-Buildings) Standards 2010

Reason: To ensure compliance with the requirements for equitable access to buildings.

15. Should building work on the portion of the premise not subject to this approval (identifiable on the approved plans as the uncoloured area marked as dinning, lounge and living room) not be completed prior to an application for an Occupation Certificate, the Principle Certifying Authority shall be provided with documentary evidence prepared by a practicing structural engineer certifying the structural integrity of the whole premise and the unfinished building work does not pose an undue risk to the occupation of the portion of the premise subject to this approval.

Reason: To ensure the structural integrity of the premise and safety of Bed & Breakfast operation

16. Prior to the issue of any Occupation Certificate a minimum of five (5) off-street car-parking spaces, together with access driveways, shall be constructed, paved, line marked and signposted in accordance with the approved development plans, appropriate Australian Standards and industry best practice as appropriate. One (1) parking space shall be constructed as an accessible parking space in accordance with the provisions of AS1428.1-2009

Reason: To ensure the provision of sufficient off-street parking.



Appendix B Gleeson Surveying – Detailed Contour Survey

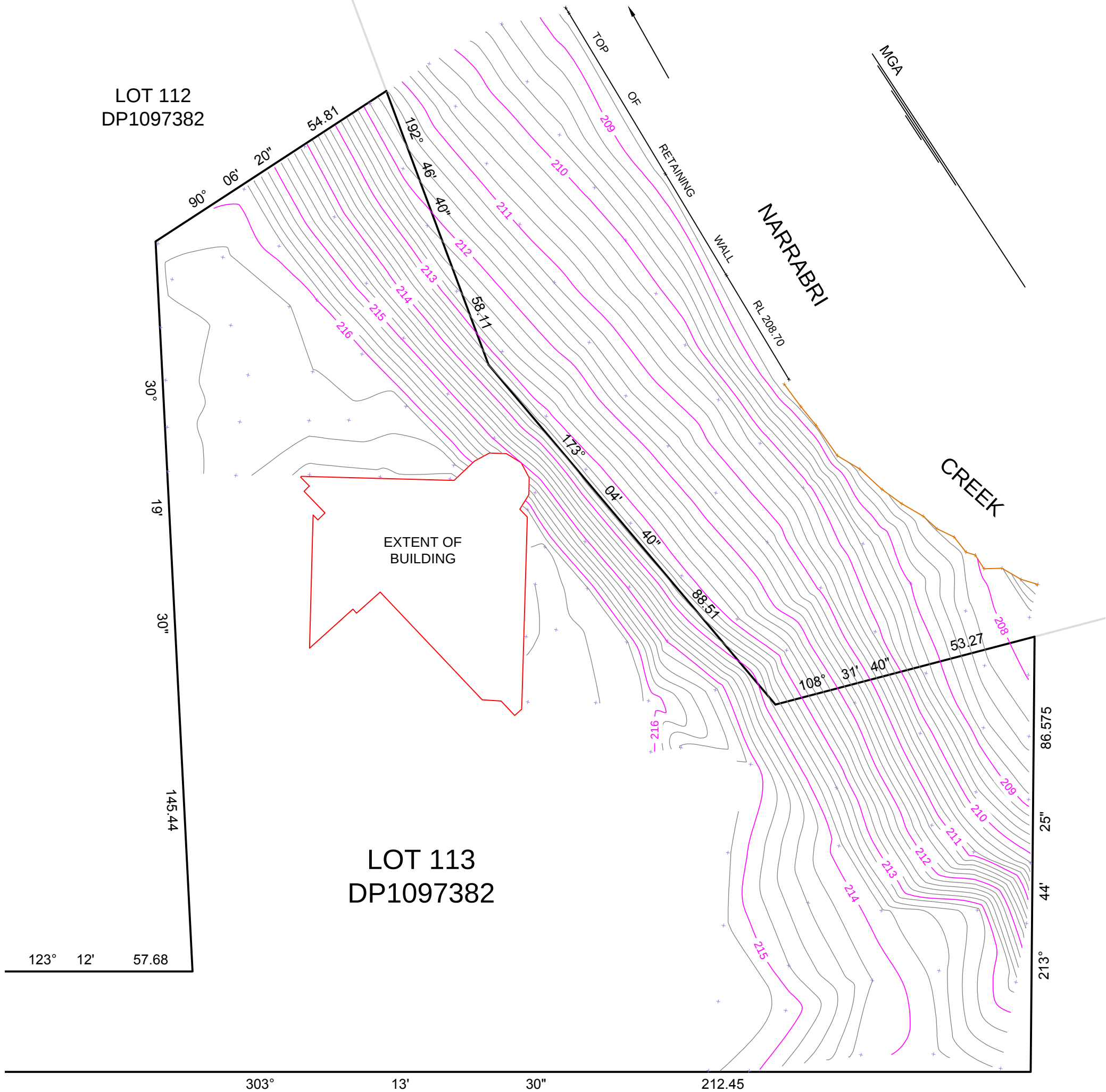
LOT 112
DP1097382

LOT 113
DP1097382

LOT 163
DP1172232

RIVERSIDE
DRIVE

NARRABRI
CREEK



Gleeson
Surveying

Registered Surveyors
1 Bowen Street, P.O. Box 1,
Narrabri N.S.W. 2390.
Phone: 02-67922720 Facs.: 02-67923660
E-mail: gleesurv@bigpond.net.au

LOT 113 DP1097382
177 RIVERSIDE DRIVE NARRABRI
Client: C. McIntosh

File Name: 8603_NS.dwg
Sheets: 1 OF 2
Ref. No.: 8603
Drawing Description:
SURVEY OF EXISTING SURFACE &
BUILDING FOOTPRINT

Issue	Date	Revision Type	Dr. By	Ch. By
A	20-03-14	Original Issue	L.B.	R.G.

Scale:	1 : 800 @ A3
Datum:	AHD
Orientation:	MGA
Registered Surveyor	Date : 20-03-2014

Notes:
THIS PLAN HAS BEEN PREPARED TO SHOW THE OUTLINE OF THE EXISTING BUILDING AND LEVELS OVER PART OF LOT 113 DP1097382, ALSO KNOWN AS 177 RIVERSIDE DRIVE, AT RIVERBEND ESTATE NARRABRI AND SHOULD BE USED FOR NO OTHER PURPOSE.

LOT 112
DP1097382

LOT 113
DP1097382

LOT 163
DP1172232

RIVERSIDE
DRIVE

LEGEND

BOUNDARY LINE

- 215

CONTOUR MAJOR (1m)

CONTOUR MINOR (0.2m)

+215.28

SURFACE LEVEL

TOP OF RIVERBANK

Gleeson

Surveying

Registered Surveyors

1 Bowen Street, P.O. Box 1,
Narrabri N.S.W. 2390.
Phone: 02-67922720 Facs.: 02-67923660
E-mail: gleesurv@bigpond.net.au

LOT 113 DP1097382

177 RIVERSIDE DRIVE NARRABRI

Client: C. McIntosh

File Name: 8603_NS.dwg

Sheets: 2 OF 2

Ref. No.: 8603

Drawing Description:
SURVEY OF EXISTING SURFACE &
BUILDING FOOTPRINT

A	20-03-14	Original Issue	L.B.	R.G.
Issue	Date	Revision Type	Dr. By	Ch. By

Scale:
1 : 800 @ A3

Datum: AHD

Registered Surveyor

Date : 20-03-2014

Orientation: MGA

Ben Gleeson

Notes:
THIS PLAN HAS BEEN PREPARED TO SHOW THE OUTLINE OF THE EXISTING BUILDING AND LEVELS OVER PART OF LOT 113 DP1097382, ALSO KNOWN AS 177 RIVERSIDE DRIVE, AT RIVERBEND ESTATE NARRABRI AND SHOULD BE USED FOR NO OTHER PURPOSE.



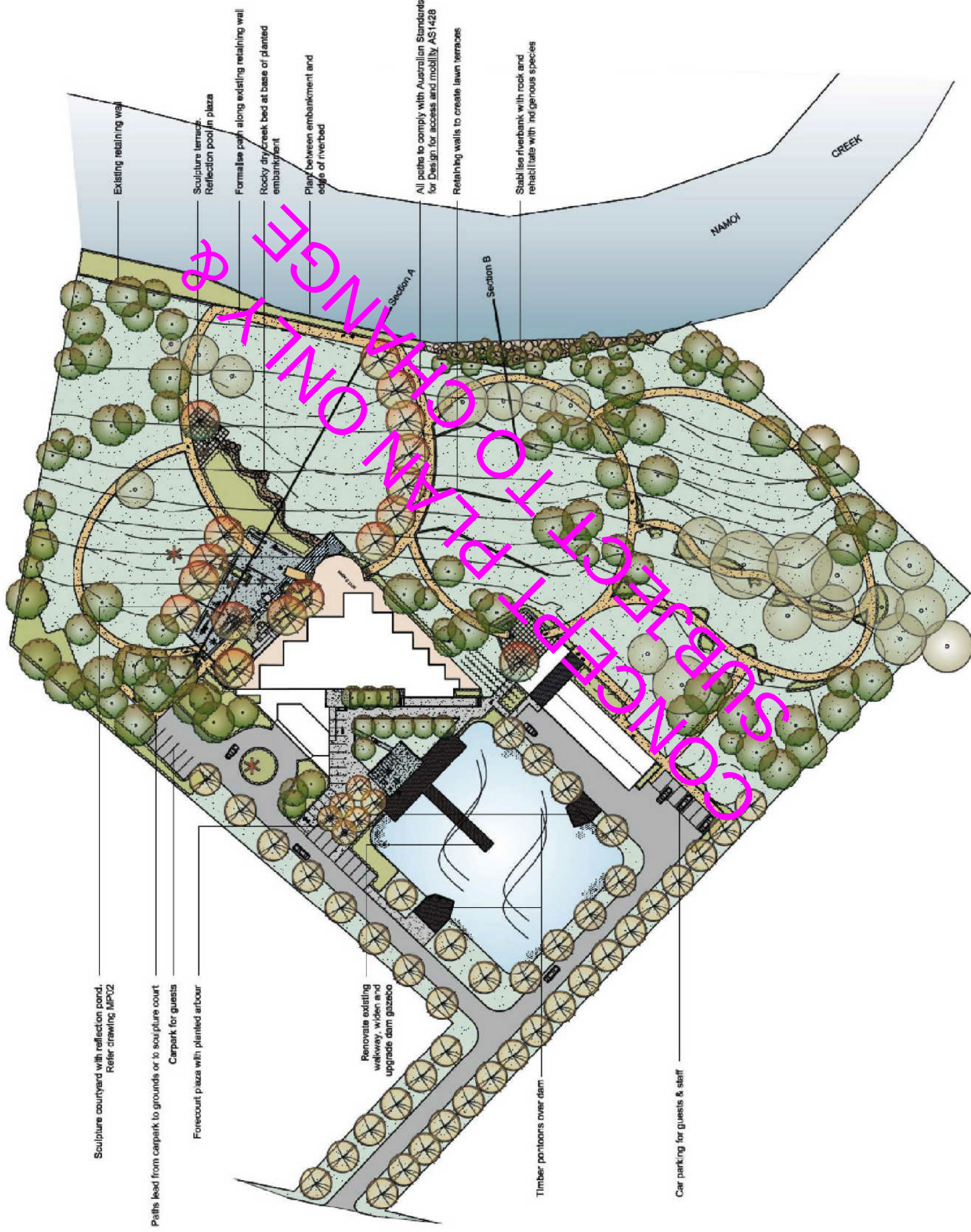
Appendix C Landsite Pty Ltd – Preliminary Concept Plan

LANDSCAPE KEY

- EXISTING TREES
Location to be confirmed on site
- PROPOSED EVERGREEN TREES
Refer to Plant Schedule
- PROPOSED DECIDUOUS TREES
Refer to Plant Schedule
- PROPOSED MASS PLANTING OF TUFTED & GROUND COVER PLANTS & SHRUBS
Refer to Plant Schedule
- PROPOSED HOP TRELLIS
- PROPOSED DECK
- PROPOSED GRASS AREAS
- PROPOSED CONCRETE PAVING
Detail to future design resolution
- PROPOSED PAVING
Detail to future design resolution
- PROPOSED COMPACTED GRAVEL PATH
Detail to future design resolution
- SCULPTURES TO BE LOCATED IN GARDENS & PLAZA
Refer MP02, Detail to future design resolution

RECOMMENDED PLANTING SCHEDULE

BOTANICAL NAME	COMMON NAME	POT SIZE
TREES		
Casuarina cunninghamiana	River Oak	45L 2-2.5m high
Eucalyptus camaldulensis	River Red Gum	45L 2-2.5m high
Eucalyptus leucocylon 'Rosea'	Red Flowering Gum	45L 2-2.5m high
Eucalyptus scoparia	Willow gum	45L 2-2.5m high
Magnolia grandifolia 'Emmott'	Bull Bay Magnolia	45L 2-2.5m high
Jacaranda mimosifolia	Jacaranda	45L 2-2.5m high
Pyrus ussuriensis	Manchurian Pear	45L 2-2.5m high
Fraxinus 'Raywoodii'	Caret Ash	45L 2-2.5m high
Ulmus parvifolia	Chinese Elm	45L 2-2.5m high
Celtis australis	Nettle Tree	45L 2-2.5m high
SHRUBS		
Barberry	Barberry	200mm
Bauera rubicunda	Dog Rose	200mm
Callistemon selberi	River Bottlebrush	200mm
Grevillea alpinia	Mountain Grevillea	200mm
Callistemon 'Little John'	Bottlebrush	200mm
Cotoneaster horizontalis	Rockspray	200mm
Correa mannii	Mann's Correa	200mm
Eremophila gabra	Emu Bush	200mm
Raphiolepis indica	Indian Hawthorn	200mm
Grevillea lanigera	Woody Grevillea	200mm
Syzygium australe 'Elite'	Bush Cherry	200mm
Weepingia fruticosa	Coast Rosemary	200mm
TUFTING PLANTS		
Anigozanthos 'Bush Gem' varieties	Kangaroo Paw	200mm
Dianella caerulea	Blue-flax Lily	150mm
Dietles grandiflora	Wild Iris	200mm
Juniper horizontalis	Creeping Juniper	150mm
Lomandra longifolia 'Tanika'	Lomandra Tanika	150mm
Myoporum parvifolium	Creeping Booballa	150mm
Stylidium graminifolium	Trigger Plant	200mm
SEDGES		
Bolboschoenus fluviatilis	March Club-rush	150mm
Carex appressa	Tail Sedge	150mm
Cyperus exaltatus	Giant Sedge	150mm
Cyperus gunii	Fleeked Flat-sedge	150mm
Cyperus gymnocaulis	Spiny Sedge	150mm
Schoenoplectus validus	River Club-rush	150mm
Typha orientalis	Broadleaf Cumbungi	150mm



Riverbend Narrabri 177 Riverside Drive, Narrabri, N.S.W.
Landscape Master Plan

1:500 @ A1
1:1000 @ A3

0 2.5 5 10 20m

Date May 2014 | Project No 1331 | MP01 A

LANDSITE PROJECT
JANUARY 2014
PO BOX 1178 NARRABRI NSW 2391
T 02 6884 3445
F 02 6884 4796
E info@landsite.com.au

