

Planning Proposal

Northern NSW Inland Port (N2IP)

Yarrie Lake Road, Narrabri

Prepared for:

Narrabri Shire Council

September 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
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Date	24 September 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

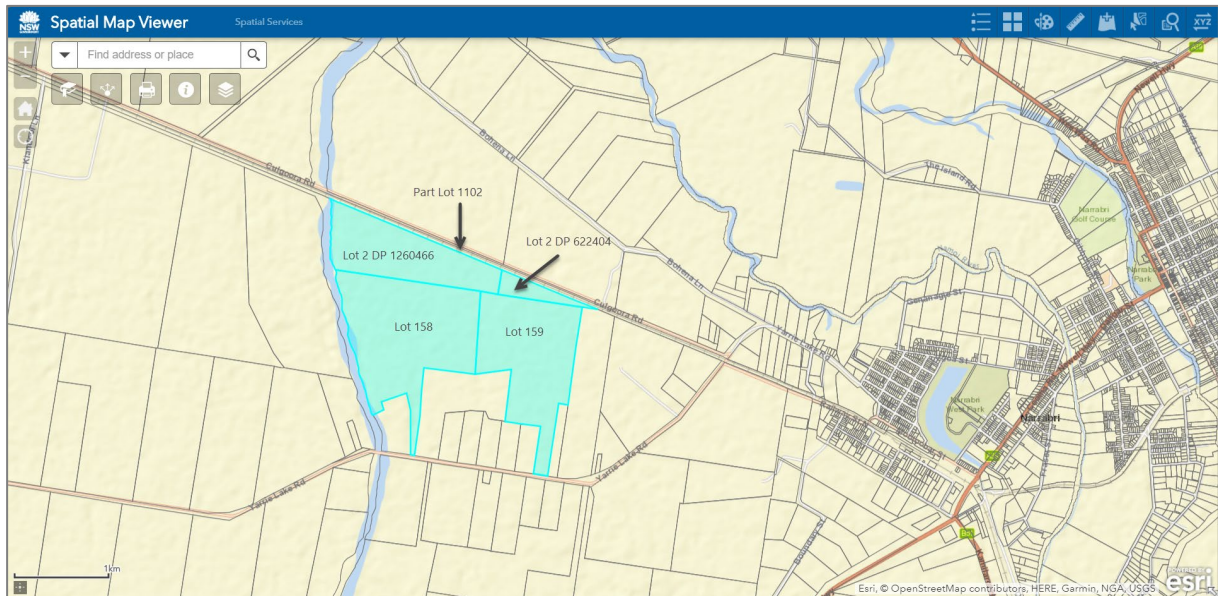
This PP will amend both the LEP and associated LEP mapping.

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 1260466	Culgoora Road
Part Lot 1102 DP 1169062	Culgoora Road



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 four (4) 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.

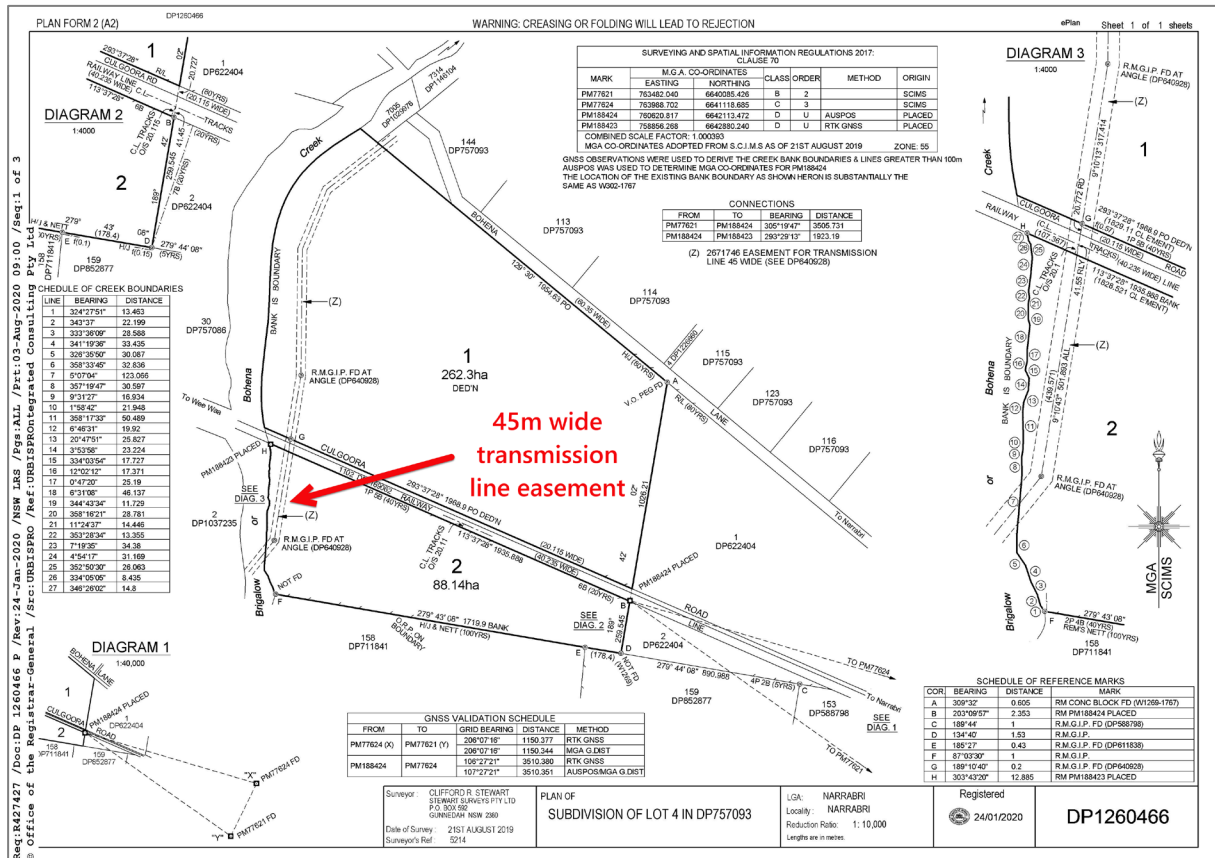
2.1.3 Lot 2 DP 622404

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**).



Source: (Gleeson 1988)

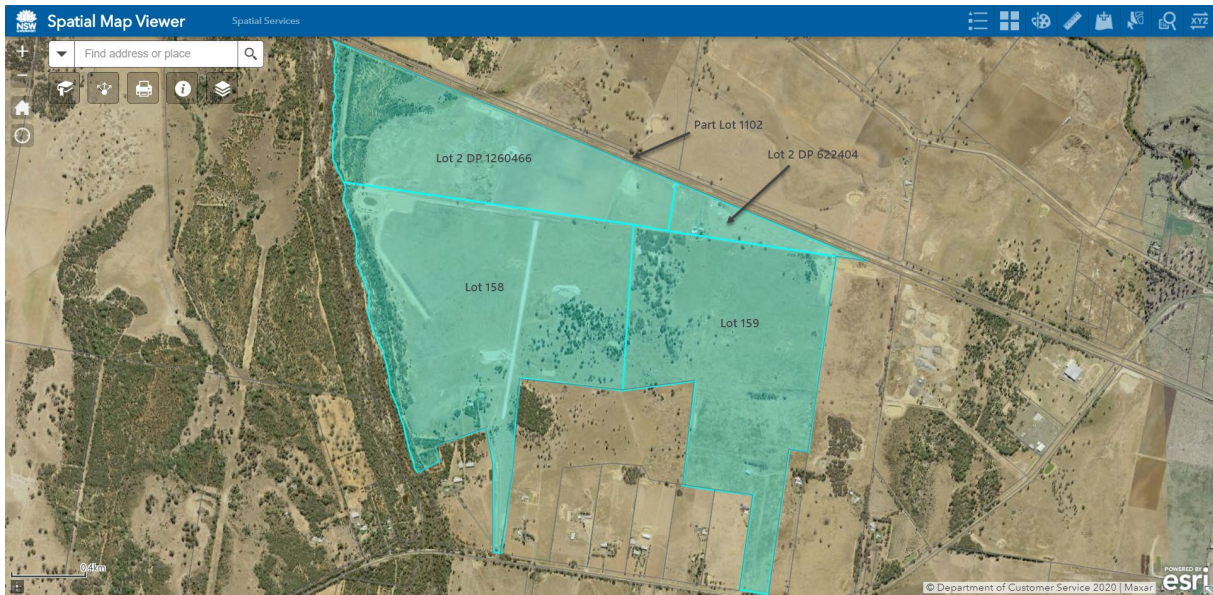
Figure 2: Easement Plan

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.

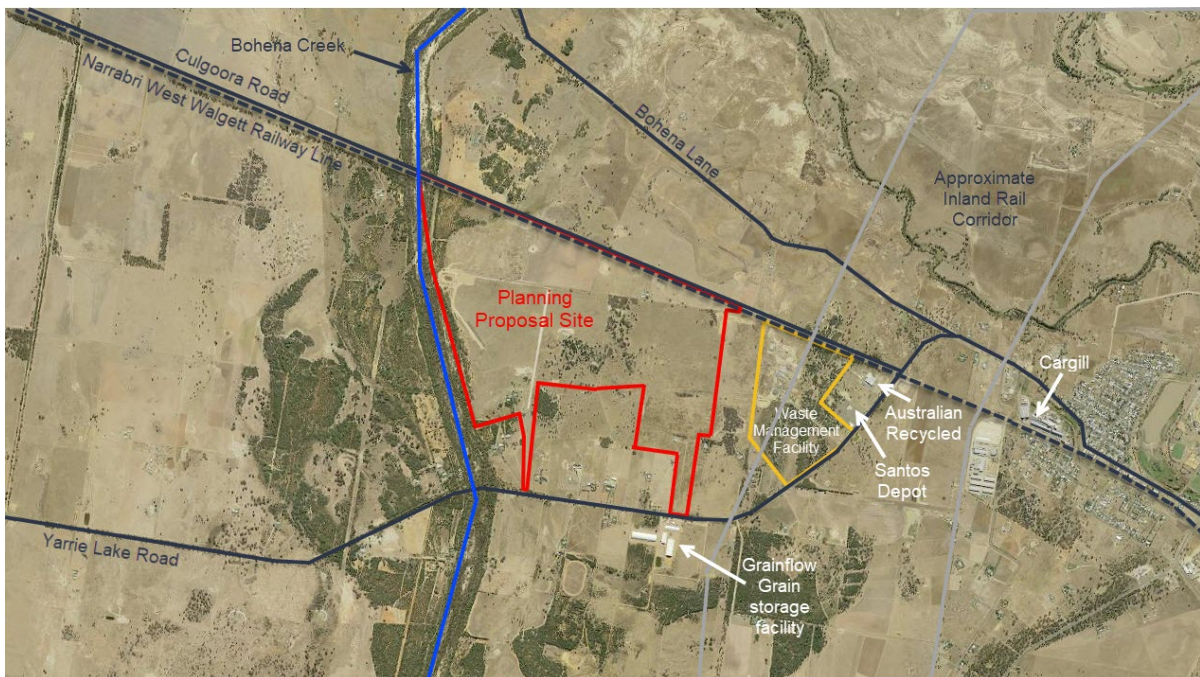
2.2 Land Use

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**.



Source: (NSW Spatial Services n.d.)

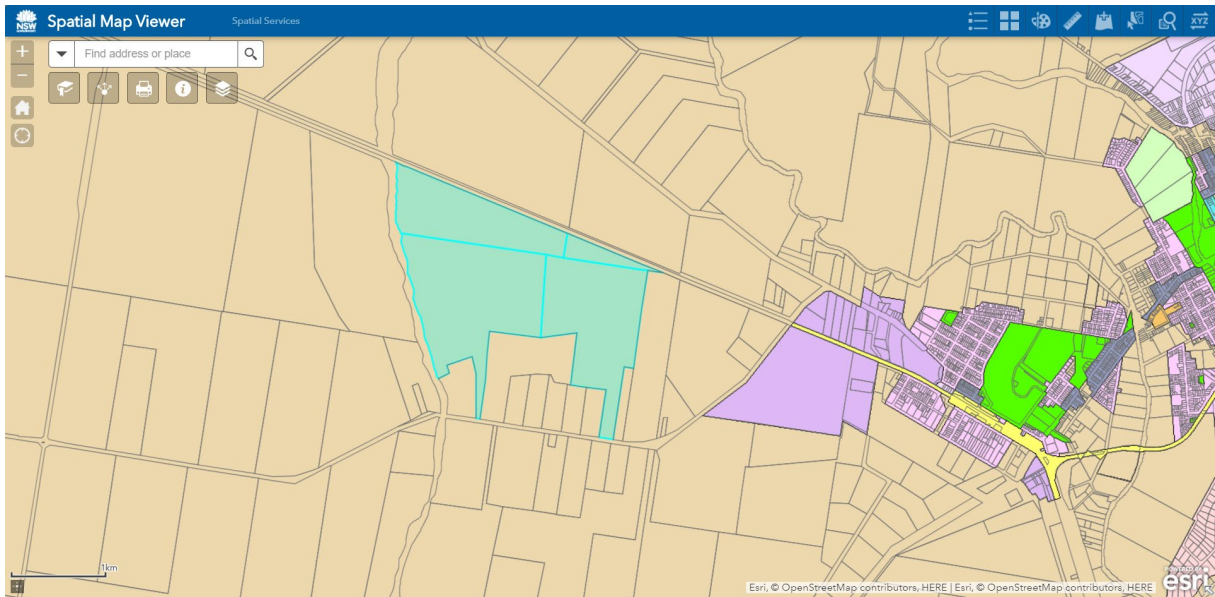
Figure 3: Site Aerial Photograph



Source: (NSW Spatial Services 2019)

Figure 4: Surrounding Land Uses

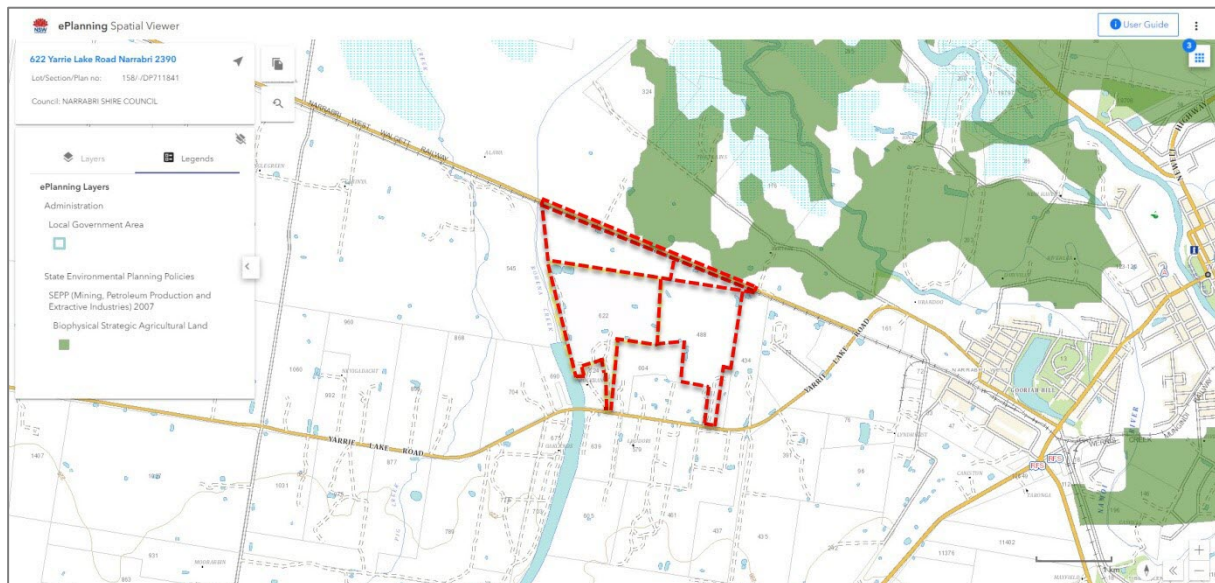
The subject site and its immediate surrounds are zoned RU1 Primary Production under *Narrabri Local Environmental Plan 2012 (LEP)* as shown on **Figure 5**. At the south western edge of the existing urban area of Narrabri is an existing area of IN1 General Industrial zoned land.



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.



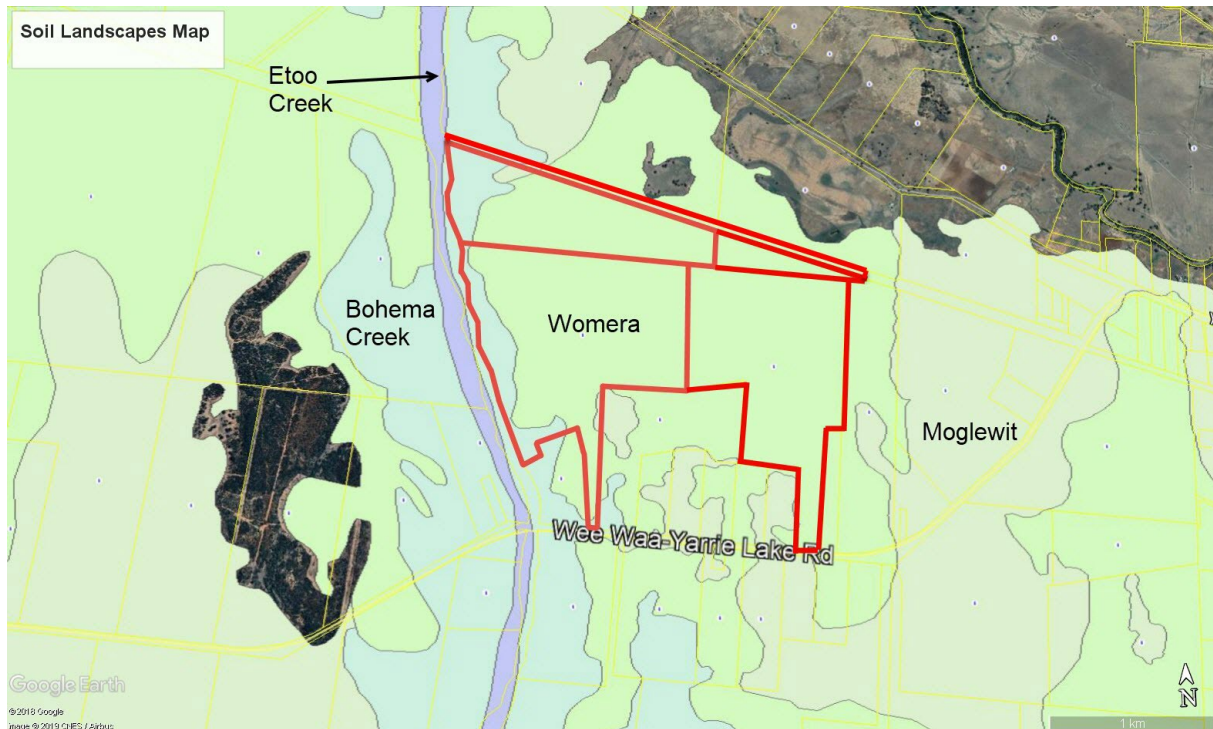
Source: (NSW Government n.d.)

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.

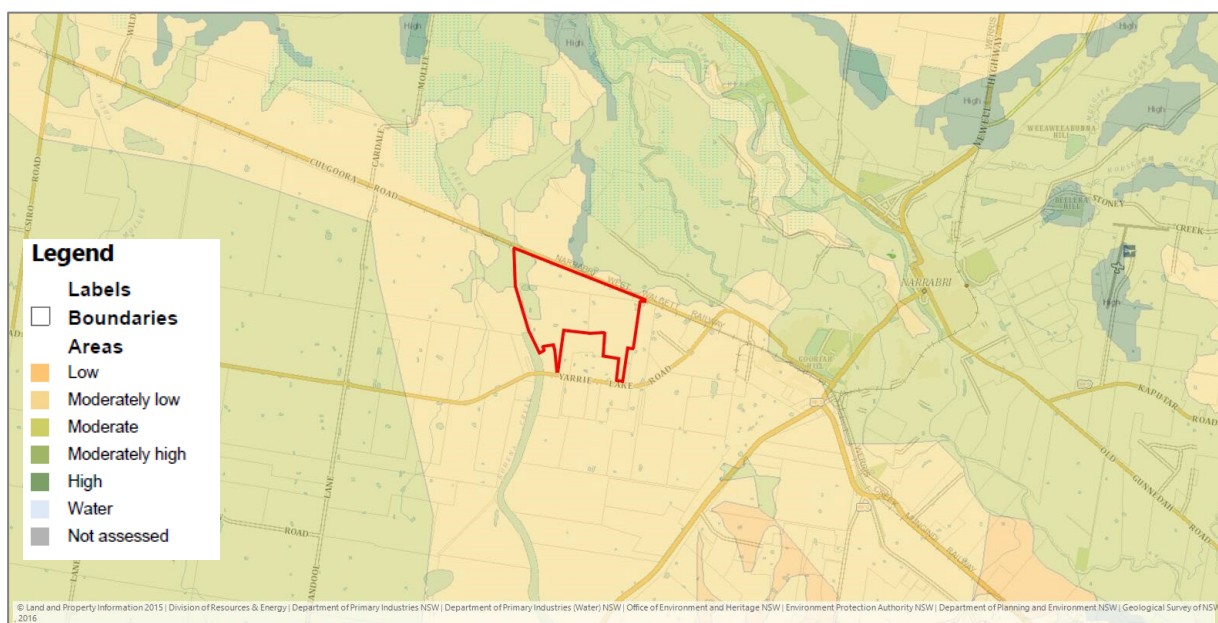
2.3.1.2 Bohemia Creek Soil Landscape

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

- **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.

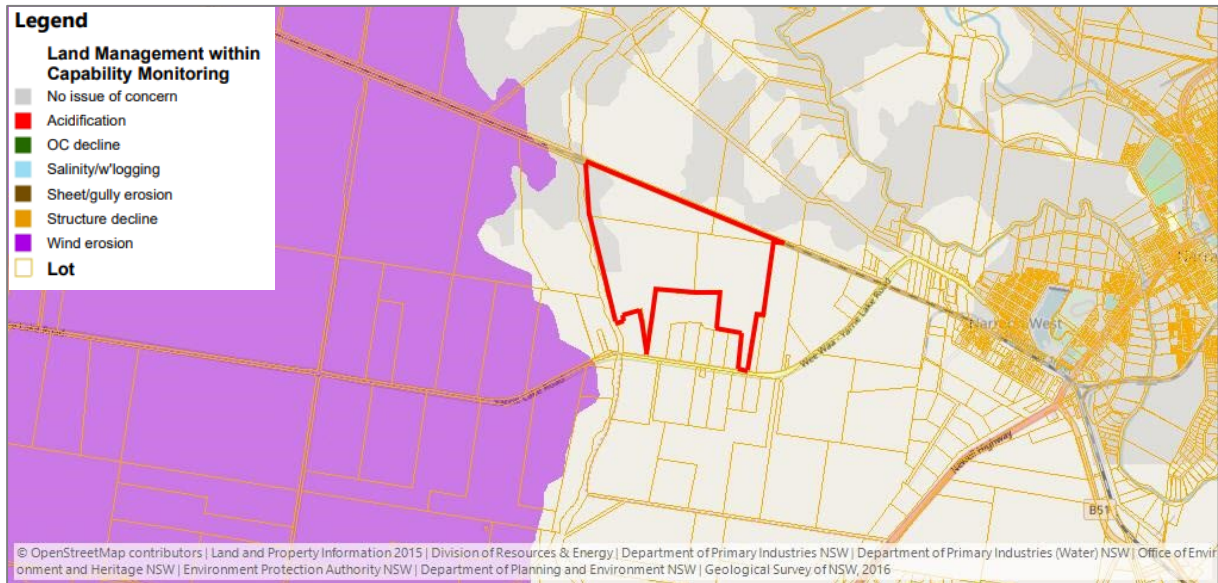


Source: (NSW Government n.d.)

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.

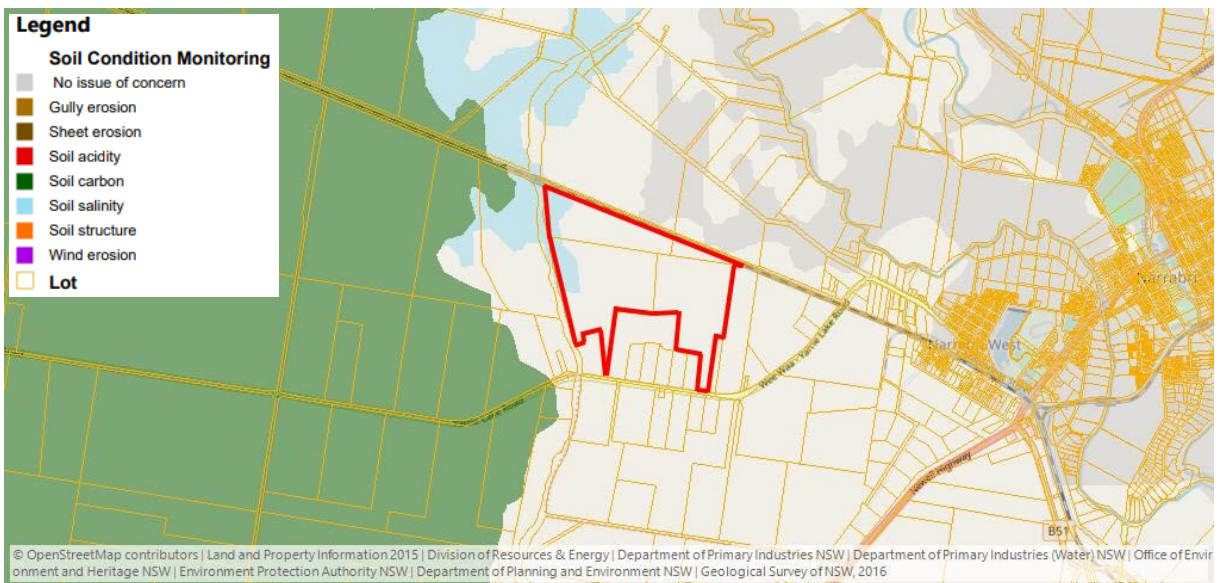


Source: (NSW Government n.d.)

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).

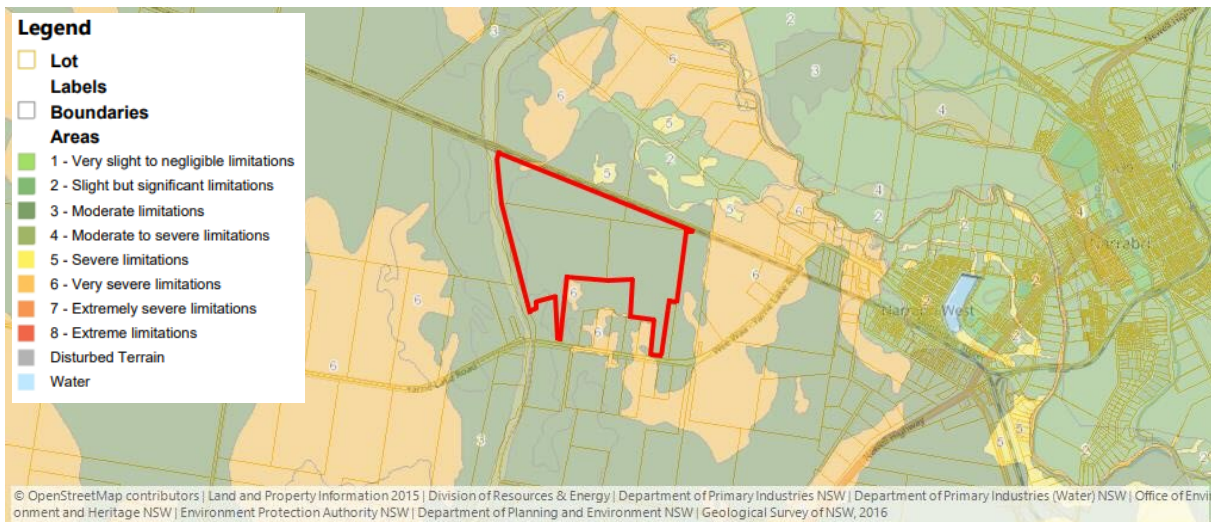


Source: (NSW Government n.d.)

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.



Source: (NSW Government n.d.)

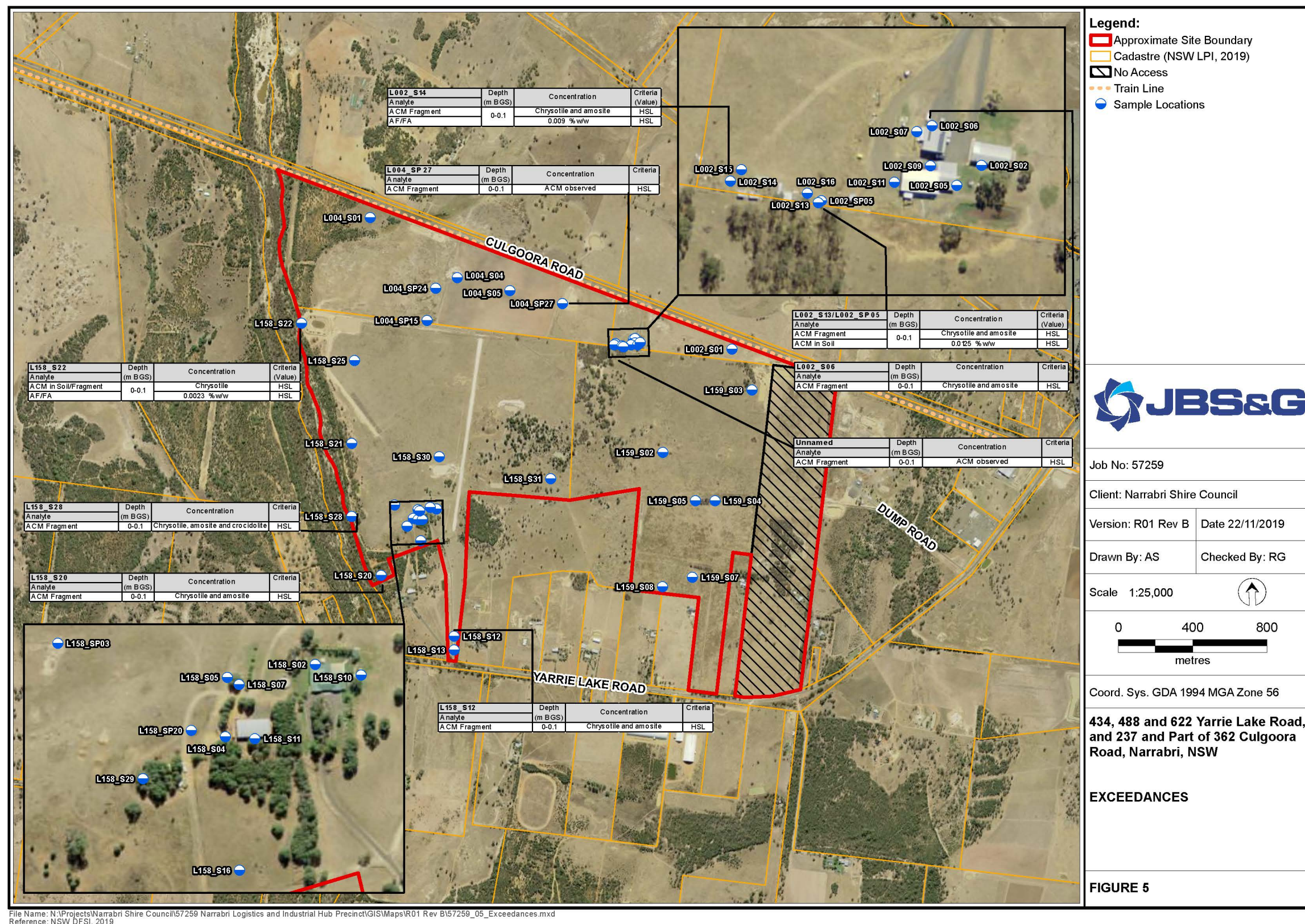
Figure 11: Land & Soil Capability Mapping for NSW

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:

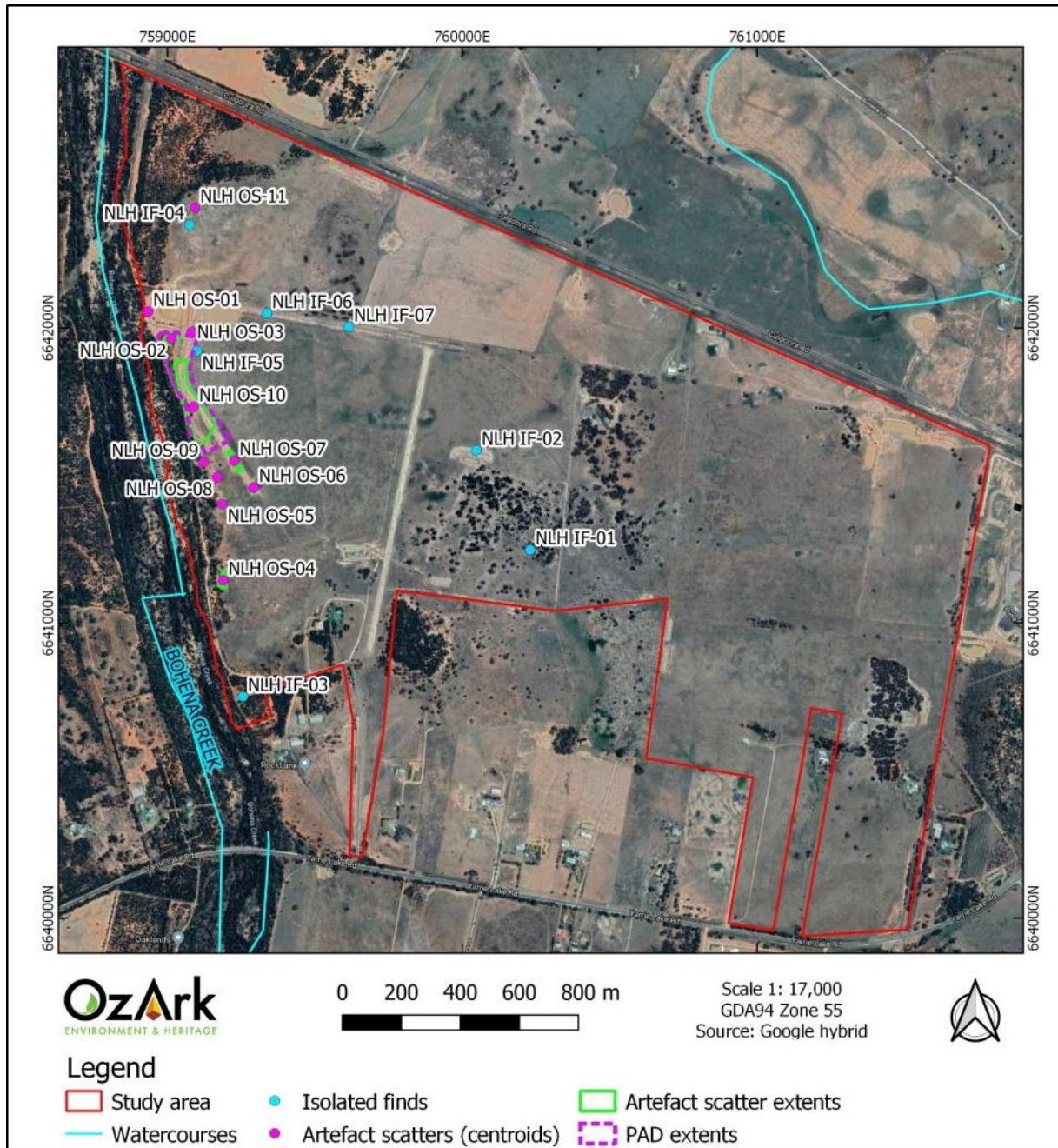
- It is recommended that a detailed site investigation be undertaken upon submission of the DA for redevelopment of any land within the site.
- It is also recommended that Hazardous Building Material Surveys (HBMS) be undertaken on existing site structures prior to any demolition and redevelopment works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



Source: (OzArk Environment & Heritage 2019)

Figure 13: Location of recorded sites in the study area

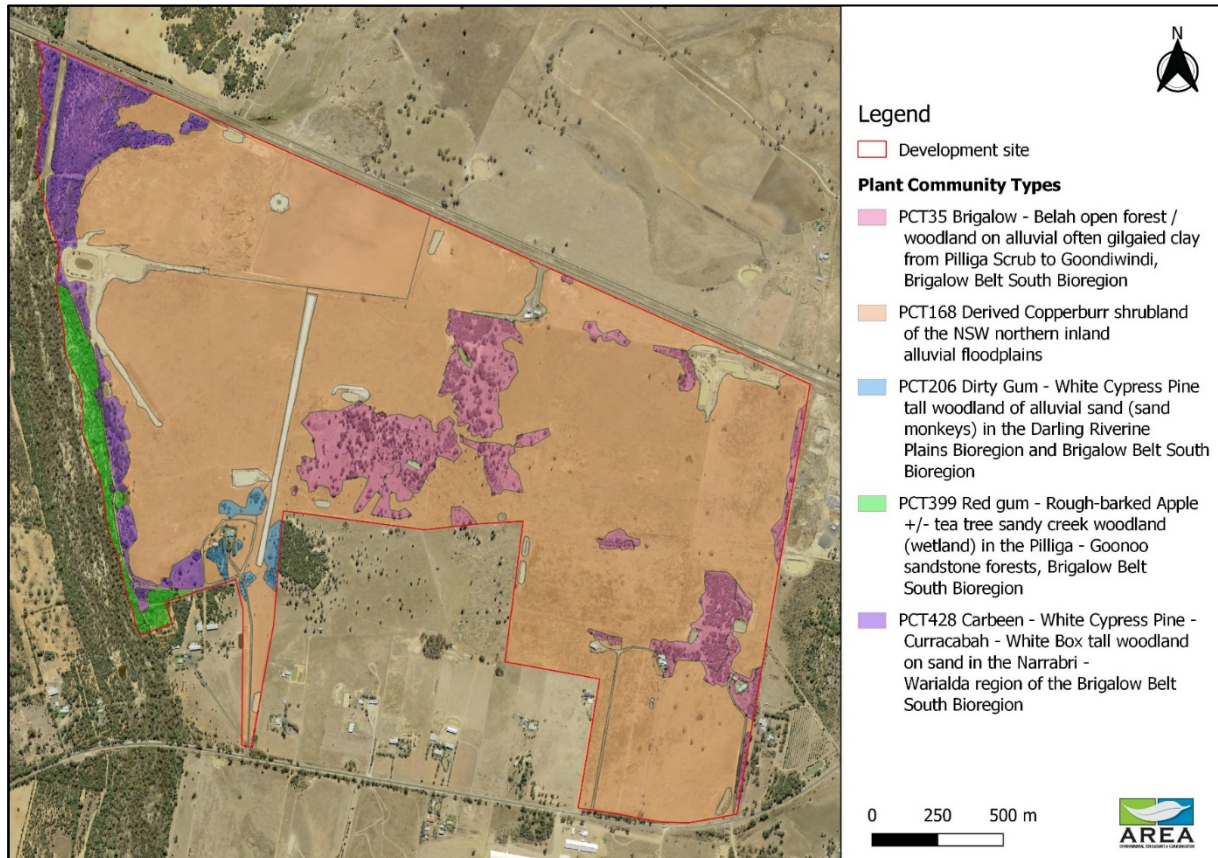
2.5 European Heritage

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**.



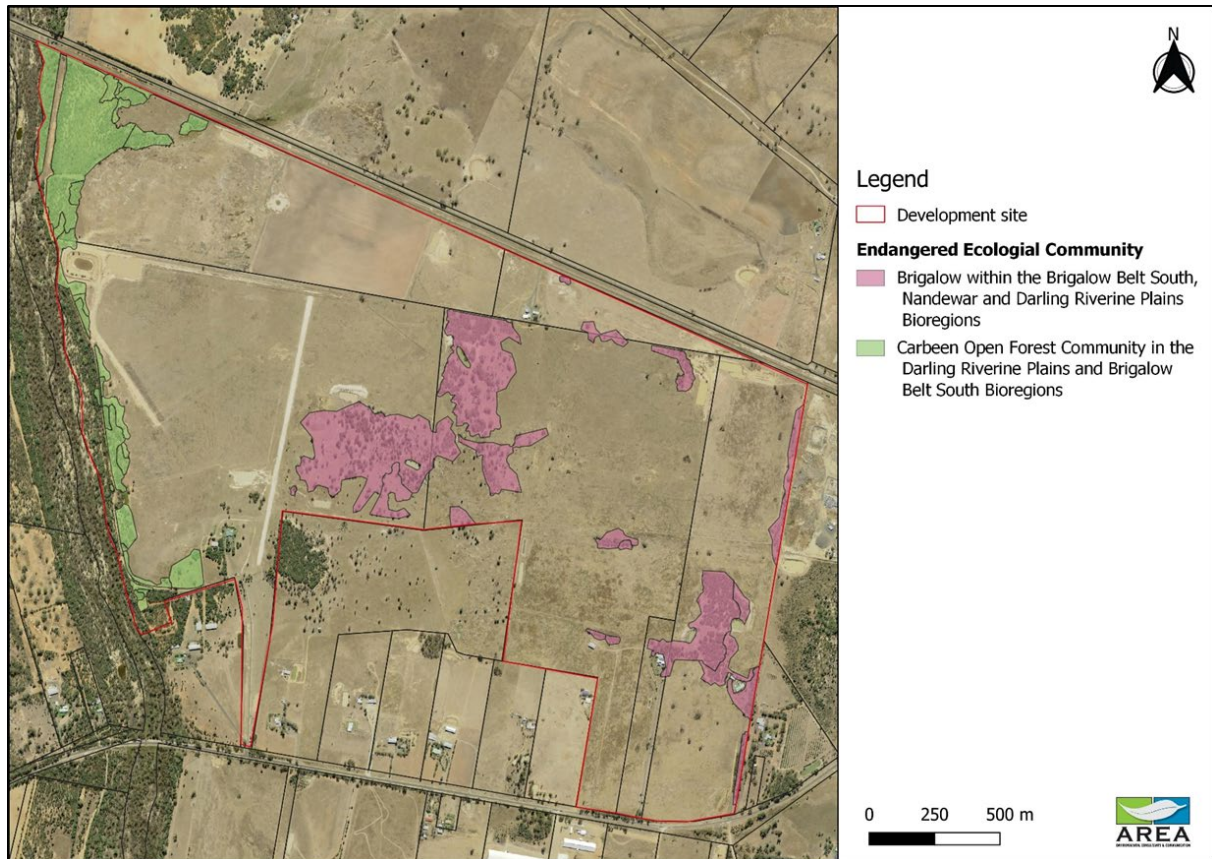
Source: (Area Environmental 2019)

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

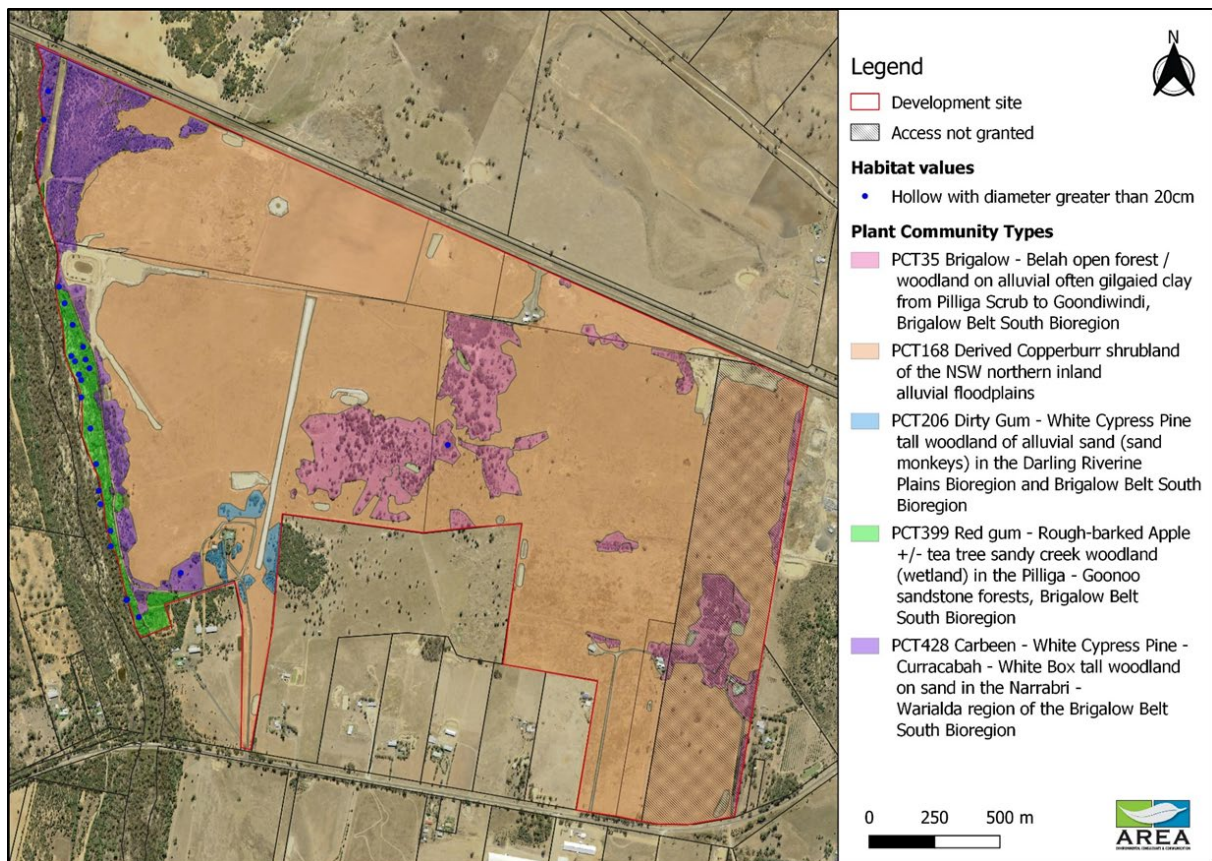
The following threatened species were recorded on site during the assessment:

- 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 Babbler, *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 monoplacoides* (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**.

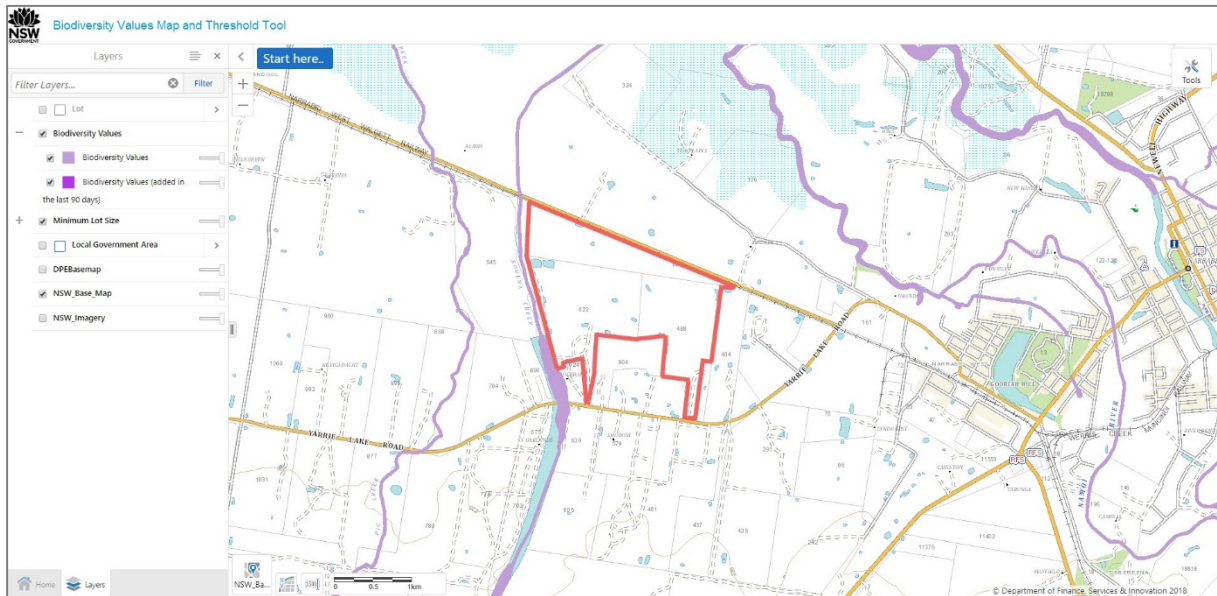


Source: (Area Environmental 2019)

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**).



Source: (NSW Department of Planning and Environment n.d.)

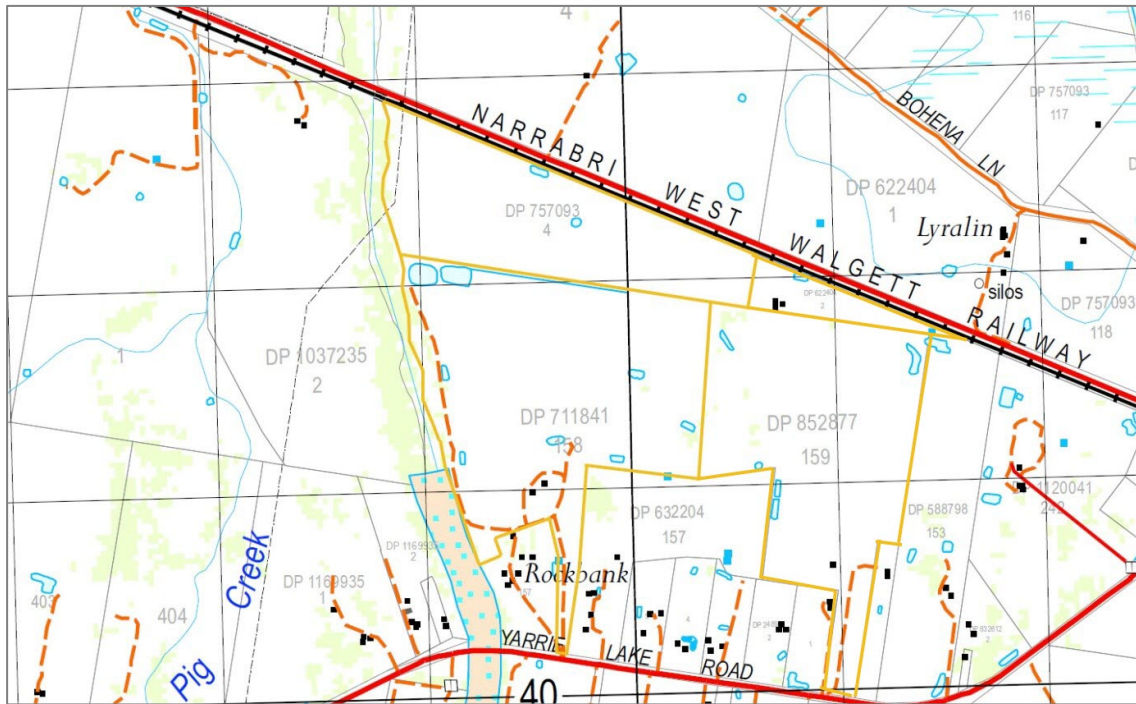
Figure 17: Biodiversity Values Map

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.).

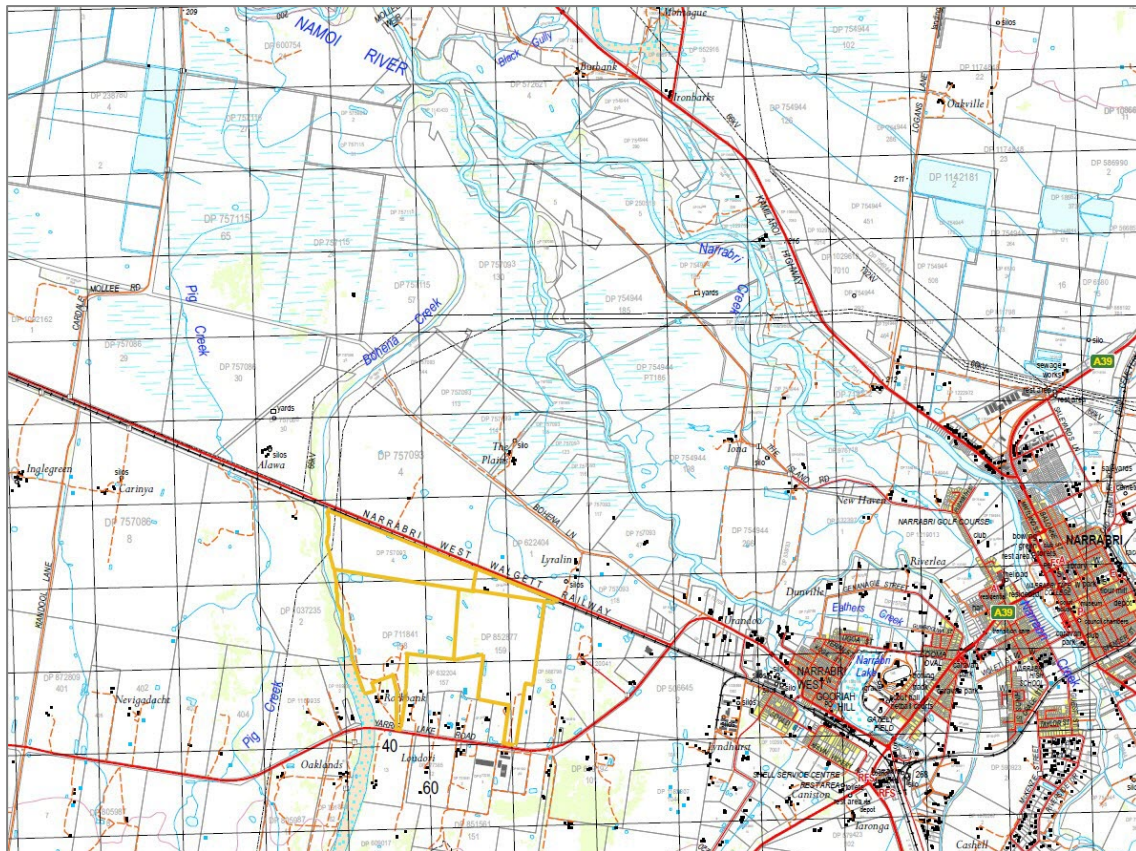
As shown in **Figure 18**, the site contains a number of dams and a pipeline running east/west along the northern boundary of Lot 158. Whilst quite flat, the site generally falls to the west to Bohena Creek. Upstream of the site, Bohena Creek is mapped as a mainly dry lake, however, also forms a perennial 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 6.3km downstream.



Source: (NSW Government Spatial Services 2017)

Figure 18: Topographic Map Site



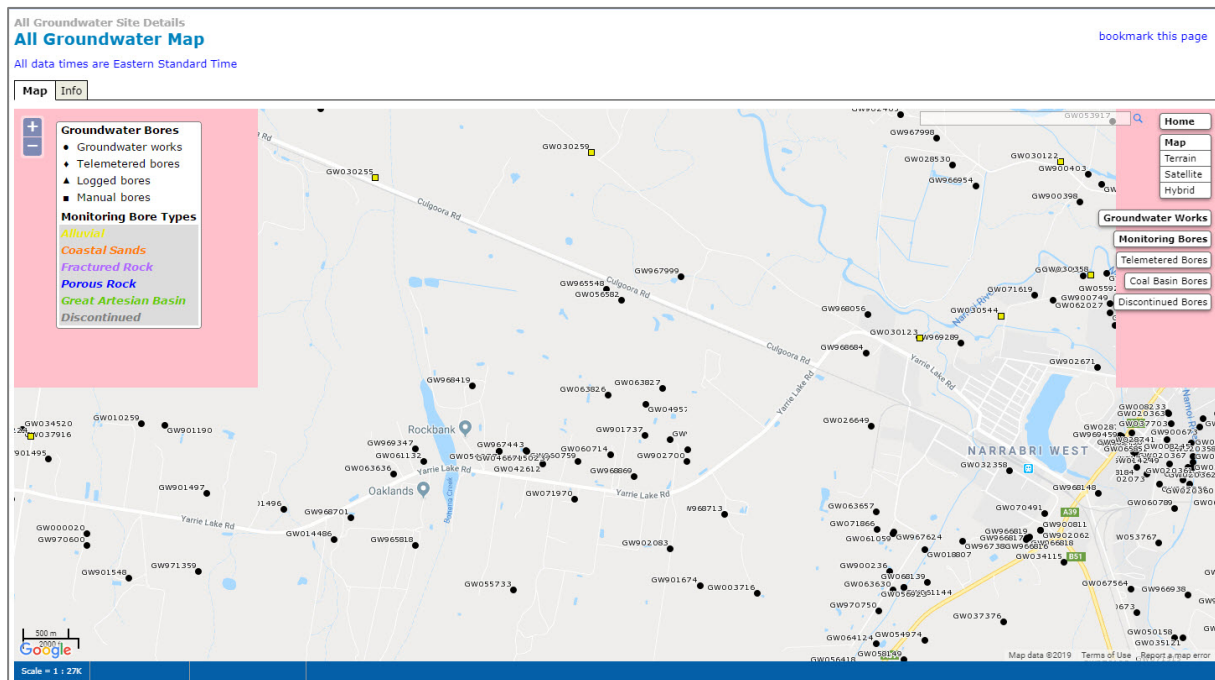
Source: (NSW Government Spatial Services 2017)

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

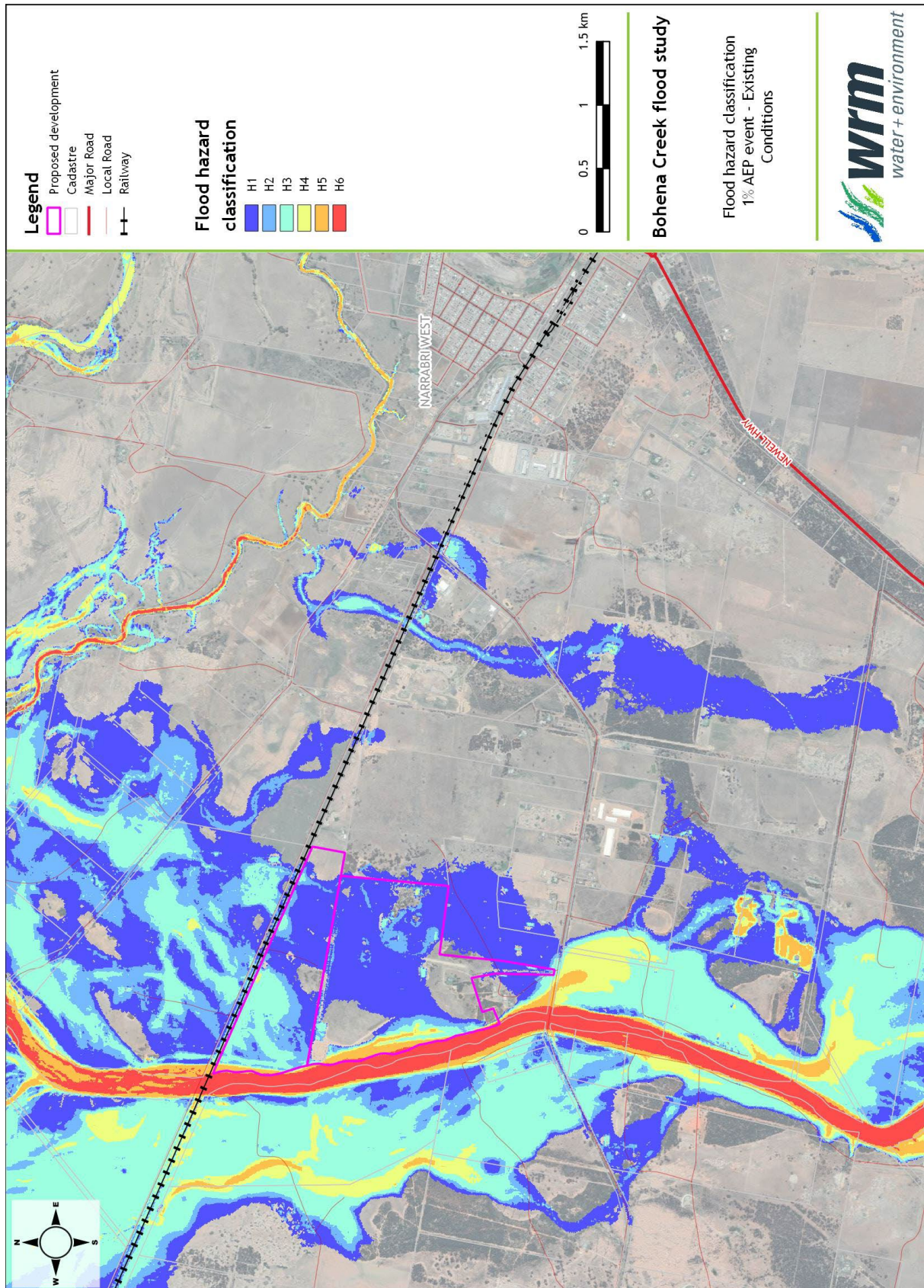
N/A Not available

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.

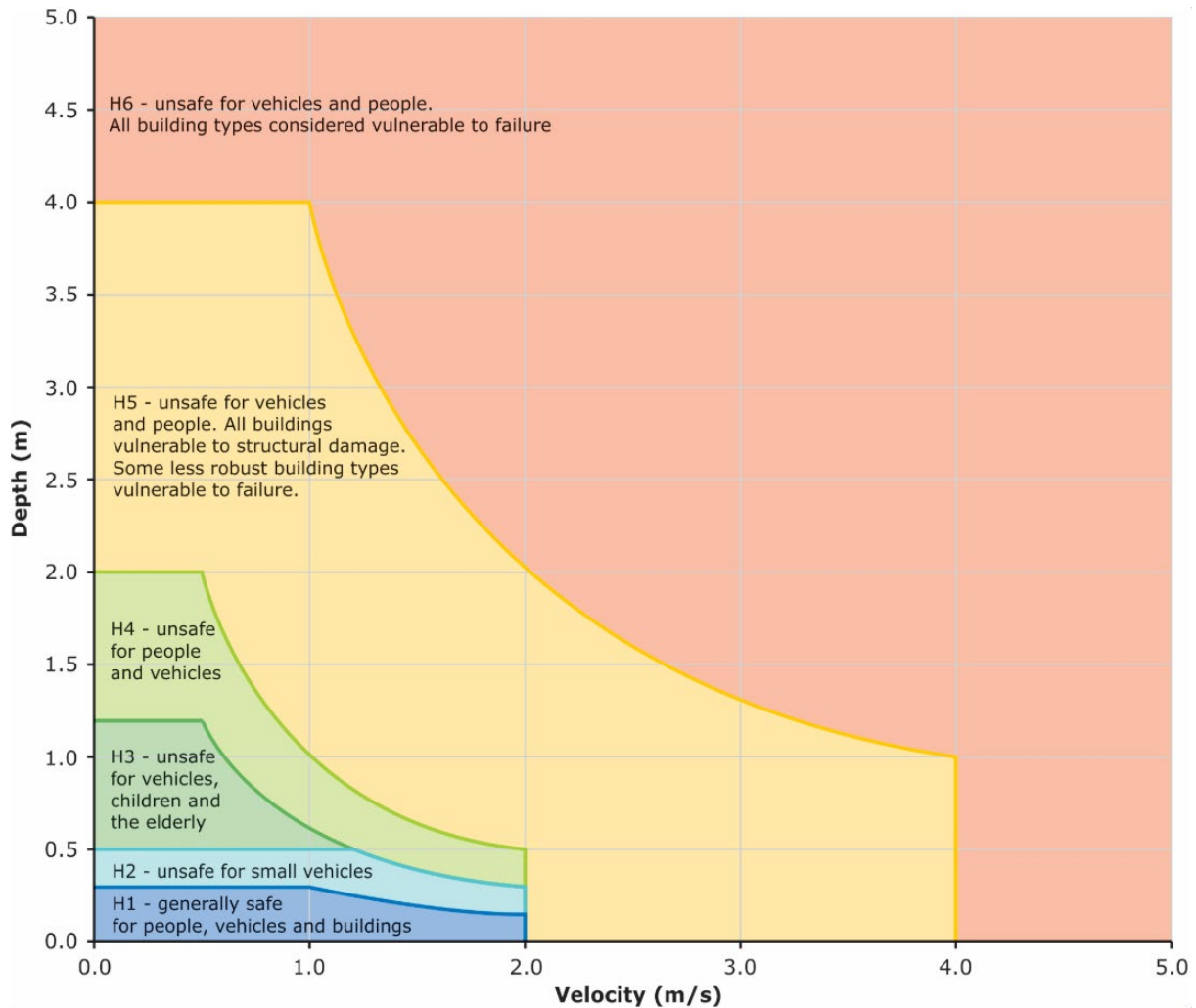
A further flood study has been undertaken for the Bohena Creek Catchment as part of this PP. The Bohena Creek is a tributary of the Namoi River. As part of the flood study, consistent with the Floodplain Development Manual, the model has included consideration of climate change by increasing peak rainfall 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.



Source: (WRM Water + Environment 2019)

Figure 21: Provisional Hydraulic Hazard – 1% AEP Event



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.

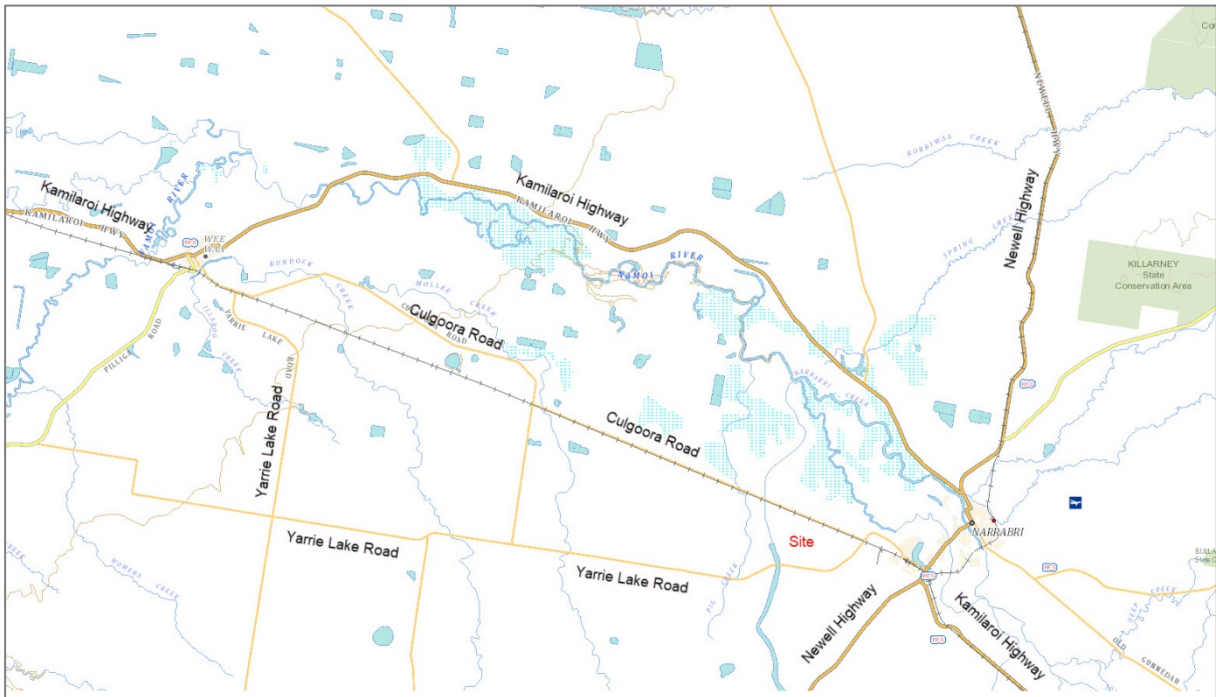
2.11 Access

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 Mooloobar 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 Mooloobar Streets have a 50km/h posted speed limit.

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.

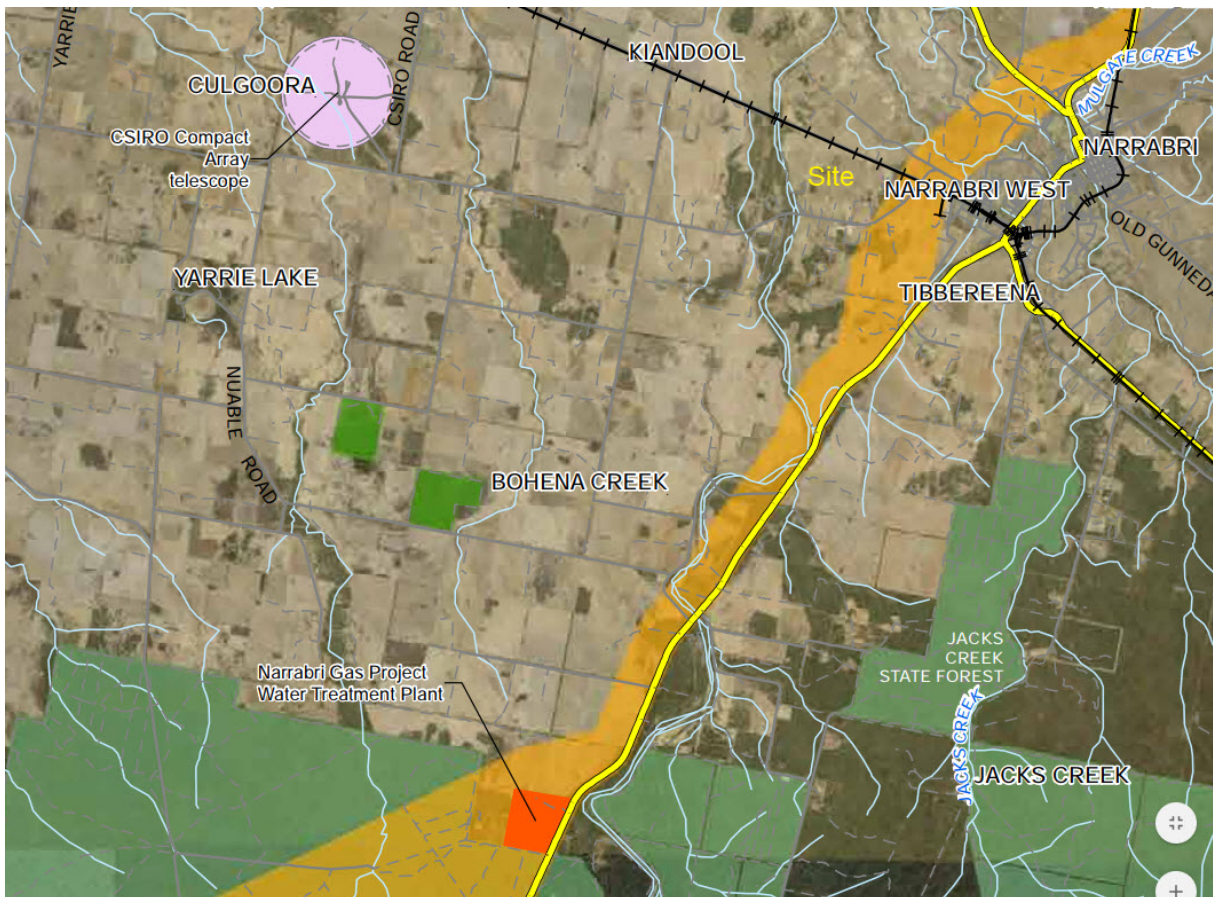
The Narrabri West Walgett Railway line intersection with Yarrie Lake Road to the east of the site is an at-grade passive crossing controlled by stop signs.

The intersection of Mooloolbar 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

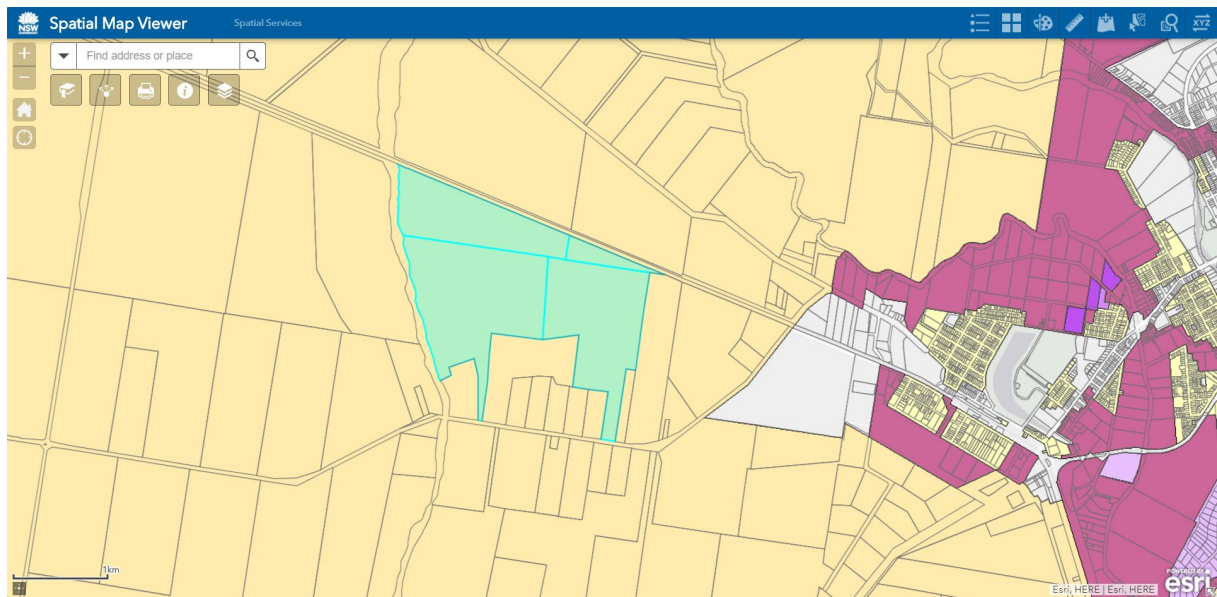
Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Depots; Dual occupancies; Dwelling houses; Environmental facilities; 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**.



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 (**N2IP**).

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.

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 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 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>
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. 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 .

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?	

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 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>
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.9.1 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 of 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>

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 Guidelines</i>.</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

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Appendix A

Information Checklist

STEP 1: REQUIRED FOR ALL PROPOSALS

(under s3.33(2)(a-e) of the EP&A Act)

- | | |
|--|--|
| <ul style="list-style-type: none"> Objectives and intended outcome Mapping (including current and proposed zones) Community consultation (agencies to be consulted) | <ul style="list-style-type: none"> 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				Environmental Considerations	
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"/>		Flooding	<input checked="" type="checkbox"/>
Consistent with a relevant local council strategy that has been endorsed by the Department; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Land/site contamination (SEPP55)	<input checked="" 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"/>		Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining)	<input checked="" 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"/>		Sea level rise	<input type="checkbox"/>
Site Description / Context				Urban design Considerations	
Aerial photographs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Existing site plan (buildings, vegetation, roads, etc)	<input checked="" type="checkbox"/>
Site photos / photomontage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Building mass/block diagram study (changes in building height and FSR)	<input type="checkbox"/>
Traffic and Transport Considerations				Lighting impact	<input type="checkbox"/>
Local traffic and transport	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Development yield analysis (potential yield of lots, houses, employment generation)	<input type="checkbox"/>
TMAP	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Economic Considerations	
Public transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Economic impact assessment	<input type="checkbox"/>
Cycle and pedestrian movement	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Retail centres hierarchy	<input type="checkbox"/>
Environmental Considerations				Employment land	<input type="checkbox"/>
Bushfire Hazard	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Social and Cultural Considerations	
Acid sulphate Soil	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Heritage impact	<input checked="" type="checkbox"/>
Noise impact	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Aboriginal archaeology	<input checked="" type="checkbox"/>
Flora and/or fauna	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Open space management	<input checked="" type="checkbox"/>
Soil stability, erosion, sediment, landslip assessment and subsidence	<input checked="" type="checkbox"/>	<input type="checkbox"/>		European archaeology	<input type="checkbox"/>
Water quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Social and cultural impacts	<input checked="" type="checkbox"/>
Stormwater management	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stakeholder engagement	<input checked="" type="checkbox"/>
				Infrastructure Considerations	
				Infrastructure servicing and potential funding arrangements	<input checked="" type="checkbox"/>
				Miscellaneous / Additional Considerations	
				List any additional studies that should be undertaken post Gateway determination	<input type="checkbox"/>

Appendix B

Titles & Title Diagrams



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

NO CERTIFICATE OF TITLE HAS ISSUED FOR THE CURRENT EDITION OF THIS FOLIO.
CONTROL OF THE RIGHT TO DEAL IS HELD BY NATIONAL AUSTRALIA BANK LIMITED.

LAND

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

FIRST SCHEDULE

WAYNE ROBERT HANNAFORD
LEEANN PATRICIA HANNAFORD
AS JOINT TENANTS (T I294301)

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 I897830 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Integrated Consulting Pty Ltd

PRINTED ON 14/6/2019

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[illegible]



LAND
REGISTRY
SERVICES

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

*** END OF SEARCH ***

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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 DP622404

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 - SEE CROWN GRANT(S)
- 2 A1184594 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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**LAND
REGISTRY
SERVICES**

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/1260466

SEARCH DATE	TIME	EDITION NO	DATE
3/8/2020	8:59 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 AP981551)
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 EASEMENT FOR TRANSMISSION LINE 45 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
8936219 EASEMENT NOW VESTED IN COUNTRY ENERGY
- 3 DP1260466 RESTRICTION(S) ON THE USE OF LAND

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Integrated Consulting Pty Ltd

PRINTED ON 3/8/2020

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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)

- 1 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- 2 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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Req:R535089 /Doc:DP 1169062 P /Rev:07-Sep-2011 /NSW TRS /Pgs:ALL /Prt:28-Jan-2020 08:06 /Seq:3 of 3
© Office of the Registrar-General /Src:URBISPRO /Ref:URBISPRKongrated Consulting Pty Ltd

Appendix C

AHIMS Search



AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : 19011

Client Service ID : 427198

Integrated Consulting

Date: 12 June 2019

PO Box 9026

Bathurst West New South Wales 2795

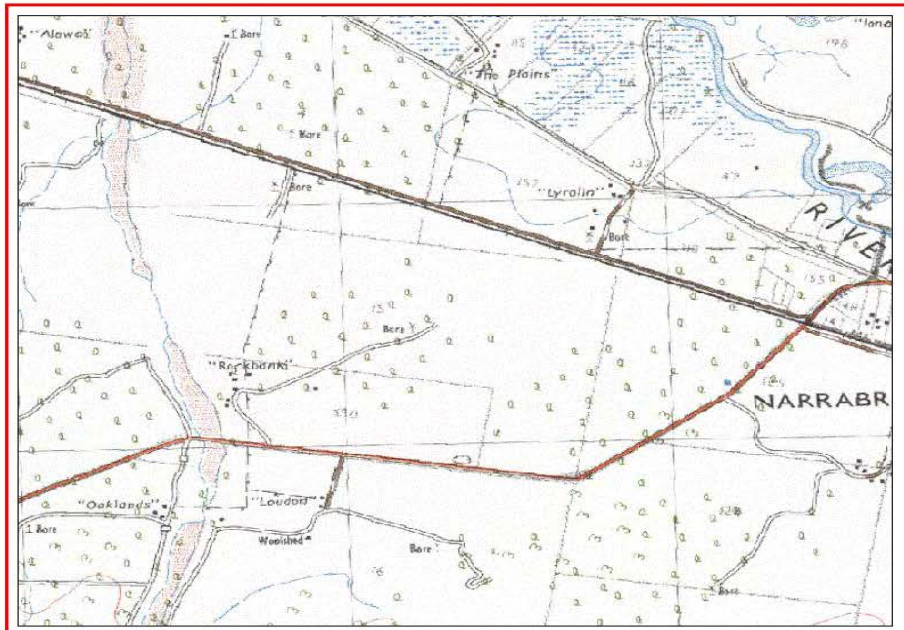
Attention: Erika Dawson

Email: erika@integratedconsulting.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lat. Long From : -30.3504, 149.6854 - 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.*

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

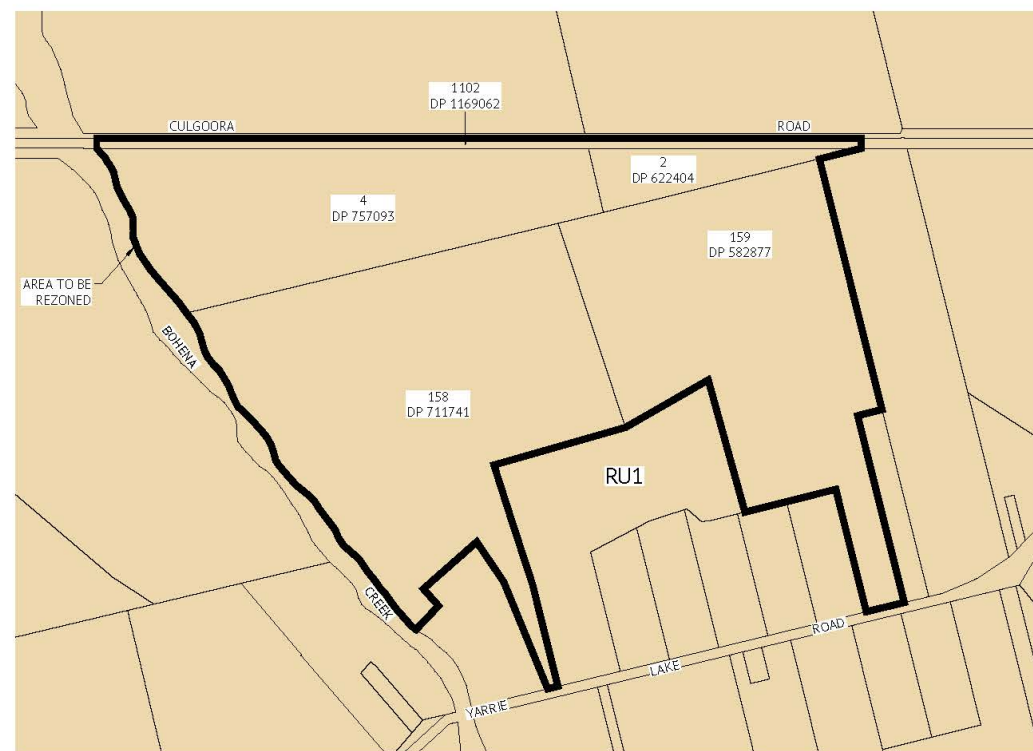
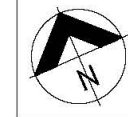
- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been 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

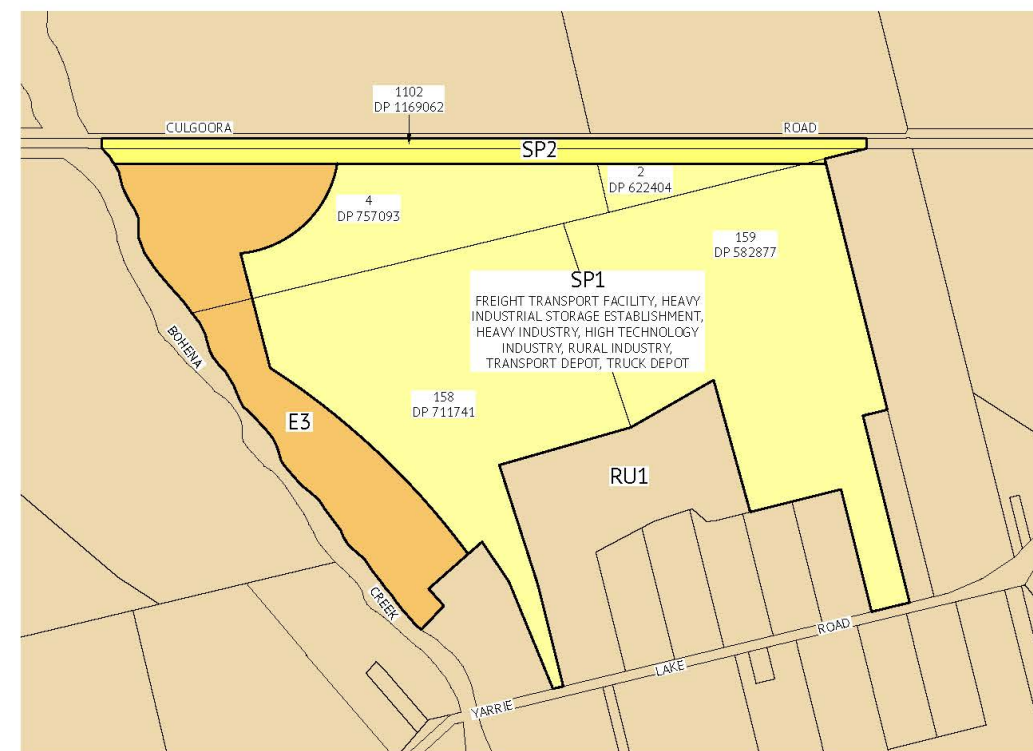
ABN 30 841 387 271
 Email: ahims@environment.nsw.gov.au
 Web: www.environment.nsw.gov.au

Appendix D

Draft LEP Maps



EXISTING ZONING
SCALE 1:12500 (A1) 1:25000 (A3)



PROPOSED ZONING
SCALE 1:12500 (A1) 1:25000 (A3)

LAND ZONING MAP

ZONING

E3	ENVIRONMENTAL MANAGEMENT
RU1	PRIMARY PRODUCTION
SP1	SPECIAL ACTIVITIES
SP2	INFRASTRUCTURE

ISSUED FOR REVIEW

DATE	REV	DESCRIPTION	REVISED	APP
23/01/2020	C	ZONING AMENDMENTS & ISSUED FOR REVIEW	BW	SH
20/01/2020	B	MINOR AMENDMENTS & ISSUED FOR REVIEW	WM	SH
09/01/2020	A	ISSUED FOR REVIEW	WM	SH



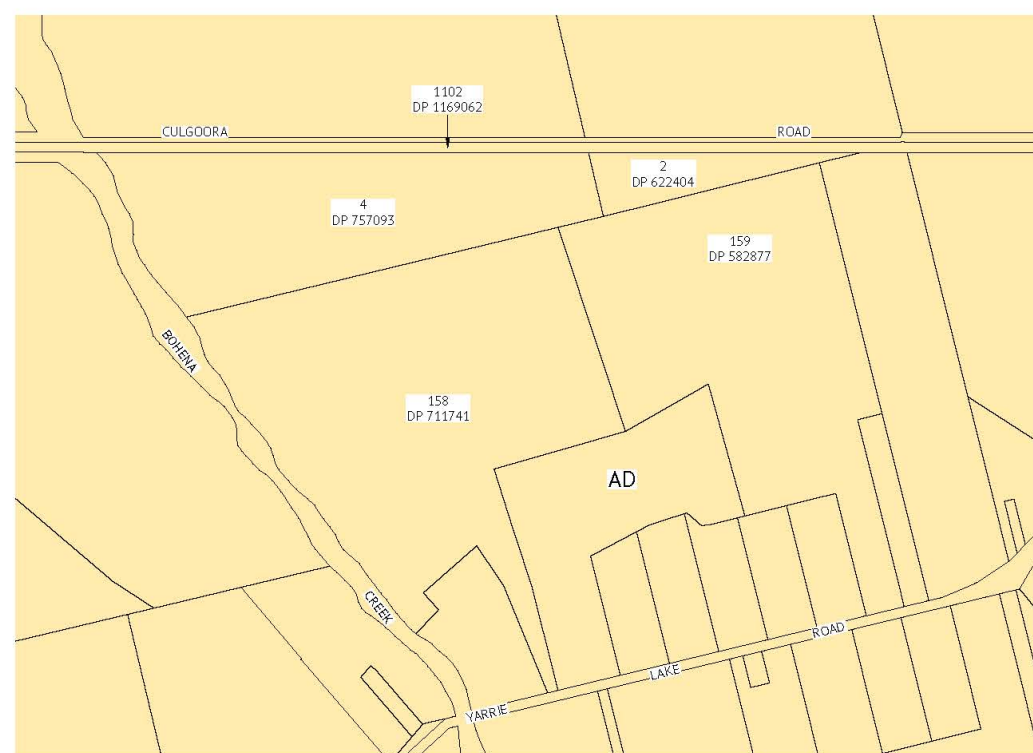
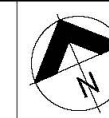
DUBBO OFFICE
1ST FLOOR
62 WINGWARRA STREET
DUBBO, NSW 2830
PH: (02) 6887 4500
WEB: www.premise.com.au

DESIGNED:
EDDIE GOULD
CHECKED:
STEPHEN J HOYNES
PROJECT MANAGER:
STEPHEN J HOYNES
ENGINEERING CERTIFICATION
23/01/2020
STEPHEN J HOYNES

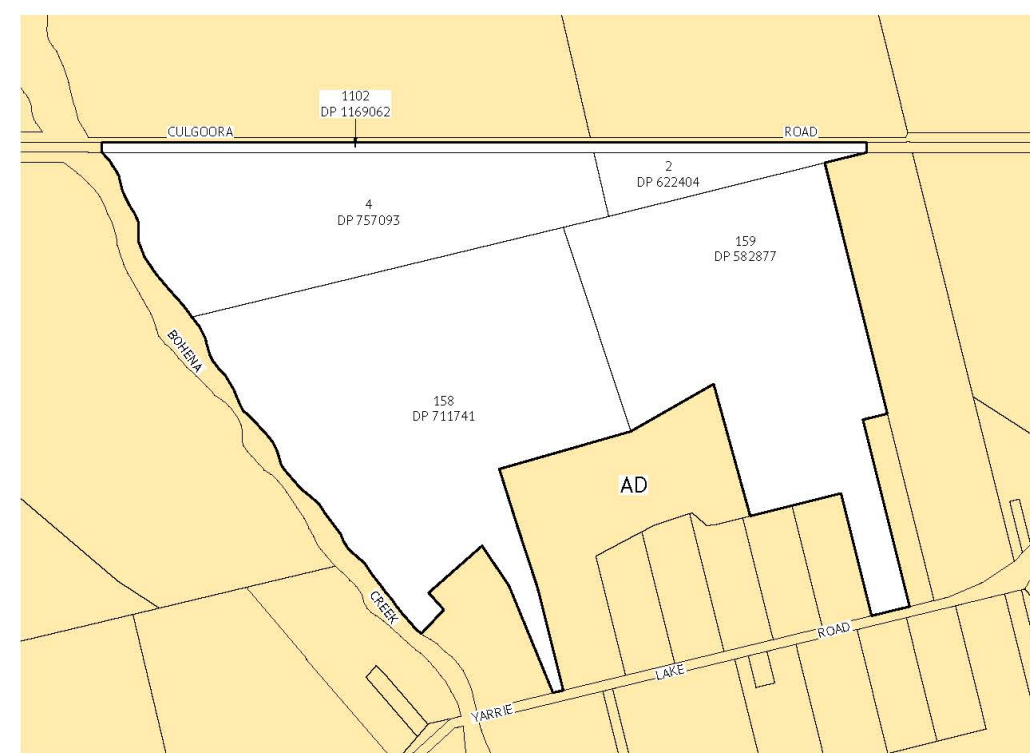
SCALE
SCALE 1:12500 (A1)
0 250 500 750m
SCALE 1:25000 (A3)
0 250 500 750m
ORIGINAL SHEET SIZE A1

CLIENT: **NARRABRI SHIRE COUNCIL**
PROJECT: **NORTHERN NSW INLAND (N21P)**
LOCATION: **NARRABRI, NSW**
SHEET TITLE: **PROPOSED ZONING MAP**

JOB CODE: **120032_03**
SHEET NUMBER: **C001**
REV: **C**



EXISTING LOT SIZE MAP
SCALE 1:12500 (A1) 1:25000 (A3)



PROPOSED LOT SIZE MAP
SCALE 1:12500 (A1) 1:25000 (A3)

LOT SIZE MAP

MINIMUM LOT SIZE
AD 100 ha

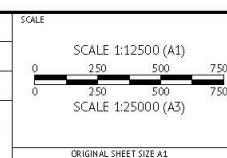
ISSUED FOR REVIEW

DATE	REV	DESCRIPTION	REVISED	APP
23/01/2020	C	ZONING AMENDMENTS & ISSUED FOR REVIEW	BW	SH
20/01/2020	B	MINOR AMENDMENTS & ISSUED FOR REVIEW	WM	SH
09/01/2020	A	ISSUED FOR REVIEW	WM	SH



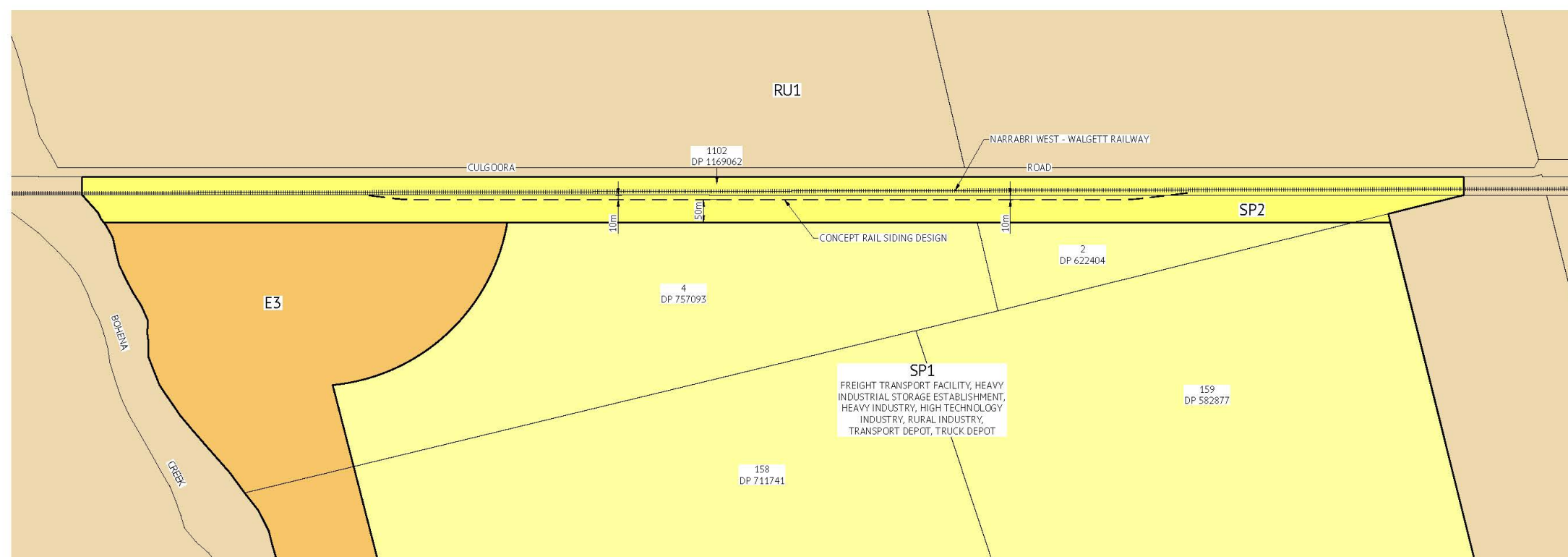
DUBBO OFFICE
1ST FLOOR
62 WINGWARRA STREET
DUBBO, NSW 2830
PH: (02) 6887 4500
WEB: www.premise.com.au

DESIGNED:
EDDIE GOULD
CHECKED:
STEPHEN J HOYNES
PROJECT MANAGER:
STEPHEN J HOYNES
ENGINEERING CERTIFICATION
23/01/2020
STEPHEN J HOYNES




CLIENT: **NARRABRI SHIRE COUNCIL**
PROJECT: **NORTHERN NSW INLAND (N21P)**
LOCATION: **NARRABRI, NSW**
SHEET TITLE: **PROPOSED LOT SIZE MAP**

JOB CODE:
120032_03
SHEET NUMBER: **C002**
REV: **C**



LAND ZONING MAP

E3	ENVIRONMENTAL MANAGEMENT
RU1	PRIMARY PRODUCTION
SP1	SPECIAL ACTIVITIES
SP2	INFRASTRUCTURE

ISSUED FOR REVIEW										 <div>DUBBO OFFICE 1ST FLOOR 62 WINGEWARRA STREET DUBBO, NSW 2830 PH: (02) 6887 4500 WEB: www.premise.com.au</div>		DESIGNED EDDIE GOULD		<div>SCALE</div> <div><div>SCALE 1:5000 (A1)</div><div>0 100 200 300m</div><div>SCALE 1:10000 (A3)</div><div>0 100 200 300m</div></div>		CLIENT NARRABRI SHIRE COUNCIL		JOB CODE 120032_0	
23/01/2020 C ZONING AMENDMENTS & ISSUED FOR REVIEW BW SH 10/07/2020 B MINOR AMENDMENTS & ISSUED FOR REVIEW WH SH 09/01/2020 A ISSUED FOR REVIEW WH SH DATE REV DESCRIPTION REC APP												CHECKED STEPHEN J HOYNES PROJECT MANAGER STEPHEN J HOYNES ENGINEERING CERTIFICATION				PROJECT NORTHERN NSW INLAND (N21P)		SHEET NUMBER C004	
										23/01/2020		LOCATION NARRABRI, NSW		REV					
												SHEET TITLE CONCEPT RAIL SIDING DESIGN							

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.

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 44 – Koala Habitat Protection/ SEPP (Koala Habitat Protection) 2019¹	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	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.

¹ Comes into effect on 1 March 2020.

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>

Appendix G

Ministerial Directions

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
1	Employment & Resources		
1.1 Business & Industrial Zones	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>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>

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>	The PP will rezone land from RU1 to SP1 and E3 and remove the minimum lot size provisions.
		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	The PP is consistent with the NENW Region Plan, and Council's LSPS and GMS that are in the process of being finalised.

Table 7: Consideration of Ministerial Directions

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

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>

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>

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		<ul style="list-style-type: none"> (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 (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 (e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities (f) support farmers in exercising their right to farm (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 (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 	<ul style="list-style-type: none"> (c) the PP will improve protection of biodiversity, cultural heritage and riparian areas on site. (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) the N2IP will promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities. (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) 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) the land is not State Significant Agricultural Land.

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.

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> <ul style="list-style-type: none"> 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 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>

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”.	
		<p>(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:</p> <p>(a) justified by a strategy which:</p> <p>(i) gives consideration to the objectives of this direction,</p> <p>(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</p> <p>(iii) is approved by the Director-General of the Department of Planning, or</p> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives 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 which gives consideration to the objective of this direction, or</p>	N/A – not inconsistent with the direction.

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><i>A 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.

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		<p>Planning (or an officer of the Department nominated by the Director-General) that:</p> <ul style="list-style-type: none"> (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. 	
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.	<p>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:</p> <ul style="list-style-type: none"> (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001). 	<p>The PP will be generally consistent with the aims, objectives and principles of:</p> <ul style="list-style-type: none"> (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001).
		<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: 	N/A – not inconsistent with the direction.

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		<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. 	
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</p>	<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>

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		Residential, Business, Industrial, Special Use or Special Purpose Zone.	
		<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 structures in floodways or high hazard areas), roads or exempt development. 	<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.
		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.

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		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.
		<p>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:</p> <ul style="list-style-type: none"> (a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or (b) the provisions of the planning proposal that are inconsistent are of minor significance. 	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.
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,	The land is not mapped as bushfire prone land and is not in proximity to any mapped land. Therefore, consultation is not required.

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		<p>A planning proposal must:</p> <ul style="list-style-type: none"> (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. 	<p>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) <i>Guide for Bush Fire Prone Land Mapping</i>.</p> <p>The PP has been designed to comply with PBP 2006 and the subsequent PBP 2019.</p> <p>A Strategic Bush Fire Study has been prepared for the PP to avoid placing inappropriate developments in hazardous areas.</p>
		<p>A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <ul style="list-style-type: none"> (a) provide an Asset Protection Zone (APZ) incorporating at a minimum: <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 	<p>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.</p>

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		<p>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,</p> <p>(c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,</p> <p>(d) contain provisions for adequate water supply for firefighting purposes,</p> <p>(e) minimise the perimeter of the area of land interfacing the hazard which may be developed,</p> <p>(f) introduce controls on the placement of combustible materials in the Inner Protection Area.</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 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.</p>	N/A – not inconsistent with the direction.
5. Regional Planning			

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
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: (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.	N/A – not inconsistent with the direction.
6. Local Plan Making			
6.1 Approval and Referral Requirements	This direction applies when a relevant planning authority prepares a planning proposal.	A planning proposal must: (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: (i) the appropriate Minister or public authority, and	The PP does not include any provisions requiring the concurrence, consultation or referral of development applications to a Minister or public authority.

Table 7: Consideration of Ministerial Directions

DIRECTION			COMMENTS
No.	Applicability	Provision	
		<p>(ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General),</p> <p>prior to undertaking community consultation in satisfaction of section 57 of the Act, and</p> <p>(c) not identify development as designated development unless the relevant planning authority:</p> <p>(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</p> <p>(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.</p>	
		A planning proposal must be substantially consistent with the terms of this direction.	N/A – not inconsistent with the direction.