

**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 8 NOVEMBER 2023**  
**REPORTS TO COUNCIL - COMMUNITY AND ECONOMIC DEVELOPMENT**

**1. DEVELOPMENT APPROVALS**

**Author** Director Community and Economic Development  
**Responsible Officer** Director Community and Economic Development  
**Link to Strategic Plans** CSP – 3.1.6 – Encourage developers to consider energy efficiency and sustainable building design options in new developments  
 DP – 3.1.6.1 - Ensure compliance with relevant building codes and regulations

**Executive Summary**

This report provides information to Council on the approved Development Applications for October 2023.

**Report**

The approvals for the month of October 2023 brings the total approved Development Applications for the financial year to 19, with a total value of \$4,010,352. At this time last year there were 17 applications approved with a value of \$2,863,570.

<b>DA No.</b>	<b>Location</b>	<b>LOT/DP</b>	<b>Description</b>	<b>Value</b>	<b>Assessment Time/Days</b>
2023/27	Nancy Bird-Walton Dr Narromine	44/- /DP1271467	Hangar and Storage Shed	\$200,000	12
2023/39	Bimble Box Lane Trangie	7/- /DP755126	Industrial – Fertilizer Silos	\$324,641	35
2023/45	Trangie Collie Rd Trangie	21/- /DP755117	Rural Workers Dwelling	\$700,000	16
2023/48	Mitchell Hwy Narromine	5122/- /DP1083390	Alterations/Additions to Dwelling	\$25,000	16
2023/51	Dappo Rd Narromine	9/- /DP1283562	Single Dwelling	\$384,130	19
2023/52	Narwonah Rd Narromine	12/- /DP747703	Carport, Entertainment room with deck	\$40,000	14
2023/55	Old Backwater Road Narromine	11/- /DP1215128	Storage Shed	\$10,000	12

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**1. DEVELOPMENT APPROVALS (Cont'd)**

There are currently 10 applications under assessment.

***Legal and Regulatory Compliance***

Environmental Planning and Assessment Act 1979  
Environmental Planning and Assessment Regulation 2021

***Risk Management Issues***

Nil

***Internal/ external Consultation***

Nil

**Attachments**

Nil

**RECOMMENDATION**

That the information be noted.

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**2. CONTRIBUTIONS PLAN (7.12) PROJECTS REVIEW**

<b>Author</b>	Director Community and Economic Development
<b>Responsible Officer</b>	Director Community and Economic Development
<b>Link to Strategic Plans</b>	CSP – 3.3.2 Ensure development needs align to utilities infrastructure. LSPS – Priority 1 A safe, active and healthy community. LSPS – Priority 6 Sustain and grow our local population

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**Executive Summary**

This report provides an update for Councillors in regard to projects undertaken as per Council's adopted S.7.12 Contributions Plan which was approved in January 2020 and seeks to vary the projects to be undertaken.

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**Report**

Development contributions are contributions made by those undertaking development approved under the Environmental Planning and Assessment Act 1979. Section 7.12 of the Act provides Council the means to levy contributions towards the cost of public facilities and services to meet the increased demand created by development.

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## **2. CONTRIBUTIONS PLAN (7.12) PROJECTS REVIEW (Cont'd)**

A condition of development consent is imposed by Narromine Shire Council with a requirement that the applicant pay a levy based on a percentage of the proposed cost of carrying out the development, for projects with a value over \$100,000.

A S.7.12 Contributions Policy Plan sets out the framework for the collection of this levy and further outlines how these collected funds may be used. In January 2020 Narromine Shire Council adopted the most recent contributions plan which outlined the works to be undertaken as scheduled in the plan. These works are detailed below and included lighting projects, footpath extensions, improved park amenities and fencing.

The current plan will be reviewed following the 2024 Local Government elections. However as many of the items in the existing plan have been achieved either with general funds or via a larger project a review of the works to be undertaken is recommended. A review in full, or in part, when considered appropriate is allowed under section 3.14 of the Contributions Plan.

As at June 30<sup>th</sup> 2023 the amount of 7.12 contributions being held by Council was \$322,000 with \$278,000 of this fund held for community facilities and \$26,000 held for open space.

The following projects were approved with the Contributions Plan in January 2020, being Appendix 1: Works Schedule. The progress towards completion of the projects along with their priority at that time are seen in Table 1.

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**2. CONTRIBUTIONS PLAN (7.12) PROJECTS REVIEW (Cont'd)**

**Table 1**

Map ref	Project	Location	Total Cost	High Priority	Medium Priority	Low Priority	Status at 2023
1	Cemetery - Develop Lawn Cemetery Extension	Tomingley Road Narromine	\$12,500	\$12,500			Complete
2	Argonauts Park Solar Lighting	Saleyards Road Trangie	\$10,000	\$0	\$10,000		
3	Dicken Park Solar Lighting	Myall Street Tomingley	\$9,500	\$9,500			Complete
4	Apex Park Solar Lighting	Cnr Temoin St and Terangion St, Narromine	\$9,000	\$9,000			
5	Bicentennial Park Solar Lighting	Dandaloo St, Trangie	\$9,000	\$9,000			<b>Planned</b>
6	McKinnon Park Solar Lighting	Oak Crescent, Narromine	\$9,000		\$9,000		<b>Planned</b>
7	Dundas Park Playground Equipment	Cnr Burraway St and Meryula St, Narromine	\$110,000	\$110,000			Complete
8	Park Amenities (various locations), including water efficiency	Apex, Dundas Parks	\$96,500	\$66,500		\$30,000	Nearing Completion
9	Rotary Park Solar Lighting	Culling St, Narromine	\$8,500	\$8,500			

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<b>Footpaths, Cycleways and Pedestrian Facility (PAMP and Bike Plan)</b>							
<b>See below</b>							
<b>10</b>	- Dandaloo Street Narromine	Dandaloo Street Narromine	\$50,000	\$50,000			
<b>11</b>	- Derribong Ave 3m Cycleway stage 3 (23)	Derribong Ave Narromine	\$80,000	\$80,000			Complete
<b>12</b>	- Narromine path upgrades (various locations)	Dandaloo St, Burraway St, CBD, Manildra St, Culling St, Algalah St	\$225,000	\$50,000	\$100,000	\$75,000	Work complete/ underway (\$195K SCCF5, LRCIP 3 \$200K)
<b>13</b>	Main Street - Garbage Bins (Vandal Proof)	Dandaloo Street Narromine	\$52,500	\$31,000	\$21,500		Complete
<b>14</b>	Cale Oval - Playing Field Fencing	Cnr Temoin St and Terangion St, Narromine	\$11,500	\$11,500			Stage one complete needs additional funds
<b>15</b>	Narromine Sport and Fitness Centre - new visual, sound equipment	Cnr Meringo St and Temoin St, Narromine	\$15,000	\$15,000			Complete

Priority in the Plan is based on “high”, “medium” and “low”, which translate into target implementation periods of 2018-2021, 2022-2026, and 2027-2030 respectively.

Given that many of the projects are completed it is recommended that the projects in the works schedule be amended to allow for the following works to be undertaken. The following projects would be scheduled for completion in this financial year.

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**2. CONTRIBUTIONS PLAN (7.12) PROJECTS REVIEW (Cont'd)**

**Table 2: Amended 7.12 projects**

Map ref	Project	Location	Total Cost	High Priority	Medium Priority	Low Priority	Status at 2023
<b>2</b>	Argonauts Park Solar Lighting	Saleyards Road Trangie	\$10,000	\$0	\$10,000		
<b>4</b>	Apex Park Solar Lighting	Cnr Temoin St and Terangion St, Narromine	\$9,000	\$9,000			
<b>5</b>	Bicentennial Park Solar Lighting	Dandaloo St, Trangie	\$9,000	\$9,000			<b>Planned</b>
<b>6</b>	McKinnon Park Solar Lighting	Oak Crescent, Narromine	\$9,000		\$9,000		<b>Planned</b>
<b>8</b>	Park Amenities (various locations), including water efficiency	Apex, Dundas Parks	\$96,500	\$66,500		\$30,000	Nearing Completion

**Footpaths, Cycleways and Pedestrian Facility (PAMP and Bike Plan)**

See below

<b>10</b>	- Dandaloo Street Narromine	Dandaloo Street Narromine	\$50,000	\$50,000			
<b>15</b>	Narromine Sport and Fitness Centre - new visual, sound equipment	Cnr Meringo St and Temoin St, Narromine	\$15,000	\$15,000			

**Cale Oval Narromine. Existing works completion.**

	Disability access path	Cale Oval	\$15,000	\$15,000			<b>Planned</b>
	CCTV installation	Cale Oval	\$30,000	\$30,000			<b>Planned</b>

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	Media room additional viewing	Cale Oval	\$20,000	\$20,000			<b>Planned</b>
	Kitchen item completion	Cale Oval	\$6,000	\$6,000			<b>Planned</b>
	Additional gate and gutter	Cale Oval	\$8,000	\$8,000			<b>Planned</b>
<b>Wetlands- McGrane Way</b>							
	Complete car park and fencing	Wetlands-McGrane Way	\$110,000	\$110,000			<b>Planned</b>
	Signage and trees	Wetlands-McGrane Way	\$35,000	\$35,000			<b>Planned</b>
	Lighting	Wetlands-McGrane Way	\$10,000	\$10,000			<b>Planned</b>
<b>Public Toilets Trangie</b>							
<b>Dandaloo Street Trangie</b>							
	Screening and landscape	Dandaloo Street Trangie	\$10,000	\$10,000			<b>Planned</b>

If confirmed the additional projects will complement the works already undertaken to the Wetlands, Cale Oval and the new amenities in Trangie. These works together with the works planned for the parks in Trangie will enable spending from the existing reserve of \$264,000 in the 2023-24 financial year.

A new works program will be developed in conjunction with the full review of the contribution plan late in 2024.

In accordance with the *Environmental Planning and Assessment Regulation 2021*, Council may amend a contributions plan by a subsequent plan.

As the update to the Contributions Plan Appendix 1: Works Schedule will contribute new projects, the new works schedule should be advertised in accordance with the Regulation for a minimum of 14 days.

## **2. CONTRIBUTIONS PLAN (7.12) PROJECTS REVIEW (Cont'd)**

### ***Financial Implications***

There are no additional financial implications in updating the works table in the contributions plan. Sufficient funds are held in reserve.

### ***Legal and Regulatory Compliance***

Section 7.12 *Environmental Planning and Assessment Act 1979*

Section 215 Amendment or repeal of contributions plan & Section 216 Review of contributions plan in *Environmental Planning and Assessment Regulation 2021*

### ***Risk Management Issues***

Project delays and scope creep are possible. These will be managed by each of the project leaders.

There is minimal risk in amending the contributions plan table as the works recommended are parts of existing projects. A new works schedule will be recommended as part of the more extensive review in late 2024, with a community consultation period.

### ***Internal/External Consultation***

Executive Leadership Team  
Manager Waste and Community Facilities

### **Attachments**

Nil

**As this is a planning decision made in the exercise of a function of a Council under the Environmental Planning and Assessment Act 1979, including a decision relating to an adopted Plan under that Act, a division is required to be called.**

## **RECOMMENDATION**

That Council:

1. Note the projects completed under the Contributions Plan (2019) to date and omit these items from the Plan.
2. Adopt the updated projects and proceed to place a notice on the website for 14 days to publish the intention to amend the Narromine Shire Council Section 7.12 Contributions Plan 2019 with an updated Appendix 1: Works Schedule at the completion of the period.



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**3. GRANT FUNDING – LOCAL ROADS COMMUNITY INFRASTRUCTURE FUNDING ROUND 4**

**Author** Director Community and Economic Development  
**Responsible Officer** General Manager  
**Link to Strategic Plans** CSP – 4.3.3 Ensure sufficient resources to meet current and future needs of the community

**Executive Summary**

This report provides information on the Federal Government's Local Roads and Community Infrastructure Program (LRCIP) Phase 4 that is currently available.

**Report**

The objective of the LRCI Program is to stimulate additional infrastructure construction activity in local communities across Australia.

The funding allocation that has been made available to Narromine Shire Council equates to **\$1,434,419**. This funding is made up of \$909,690 (Part A) funding which can be spent on community infrastructure or roads and (Part B) funding of \$524,729 which must be allocated to roads. LRCIP Phase 4 funding guidelines indicate that construction activity on eligible projects must be undertaken between 1 July 2023 and 30 June 2025.

Allocation of funding to the following projects is recommended:

<b>Project</b>	<b>Description</b>	<b>Location</b>	<b>Value</b>	<b>Council Contribution</b>
Trangie Aquatic Centre	Painting of pool lining to Trangie Aquatic Centre	Trangie	\$50,000	n/a
Cale Oval Fence northern area	Continue with extension of Diplomat style fence surrounding tennis club house and oval.	Narromine	\$60,000	n/a
Narromine Shire Chambers roof	Replace existing roof. Shire Chambers. Repairs to eave, gutters.	Narromine	\$250,000	\$120,000
Trangie library works	Extend rear of library to allow for construction of storage area and disability accessible toilet facilities.	Trangie	\$220,000	
Narromine library works	Change to existing footprint to allow for construction of new staff room, meeting room and disability accessible toilet facilities.	Narromine	\$180,000	

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Local Roads Balance Part A roads contribution	Improvement of unsealed roads (i.e., Resheeting or stormwater improvements)	Shire wide	\$149,690	
Local Roads Part B allocation	Improvement of unsealed roads (i.e., Resheeting or stormwater improvements)	Shire wide	\$524,729	n/a
		<b>TOTAL</b>	\$1,434,419	\$120,000

Should Council resolve to undertake the projects as outlined above, a works program will be required to be submitted to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts for approval.

Once approved works will be programmed.

***Financial Implications***

Council's contribution is limited to \$120,000 which is held in Reserve and in the general fund to undertake the roof repairs.

***Legal and Regulatory Compliance***

Appropriate funding agreements will need to be entered into for the funding program (if works program is successful).

***Risk Management Issues***

Project delays, scope creep, these will be managed by each of the project leaders and relevant Director.

***Internal/External Consultation***

Executive Leadership Team  
 Infrastructure and Engineering  
 Narromine Shire Council 2032 Community Strategic Plan

Attachments

Nil

**RECOMMENDATION**

That the grant funding report be noted.

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**4. PLANNING PROPOSAL FOR DWELLING ENTITLEMENT 211 CERES SIDING ROAD, NARROMINE (LOT 2 DP826750)**

<b>Author</b>	Manager Planning
<b>Responsible Officer</b>	Director Community and Economic Development
<b>Link to Strategic Plans</b>	LSPS – Priority 6 – Sustain and grow our local population.

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**Executive Summary**

The intention of this report is to update the Council on the progress of the Planning Proposal and seek resolution to proceed to an exhibition and consultation period upon approval from DPE in accordance with the Gateway Determination.

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**Report**

Council resolved at the July 2023 meeting to proceed with an amendment to the Narromine Local Environmental Plan 2011 for the site – specific provision of an additional permitted use for a dwelling house at 211 Ceres Siding Rd (Lot 2 DP826750). The Gateway Determination was issued 12 October 2023. The Minister for Planning and Public Spaces has determined that the planning proposal should proceed subject to the conditions in the Gateway determination, and that Council may exercise local plan-making authority functions. A resolution of Council is sought prior to proceeding with the amendment process and the public exhibition period (minimum 20 working days). The Gateway determination also requires the consultation with the Department of Primary Industries- Agriculture, and NSW Rural Fire Service (minimum 30 working days).

Condition 1 requires an update to the Planning Proposal prior to exhibition, to address the following matters:

- a) Amend the Project Timeline to reflect the Gateway determination of the proposal and subsequent milestone for finalisation in seven (7) months (10 May 2024).
- b) Demonstrate consistency with the relevant objectives of the Central West and Orana Regional Plan 2041.

The Gateway Determination requires Council to complete the LEP amendment process within 7 months of the determination i.e. 10 May 2024.

Staff will report to Council after the exhibition and consultation period to review any written objections and submissions.

**Legal and Regulatory Compliance**

Environmental Planning and Assessment Act 1979  
Environmental Planning and Assessment Regulation 2021

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**4. PLANNING PROPOSAL FOR DWELLING ENTITLEMENT 211 CERES SIDING ROAD, NARROMINE (LOT 2 DP826750) (Cont'd)**

**Risk Management Issues**

Addresses site specific merit issues.

Manages expectation and demand and supports growth in the Shire by clarifying development standards.

**Internal/ external Consultation**

In accordance with the Gateway Determination, consultation is required with the following government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- Department of Primary Industries- Agriculture
- NSW Rural Fire Service

It is proposed that this consultation be carried out simultaneously to public exhibition.

Attachments

- *Copy of the Gateway Determination (Attachment No. 1)*

**As this is a planning decision made in the exercise of a function of Council under the EPA Act 1979, a division is required to be called for the motion (section 375A, Local Government Act 1993).**

**RECOMMENDATION**

That Council proceed with exhibition and consultation in line with the requirements of the Gateway Determination for planning proposal additional Permitted Use for a dwelling house at Lot 2 DP826750, 211 Ceres Siding Road, Narromine (Department Ref: PP-2023-746).

**5. PLANNING PROPOSAL – GENERAL AMENDMENT**

<b>Author</b>	Manager Planning
<b>Responsible Officer</b>	Director Community and Economic Development
<b>Link to Strategic Plans</b>	LSPS – Priority 6 – Sustain and grow our local population.

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**Executive Summary**

Following endorsement of the LEP Health Check and Council's resolution to prepare a Planning Proposal for a General Amendment to the LEP to rectify minor mapping and descriptive errors identified, the attached Planning Proposal is now submitted for Council's consideration. Periodic review of Council's LEP is a legislative requirement under section 3.21 of the Environmental Planning and Assessment Act 1979.

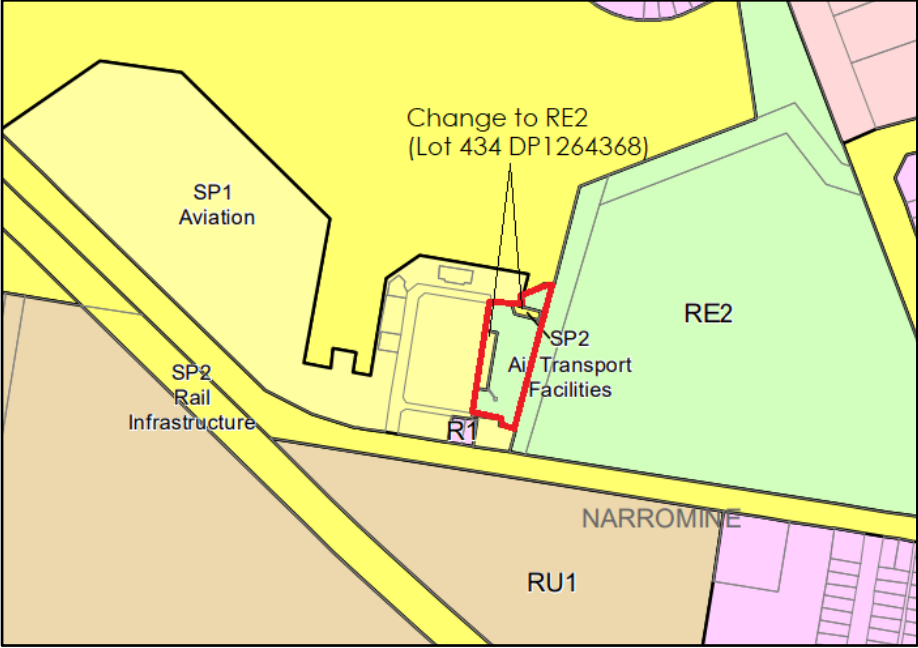
**Report**

The purpose of the LEP amendment is to rectify minor errors identified as part of the LEP Health Check. The following table provides a summary of the proposed changes.

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**5. PLANNING PROPOSAL – GENERAL AMENDMENT (Cont'd)**

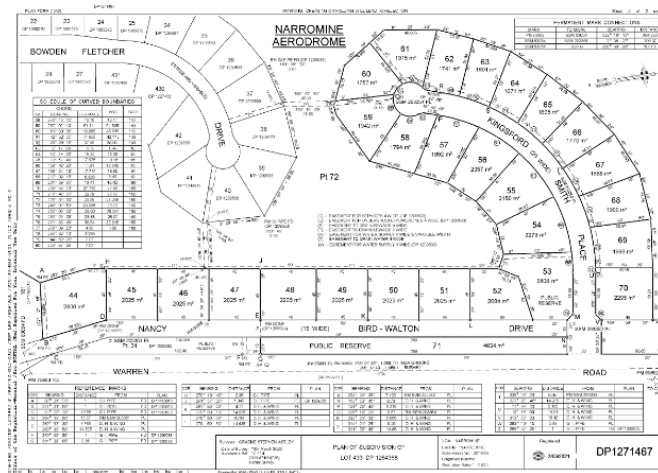
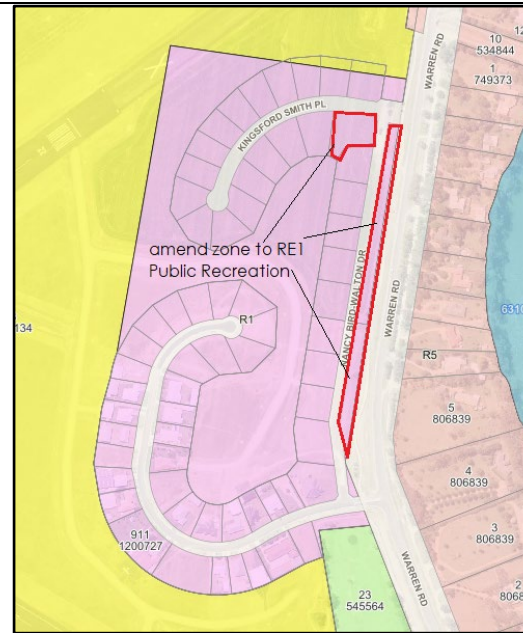
**Table 1: NSC PP2022/1 Amendment summary**

Amendment	Amendment summary	Map
<p>1 Land Zoning Map LZN_004A amendments</p>	<p>A. Split zoning occurs over Lot 434 DP1264368 - Narromine Tourist Park including SP2 Air Transport Facilities RE2 Private Recreation; and SP1 Aviation - Amend LEP mapping to have total site RE2 Private Recreation.</p> <p>REASON: Land held and used as Caravan Park/Motel is most relevant to be zoned RE2. Rectifying maps is appropriate.</p>	

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B. Amend map for Lot 53 and Lot 71 in DP1271467 and pt Lot 34 in DP 1209533 to change from current R1 General Residential zone to be zoned RE1 Public Recreation; and align the zoning extent with lot boundaries as created.

REASON: To reflect the dedication of land for this purpose at the registration of the deposited plans



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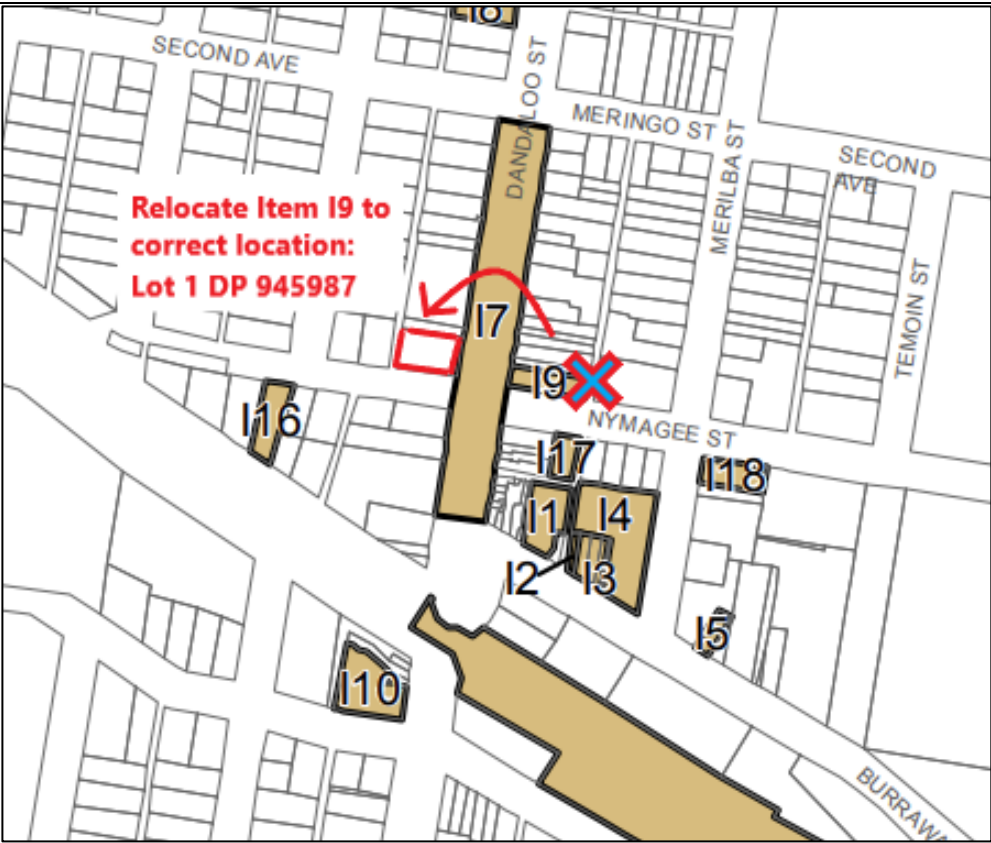
		<p>C. In the location of the Narromine Aerodrome and the Sky Park residential estate it is proposed to align the zone boundary to the lot boundaries and remove split zoned parcels. REASON: This will ensure taxiway land is zoned SP1 and complete residential lots are zoned R1.</p>	
2	<p>Lot Size Map LSZ_004A amendments</p>	<p>The above changes to the zoning map surrounding Skypark will force a change to the lot size map – taxiway change to SP1 will change this area to no minimum lot size as for remainder of SP1 zone. REASON: To ensure minimum lot sizes accurately correlate with the related zones.</p>	



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3 Heritage Map  
HER\_004A  
amendments

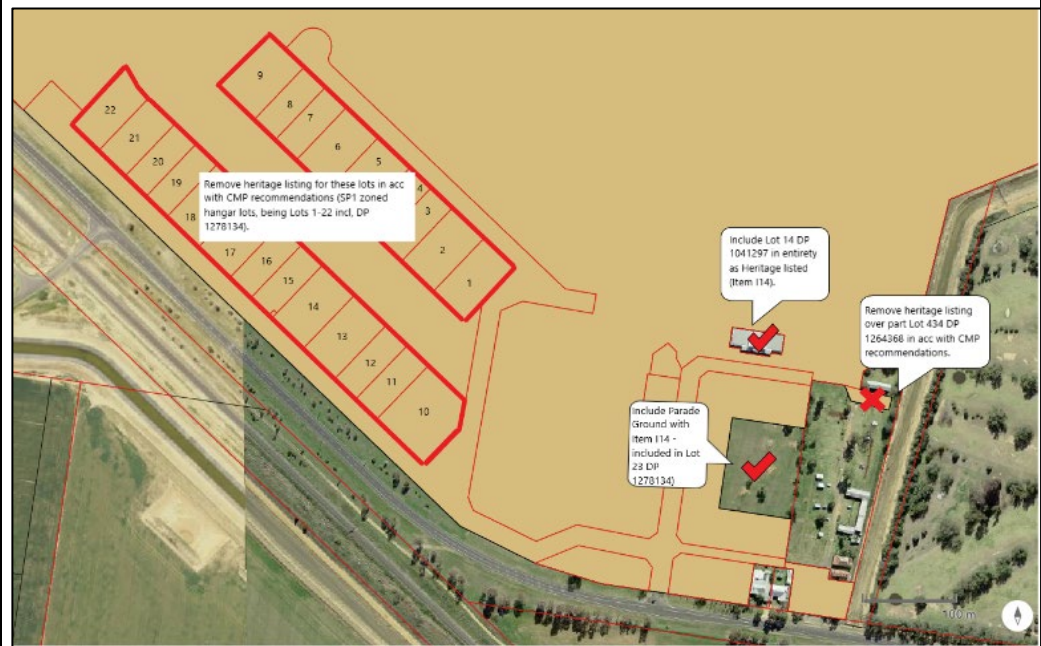
A. Identify correct parcel for  
Item I9.  
REASON: During gazettal  
incorrect land parcels were  
captured and some lots either  
missed or use does not reflect  
heritage listing curtilage.



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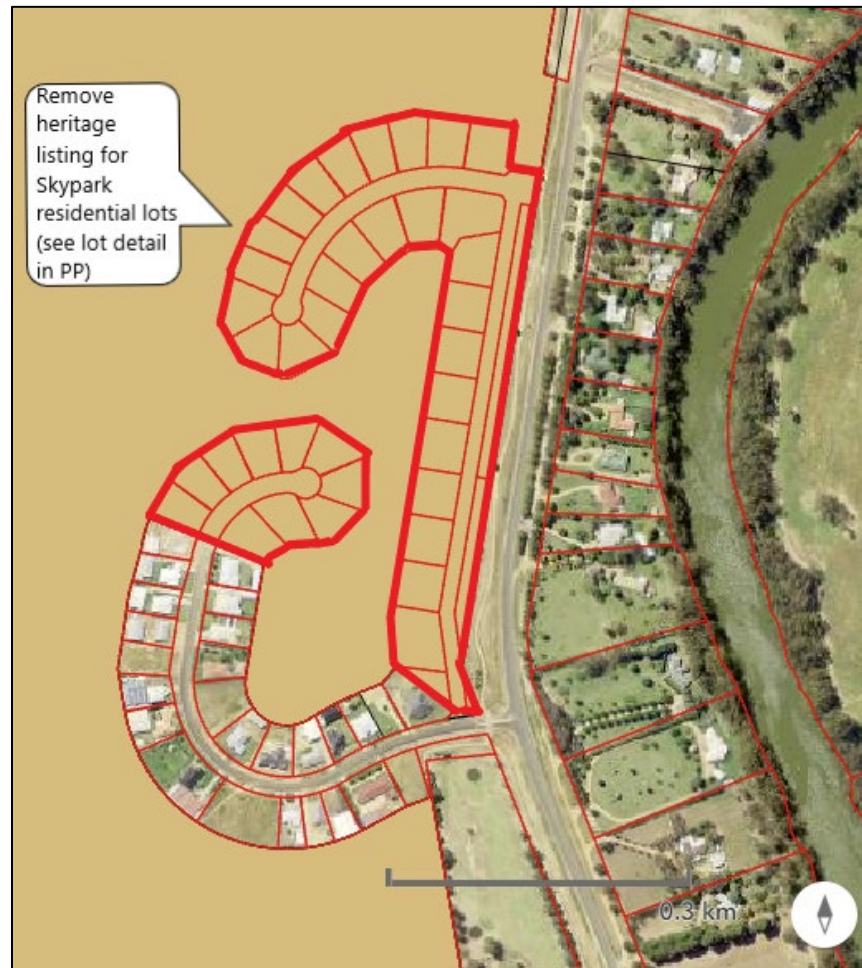
B. Update mapped land associated with Item I14 Narromine Aerodrome to reflect recent subdivisions by:

- Removing identification of heritage item for land associated with Lot 434 DP1264368; and
- Include Lot 14 DP 1041297 as part of the Item I14; and
- Include the Parade Ground (Lot 23 DP 1278134) as part of Item I14; and
- Removing identification of heritage item for multiple lots in recent aviation business park development in Powell Pl and Hayden Ct (Lots 1-22 DP 1278134).

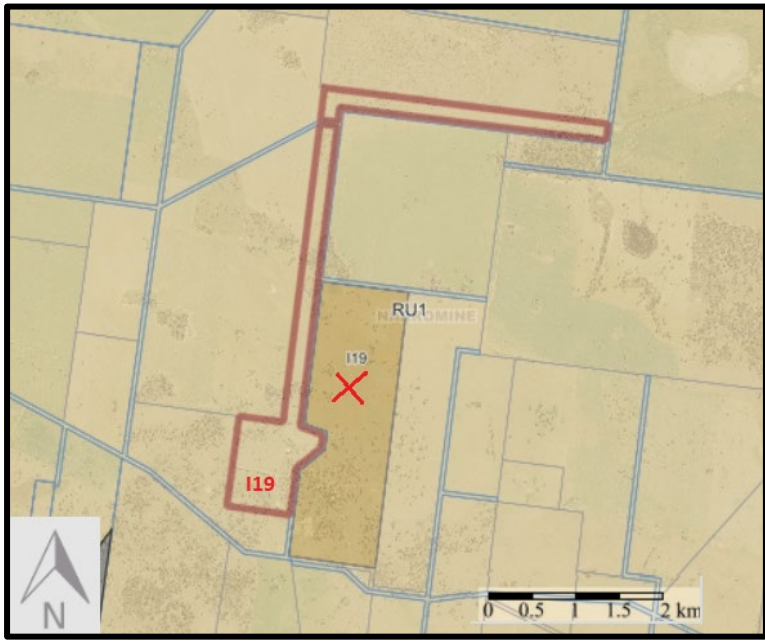


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- Removing identification of heritage item for multiple lots in recent residential development in Nancy Bird-Walton Dr and Kingsford Smith Pl; and



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		<p>C. Update mapping for Item I19 Waterloo Shearing Shed to correct title – Lot 12 DP 755101. Note the long “handle” included in the map is all part of Lot 12.</p>	
4	Schedule 5	Heritage Items - See Table 2 below.	

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**Table 2: Scheule 5 Heritage Items – Amendments**

\*Note: Heritage Items reproduced below in entirety with amendments in **bold red**.

Locality	Item Name	Address	Property Description	Significance	Item No
Narromine	Imperial Hotel	11 Burraway Street	Lot 3, DP 330265	Local	11
Narromine	Butchers shop	15 Burraway Street	Lot A, DP 418646	Local	12
Narromine	Shops	17–21 Burraway Street	Lots B, C and D, DP 418646	Local	13
Narromine	Courthouse Hotel	23–29 Burraway Street	Lot 16, DP 186682	Local	14
Narromine	Courthouse (former)	35 Burraway Street	Lot 6, Section 17, DP 758759	Local	15
Narromine	Mungeribar Homestead and wool shed	1315 Ceres Siding Road	Lot 111, DP 800130	Local	16
Narromine	Median strip garden	Dandaloo Street	Between Meringo Street and <del>Burraway</del> <b>Burroway</b> Burraway Street	Local	17
Narromine	The Abbey	24 Dandaloo Street	Lot 99, DP 739688	Local	18
Narromine	CBC Bank	<del>65 Dandaloo Street</del> <b>72 Dandaloo Street</b>	<del>Lot A, DP 337986</del> <b>Lot 1 DP945987</b>	Local	19
Narromine	Hotel Narromine	116 Dandaloo Street	Lot 13, DP 519453	Local	110
Narromine	Narromine Railway Station	Derribong Avenue	Lot 4, DP 1012153	Local	111
Narromine	Eurombedah Homestead	524 Eurombedah Road	Lot 16, DP 752572	Local	112
Narromine	Buddah Station	Mitchell Highway	Lot 57, DP 755092	Local	113
Narromine	Narromine Aerodrome	Mitchell Highway	<del>Lot 33, DP 1100630</del>	Local	114

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Locality	Item Name	Address	Property Description	Significance	Item No
			<b>Lot 23 DP1278134</b>		
Narromine	House	12 Nymagee Street	Lot 4, DP 224808	Local	116
Narromine	House and bakery	32 Nymagee Street	Lot E, DP 25400	Local	117
Narromine	The Masonic Lodge	<b>52 Nymagee Street 41 Merilba Street</b>	Lot 4, Section 17, DP 758759	Local	118
Narromine	Waterloo shearing shed	<b>Strathallyn Lane Waterloo Road</b>	<b>Lot 32, DP 755129 Lot 12 DP 755101</b>	Local	119
Narromine	Cemetery	Tomingley Road	Lot 7301, DP 1147859; Lot 13, DP 114146; Lot 1, DP 591325; Lot 21, DP 614993	Local	120
Tomingley	Pioneer Cemetery	<b>Biridoo Street 46 Tomingley Cemetery Road</b>	<b>Lot 1, DP 1137823 Lot 184 DP1112718</b>	Local	121
Tomingley	Teamsters Hotel and grave sites	Newell Highway	Lot 1, DP 755110	Local	115
Tomingley	Tantitha Homestead	Tantitha Road	Lot 37, DP 42130	Local	122
Trangie	Soldiers Memorial Hall	66–68 Dandaloo Street	Lots 3–5, Section 2, DP 3903	Local	123
Trangie	Cemetery	Trangie Cemetery Road	Lot 7010, DP 1024967; Lot 1, DP 667963; Lot 1, DP 1111120; Lot 2, DP 1111118, <b>Lot 7300 DP1143224</b>	Local	124



## **5. PLANNING PROPOSAL – GENERAL AMENDMENT (Cont'd)**

Will the above force any other changes?

As the changes proposed are administrative only, including mapping and addressing, other components of the LEP such as objectives of the zones, permissibility within zones and the zoning tables will not change.

### ***Legal and Regulatory Compliance***

Environmental Planning and Assessment Act 1979  
Environmental Planning and Assessment Regulation 2021

### ***Risk Management Issues***

The proposed changes alleviate potential risks in loopholes within Council's planning instrument.

### ***Internal/External Consultation***

In accordance with Environmental Planning and Assessment Act/Regs by Department of Planning, Industry and Environment.

### Attachments

- *Planning Proposal General Amendment (Attachment No. 2)*

**As this is a planning decision made in the exercise of a function of Council under the EPA Act 1979, a division is required to be called for the motion (section 375A, Local Government Act 1993).**

## **RECOMMENDATION**

That Council:

1. Endorse the Planning Proposal General Amendment for the administrative changes outlined in the attached Proposal, and
2. Submit the Planning Proposal to the Department of Planning and Environment for a gateway determination; and
3. Advise the Department of Planning and Environment that the amendment category is "basic" in accordance with their guidelines and as such, Council is requested to be the local plan making authority for this amendment.

**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE**

<b>Author</b>	Manager Planning
<b>Responsible Officer</b>	Director Community and Economic Development
<b>Link to Strategic Plans</b>	Narromine Local Environmental Plan 2011; Narromine Development Control Plan 2011; Narromine Shire Flood Policy for Developments in Urban Floodplains

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**Executive Summary**

Council has received a development application for proposed residential alterations and additions at 167 Dandaloo Street Narromine. The application has requested a variation to the 'Narromine Shire Council Flood Policy for Developments in Urban Floodplains' (adopted February 2011). Certain criteria apply for dwelling additions, to permit building additions to an existing floor height where Council is of the opinion that building up to the residential flood planning level (FPL) would be impractical or unreasonable. One criterion is that "the addition is not to exceed 50% of the floor area of the existing dwelling (habitable floor area)".

The existing dwelling is considered a small cottage. In this application the proponent seeks to exceed the 50% criteria adopted in the Flood Policy with a 59.5% increase to floor area proposed (equates to an additional 15.95m<sup>2</sup>). Which is considered a modest dwelling floor area to result. The flood planning level (FPL) is 239.15mAHD (based on the 1% AEP flood level plus 500mm) – for the floor level of the building additions to be the residential FPL this means to comply the dwelling would need to incorporate a split floor level (difference of 760mm) and split roof line.

Based on the assessment and with the requirement to adopt alternative mitigation and management measures, it is considered acceptable that this development be approved, with no other variations to the criteria, and subject to the recommended conditions of consent.

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**Report**

The application seeks approval to extend and renovate an existing dwelling:

- Existing dwelling is 2-bedroom, 1-bathroom dwelling (existing habitable floor area – 88.6m<sup>2</sup>). The existing finished floor level is 238.39m AHD.
- Proposed additions provide a 3-bedroom, 2-bathroom floor plan (proposed habitable floor area – 148.85m<sup>2</sup>).

The application will require an updated BASIX certificate as the valid date had expired at the time the DA fees were received and the DA officially lodged. It is noted, the BASIX certificates have transferred to the NSW Planning Portal from the previous web-based system in October 2023. Due to functionality issues with the transfer of certificates to the new system, the reissue of a valid certificate (updated date) was not able to be finalised prior to this report. It is intended that the DA and the variation to the Policy be considered without delaying due to technical Portal issues outside the applicant's and Council's control; however, a future determination be only issued when a new certificate is produced.

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**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)**

The following matters have been considered in the assessment of the application.

**Locality and Site Context Map:**



**Property Description:**

Legal Description:

Lot 5B in DP380457

Existing Improvements:

Cottage with car port and separate storage shed.



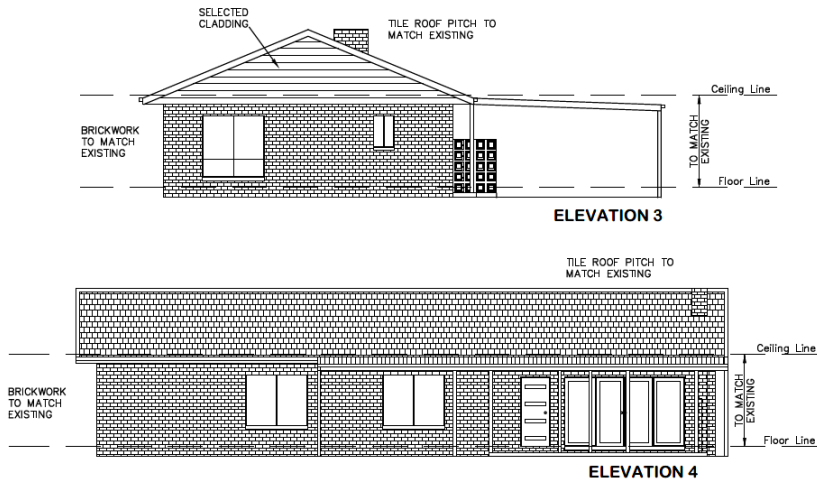
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**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)**



Existing Dwelling -  
  
167 Dandaloo Street, Narromine  
  
2 bedroom brick veneer dwelling with tile roof  
  
Total – 165.25m<sup>2</sup>  
(Existing Floor Plan)

Total 225.5m<sup>2</sup>  
(Proposed Floor Plan)



**Internal Referral Advice:**

Engineering

- Standard condition regarding requirement for s138 for any work in road reserve - noted that upgrade to access is not proposed.

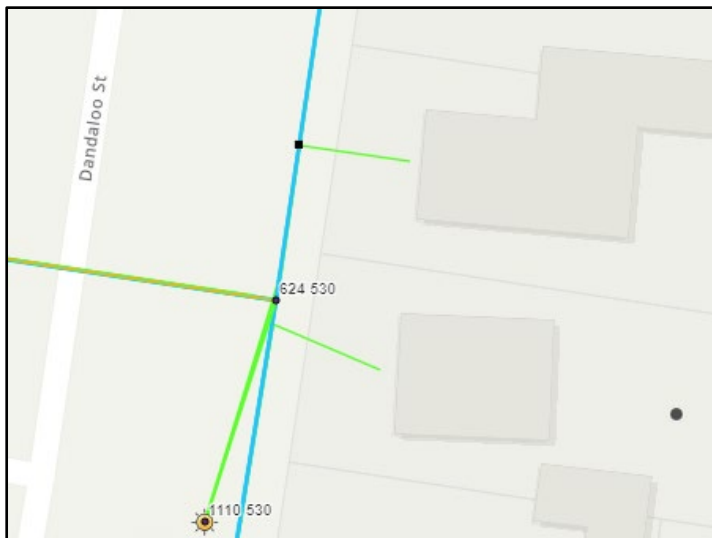
**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)**

Health and Building

- The applicant is to submit to Council prior to the issue of a Construction Certificate structural engineers plans for the footing and use flood compatible materials in the construction.

**Easement(s):**

There are no known easements located on the land.



Electricity transmission line – overhead power runs along Dandaloo Road. Guidelines are able to be referenced:

*“ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Electricity Infrastructure”.*

Water main is located in Dandaloo Street vicinity to the land as depicted, with the sewer main located in the laneway to east.



**Consolidation of Lots:**

There is no requirement to consolidate land to permit the development. The proposed new dwelling extensions are located wholly within one title.

**Section 4.14 Consultation and development consent—certain bush fire prone land**

The land is not identified as mapped Bushfire Prone Land. The development is not required to demonstrate compliance with "Planning for Bushfire Protection".

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**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)**

**Contributions:**

Does the Section 7.11 Contributions Plan apply?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
Does the Section 7.12 Contributions Plan apply?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Does the Developer Services Plan apply?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A

**Comments:** The proposed development is valued over \$100,000 and therefore will be subject to the Contributions Plan. The nominated value was \$120,000. Standard condition to be included in an approval based on contribution levy rate 0.25%.

(Similarly, the Long Service Levy is required to be conditioned).

**Section 4.15(1) Assessment**

**S4.15 (1) (a) (i) The provisions of any environmental planning instrument**

**Local Environmental Plans**

The Narromine Local Environmental Plan 2011 applies to all land within the Narromine Local Government Area. The Land Use Table for the R1 zone includes Dwelling Houses as development permitted with consent. The original dwelling was approved by Council in 1964 (BA1964/42).

Clause 2.3(2) of Narromine Local Environmental Plan 2011 provides that the Council shall have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The objectives of the R1 zone are:

**1 Objectives of zone**

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The alterations and addition to the existing dwelling is consistent with the objectives of the R1 zone.

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**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)**

**State Environmental Planning Policies**

The following State Environmental Planning Instruments (SEPPs) apply to the Narromine Local Government Area:

SEPP Name	COMMENTS
<b>Transport and Infrastructure SEPP</b>	<p><b>2.48 Determination of development applications—other development</b></p> <p>(1) This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—</p> <p>(a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,</p> <p>(b) development carried out—</p> <p style="padding-left: 20px;">(i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or</p> <p style="padding-left: 20px;">(ii) immediately adjacent to an electricity substation, or</p> <p style="padding-left: 20px;">(iii) within 5m of an exposed overhead electricity power line,</p> <p>(c) installation of a swimming pool any part of which is—</p> <p style="padding-left: 20px;">(i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or</p> <p style="padding-left: 20px;">(ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,</p> <p>(d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.</p> <p>(2) Before determining a development application (or an application for modification of a consent) for development to which this section applies, the consent authority must—</p> <p>(a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and</p> <p>(b) take into consideration any response to the notice that is received within 21 days after the notice is given.</p> <p><b>COMMENT:</b> Section 2.48 has been considered and no electricity transmission line is in close vicinity to the proposed development. Referral to Essential Energy not required in this instance.</p>
<b>SEPP (Biodiversity and Conservation) 2021</b>	No clearing of native vegetation is sought that requires approval pursuant to the SEPP.
<b>SEPP (Resilience and Hazards) 2021</b>	<b>4.6 Contamination and remediation to be considered in determining development application</b>

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SEPP Name	COMMENTS
	<p>(1) A consent authority must not consent to the carrying out of any development on land unless—</p> <p>(a) it has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</p> <p>(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</p> <p>(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.</p> <p>(3) The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.</p> <p>(4) The land concerned is—</p> <p>(a) land that is within an investigation area,</p> <p>(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,</p> <p>(c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—</p> <p>(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</p> <p>(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).</p> <p><b>COMMENT:</b>  The land use category is not changing. The land does not have any recorded contamination history associated with planning attributes recorded.</p>
SEPP (Planning Systems) 2021	N/A
SEPP (Industry and Employment) 2021	N/A
SEPP (Resources and Energy) 2021	N/A
SEPP Exempt & Complying Development 2008	Not exempt development and DA required.
SEPP (Primary Production) 2021	N/A
SEPP Housing 2021	N/A
SEPP (Building Sustainability Index: BASIX) 2004	SEE BELOW – certificate lodged for the dwelling in this case.

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**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)**

The following SEPPs are specifically relevant to the assessment of the proposed development:

- **SEPP (Building Sustainability Index: BASIX) 2004**

BASIX statement included with DA submission. Relevant conditions to be included in the determination. (BASIX was outside the 3-month valid date when lodged – as noted above).

**S4.15 (1) (a) (ii) The provisions of any proposed environmental planning instrument**

There are no draft LEPs or draft SEPPs that apply to the subject land.

**S4.15 (1) (a) (iii) The provisions of any development control plan**

Narromine Shire Council Development Control Plan 2011 applies to the land. The following DCP clauses are specifically relevant to the assessment of the proposed development: Chapter 5(a) Residential development is applicable.

<b>Development Standards</b>	<b>Comment</b>	<b>COMPLIES – Y/N</b>
<p><b>Building Siting and Design</b></p> <p>The same distance as on or the other adjoining buildings, provided the difference between the setbacks is less than or equal to 2m ELSE the average of the setbacks of the adjoining buildings.</p>	<p>Side and rear setbacks ok.</p> <p>Side setback is a continuation of the existing.</p>	Y
<p><b>Building Height</b></p> <p>Building heights are to be similar to those in the public streetscape.</p>	<p>Single storey proposed to match existing dwelling.</p>	Y
<p><b>Fencing</b></p>	<p>Where overland flooding is likely to occur, fences should provide for the movement of water.</p>	No condition required for new fencing.
<p><b>Private Open Space</b></p> <p>20% of the lot area with min depth 5m</p>	<p>Greater than 50% of site area is available as POS.</p>	Y
<p><b>Landscaping</b></p>	<p>BASIX commitments noted.</p> <p>Landscaping plan will be required prior to CC to demonstrate BASIX commitments.</p>	Y



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<p><b>Privacy</b></p> <p>Habitable windows not to align with adjoining development.</p>	<p>POS is in rear area of lot. Acceptable.</p>	<p>Y</p>
<p><b>Building Design</b></p> <ul style="list-style-type: none"> <li>• Building materials are naturally textured and coloured and are sympathetic to the natural environment and are not reflective;</li> <li>• Windowless facades are avoided on street frontages;</li> <li>• Building design facilitates surveillance of streets and open spaces;</li> <li>• Habitable areas (lounge, family rooms) should be designed and positioned within the dwelling to have a northerly or north-easterly aspect. This should be through a north - south or east-west building orientation.</li> </ul>	<ul style="list-style-type: none"> <li>• Building material is use of brickwork to match existing - acceptable.</li> <li>• No windowless facades are proposed.</li> <li>• Extension retains the living area with northern glass doors /windows.</li> </ul>	<p>Y</p>
<p><b>Domestic Outbuildings</b></p>	<p>Existing shedding.</p>	<p>N/A</p>
<p><b>Flooding</b></p> <p>Located in the Intermediate Flood plain area –</p> <p>Habitable floor level to be above FPL;</p> <p>Building components below the FPL are constructed with flood compatible materials.</p>	<p>Applicable –conditions for flood related conditions are required.</p>	<p>N- be addressed below in this report – variation to Flood Policy sought.</p>
<p><b>Access and Car Parking</b></p>	<p>S138 application conditioned for any driveway works.</p>	<p>Y to be conditioned.</p>

**S4.15 (1) (a) (iia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4.**



**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)**

There are no planning agreements relating to the site. The applicant has not requested Council to enter into any form of planning agreement.

**S4.15 (1) (a) (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)**

Part 4 of the Environmental Planning and Assessment Regulation 2021 specifies additional matters that must be taken into consideration by a consent authority in determining a development application. Consideration of these matters is included below:

- **Clause 61 - Additional matters that consent authority must consider -**

(1) In determining a development application for the demolition of a building, the consent authority must consider the Australian Standard AS 2601—2001: The Demolition of Structures.....

Comment: - Demolition works are not proposed and other matters are not applicable to this development.

- **Clause 62 - Consideration of fire safety**

(1) *This section applies to the determination of a development application for a change of building use for an existing building if the applicant does not seek the rebuilding or alteration of the building.*

(2) *The consent authority must—*

(a) *consider whether the fire protection and structural capacity of the building will be appropriate to the building's proposed use, and*

(b) *not grant consent to the change of building use unless the consent authority is satisfied that the building complies, or will, when the development is completed, comply, with the Category 1 fire safety provisions that are applicable to the building's proposed use.*

(3) *Subsection (2)(b) does not apply to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the [Environmental Planning and Assessment \(Development Certification and Fire Safety\) Regulation 2021](#).*

Comment: - This application does not propose to include change of use of the existing structures.

- **Clause 63- Temporary Structures** - not relevant to the proposal.

- **Clause 76 - Deferred Commencement** - not relevant to the proposal.

- **Clause 77 – Ancillary aspects of development** - not relevant to the proposal.

- **Clause 67 - Modification or surrender of development consent or existing use** - not relevant to the proposal.

**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)**

• **Clause 75 - Fulfilment of BASIX commitments –**

*It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled—*

- (a) BASIX development,
- (b) BASIX optional development, if the development application was accompanied by a BASIX certificate.

Comment – Conditions applied to ensure BASIX commitments are met.

**S4.15 (1) (b) the likely impact on the natural and built environment(s) and the likely social and/or economic impact on the locality**

- **Context and Setting** – The setting is characterised by the transport corridor and is within an existing residential area.
- **Land Use Conflict** –  
No adverse impact identified. The surrounding lots are similarly developed for single residential dwellings. The potential for interference on amenity in the construction period is to be addressed through standard conditions.
- **Access and Traffic** –No change is proposed as part of the application to the existing driveway access arrangements.
- **Public Domain** – No adverse impact identified.
- **Utilities** – Standard conditions should be applied to ensure utility services are avoided. Vicinity of overhead power lines addressed in this report, with no referral to Essential Energy required.
- **Heritage** – No nearby locally listed items. No issues are envisaged in the developed site; standard condition should be applied for unexpected finds.
- **Other land resources** – N/A
- **Bushfire** – Not applicable. Not mapped within a bush fire prone area.
- **Surface Water and Groundwater** –The development is unlikely to cause impact to adjoining land. Standard conditions for connection to street for drainage to be included (separate s68 application was not applied for with the DA). S68 requirement conditions to be included with DA approval. It is unlikely a new outlet to the street will be required and existing drainage from the dwelling will be utilised. Clause 6.6 Groundwater vulnerability of the Narromine Local Environmental Plan 2011 applies to land identified as “Vulnerable Land” on the Groundwater Vulnerability Map. The provisions of the clause have been considered and the residential extension should be able to avoid any environmental impact to groundwater (no conditions required).

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**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)**

- **Soils** - No adverse impact identified. Standard conditions adequate to ensure erosion and sediment control measures are adopted.
- **Air & Microclimate** – No adverse impacts identified for residential occupation.
- **Noise and Vibration** - Construction period to be conditioned for hours of work. No adverse impacts envisaged.
- **Flora and Fauna** - No native vegetation to consider. No street trees proposed to be removed.
- **Waste** - No adverse impact identified. Standard waste management required for construction.
- **Natural Hazards** – The land is within a mapped flood affected area.

Clause 5.21 Flood Planning within the Narromine Local Environmental Plan 2011 applies to land.

**5.21 Flood planning**

(1) *The objectives of this clause are as follows—*

- (a) *to minimise the flood risk to life and property associated with the use of land,*
- (b) *to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,*
- (c) *to avoid adverse or cumulative impacts on flood behaviour and the environment,*
- (d) *to enable the safe occupation and efficient evacuation of people in the event of a flood.*

(2) *Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—*

- (a) *is compatible with the flood function and behaviour on the land, and*
- (b) *will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) *will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*
- (d) *incorporates appropriate measures to manage risk to life in the event of a flood, and*
- (e) *will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*

(3) *In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—*

- (a) *the impact of the development on projected changes to flood behaviour as a result of climate change,*
- (b) *the intended design and scale of buildings resulting from the development,*
- (c) *whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,*
- (d) *the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.*

(4) *A word or expression used in this clause has the same meaning as it has in the Considering Flooding in Land Use Planning Guideline unless it is otherwise defined in this clause.*

(5) *In this clause—*

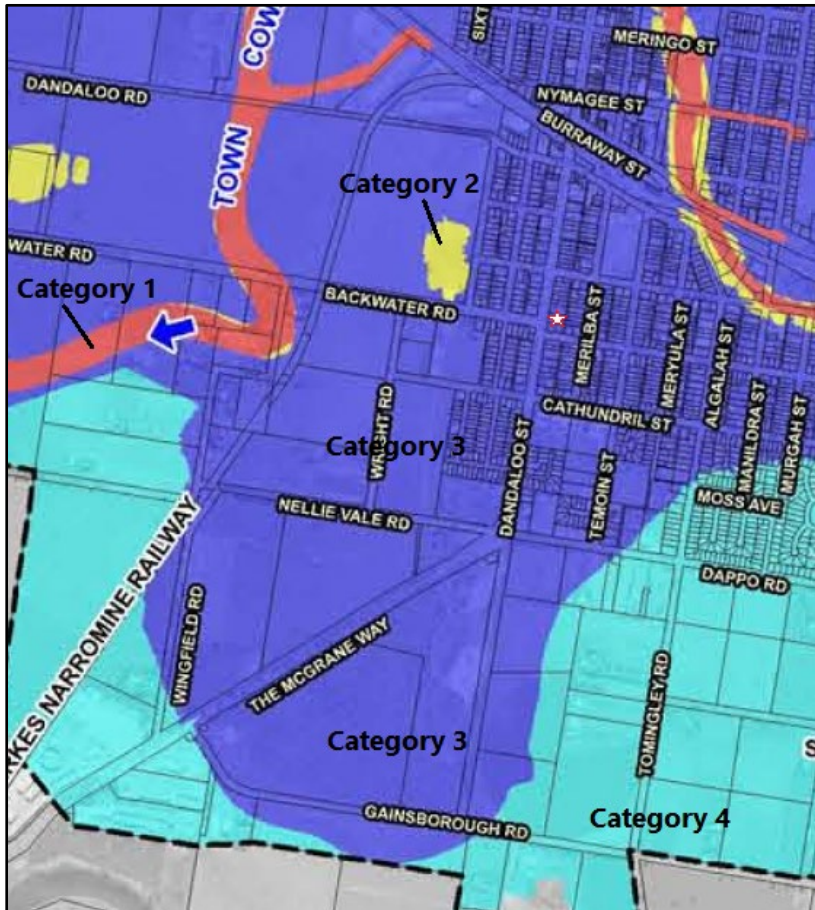
**Considering Flooding in Land Use Planning Guideline** means the Considering Flooding in Land Use Planning Guideline published on the Department's website on 14 July 2021.

**flood planning area** has the same meaning as it has in the Floodplain Development Manual.

**Floodplain Development Manual** means the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)**

The scale of the proposed extension is minimal in comparison to other new builds that are permitted in the flood affected R1 zoned area. The Council's Flood Policy is considered further and also addresses the compatibility of the proposed development with flood potential. The development is unlikely to cause any flood affectation of other properties due to the scale of development.



Excerpt Narromine Town Floodplain Risk Management Study and Plan update (Figure D1.2)

The subject land falls within **Flood Planning Constraint Category 3** - Comprises areas that lie below the **Flood Planning Level (FPL)**. (Previously referenced as the 'Intermediate floodplain').

The **FPL** is defined by the peak 1% AEP flood level plus the addition of a 0.5m freeboard.

Narromine Shire Council Flood Policy for Developments in Urban Floodplains (adopted February 2011) is applicable to the development site.

The development application seeks a variation to the Policy.

Note E within the Policy states:

*"For all new developments, it is recognised in this policy that the residential FPL is the minimum benchmark for floor levels. Additions are separately categorised in Annexure 1 for instances where building up to the residential FPL is impractical or unreasonable. Appendix I 6.3.2 of the Floodplain Development Manual 2005 states that additions can be built below the FPL 'where, in the opinion of Council, the floor level requirement is impractical or unreasonable'."*

**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)**

The Policy position guides interpretation in this regard. A range of criteria has been applied to clarify instances where Council is of the opinion that building up to the residential FPL would be impractical or unreasonable. For dwelling additions:

- The addition is not to exceed 50% of the floor area of the existing dwelling (habitable floor area), and
- The addition is to be designed to withstand the force of floodwaters including debris and buoyancy forces. A detailed report from a practising structural engineer certifying that the addition can achieve this is required.
- The addition is proposed to be built from flood compatible materials (as included in Annexure 3) up to the 1% plus 500mm level.

The Policy states:

If an addition to a dwelling meets all of the above criteria, it may be built at the same floor level as the existing building. Council reserves the right to review each application submitted and potentially applying to this section on individual merits and in some cases, building up to the residential FPL may be warranted. Applications submitted under this subsection of the Policy (Dwelling Additions) may only be approved once for each individual allotment or building, to ensure cumulative impacts are minimised/controlled.

The circumstances of this case are unique. The dwelling is a modest 2-bedroom dwelling (Floor area 88.6m<sup>2</sup>) located on a 1012m<sup>2</sup> parcel of land.

The proponent seeks to exceed the 50% criteria with a 59.5% increase to floor area proposed (equates to an additional 15.95m<sup>2</sup>). Which is considered a modest dwelling floor area to result. The flood planning level (FPL) is 239.15mAHD (based on the 1% AEP flood level plus 500mm) – for the floor level of the building additions to be the residential FPL this means to comply the dwelling would need to incorporate a split floor level (difference of 760mm) and split roof line.

The application was supported by a letter with justification to the variation and seeking the Council consider the development on its merits. Reasons to support the proposal are summarised:

- The current floor height of the dwelling is 238.39mAHD (0.325m above natural ground level).
- Maintaining the one floor height is paramount to the design approach taken for the additions and provides architectural adhesion to the dwelling.
- Uneven floor heights would reduce the usability of the living spaces and integration of the additions.
- The roof height would also need to be altered significantly to raise the floor level further. The context of the small cottage in the streetscape would not be supported with higher split roof.
- The existing dwelling uses flood compatible building choices and the extension will continue this throughout.

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**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)**

<b>Building Component</b>	<b>Flood Compatible Material</b>
Doors	Solid panel with waterproof adhesives Flush door with marine ply filled with closed cell foam Painted material construction Aluminium or galvanised steel frame
Floor Covering	Vinyl sheets or tiles with chemical-set adhesive Ceramic tiles, fixed with mortar or chemical set adhesive Removable rubber-backed carpet
Flooring and Sub Floor Structure	Pier and beam construction
Insulation	Foam or closed cell types
Nails, Bolts, Hinges and Fittings	Galvanised Removable pin hinges
Wall and Ceiling Linings	Brick- External walls Concrete Steel with waterproof applications Waterproof grout Plastic sheeting or wall with waterproof adhesive
Internal Wall Electricals	Power sockets, lights and switches will be situated above the Flood Level height
Windows	Aluminium frame with stainless steel or brass rollers

- Safety of the occupants are no more put at risk.
- The applicant states: *“Presently, the two-bedroom house provides limited space, which poses challenges for a family of four with growing children. Our design approach takes into account the necessity for additional room to accommodate the evolving needs of the family. The expansion has been thoughtfully conceived to not only enhance functionality but also to address the practical requirements of a growing family. The proposed addition is of a moderate scale, particularly when considering that the new floor plan size remains below the average square footage typically found in Australian suburban homes. The floor plan will encompass dimensions akin to those observed in neighbouring residences within the vicinity. The floor plan in question surpasses the 50% mark...”*.

It is noted that in the Update to the 2021 Flood Study, which included draft DCP provisions, the limitation to 50% for dwelling additions is not included as a proposed development standard. The proposed additions represent a minor increase to the criteria and can be approved on the basis of merit in the unique circumstances of this case. Overall the development is supported subject to conditions.

**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)**

- **Technological Hazards** – No issues raised, the occurrence of asbestos is to be assessed prior to commencement of work.
- **Safety Security and Crime Prevention** – The construction site is to be kept secure at all times. Adequate sight is available from the front entry to the street.
- **Social Impact in the Locality** – No significant social issues are raised due to the development. The
- **Economic Impact in the Locality** – Minor positive impact.
- **Site Design and Internal Design** – The Dwelling extension will be wholly located on the subject allotment and is of a design that is acceptable for the location (and known restrictions).
- **Cumulative Impacts** – No adverse impacts are raised.

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**S4.15 (1) (c) The suitability of the site for the development,**

The site has the capacity to support the proposal without creating adverse impacts on the site and adjoining land – subject to conditions.

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**S4.15 (1) (d) Any submissions made in accordance with this Act or the regulations,**

The application was not notified to neighbours.

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**S4.15 (1) (e) the public interest**

The proposal is assessed to pose no significant impacts on the public interest.

***Legal and Regulatory Compliance***

This development assessment has been undertaken consistent with Council's obligations under the Environmental Planning and Assessment Act, 1979, as amended.

***Financial Implications***

No financial issues are identified.

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**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)**

***Risk Management Issues***

Conditions of consent have been recommended.

***Internal/External Consultation***

During the development assessment stage statutory consultation have been undertaken in accordance with Environmental Planning and Assessment Act and Regulation.

**As this is a planning decision made in the exercise of a function of a Council under the Environmental Planning and Assessment Act 1979, including a decision relating to a development application under that Act, a division is required to be called.**

**RECOMMENDATION**

That Council determine to approve the Development Application DA2023/38 pursuant to section 4.16 of the EP&A Act, subject to the receipt of an updated BASIX Certificate with a valid date and subject to conditions outlined in Annexure A.

**Annexure A**

**GENERAL CONDITIONS**

Condition					
<b>1</b>	<b>Approved plans and supporting documentation</b>				
	Development of the <b>Alterations and Additions to Dwelling</b> must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.				
	<b>Plan No.</b>	<b>Ref No.</b>	<b>Plan Title.</b>	<b>Drawn By.</b>	<b>Dated.</b>
	Sheet 1/5	Issue E	Existing Floor Plan 167 Dandaloo Street, Narromine Andrew Dixon Prepared by Avalon Drafting	NT	23.08.2023
	Sheet 2/5	Issue E	Proposed Floor Plan 167 Dandaloo Street, Narromine Andrew Dixon Prepared by Avalon Drafting	NT	23.08.2023
	Sheet 3/5	Issue E	Elevations 167 Dandaloo Street, Narromine Andrew Dixon Prepared by Avalon Drafting	NT	23.08.2023



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Condition				
Sheet 4/5	Issue E	Site Plan 167 Dandaloo Street, Narromine Andrew Dixon Prepared by Avalon Drafting	NT	23.08.2023
Sheet 5/5	Issue E	BASIX Commitments and Typ Section 167 Dandaloo Street, Narromine Andrew Dixon Prepared by Avalon Drafting	NT	23.08.2023
Document Title.	Certificate No.	Prepared By.	Dated.	
BASIX Certificate Project: <i>(Insert TBC)</i>	<i>TBC</i>	<i>TBC</i>	<i>TBC</i>	
<p>In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.</p> <p><b>NOTE:</b> an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.</p>				
<p>Condition Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>				

**BUILDING WORK  
BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

Condition	
<b>2</b>	<p><b>Design amendments</b></p> <p>Before the issue of a construction certificate, the certifier must ensure the approved construction certificate plans (and specifications) detail the following required amendments to the approved plans and supporting documentation stamped by Council and are in accordance with the approval conditions.</p> <ul style="list-style-type: none"> <li>a. Plans are required that demonstrate compliance with the BASIX commitments and note use of flood compatible materials up to the Flood Planning Level (FPL).</li> <li>b.</li> </ul>
<p>Condition Reason: To require minor amendments to the approved plans and supporting documentation following assessment of the development &amp; to ensure the amenity for occupants has been addressed through appropriate design.</p>	

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Condition	
<b>3</b>	<p><b>Flood Planning Level</b></p> <p>The dwelling addition is to be constructed so that the finished floor level of the habitable rooms is no lower than the existing floor level. The additions are to have flood compatible building components below the Flood Planning Level (FPL). This level should be determined in accordance with Council's Flood Policy and the Narromine Floodplain Risk Management Study &amp; Plan 2021. At the time of this consent a FPL of <b>239.15 metres AHD</b> is applicable to the land. The FPL at the time of construction should be confirmed in writing by Council prior to any works starting to account for any updates to the Flood Study and apply updated data to determine the relevant FPL.</p> <p>Condition Reason: The land falls within a known flood affected area and design is to be compatible with the flood behavior and hazard for the location.</p>
<b>4</b>	<p><b>Payment of building and construction industry long service levy</b></p> <p>Before the issue of a construction certificate, the applicant is to ensure that the person liable pays the long service levy to be calculated based on a cost estimate prepared by a suitably qualified person to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier. The cost estimate and proof of payment is required to be provided to the certifier prior to issue of construction certificate.</p> <p>From 1 January 2023 the levy rate will be 0.25% of the cost of building and construction works and will only be payable if the cost of works is \$250,000 and above (inclusive of GST). This payment can be made directly to the Long Service Levy Corporation. All benefits and requirements are determined by the <i>Building and Construction Industry Long Service Payments Act 1986</i>.</p> <p>Based on the supplied value (\$120,000) the current levy payable is <b>\$0</b> (An updated Cost Estimate maybe required prior payment). This payment can be made directly to the Long Service Corporation. All benefits and requirements are determined by the Building and Construction Industry Long Service Payments Act 1986. Refer to the website for information on where to pay <a href="https://www.longservice.nsw.gov.au/bci/levy/paying-the-levy/where-to-pay-the-levy">https://www.longservice.nsw.gov.au/bci/levy/paying-the-levy/where-to-pay-the-levy</a></p> <p>Condition Reason: To ensure the long service levy is paid.</p>

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Condition												
<b>5</b>	<b>Payment of section 7.12 contributions</b>											
<p>Pursuant to section 7.12 of the Environmental Planning and Assessment Act 1979, the monetary contribution set out in the following table is to be paid to Council prior to the issue of a Construction Certificate. The contribution is to be levied in accordance with the Narromine Shire Council Section 7.12 Contributions Plan 2019, adopted on 29 January 2020.</p> <p>Contribution amounts are to be calculated by Council upon the receipt of a cost estimate prepared by a suitably qualified person. The contribution payable will be calculated in accordance with the contributions plan current at the time of payment, and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS).</p> <p><b>NOTE:</b> Contribution amounts will be adjusted by Council each quarter. The current amount payable based</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Contribution Type</th> <th style="width: 20%;">Proposed Cost of Development</th> <th style="width: 20%;">Levy Payable (%)</th> <th style="width: 30%;">Total Payable</th> </tr> </thead> <tbody> <tr> <td>Section 7.12 Contribution</td> <td style="text-align: center;">\$120,000</td> <td style="text-align: center;">0.25%</td> <td style="text-align: center;"><b>\$300</b></td> </tr> </tbody> </table>					Contribution Type	Proposed Cost of Development	Levy Payable (%)	Total Payable	Section 7.12 Contribution	\$120,000	0.25%	<b>\$300</b>
Contribution Type	Proposed Cost of Development	Levy Payable (%)	Total Payable									
Section 7.12 Contribution	\$120,000	0.25%	<b>\$300</b>									
<p>Condition Reason: To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development.</p>												
<b>6</b>	<b>Location of Switchboards/meters</b>											
<p>Switchboards for gas, electricity, etc must not be attached to the front or street facing elevations of the building.</p> <p>Condition Reason: Visual amenity has been addressed through appropriate design.</p>												
<b>7</b>	<b>Erosion and sediment control plan</b>											
<p>Before the issue of a construction certificate the applicant is to ensure that an erosion and sediment control plan is prepared in reference to the following documents:</p> <ul style="list-style-type: none"> <li>• Council's development control plan, and</li> <li>• The guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book).</li> </ul> <p>The applicant must ensure the erosion and sediment control plan is kept on-site at all times during site works and construction.</p> <p>Condition Reason: To ensure no substance other than rainwater enters the stormwater system and waterways.</p>												

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Condition	
<b>8</b>	<b>Other approvals pursuant to LG Act</b>
	Prior to the issue of a construction certificate, an approval pursuant to Section 68 of the Local Government Act 1993 is required to be issued by Council for all plumbing and drainage work, and discharge point to the street system.
	Condition Reason: To ensure all drainage, house sewer and plumbing work is carried out in accordance with the relevant requirements and the Local Government Act, 1993.

**BEFORE BUILDING WORK COMMENCE**

Condition	
<b>9</b>	<b>Hazardous material</b>
	An assessment of the parts of the building to be demolished shall be undertaken to determine if there is any asbestos material present. If asbestos is found to be present, works must be undertaken by a licensed contractor and waste disposed of at an appropriately licensed facility.
	Condition Reason: To ensure waste is appropriately classified and managed in accordance with legislative requirements.
<b>10</b>	<b>Erosion and sediment controls in place</b>
	Before the commencement of any site or building work, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan, are in place, and remain until the site is rectified (at least 70% ground cover achieved over any bare ground on site).
	Condition Reason: To ensure runoff and site debris do not impact local stormwater systems and waterways.
<b>11</b>	<b>Signs on site</b>
	A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out: <ul style="list-style-type: none"> <li>a) showing the name, address and telephone number of the principal certifier for the work, and</li> <li>b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and</li> <li>c) stating that unauthorised entry to the work site is prohibited.</li> </ul> <p>Any such sign is to be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed.</p> <p><b>NOTE:</b> This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.</p>
	Condition Reason: Prescribed condition EP&A Regulation, clause 70.

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Condition	
<b>12</b>	<p><b>Compliance with Home Building Act</b></p> <p>In the case of residential building work for which the <i>Home Building Act 1989</i> requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.</p> <p>Condition Reason: Prescribed condition EP&amp;A Regulation, clause 69.</p>
<b>13</b>	<p><b>Home Building Act requirements</b></p> <p>Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the following information –</p> <p>a) In the case of work for which a principal contractor is required to be appointed—</p> <ol style="list-style-type: none"> <li>1. the name and licence number of the principal contractor, and</li> <li>2. the name of the insurer by which the work is insured under Part 6 of that Act,</li> </ol> <p>b) In the case of work to be done by an owner-builder—</p> <ol style="list-style-type: none"> <li>1. the name of the owner-builder, and</li> <li>2. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.</li> </ol> <p>If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.</p> <p>Condition Reason: Prescribed condition EP&amp;A Regulation, clause 71.</p>
<b>14</b>	<p><b>Damage to Public Assets</b></p> <p>The developer or his agent must undertake a site inspection of the adjacent kerbs, gutters, footpaths, walkways, carriageway, reserves and the like, prior to commencement of work and document evidence of any damage to existing assets.</p> <p>Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the applicant's expense. Any damage to Council's infrastructure that occurs as a result of the development must be repaired immediately to Council's satisfaction and at no cost to Council.</p> <p>Condition Reason: To establish and document the conditions of property and public land for comparison as building work progresses and is completed.</p>

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Condition	
<b>15</b>	<b>Existing Services</b>
	Costs associated with all development works including any necessary alteration, relocation of services, public utility mains or installations must be met by the developer. The developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition.
	Condition Reason: To ensure relevant utility service providers requirements can be met.
<b>16</b>	<b>Avoid Services</b>
	Structures are to be located at least 1500mm away from the centre line of any sewer or stormwater pipe and such, that they do not encroach into any existing or required easement.
	Condition Reason: To protect Council infrastructure.

**DURING BUILDING WORK**

Condition	
<b>17</b>	<b>Surveys by a registered surveyor</b>
	While building work is being carried out, a registered surveyor survey is required to measure and mark the positions of the following and provide them to the principal certifier —
	<ul style="list-style-type: none"> <li>a) A Survey Certificate building set out survey must be submitted at the completion of the building work certifying the location of the building in relation to boundaries of the allotment.</li> <li>b) At other stages of construction – any marks that are required by the principal certifier.</li> </ul>
	Condition reason: To ensure buildings are sited and positioned in the approved location.
<b>18</b>	<b>Hours of work</b>
	The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:
	7:00am to 6:00pm on Monday to Friday 8:00 am to 1pm on Saturday
	The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency. Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.
	<b>NOTE:</b> Any variation to the hours of work requires Council's approval.
	Condition Reason: To protect the amenity of the surrounding area.

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Condition	
<b>19</b>	<p><b>Section 138 Roads Act</b></p> <p>Under Section 138 of the Roads Act 1993, should any work on the verge, footpath, or public road reserve be required, a separate Section 138 Roads Act Approval will need to be obtained from Council. The conditions of a s138 approved by Council are to be complied with prior to works commencing in the road reserve.</p> <p>Condition Reason: To ensure compliance with the Roads Act and Council policy</p>
<b>20</b>	<p><b>Stormwater Disposal</b></p> <p>The guttering, downpipes and stormwater system is to be installed and connected to a rainwater tank and/or the approved disposal point in consultation with Council, as soon as the roof sheeting is positioned to prevent erosion of the site from roof water. Proposed stormwater work is to be subject to an approval pursuant to s68 of the Local Government Act. Drainage works are to be designed and constructed in accordance with AS/NZS 3500.3.2 – Stormwater drainage and the Building Code of Australia.</p> <p>Condition reason: To assist in the prevention of erosion of the site from storm water.</p>
<b>21</b>	<p><b>Compliance with the Building Code of Australia</b></p> <p>Building work must be carried out in accordance with the requirements of the BCA.</p> <p>Condition reason: Prescribed condition - EP&amp;A Regulation clause 69.</p>
<b>22</b>	<p><b>Procedure for critical stage inspections</b></p> <p>While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate</p> <p>Condition reason: To require approval to proceed with building work following each critical stage inspection.</p>
<b>23</b>	<p><b>Implementation of the site management measures</b></p> <p>While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by site management conditions and the erosion and sediment control plan are implemented at all times. The applicant must ensure a copy of this plan is kept on site at all times and made available to Council officers upon request.</p> <p>Condition reason: To ensure the required site management measures are implemented during construction.</p>
<b>24</b>	<p><b>Implementation of BASIX commitments</b></p> <p>While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent.</p> <p>Condition reason: While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent.</p>

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Condition	
<b>25</b>	<p><b>Construction noise</b></p> <p>While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.</p> <p>Condition reason: To protect the amenity of the neighbourhood.</p>
<b>26</b>	<p><b>Responsibility for changes to public infrastructure</b></p> <p>While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).</p> <p>Condition reason: To ensure payment of approved changes to public infrastructure.</p>
<b>27</b>	<p><b>Shoring and adequacy of adjoining property</b></p> <p>If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person's own expense —</p> <ul style="list-style-type: none"> <li>a) Protect and support the building, structure or work from possible damage from the excavation, and</li> <li>b) Where necessary, underpin the building, structure or work to prevent any such damage.</li> </ul> <p>This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.</p> <p>Condition reason: Prescribed condition - EP&amp;A Regulation clause 74.</p>



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Condition	
<b>28</b>	<p><b>Uncovering relics or Aboriginal objects</b></p> <p>While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.</p> <p>In this condition:</p> <ul style="list-style-type: none"> <li>• “relic” means any deposit, artefact, object or material evidence that: <ul style="list-style-type: none"> <li>(a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and</li> <li>(b) is of State or local heritage significance; and</li> </ul> </li> </ul> <p>“Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.</p>
	<p>Condition reason: To ensure the protection of objects of potential significance during works.</p>
<b>29</b>	<p><b>Cut and fill</b></p> <p>While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.</li> <li>b) All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.</li> </ul>
	<p>Condition reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is safe for future occupants.</p>
<b>30</b>	<p><b>Ground Levels</b></p> <p>Finished ground levels are to be graded away from the buildings and adjoining properties must achieve natural drainage. The concentrated flows are to be dispersed down slope or collected and discharged to the stormwater drainage system.</p>
	<p>Condition reason: To ensure runoff does not impact neighbouring properties and buildings.</p>

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**6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)**

**BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

	Condition
<b>31</b>	<p><b>Works-as-executed plans (drainage diagram)</b></p> <p>Before the issue of the relevant occupation certificate, the applicant must submit, to the satisfaction of the principal certifier, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works:</p> <ul style="list-style-type: none"> <li>a) All stormwater drainage systems and storage systems;</li> <li>b) The following matters that Council requires to be documented: <ul style="list-style-type: none"> <li>• Work as executed plans as per any s68 approval.</li> </ul> </li> </ul> <p>The principal certifier must provide a copy of the plans to Council with the occupation certificate.</p> <p>Condition reason: To confirm the location of works once constructed that will become council assets, and provide drainage diagram records.</p>
<b>32</b>	<p><b>Completion of public utility services</b></p> <p>Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority.</p> <p>Before the issue of the occupation certificate, the certifier may request written confirmation from the relevant authority that the relevant services have been completed.</p> <p>Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.</p>
<b>33</b>	<p><b>Repair of infrastructure</b></p> <p>Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.</p> <p><b>NOTE:</b> If the Council is not satisfied, the whole or part of any bond submitted will be used to cover the rectification work.</p> <p>Condition reason: To ensure any damage to public infrastructure is rectified.</p>

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**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 8 NOVEMBER 2023  
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	Condition
<b>34</b>	<b>Completion of landscape and tree works</b>
	Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape works, have been completed in accordance with the approved plans and any relevant conditions of this consent.
	Condition reason: To ensure the approved landscaping works have been completed before occupation, in accordance with the approved BASIX commitments and any landscaping plan(s).

Phil Johnston  
**Director Community and Economic Development**



## Gateway Determination

**Planning proposal (Department Ref: PP-2023-746):** Additional Permitted Use for a dwelling house at Lot 2 DP 826750, 211 Ceres Siding Road, Narromine

I, the Director, Western Region at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Narromine Local Environmental Plan 2011 to insert an Additional Permitted Use provision that enables a dwelling house to be permitted with consent at the subject site should proceed subject to the following conditions:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed within seven (7) months from the date of the Gateway determination (10 May 2024).

### Gateway Conditions

1. Prior to public exhibition, the planning proposal is to be amended to address the following matters:
  - a) Amend the Project Timeline to reflect the Gateway determination of the proposal and subsequent milestone for finalisation in seven (7) months (10 May 2024).
  - b) Demonstrate consistency with the relevant objectives of the Central West and Orana Regional Plan 2041.
2. Prior to the finalisation of the LEP, a Preliminary Site Investigation report is to be submitted to the planning proposal authority which informs the appropriateness of a dwelling house on the subject site.
3. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made

publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

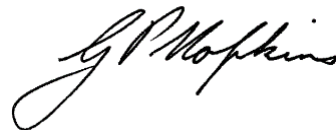
4. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- Department of Primary Industries - Agriculture
- NSW Rural Fire Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 12 October 2023



**Garry Hopkins**  
**Director, Western Region**  
**Local and Regional Planning**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning and**  
**Public Spaces**



Planning Proposal  
Narromine Local  
Environmental Plan 2011  
General Amendment

OCT 2023

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## EXECUTIVE SUMMARY

This planning proposal intends to amend the Narromine Local Environmental Plan 2011 to address errors and mis-descriptions identified in the 'Health Check' process and public submissions. The items to be amended are mapping or wording-based discrepancies that do not change the intention of any provisions.

### Intended outcomes

- To amend heritage item listings in Schedule 5 to reference correct address and title details for local heritage items and similarly update mapping to refer to the current title.
  - To amend mapping to reflect recent dedication of land for recreation purposes.
  - To amend mapping to reflect boundaries of recent subdivisions to avoid unintentional split zoned parcels.
-



## REPORT

### PLANNING PROPOSAL – General Amendment 2022

<b>LGA</b>	Narromine Shire Council
<b>Relevant Instrument</b>	Narromine Local Environmental Plan 2011 (Narromine LEP)
<b>Link to Strategic Plans</b>	Narromine Shire Local Strategic Planning Statement (LSPS) (June 2020)

## Part 1 – Objective or Intended Outcomes

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### Objective

To amend the Narromine LEP 2011 to rectify mapping errors and miscellaneous errors and misdescriptions in provisions and schedules to ensure the LEP is accurate and reliable.

## Part 2 – Explanation of Provisions

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The proposal includes the amendment of the Narromine Local Environmental Plan 2011 written instrument and maps.

### *Item 1 - Written amendment – Schedule 5 Environmental Heritage*

Part 1 Heritage item listings in Schedule 5 to reference correct address and title details for local heritage items and similarly update mapping to refer to the same items/current title.

Schedule 5 is proposed to be updated/amended as noted in red text.

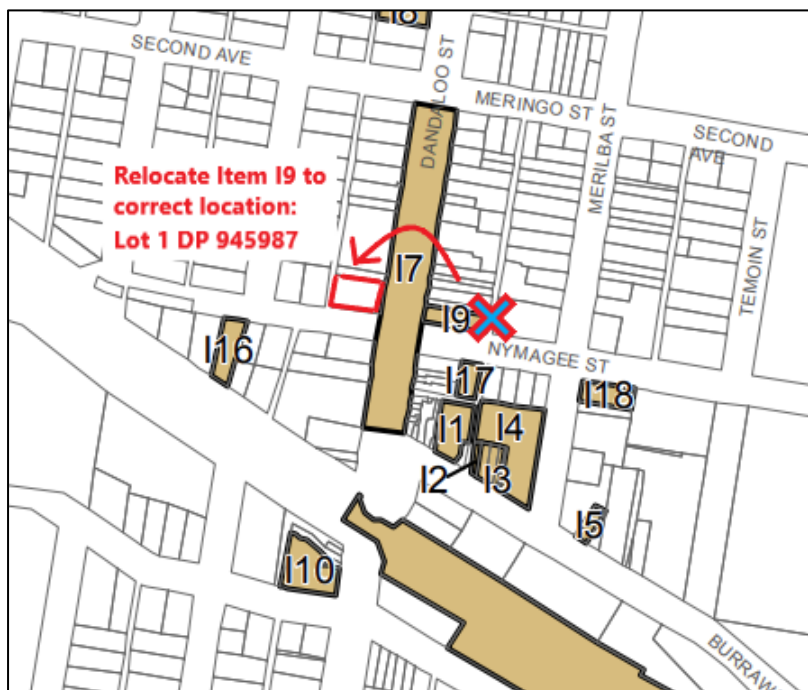
Locality	Item Name	Address	Property Description	Significance	Item No
Narromine	Imperial Hotel	11 Burraway Street	Lot 3, DP 330265	Local	11
Narromine	Butchers shop	15 Burraway Street	Lot A, DP 418646	Local	12
Narromine	Shops	17–21 Burraway Street	Lots B, C and D, DP 418646	Local	13
Narromine	Courthouse Hotel	23–29 Burraway Street	Lot 16, DP 186682	Local	14
Narromine	Courthouse (former)	35 Burraway Street	Lot 6, Section 17, DP 758759	Local	15
Narromine	Mungeribar Homestead and wool shed	1315 Ceres Siding Road	Lot 111, DP 800130	Local	16
Narromine	Median strip garden	Dandaloo Street	Between Meringo Street and <del>Burraway</del> Burraway Street	Local	17
Narromine	The Abbey	24 Dandaloo Street	Lot 99, DP 739688	Local	18
Narromine	CBC Bank	<del>65 Dandaloo Street</del> 72 Dandaloo Street	<del>Lot A, DP 337986</del> Lot 1 DP945987	Local	19
Narromine	Hotel Narromine	116 Dandaloo Street	Lot 13, DP 519453	Local	110
Narromine	Narromine Railway Station	Derribong Avenue	Lot 4, DP 1012153	Local	111
Narromine	Eurombedah Homestead	524 Eurombedah Road	Lot 16, DP 752572	Local	112
Narromine	Buddah Station	Mitchell Highway	Lot 57, DP 755092	Local	113
Narromine	Narromine Aerodrome	Mitchell Highway	<del>Lot 33, DP 1100630</del> Lot 23 DP1278134	Local	114
Narromine	House	12 Nymagee Street	Lot 4, DP 224808	Local	116

Locality	Item Name	Address	Property Description	Significance	Item No
Narromine	House and bakery	32 Nymagee Street	Lot E, DP 25400	Local	117
Narromine	The Masonic Lodge	52 Nymagee Street	Lot 4, Section 17, DP 758759	Local	118
Narromine	Waterloo shearing shed	<del>Strathallyn Lane</del> Waterloo Road	<del>Lot 32, DP 755129</del> Lot 12 DP 755101	Local	119
Narromine	Cemetery	Tomingley Road	Lot 7301, DP 1147859; Lot 13, DP 114146; Lot 1, DP 591325; Lot 21, DP 614993	Local	120
Tomingley	Pioneer Cemetery	<del>Biridoo Street</del> 46 Tomingley Cemetery Road	<del>Lot 1, DP 1137823</del> Lot 184 DP1112718	Local	121
Tomingley	Teamsters Hotel and grave sites	Newell Highway	Lot 1, DP 755110	Local	115
Tomingley	Tantitha Homestead	Tantitha Road	Lot 37, DP 42130	Local	122
Trangie	Soldiers Memorial Hall	66-68 Dandaloo Street	Lots 3-5, Section 2, DP 3903	Local	123
Trangie	Cemetery	Trangie Cemetery Road	Lot 7010, DP 1024967; Lot 1, DP 667963; Lot 1, DP 1111120; Lot 2, DP 1111118, <del>Lot 7300</del> DP1143224	Local	124

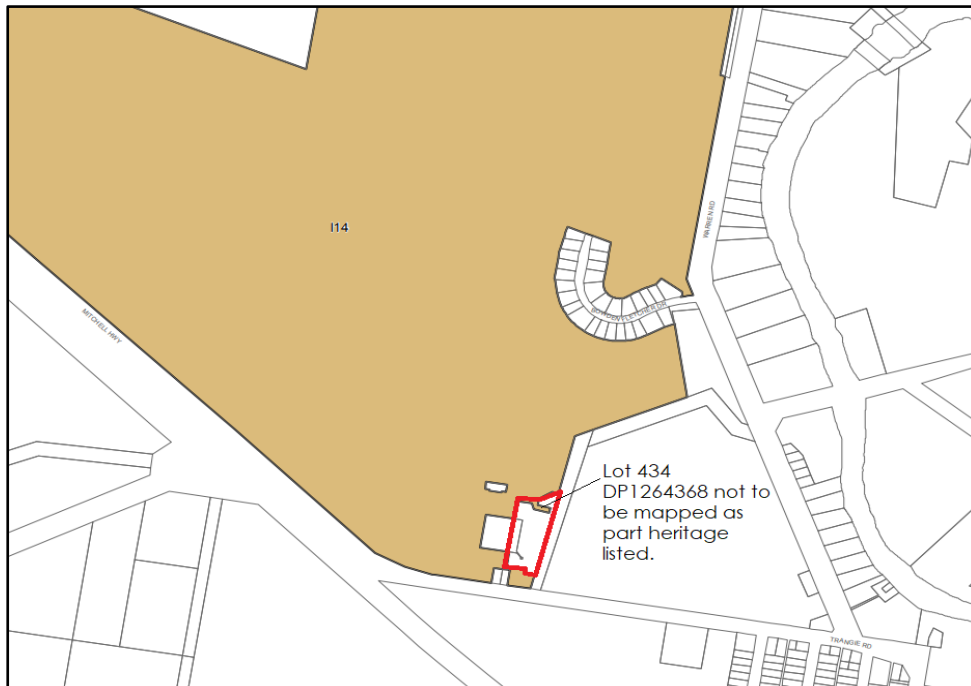
### Item 2 - Mapping amendment –Environmental Heritage

Amendment to Heritage Map - Sheet HER\_004A required to:

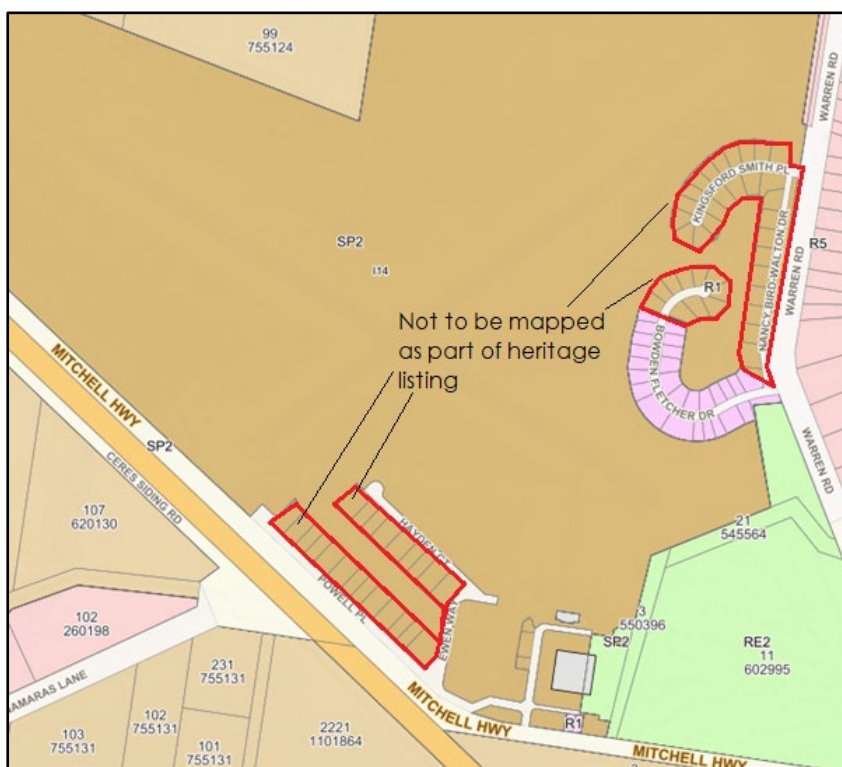
1. Identify correct parcel for item I9 (see Figure 1).
2. Update mapped land associated with Item I14 Narromine Aerodrome to reflect recent subdivisions.
  - o Remove identification of heritage item for land associated with Lot 434 DP1264368 (see Figure 2), and
  - o Remove identification of heritage item for multiple lots in recent residential development in Nancy Bird-Walton Dr and Kingsford Smith Pl (see Figure 3), and
  - o Remove identification of heritage item for multiple lots in recent aviation business park development in Powell Pl and Hayden Ct (also shown on Figure 3).
3. Update mapping for Item I19 Waterloo Shearing Shed to correct title – Lot 12 DP 755101 (see Figure 4).



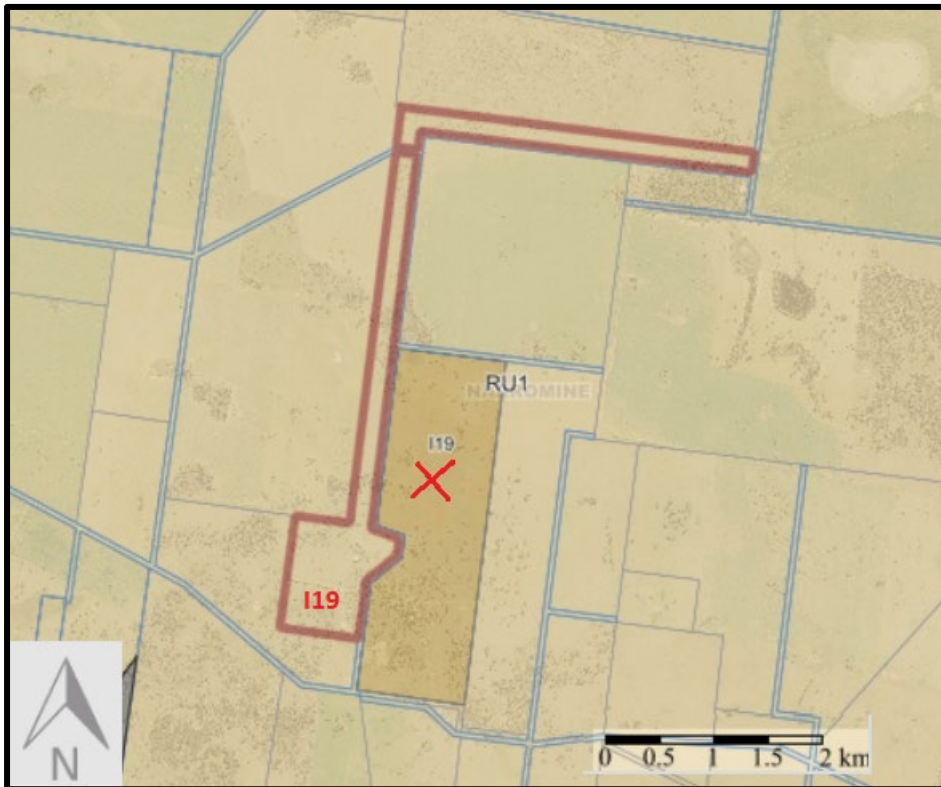
**Figure 1: Excerpt Heritage Map - Sheet HER\_004A (Narromine Town)**



**Figure 2: Excerpt  
Heritage Map -  
Sheet HER\_004A  
(Narromine  
Aerodrome)**



**Figure 3: Excerpt  
Heritage Map -  
Sheet HER\_004A  
(Narromine  
Aerodrome)**



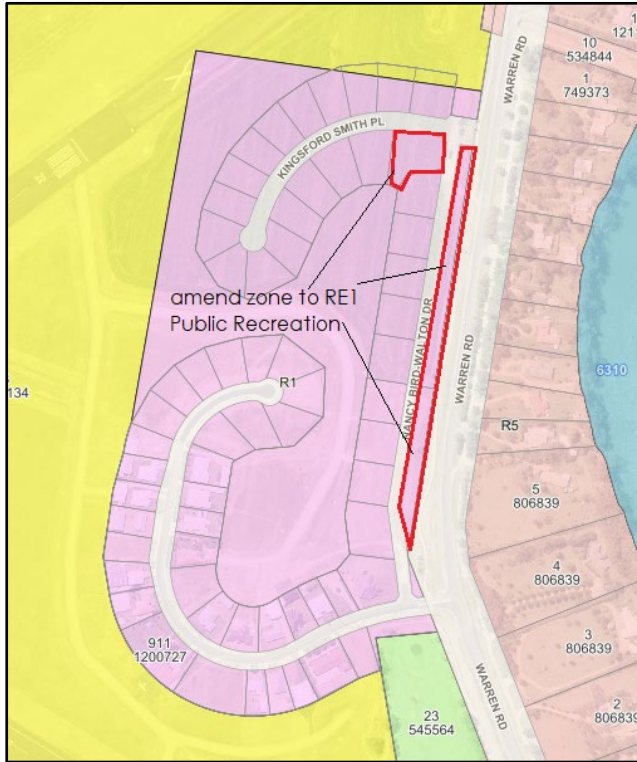
**Figure 4: Excerpt  
Heritage Map -  
Sheet HER\_004A  
(Waterloo Shearing  
Shed)**



**Item 3 - Mapping amendment – Zone changes**

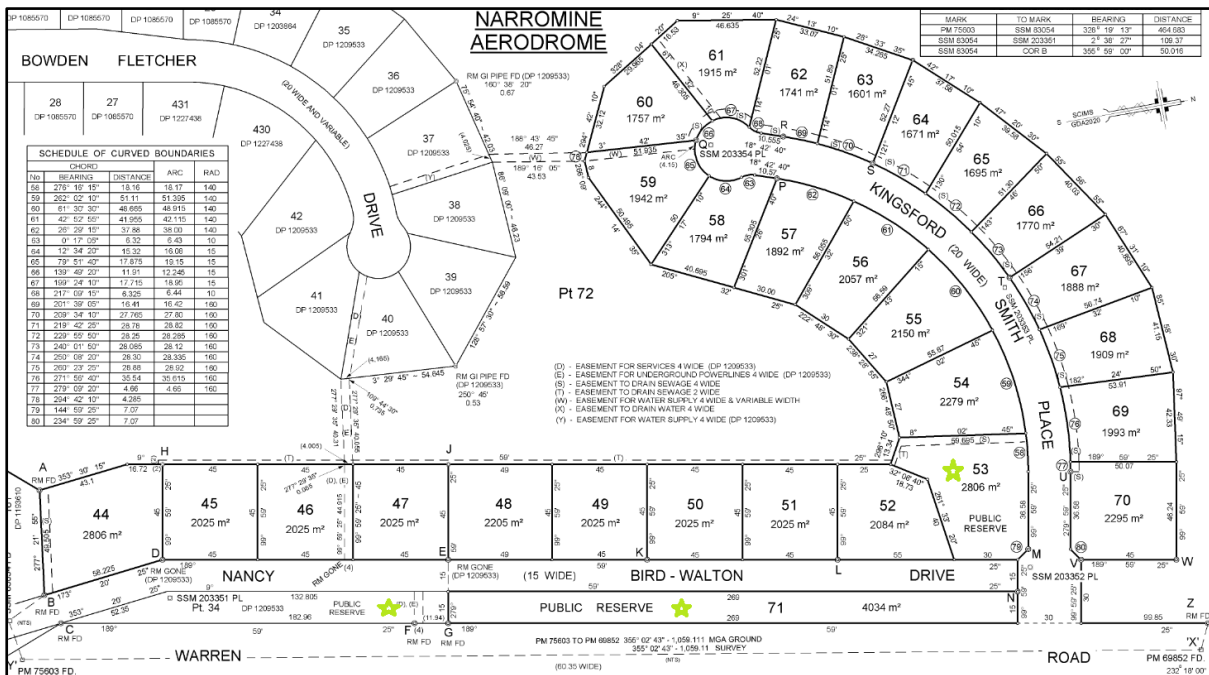
Amendment to Land Zoning Map - Sheet LZN\_004A required to:

1. Amend map for Lot 53 and Lot 71 in DP1271467 and pt Lot 34 in DP 1209533 to change from current R1 General Residential zone to be zoned RE1 Public Recreation to reflect the dedication of land for this purpose at the registration of the deposited plans (see Figure 5a & 5b below).



**Figure 5a: Excerpt Land Zoning Map - Sheet LZN\_004A (Narromine SkyPark Residential development)**

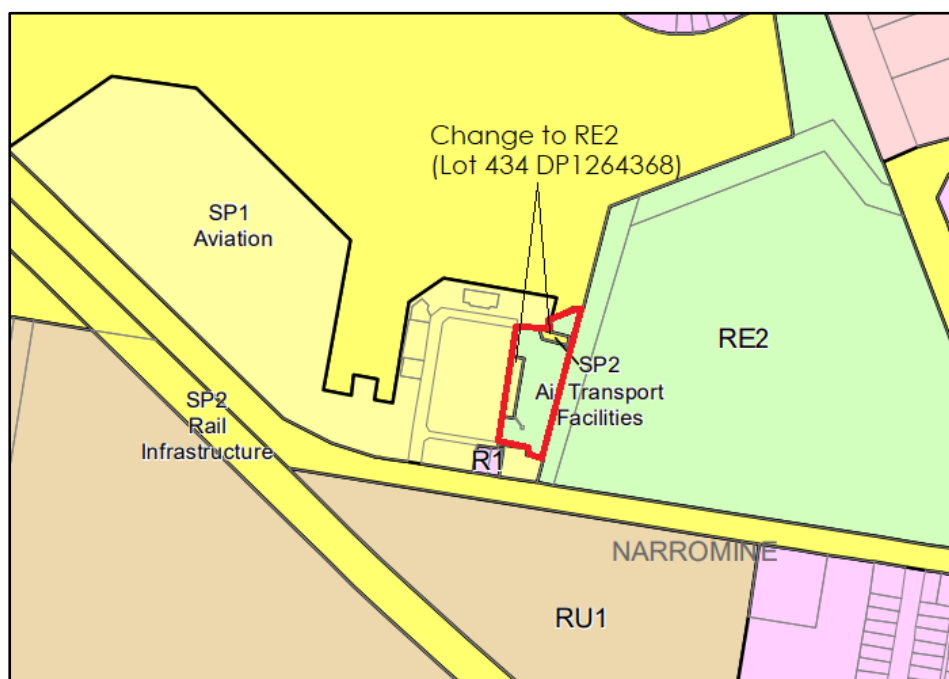
**Figure 5b: Excerpt DP1271467**



**Item 4 - Mapping amendment – Rectify split zoned parcels**

Amendment to Land Zoning Map - Sheet LZN\_004A required to align the zoning extent with lot boundaries as created to remove the creation of split zoned parcels:

1. In the location of the Narromine Aerodrome and the adjoining caravan park and camping ground (Lot 434 DP1264368) it is proposed to change from current split zoned SP1 Special Activities (Aviation) and SP2 Infrastructure (Air Transport Facilities) and RE2 Private Recreation to only being zoned RE2 Private Recreation (see Figure 6). This will reflect the current use and ownership pattern.



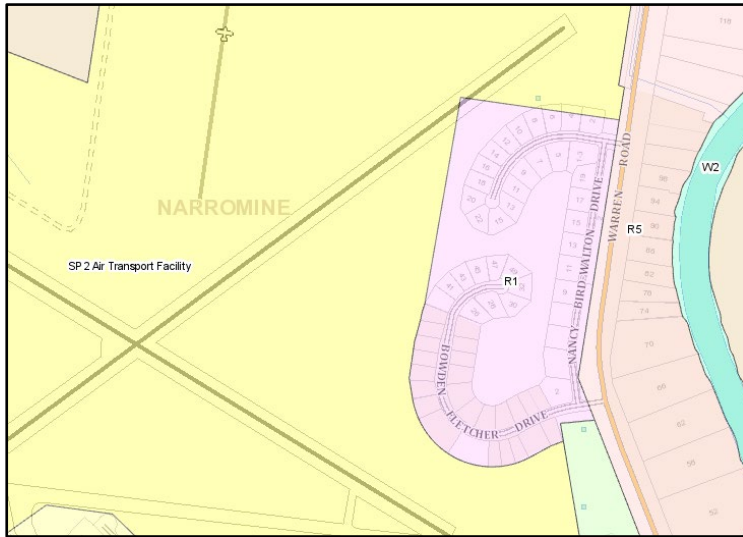
**Figure 6: Excerpt Land Zoning Map - Sheet LZN\_004A (Narromine Aerodrome/Caravan Park)**

The affected zones, i.e. SP1 Special Activities; SP2 Infrastructure and RE2 Private Recreation in the location do not have a minimum lot size. This proposed amendment does not require a change to the Lot Size Map - Sheet LSZ\_004A.

2. Within the Narromine Aerodrome and Sky Park residential estate it is proposed to align the zone boundary to the lot boundaries and remove split zoned parcels. This will ensure taxiway land is zoned for purpose as SP1 and likewise, residential lots are zoned R1 in entirety. (Refer to Figure 7 and Figure 8).

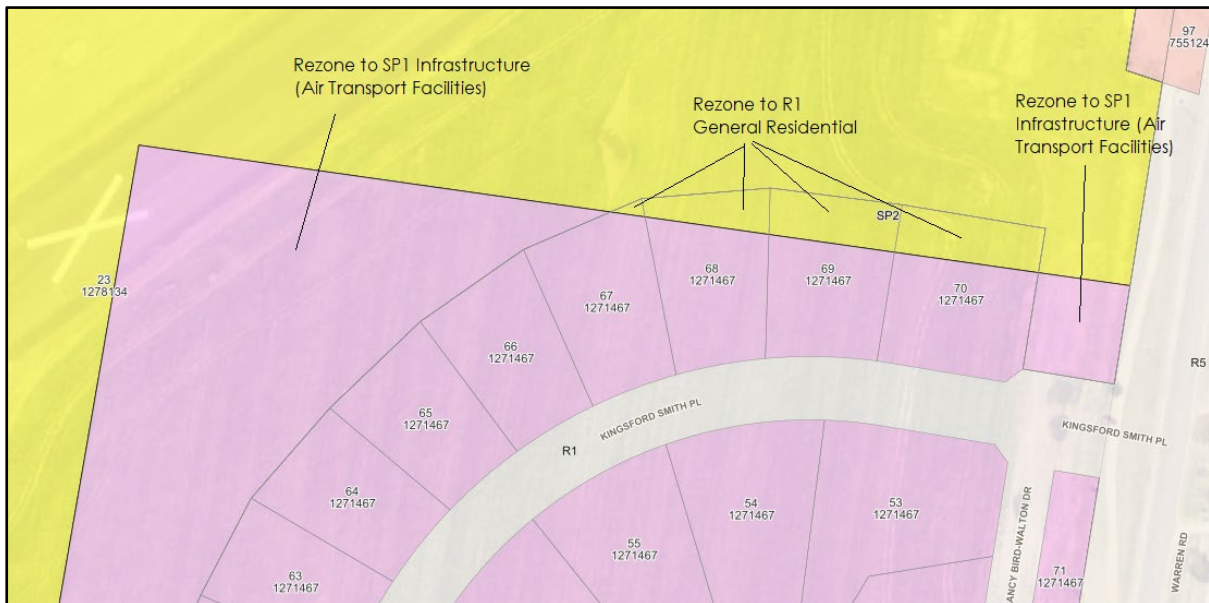
This proposed amendment will also require a change to the Lot Size Map - Sheet LSZ\_004A (refer to Figure 9).



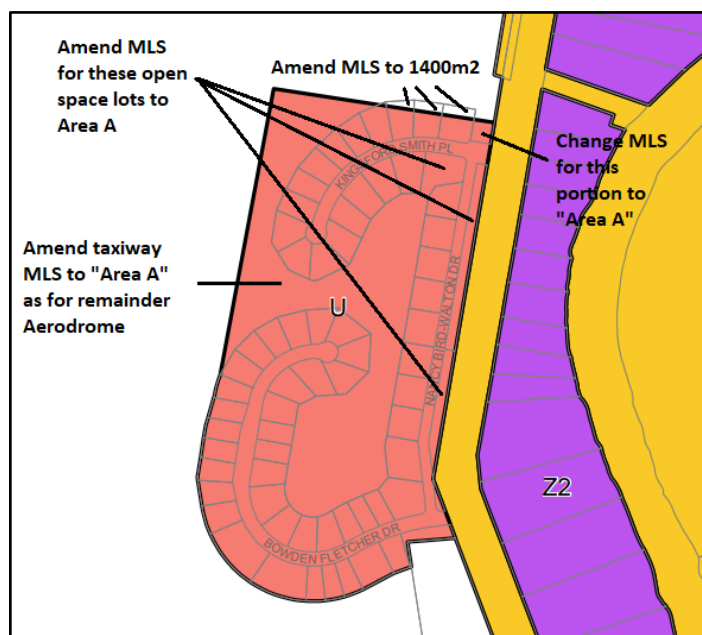


**Figure 7: Snip from eplanning spatial viewer - Sheet LZN\_004A (SkyPark residential estate)**

**Figure 8: SkyPark residential estate Lot 67, 68, 69, 70 in DP 1271467 and Lot 23 DP1278134 affected by split zoning**



**Figure 9: Excerpt - Sheet Lot Size Map - Sheet LSZ\_004A to be updated to match new zone boundaries**



## Part 3 - Justification

### Section A – Need for the Planning Proposal

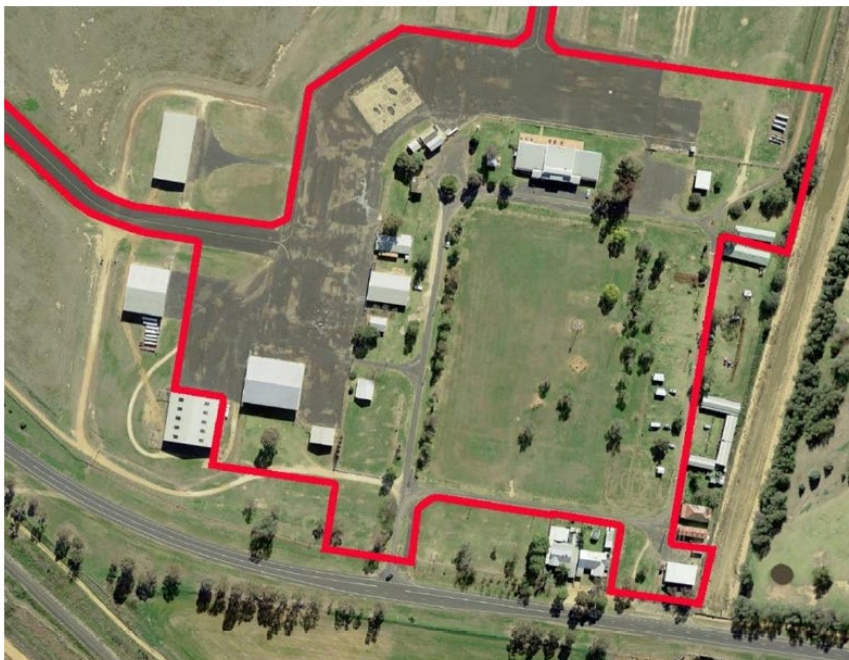
*Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?*

#### Narromine Aerodrome

Yes: The heritage amendments for the Aerodrome are the result of an adopted Conservation Management Plan (CMP) for the Aerodrome in 2018.

The CMP was initiated to assess the significance of buildings and areas within the bounds of the Aerodrome and devise future management recommendations. One of the recommendations was a revised and reduced heritage curtilage for the site, extending to the runways and airfield (see Figure 10 below, shown as Figure 6.2 from the CMP). In addition, individual buildings and precincts within the site were assessed for significance in accordance with the Heritage Council of NSW criteria for assessment – these are contained within this area of reduced curtilage.

Extracts from the CMP below show the recommended changes in line with this Proposal.



**Figure 10: Reduced heritage curtilage, Narromine Aerodrome**

**Figure 6.2** Recommended reduced curtilage shown by the red boundary. The curtilage extends to the airfield and runways not shown here. (Source: SIX Maps with GML overlay 2018)

**Source: Narromine Aerodrome – Conservation Management Plan, May 2018, p52.**

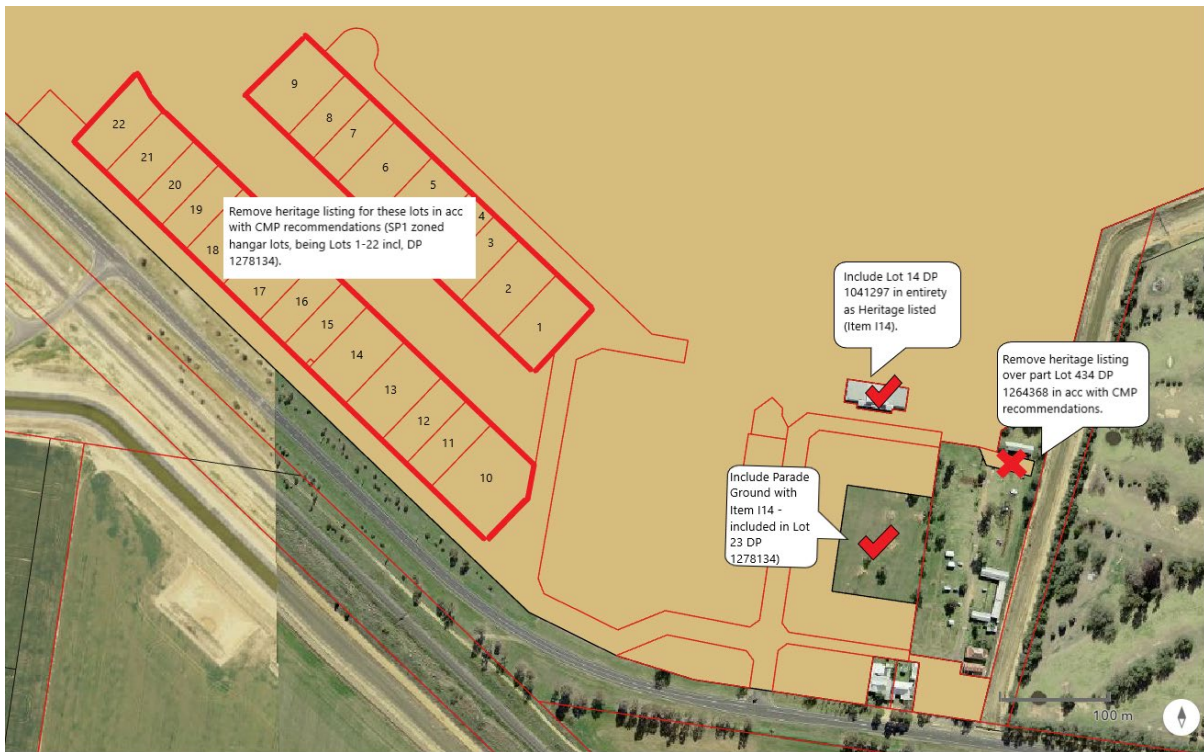
**Policy 12** The minimum heritage curtilage of Narromine Aerodrome should be amended in accordance with this section and Figure 6.2 on page 52. To give this effect, the land description in Schedule 5 of the Narromine Local Environmental Plan 2011 and its Heritage Map should be amended to reflect this minimum curtilage as shown in Figure 6.3. It should include all the following lots:

- Lot 14 DP1041297—Aero Club and Aviation Museum;
- Lot 320 DP1198226—Tourist Park; *Note, the Tourist Park is not currently heritage listed & all buildings on this lot are associated with its private use as a Caravan Park. It is not proposed to heritage list the current Tourist Park (Lot 434 DP 1264368).*
- Lots 31-34 DP1203864—Aerodrome;
- Lot 44 DP1209533—Airfield, parade ground and Hangar 1; and *Note, the current Lot/DP for the Airfield, parade ground & Hangar 1 is Lot 23 DP 1278134*
- Road reserve—Tom Perry Drive.

**Policy 13** The vicinity controls provided in clause 5.10(5) the Narromine Local Environmental Plan 2011 should be maintained so that the heritage impacts of development on land historically associated with the aerodrome but outside the heritage curtilage can be assessed and mitigated.

Source: Narromine Aerodrome - Conservation Management Plan, May 2018, p51.

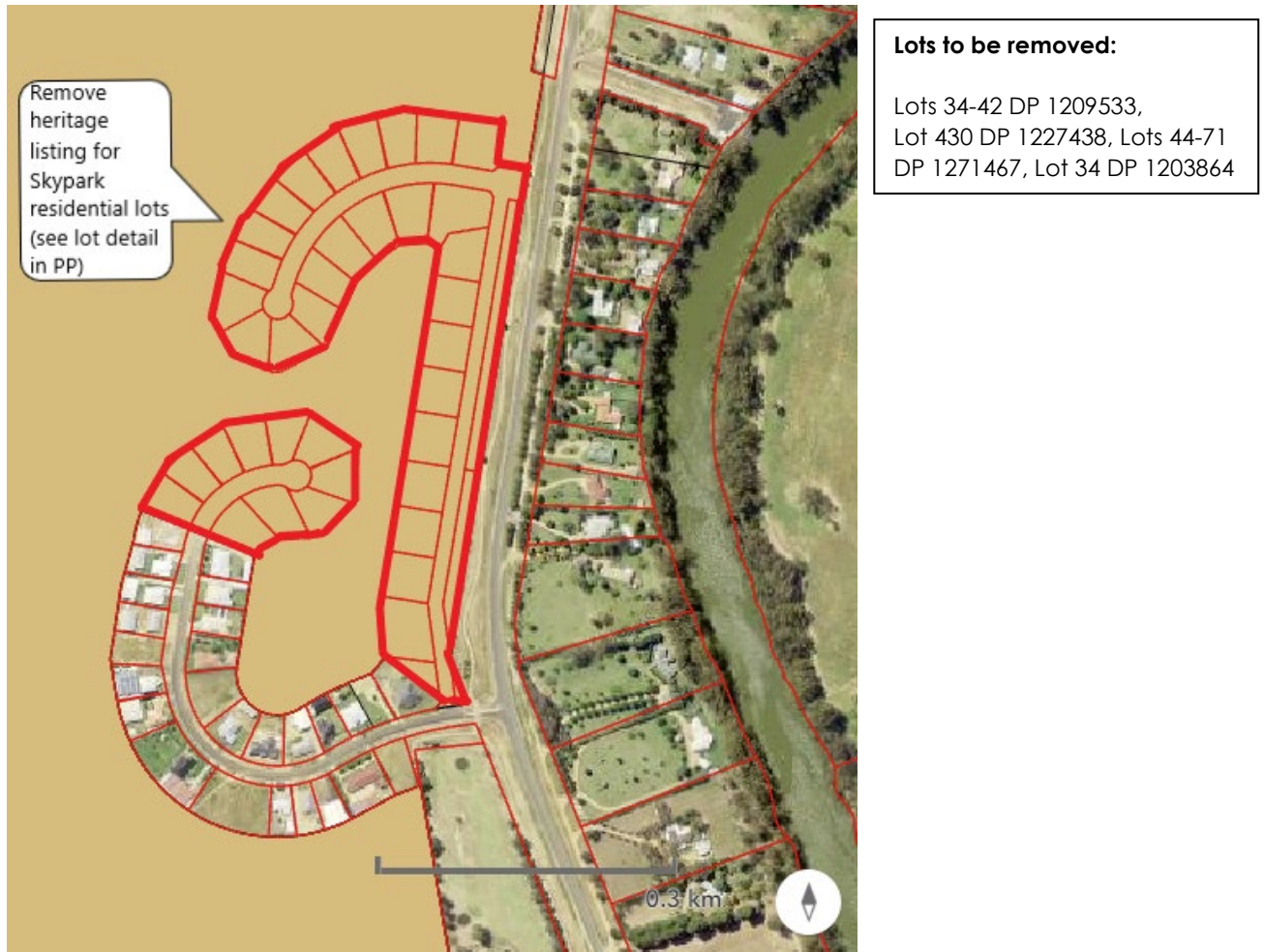
For ease of mapping reference, Figure 11 below shows the proposed amendment to the Heritage Map 004A, containing entire lots as recommended by the above CMP.



**Figure 11: Heritage listing amendments, main southern section Narromine Aerodrome**  
Source: NSW Planning Portal spatial viewer, with NSC overlay



As for above recommendations, Figure 12 below shows proposed changes to the Heritage 004A map, removing the latest Skypark residential subdivision lots. These have previously been assessed for heritage significance as part of the approval process for the Skypark subdivision, as well as the CMP for the Aerodrome.



**Figure 12: Skypark lots to be removed from Heritage Map 004A in acc with Narromine Aerodrome CMP 2018.**

Source: NSW Planning Portal espacial viewer with NSC overlay.

For reference, the Conservation Management Plan was adopted by Council at it's meeting held on 13 June 2018 with detail below:

RESOLVED Crs Craft/Munro that:

1. The towers be removed from the site due to the cost of maintenance and upgrades required;
2. Council adopt the Heritage Conservation Management Plan for the Narromine Aerodrome dated May 2018, and
3. The museum be offered the opportunity to relocate sections of the towers and the communication apparatus into the museum for display as a coordinated interpretation strategy in accordance with the recommendations of the CMP. **2018/126**

## Heritage Item I9 – CBC Bank building

With the gazettal of the 2011 Narromine LEP, Heritage Item I9 (former CBC/NAB Bank) was incorrectly identified on the Heritage Map – Sheet HER\_004A. The current CBA Bank building on the opposite corner on Dandaloo St has been incorrectly marked on this map.

The following evidence from the *Narromine Community Based Heritage Study 2002* and supporting Inventory shows the listed building is on the western side of Dandaloo St, at the intersection with Nymagee St.

<b>Narromine Heritage Inventory</b>		SHI Number <b>2160009</b>
Item Name:	<b>Bank</b>	
Location:	<b>4 Dandaloo Street, Narromine</b>	
The bank premises are now privately owned and rented by the National Bank of Australasia Ltd.		
Themes:		
Designer:		
Maker / Builder:		
Year Started:	Year Completed:	Circa: No
Physical Description:	<p>This building is sited on the corner of Nymagee Street west side and Dandaloo Street on the other.</p> <p>It is a two storey building that addresses that corner well.</p> <p>The building is constructed in face brickwork, stretcher bond with an interesting combination of very hard dark manganese brickwork, a lighter speckled brown brickwork, and rendered bands: the three being used to decorate the facade including attached pilasters, rendered bands at window head, door head and at parapet level, and the base of the building contains a number of soldier courses and panels of the darker manganese brick.</p> <p>On the whole the two storey building has made use of these decorative elements to create a very specific facade.</p> <p>The upper floor has a parapeted gables facing the street, with small projecting hoods over a pair of windows. At ground level: another four windows; windows are generally timbered framed, tall rectangular and double hung.</p> <p>The main doorway is set on the corner, and contains a recessed pair of timber panelled doors with a small projecting decorative awning above the entry.</p> <p>Three marble lime steps lead to the entry porch.</p> <p>The facade along Nymagee Street, is similar to that along Dandaloo Street with the addition of an aluminium window added at some later date.</p>	
Physical Condition:	The building appears to be in good condition. And well maintained generally.	

Source: Appendix to Narromine Shire Community Based Heritage Study (B Hickson & Assoc, 2002)

## Planning Proposal

The overall Planning Proposal is not a direct result of any specific strategic study or report. However, the amendments proposed were listed in the LEP Health Check, in accordance with the LEP review requirements in section 3.21 of the EP&A Act 1979. This review was conducted by Council in late 2020 and adopted by Council as shown below:

At the Ordinary meeting of Council 14 April 2021 Council:

*“RESOLVED Crs Lambert/Munro that Council: -*

- 1. Receive the report by the Manager Planning on the LEP Health Check; and*
- 2. Endorse the LEP Health Check and send to the Department of Planning Industry and Environment for consideration.*
- 3. Prepare a Planning Proposal for a General Amendment to the LEP to rectify minor mapping and descriptive errors identified.*

**2021/065**

*Cr Davies called for a division on the planning matter. The vote was unanimous.”*

Most amendments identified in this planning proposal are minor 'Housekeeping' matters and as such, categorised as a 'Basic' Planning Proposal.

*Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes. The planning proposal is the most effective method of ensuring that Narromine LEP 2011 is an up-to-date planning instrument that is accurate and reliable.

Some proposed matters may be appropriate for consideration under *section 3.22 Expedited amendments of environmental planning instruments.*

## Section B – Relationship to Strategic 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)?*

The planning proposal has links to the actions of the **Central West and Orana Regional Plan 2036** and vision of the **Central West and Orana Regional Plan 2041**. These Plans support actions that amend planning controls to deliver greater certainty of land use. As mentioned above, regular review of environmental planning instruments is also legislated for Councils under section 3.21 of the EP&A Act.

Having an accurate LEP will support the challenges and opportunities identified in the Plans.

*Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?*

### **Narromine Local Strategic Planning Statement**

The planning proposal is consistent and gives effect to the actions within the Narromine Community Strategic Plan and the Narromine Local Strategic Planning Statement.

In particular, the Narromine Shire Local Strategic Planning Statement (LSPS) 2020, Priority 2 of Vibrant Communities - Support the Narromine Aerodrome and Narromine Aerodrome Hangar Development Precinct for development as an aviation hub for gliding and other pursuits. The specific updates to zoning and heritage listing amendments will serve to uphold this priority.

*Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?*

Relevant State Environmental Planning Policies that affect the Narromine Shire LGA area summarised in the Table 1 below. No inconsistencies with SEPP's are noted.

**Table 1: Summary of Planning Proposal Consistency with SEPPs**

SEPP Title	Planning Proposal Consistency
SEPP (Biodiversity and Conservation) 2021	Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP Building Sustainability Index (BASIX) 2004	Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP (Exempt & Complying Development Codes) 2008	Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP (Housing) 2021	Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP (Industry and Employment) 2021	Chapter 2 is not relevant to the Narromine Shire LGA. Chapter 3 referencing Advertising and Signage applies to the State.  Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP No 65 – Design and Quality of Residential Apartment Development	N/A to the Planning Proposal.
SEPP (Planning Systems) 2021	State significant development would not be impacted by the local provisions proposed to be amended.  Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP (Precincts – Central River City) 2021	N/A to the Planning Proposal.
SEPP (Precincts – Eastern Harbour City) 2021	N/A to the Planning Proposal.
SEPP (Precincts – Regional) 2021	Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP (Precincts – Western Parkland City) 2021	N/A to the Planning Proposal.

SEPP Title	Planning Proposal Consistency
SEPP (Primary Production) 2021	Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP (Resilience and Hazards) 2021	Contamination and remediation to be considered in determining development applications.  Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP (Resources and Energy) 2021	Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP (Transport and Infrastructure) 2021	Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.



*Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?*

These directions apply to planning proposals lodged with the Department of Planning and Environment on or after the date the particular direction was issued and commenced.

**Table 2: Directions issued by the Minister for Planning to relevant planning authorities under section 9.1(2) of the Environmental Planning and Assessment Act 1979.**

<b>Direction</b>	<b>Planning Proposal Consistency</b>
<b>Focus area 1: Planning Systems</b>	
1.1 - Implementation of Regional Plans	Consistent with Regional Plans as Q3.
1.2 Development of Aboriginal Land Council land	No land in the Narromine LGA known to be mapped.
1.3 Approval and Referral Requirements	The draft provisions considered do not include additional referral, consultation and concurrence requirements from a public authority.
1.4 Site Specific Provisions	N/A – not site-specific provision.
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A
1.10 Implementation of the Western Sydney Aerotropolis Plan	N/A
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A

Direction	Planning Proposal Consistency
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A
1.14 Implementation of Greater Macarthur 2040	N/A
1.15 Implementation of the Pyrmont Peninsula Place Strategy	N/A
1.16 North West Rail Link Corridor Strategy	N/A
1.17 Implementation of the Bays West Place Strategy	N/A
<b>Focus area 2: Design and Place</b>	
<i>At time of writing this focus area was blank</i>	
<b>Focus area 3: Biodiversity and Conservation</b>	
3.1 Conservation Zones	Consistent. The Proposal includes provisions that update incorrect references to zone names and not change zone objectives nor land use provisions.
3.2 Heritage Conservation	Consistent. The Proposal is enabling site-specific identification of heritage items, which will assist land to be identified through relevant mapping, current title details and correct addressing, leading to better and targeted protection.
3.3 Sydney Drinking Water Catchments	N/A
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A
3.5 Recreation Vehicle Areas	Consistent – no land use will be amended that permits recreational vehicle activities.
<b>Focus area 4: Resilience and Hazards</b>	
4.1 Flooding	Consistent – no changes proposed.
4.2 Coastal Management	N/A
4.3 Planning for Bushfire Protection	N/A – the proposed changes do not affect mapped bushfire prone land.

Direction	Planning Proposal Consistency
	with the exception of Item 119 (Waterloo Shearing Shed) where the title description will now locate the item on mapped bushfire prone land. Despite this, the description will then be accurate and whether or not the land is bushfire prone is not changing. This does not impact current/continued use of the shearing shed.
4.4 Remediation of Contaminated Land	N/A.
4.5 Acid Sulfate Soils	N/A.
4.6 Mine Subsidence and Unstable Land	N/A.
<b>Focus area 5: Transport and Infrastructure</b>	
5.1 Integrating Land Use and Transport	N/A.
5.2 Reserving Land for Public Purposes	N/A
5.3 Development Near Regulated Airports and Defence Airfields	Consistent – no changes to permissible uses proposed and changes to Narromine Aerodrome zoning boundary reflects approved/existing development.
5.4 Shooting Ranges	N/A.
<b>Focus area 6: Housing</b>	
6.1 Residential Zones	Consistent – No changes to provisions of R1 zone.
6.2 Caravan Parks and Manufactured Home Estates	Consistent – no changes proposed to caravan park/MHE provisions of the LEP.
<b>Focus area 7: Industry and Employment</b>	
7.1 Employment Zones	N/A - the proposal is not site specific and not proposed to affect the provisions of the Employment zones.
7.2 Reduction in non-hosted short-term rental accommodation period	N/A to Narromine Shire LGA
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A

Direction	Planning Proposal Consistency
<b>Focus area 8: Resources and Energy</b>	
8.1 Mining, Petroleum Production and Extractive Industries	N/A.
<b>Focus area 9: Primary Production</b>	
9.1 Rural Zones	Consistent – no rezoning of Rural land is proposed.
9.2 Rural Lands	Consistent – no change to minimum lot size is proposed.
9.3 Oyster Aquaculture	N/A
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A to Narromine Shire LGA

## 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?*

The provisions proposed are minor housekeeping changes and will not alter the ability of future development to include assessment of the likelihood of any such environmental impact.

*Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

The planning proposal is seeking to amend discrepancies with the LEP written document and mapping to provide a more accurate Plan. This will ensure that future development can avoid unnecessary confusion regarding relevant provisions and assessment of environmental impacts.

*Q9. Has the planning proposal adequately addressed any social and economic effects?*

It is envisaged that the amendments proposed as part of this planning proposal will have a positive impact on the overall social and economic wellbeing of the Narromine Shire by ensuring that the Narromine LEP 2011 is an up-to-date plan that is consistent with State planning policies and Council's strategic planning framework.

## Section D – State and Commonwealth Interests

*Q10. Is there adequate public infrastructure for the planning proposal?*

The planning proposal does not require any public infrastructure.

*Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

Council will undertake any required consultation in accordance with the Gateway Determination stage of the LEP amendment.

No key government agencies are triggered for referral.

## Part 4 - Mapping

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Mapping changes are detailed in PART 2 of this Planning Proposal.

## Part 5 – Community Consultation

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Formal community consultation has not been carried out pre-lodgement of this Planning Proposal.

Narromine Shire Council carried out a review of the Narromine LEP 2011 ('Health Check 2020') which identified the need for this general amendment proposal. This process included public exhibition. Submissions from the public had been received regarding LEP review issues prior to the LEP Health Check and during public exhibition. Subsequently, issues raised are contained in this Proposal or already addressed in the [now gazetted] Planning Proposal implementing the Residential & Large Lot Residential Strategy 2018.

Community consultation will be considered at the Gateway stage, with the Gateway determination confirming the requirements, in accordance with the Department of Planning, Industry and Environment "Local Environmental Plan Making Guideline – Aug 2023".

Council's Community Participation Plan (Nov 2019) requires a 28-day exhibition for planning proposals or as otherwise required by the Gateway determination.

## Part 6 – Project Timeline

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The Table 3 below gives an indicative project timeline and detail for expected milestones for the planning proposal.

**Table 3: Indicative project timeline**

Stage	Timeframe &/or Date
Prepare Proposal – Consideration by Narromine Shire Council	Second qtr 2023
Council Decision	Nov 2023
Gateway Determination	Dec 2023
Exhibition	Feb 2024
Consideration of Submissions Post exhibition Review	Mar 2024
Council Decision	Apr 2024
Submission to the Department for Finalisation	May 2024
Gazettal of LEP amendment	June 2024

### Local Plan Making Authority

Council requests Council's General Manager or delegation to Narromine Shire Council's Manager of Planning, Emma Yule, to make the plan in accordance with section 3.34(2)(g) of the EP&A Act. This is recommended as the amendment is 'basic'.