

NARRABRI SHIRE COUNCIL



**PLANNING &
DEVELOPMENT
COMMITTEE**

PLANNING & DEVELOPMENT COMMITTEE
MEETING OF COUNCIL HELD ON TUESDAY
4TH MARCH, 2008.

DELEGATIONS OF AUTHORITY TO COMMITTEES TO MAKE DECISIONS

Council delegate to its Standing Committees the authority to determine the following matters:

General (For all Standing Committees)

1. Receiving and noting reports.
2. Referring matters for further investigations and report back to the Committee.
3. Determining requests for assistance from outside organisations.

Planning & Development

1. Determining development applications.
2. Resolving to prepare and exhibit draft Local Environment Plans which amends the principle instrument.
3. Resolving to prepare and exhibit amendments to development control plans.

PLANNING & DEVELOPMENT COMMITTEE

INDEX

PLANNING & DEVELOPMENT COMMITTEE	1
ITEMS FOR COMMITTEE TO RESOLVE	5
1. Capital Expenditure Report	7
2. Development Applications & Local Approvals	8
3. Narrabri Coal Mine – Community Consultative Committee (CCC)	9
ITEMS FOR COMMITTEE TO RECOMMEND TO COUNCIL	13
4. Gateway Signs	15
ATTACHMENTS	19

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NARRABRI SHIRE COUNCIL



**ITEMS FOR
COMMITTEE TO
RESOLVE**

PLANNING & DEVELOPMENT COMMITTEE
MEETING OF COUNCIL HELD ON TUESDAY
4TH MARCH, 2008.

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1. CAPITAL EXPENDITURE REPORT (KS:KS) [CORP]**C20/32006****Purpose**

The purpose of this report is to provide the Planning & Development Committee with an updated Capital Expenditure Report.

Current Position

The status of capital works within the Environmental Services and Economic Development areas is shown in Attachment 1.

RECOMMENDATION 1: That the Planning & Development Committee receive and note the information in relation the Capital Expenditure Report.

**2. DEVELOPMENT APPLICATIONS & LOCAL APPROVALS
(KAB:KAB) [CORP]**

H10/32001 ; H10/08005

The Development Applications outlined in Addendum "A" and the Local Approval Applications outlined in Addendum "B" attached to this report have been approved under delegated authority (please see Attachment 2).

RECOMMENDATION: That the Planning & Development Committee note the information relating to the Development Applications and Local Approval Applications.

**3. NARRABRI COAL MINE – COMMUNITY CONSULTATIVE COMMITTEE
(CCC) (MJK: AH) [GM] O10/20006**

Purpose

The purpose of this report is to advise Council of the recent appointments to this CCC recently announced by the NSW Department of Planning (DP).

Background

As part of the DA's approval for the underground mine owned by Narrabri Coal Pty Ltd there was a requirement to establish a CCC. Expressions of interest were advertised during January, 2008 with the closing date for applications being 31st January, 2008.

The appointment as a CCC member which is on a voluntary basis states the position as-

“CCC members provide initial local contact points for the community regarding the mine and provide a means for information distribution regarding the mine's plans and environmental performance, and advise to mine management on relevant community issues or concerns.”

Council was also entitled to nominate a representative to the CCC.

Current Position

The NSW Department of Planning under correspondence of 13th February, 2008 announced the appointments to this CCC as follows-

- Mr Terry Miller, Narrabri, as the independent chair of the CCC.
- Mrs Sally Hunter, Boggabri.
- Mr James Steiger, “Bow Hills”, Baan Baa.
- Mr Peter Webb, “Ardona”, Baan Baa.
- Mr Les Knox, Narrabri and
- Mr Mark Foster, “Naroo”, Baan Baa, as an alternative member of the CCC.

Cr Bates was confirmed as the Narrabri Shire Council representative.

Policy Implications

Nil.

Financial Implications

Nil.

Legal Implications

Nil.

Commentary

At the February, 2008 Council meeting there was a question raised about the role, structure, purpose and tenure of the CCC. The NSW Department of Planning has an established protocol covering these Committees titled "Guidelines for Establishing and Operating Community Consultative Committees for mining Projects – June, 2007". A copy of that guideline (8 pages) is included as Attachment 3 for general information.

A précis of that document is-

Page No.**Item**

- 1 Purpose of the Committee:
 - Effective communication,
 - Comment on the mines environmental performance,
 - Raise community concerns,
 - Provide community feedback,
 - Review the mines complaint handling procedures,
- 2 Committee membership:
 - An independent Chairman,
 - 3 to 5 local Community representatives,
 - 1 local Council representative,
 - 2 to 3 representatives of the mining company,
 - Committee membership tenure is reviewed by the Director General Manager of Planning from time to time (but at least once every 5 Years).
- 4 Committee Meetings:
 - Meeting frequency determined by the Committee
 - Agenda as prescribed in the guidelines.

Conclusion

Nil.

RECOMMENDATION: That the Planning & Development Committee note the appointments made by the Director General of the NSW Planning to the Narrabri Coal Mine Consultative Committee effective as at 13th February, 2008.

RECOMMENDATION: That the Planning & Development Committee endorse the appointment of Cr Ken Bates as this Councils delegate to this CCC.

RECOMMENDATION: That the Planning & Development Committee note the NSW Department of Planning's Guidelines relative to Community Consultative Committees.

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NARRABRI SHIRE COUNCIL



**ITEMS FOR
COMMITTEE TO
RECOMMEND TO
COUNCIL**

PLANNING & DEVELOPMENT COMMITTEE
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4. GATEWAY SIGNS (WRB:WRB) [GM]**P30/06002****Purpose**

The purpose of this report is to update Council on the status of the Gateway Signs proposed for the boundaries between Narrabri and Boggabri to the south and Narrabri and Moree to the north on the Kamilaroi and Newell Highways respectively.

Background

At the Ordinary Meeting of Council held on 18 July 2006, Council resolved to undertake the following:

“That Council work with Sports & Outdoor Media to find suitable sites for the erection of three gateway signs at the Shires border.”

Council Officers spoke to Sports & Outdoor representative to ascertain requirements for signs. Based on information provided, drove to each area of the Shire to determine most appropriate area. Determined ownership of the appropriate properties and made initial contact with the owners. Received positive feedback from all land holders and advised Sports & Outdoor of outcome.

Council Officer arranged for a day of meetings and modifications of suitable sites with all landholders for representative of Sports & Outdoor. The outcome of those meetings and site suitability excursions was that one site was deemed unsuitable by Sports & Outdoor from a commercial point-of-view with the appropriate note being updated in the July 2007 Resolution Register.

Following is a summary of activities undertaken in relation to the Gateway Sign proposed for a site north of Bellata:

- Development Application signed on 20 July 2007 by landowner to have sign positioned on his property approximately 150 metres after the Bellata Railway Overpass heading south.
- Council received Integrated Approvals Application on 18 September 2007.
- Council sent Acknowledgement of Receipt to Sports & Outdoor in relation to Development and Construction Certificate on 18 September 2007.
- Council sent a letter to Roads and Traffic Authority Western Region (RTAWR) on 24 September 2007 advising them of the Development Application received to erect a sign on landowner's property at Bellata.
- On 5 October 2007, Council received correspondence from the RTAWR which did not support the placement of the sign as originally intended.
- On 18 October 2007, Council sent another letter to RTAWR advising that on the previous request the proponent had inadvertently provided the incorrect Lot and DP number. Council advised the RTAWR of the correct cadastre and Lot and DP number for reconsideration.
- Council Officer advised Sports & Outdoor of what the RTAWR response was and further discussions were held on possible changes to original site.
- The outcome was another trip to Bellata to isolate a potential suitable site or sites that was going to satisfy both Sports & Outdoor and the RTAWR.
- Based on verbal discussions between Council and the RTAWR this allowed a narrowing down of potential sites to an extended straight stretch of road.

- On 16 November 2007, and after a number of phone calls with Sports & Outdoor, Council sent a revised Development Application to the RTAWR.
- On 27 November 2007, Council was issued concurrence from RTAWR based on satisfaction of a number of conditions.
- On 28 November 2007, Council granted Development Application consent to Sports & Outdoor for the construction and erection of the structure.
- Council consulted with the landholder based on RTAWR conditions of concurrence as to the most appropriate site on his property.
- Property owner showed some concern in relation to a change of position and how it would affect his production on farm.
- Council sent Sports & Outdoor a letter on 12 December 2007, giving consent to a construction certificate to erect the sign.
- Based on second physical trip to Bellata another phone call was made to landowner to describe suggestion for sign site. Landholder reiterated concern for production on property and how it would be farmed around.

Following is a summary of activities undertaken in relation to the Gateway Sign proposed for the site south of Boggabri:

- Discussions held with Manager of Milchengowrie to get landowner's permission and in principle support for the proposal. This was received in the affirmative.
- On 23 July 2007, after a phone conversation with new Manager of Milchengowrie, Council sent a letter highlighting approximate placement of Gateway Sign on landholder's property. A Development Application was forwarded in the same letter for signing.
- Development Application signed on 15 August 2007 by landowner to have sign positioned on his property as sent to him previously.
- On 18 September 2007, Council received the signed Integrated Approvals Application from the owners of Milchengowrie.
- On 18 September 2007, Council sent and Acknowledgement of Receipt to Sports & Outdoor in relation to the Development and Construction Certificate.
- On 24 September 2007, Council sent a letter to RTAWR advising them of a Development Application lodged to erect a Gateway Sign on the property, Milchengowrie.
- Council received a letter on 16 October 2007, advising that the RTAWR does not favour the site chosen by Sports & Outdoor. To gain concurrence, a range of conditions needed to be satisfied.
- Council Officer advised Sports & Outdoor of what the RTAWR response was and further discussions were held in relation to gaining agreement.
- The main condition to gain concurrence was to move the sign between 200-300 metres south.
- A trip was made to Milchengowrie to ensure that the moving of the sign between 200-300 metres south was going to give Sports & Outdoor, suitable line of vision, be appropriate for the landholder and concur with RTAWR requirements.
- In early November 2007, Council contacted the landowner and advised of the RTAWR's requirement and requested that they consider the modification. They were to come back with a response.
- Sports & Outdoor sent an Advertising Site Agreement to Milchengowrie which is the legal and financial agreement between both parties. The landowner needed to sign this document and return it to Sports & Outdoor. Council Officer advised landowner that that document would be forwarded.

Current Position

Following is activities undertaken in relation to the Gateway Sign proposed for a site north of Bellata in 2008:

- Council contacted landowner to explain the RTAWR's and Sports & Outdoor's requirements.
- On 6 February 2008, a Council Officer took an Officer from the RTAWR to Bellata where the RTAWR Officer reconfirmed the site was appropriate for the Gateway Sign and the reasons for that decision.
- On 23 February 2008, Council Officers drove to landowner's property and met with him to discuss Gateway Sign situation due to his concern expressed about the potential to disrupt his farming. This transpired into physically driving out to the Newell Highway and showing landowner two proposed sites. The result of this was that a site was chosen that satisfies all parties being the landholder, RTAWR, Sports & Outdoor and Council.
- It is recognised that the site chosen for the Gateway Sign requires the removal of small trees and bushes allowing unhindered line of site to the sign. To ensure this could be undertaken Council consulted with the RTAWR and received consent to remove them.

Following is activities undertaken in relation to the Gateway Sign proposed for a site south of Boggabri in 2008:

- Contacted Sports & Outdoor to confirm they had received the Advertising Site Agreement from Milchengowrie. Was advised they had not.
- Called landowner on behalf of Sports & Outdoor to request signed Advertising Site Agreement be forwarded. It was then that the landowner of Milchengowrie advised that the property had been sold to PrimeAg and was hesitant to agree to Gateway Sign plus corresponding legal documentation being entered into. Council Officer was advised however that they would look into it and respond accordingly. No call was received.
- On 25 February 2008, Council Officer contacted previous owner of Milchengowrie and requested details of new owner. That information was forthcoming.
- Council contacted PrimeAg and verbally advised the situation. This was followed up with an email and a map requesting consideration be given to the placement of a Gateway Sign on site.
- PrimeAg will be followed up later in the week starting 25 February 2008 in an effort to get a decision. This may be difficult due to PrimeAg being a newly listed company and management currently in an acquisition phase.
- On speaking with the representative of the company at PrimeAg, she thought this is something that management would approve of but would nevertheless have to get it confirmed by management.

Policy Implications

There are no Policy Implications.

Financial Implications

There are no Financial Implications.

Legal Implications

There are no Legal Implications.

Commentary

On the basis that the Gateway Sign have been confirmed by all parties at the site at Bellata and that it seems probable that the one at Milchengowrie will go ahead, consideration now needs to be given to what will be placed on the sign/s.

Economic Development Staff are getting close to finalising the content of the new business and residents promotional brochure. A range of formats and presentation styles have been considered. With the finalisation of the photography competition suitable photos can now be selected to be used throughout the brochure. That will leave a range of specific or themed shots to be taken by a professional photographer.

At that point both content and photographs will be sent to a graphic artist / printer to begin the design stage. In conjunction with the design that is going to be put onto the brochures with the new photographs, the suggestion for some form of continuity would be to have the graphic artist design the Gateway Signs for the two borders of the Shire.

Conclusion

N/A

RECOMMENDATION1: That Council receive and note the report in relation the Gateway Signs.

RECOMMENDATION2: That Council authorise the design by a graphic artist of two Gateway Sign designs using the new photographs recently taken as well as the specific professional photography photos.

NARRABRI SHIRE COUNCIL



ATTACHMENTS

**PLANNING & DEVELOPMENT COMMITTEE
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ATTACHMENTS

INDEX

ATTACHMENT 1	CAPITAL EXPENDITURE REPORT	ITEM 1
ATTACHMENT 2	DA'S & LA'S	ITEM 2
ATTACHMENT 3	NARRABRI COAL MINE	ITEM 3

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