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**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 11 DECEMBER 2019**  
**REPORTS TO COUNCIL – GENERAL MANAGER**

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**1. 2018/2019 ANNUAL REPORT**

<b>Author</b>	Executive Manager Corporate Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.3.1 Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies.

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**Executive Summary**

This report is presented to Council to advise the publication of Council's 2018/2019 Annual Report. The Annual Report may be downloaded from Council's website.

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**Report**

Council must prepare an Annual Report within five months of the end of the financial year. The report must outline Council's achievements in implementing its Delivery Program. Council's Annual Report must also contain its audited financial statements. A copy of the report is to be published on Council's website with the notification of publication to the Minister.

The following information is required to be included in Council's Annual Report (as per the Regulations):-

- Details of overseas visits by Councillors and Council Staff
- Details of Mayoral and Councillor fees, expenses and facilities
- Contracts of \$150,000 and above awarded by the Council
- Amounts incurred in relation to legal proceedings
- Private works and financial assistance
- Details of external bodies, companies and partnerships
- Statement of total General Manager's total remuneration
- Statement of total remuneration of all Senior Staff
- Information on stormwater levies and charges
- A statement of the activities undertaken by the Council to implement its equal employment opportunity management plan
- A statement of Council's activities to enforce and comply with the Companion Animals Act

**Key Achievements for the Year**

**Mayor Capital Works Projects**

- Duffy Street Reservoir upgrade
- Trangie Showground grandstand seating upgrade
- Tomingley Memorial Hall upgrade
- Tom Perry Drive upgrade
- Redevelopment of Glenn McGrath cricket nets

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**1. 2018/2019 ANNUAL REPORT (Cont'd)**

- Trangie Burns Oval redevelopment completed
- Installation of CCTV cameras in Narromine CBD
- Installation of electronic scoreboard at Cale Oval, Narromine
- Customer Service Centre upgrade
- Narromine Truck Wash
- Eumungerie Road upgrade
- Tantitha Road upgrade
- Water efficiency project at Payten and Dundas Oval
- Substantial renewals of Council's works and services fleet
- 470km road network graded

**Successful Grants**

- Drought Communities Program - \$1M
- Safe and Secure Water Program – Tomingley – \$297K
- Safe and Secure Water Program – Narromine Water Security – \$2M
- Stronger Country Communities Program Round 2 – \$2M
- Regional Growth Environment and Tourism Fund – \$2.4M
- Clubgrants Narromine Aquatic Centre - \$300K
- Glenn McGrath Cricket Nets Relocation - \$100K

**Delivery Program Targets**

- Majority of targets in the 2018/2019 Delivery Program achieved
- Strategic plans for Cale Oval Narromine and Burns Oval Trangie

**Challenges**

- Severe drought – water security

**Financial Implications**

Council's Audited Financial Statements are included in Annexure One of the Annual Report. Council's 2018/19 financial results exceeded previous years with financial ratios largely above industry standard.

**Legal and Regulatory Compliance**

Sections 404, 428 and 428A of the Local Government Act 1993  
Clause 217 of the Local Government (General) Regulation 2005  
Integrated Planning and Reporting Guidelines

**Risk Management Issues**

Nil – Council's Annual Report has been prepared in accordance with the Regulations and Integrated Planning and Reporting guidelines.

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**1. 2018/2019 ANNUAL REPORT (Cont'd)**

***Internal/External Consultation***

Internal consultation with relevant personnel

Attachments

Nil

**RECOMMENDATION**

That the report be noted.

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**2. LICENCE – TRANGIE HORSE AND PONY CLUB**

<b>Author</b>	Executive Manager Corporate Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.3.4 – Ensure Council's property assets are monitored and well managed

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**Executive Summary**

This report is presented to Council to consider renewal of an expiring licence at the Trangie Showground and Racecourse.

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**Report**

Council is now the Crown Land Manager of Dedication 520007 at Trangie under the provisions The Crown Land Management Act 2016. Prior to the adoption of a compliant plan of management over Crown land, Council is able to issue short term licences up to one year for the prescribed purposes under the CLM Act. Council can also renew existing leases over Crown land if the renewal does not authorise additional uses for the land.

The following five year licence agreement at the Trangie Showground and Racecourse expires shortly:-

- Trangie Horse and Pony Club – for the purpose of holding show jumping, gymkhanas and jamboree events(expires 31 December 2019)

The above licensee requires renewal of their licence agreement. There are no additional uses required for the land, therefore a new five year agreement can be entered into.

**2. LICENCE – TRANGIE HORSE AND PONY CLUB (Cont'd)**

Rental paid generally cannot be an amount below the statutory minimum rental, currently \$501.00 per annum.

***Financial Implications***

Rental is as per Council's 2019/2020 Fees and Charges.

***Legal and Regulatory Compliance***

Crown Land Management Act 2016

The General Manager has delegated authority to authorise short term or casual agreements for the use and occupation of Council land and facilities (owned under Council's control) – exemption and setting of fees for the use of land or facilities. As these agreements are for a five year term, it is considered necessary for the Governing Body of Council to determine to enter into the agreements.

***Risk Management Issues***

Compliance with legislative requirements. All licensees are required to hold appropriate public liability insurance coverage for the areas they lease from Council.

***Internal/External Consultation***

Director Community and Economic Development

Attachments

Nil

**RECOMMENDATION**

That Council renews the expiring licence agreement with the Trangie Horse and Pony Club over part of Dedication 520007 at Trangie for a further five year term.

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**3. PROPOSED REACQUISITION OF LAND FOR RESALE – LOT 70 DP 1089611**

<b>Author</b>	Executive Manager Corporate Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.3.4 – Ensure Council's property assets are monitored and well managed CSP – 2.2.2 Actively encourage and support the growth and expansion of the existing aviation industry and the region's capacity to attract and establish new aviation business

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**Executive Summary**

This report is presented to Council to consider obtaining a market valuation for the potential sale of Lot 70 DP 1089611.

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**Report**

Council will recall formally resolving to reacquire for resale, Lot 70 in DP 1089611 under the Land Acquisition (Just Terms) Compensation Act 1991, Section 7B and to waive compensation for the reacquisition.

Council subsequently made application to the Minister for Local Government and the NSW Governor.

The Governor, with the advice of the Executive Council, approved the acquisition on Wednesday 22 May 2019, Executive Minute No 06. Gazettal has been published.

This means that Council now owns the land in fee simple and is able to consider the sale of the land or subdivision and sale of a portion of the land.

It would now be in Council's interest to obtain a market valuation for both the potential sale of approximately 2.12 hectares of the property which encompasses the lessee's existing infrastructure and for the entire property being approximately 21.4 hectares.

Once a market valuation has been obtained a full report will be put before Council to consider potential sale of the land.

***Financial Implications***

The cost of the market valuation will be shared between Council and the lessee.

***Legal and Regulatory Compliance***

Local Government Act 1993  
Compulsory Acquisition (Just Terms) Compensation Act 1991

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**3. PROPOSED REACQUISITION OF LAND FOR RESALE – LOT 70 DP 1089611 (Cont'd)**

***Risk Management Issues***

There are no risk management issues identified at this stage of the proposal. These will be identified in the full report to Council once a market valuation has been obtained.

***Internal/External Consultation***

Discussions with Lessee of the facility

Attachments

Nil

**RECOMMENDATION**

That Council obtains an independent market valuation for the potential sale of part Lot 70 DP 1089611, being approximately 2.12 hectares, and a further valuation for the potential sale of the entire Lot, being approximately 21.4 hectares.

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**4. COMMUNITY PARTICIPATION PLAN 2019**

<b>Author</b>	Executive Manager Corporate Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.1.1 – Enhance open and interactive communication between Council and the community guided by a Community Engagement Strategy which is monitored and reviewed. CSP – 4.1.3 Provide opportunities for community members to participate in Council's decision-making processes

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**Report**

In March 2018, amendments made to the *Environmental Planning and Assessment Act 1979* require Councils to have a Community Participation Plan (CPP) finalised and accessible online through the NSW Planning Portal. A CPP sets out how and when we will engage with our community on the planning functions that Council performs under the *Environmental Planning and Assessment Act 1979*.

A CPP outlines in a single, easy to read document, how and when Council will engage with the community across their relevant planning functions. The CPP relates to planning matters only, and must describe Council's community participation requirements under planning legislation. This includes all minimum mandatory exhibition timeframes for:

#### **4. COMMUNITY PARTICIPATION PLAN 2019 (Cont'd)**

- Strategic planning - local strategic planning statements, local environmental plans, development control plans, contributions plans, community participation plans and planning agreements; and
- Statutory planning - development applications and environmental impact assessment functions.

A report was put before Council at its Ordinary Meeting held on 12 December 2018 wherein it resolved to support an amendment to the existing Community Engagement Strategy to include new community participation provisions for strategic and statutory planning.

The Attached *Draft Community Participation Plan 2019* has been prepared in accordance with the guidelines issued by the Department of Planning, Industry and Environment (**See Attachment No. 1**). The CPP is relatively detailed and it is therefore recommended that the plan is a stand-alone plan which compliments Council's Community Engagement Strategy.

Currently, the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulations 2000 set out how Council must engage the community on strategic planning matters such as plan-making, planning proposals and voluntary planning agreements.

For statutory planning, Council's current approach to public exhibition and notification of development applications is included in *Chapter 4 Notification Requirements* of the *Narromine Shire Council Development Control Plan 2011*.

The provisions of the Development Control Plan (**See Attachment No. 2**) that relate to the exhibition and notification of development applications will be superseded by the CPP. With the introduction of the CPP, Council will need to remove the portions of Chapter 4 of the DCP which relate to the type of proposals that will be advertised or neighbour notified during the assessment of a development application. These provisions have been reviewed and adapted for insertion into the CPP. It is therefore proposed to remove the contents of Chapter 4 in its entirety that will no longer apply as a result of the CPP being endorsed and instead, insert wording to the effect that the reader shall refer to the CPP for guidance on exhibition procedures for development applications.

#### **The Draft Community Participation Plan**

The *Narromine Shire Council Community Participation Plan 2019* is a strategic document that sets the parameters for community participation in the environmental and land use planning framework for the Narromine Shire Local Government Area.

It consolidates information on the exhibition of all relevant strategic and statutory planning matters into a single accessible document. It transfers the existing development assessment exhibition and notification procedures and adds public exhibition processes for strategic planning as set by legislation.

#### **4. COMMUNITY PARTICIPATION PLAN 2019 (Cont'd)**

The CPP does not outline engagement strategies for the delivery of other Council services, functions or infrastructure. Community engagement of these activities is developed considering the requirements of Council's Community Engagement Strategy which was adopted by Council as part of the Community Strategic Plan.

Staff will always exhibit a proposal for the minimum timeframe expressed in the CPP and will consider extended timeframes for an exhibition based on the scale and nature of the proposal.

##### **Strategic Planning**

The public has the opportunity to make submissions on strategic planning matters after they have been endorsed by Council for public exhibition. Minimum mandatory public exhibition requirements for strategic planning matters are set by the Act and the Regulation. For most plan-making functions, such as the draft local strategic planning statement, draft development control plans and draft contributions plans, the minimum public exhibition period is 28 days.

##### **Statutory Planning**

The notification and public exhibition provisions in the CPP will apply to all development applications lodged in relation to land that is located within the Narromine Shire LGA where Council is of the opinion that the enjoyment or use of the land may be affected by the development proposal. The CPP outlines what development types are subject to neighbour notification requirements and what applications are subject to the advertised development provisions of the CPP.

Some minor development is of a scale and nature that does not require formal notification of neighbouring properties. Provided the proposal complies with all applicable development controls (LEP, DCP & other relevant policies) and is considered unlikely to detrimentally impact neighbouring properties, no formal notification period applies.

These measures are consistent with the requirements of the Act and the Regulation, and ensure the public is provided ample time to access, review and potentially make a submission on planning issues.

##### **Financial Implications**

There are no financial implications associated with the preparation of the CPP and amendment to the DCP. There are advertising costs involved with the public notice of the CPP and DCP amendment.

#### **4. COMMUNITY PARTICIPATION PLAN 2019 (Cont'd)**

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

Division 2.6 of the Environmental Planning and Assessment Act 1979  
Environmental Planning and Assessment Regulations 2000

The draft CPP and amendment to the DCP must be publicly exhibited for a minimum of 28 days.

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

Preparation of a CPP is a requirement under the EP&A Act. If Council does not proceed to prepare a CPP, there will be procedural non-compliance and a risk of Class 1 appeals to development consents and/or a Class 4 Judicial Review.

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

Department of Planning, Industry and Environment Guidelines  
Manex

##### Attachments

- Draft Community Participation Plan 2019
- Amendment to Chapter 4 of the Development Control Plan

As this matter relates to a planning decision made in the exercise of a function of Council under the EPA Act, and relates to a development control plan under that Act, **a division is required to be called on the motion.**

#### **RECOMMENDATION**

1. That the *Draft Community Participation Plan 2019* be placed on public exhibition for a period of 28 days.
2. To amend *Chapter 4 Notification Requirements* of the Development Control Plan by removing the provisions for notification and advertising requirements and reference instead the *Narromine Shire Council Community Participation Plan 2019*.
3. To place the amendment to *Chapter 4 Notification Requirements* of the Development Control Plan for public exhibition, concurrent with the *Draft Community Participation Plan*.
4. That Council adopt the *Draft Community Participation Plan 2019* and amendment to the *Chapter 4 Notification Requirements* of the DCP under delegation of the General Manager, subject to their being no objections that cannot be resolved by minor amendments to the Plan.
5. That public notice of adoption of the Community Participation Plan 2019 and amendment to the Development Control Plan be made in a local newspaper.

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## 5. DEVELOPMENT APPROVALS

<b>Author</b>	General Manager
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	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

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### Executive Summary

This report provides information to Council on the approved Development applications for the month of November 2019.

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### Report

The approvals for the month of November 2019 bring the total approved Development Applications for the financial year to 32 with a total value of \$9,359,072.

DA No.	Location	LOT/DP	Description	Value	Assessment Time/Days
2019/41	Merilba Street Narromine	10/817854	2 Lot Subdivision	Nil	46
2019/47	Euromedah Road Narromine	41 & 46 752581	Solar Farm	\$6,600,000	116 (Determined by JRPP)
2019/55	Third Avenue Narromine	112/707441	Demolition and Subdivision	\$100,000	99
2019/71	Dandaloo Road Narromine	2/876108	Inground Pool	\$42,000	6
2019/72	Merilba Street Narromine	11/1000727	Patio Cover	\$8,500	6
2019/74	Mullah Street Trangie	7/758993	Transportable Dwelling	\$192,061	7

There are currently 7 applications under assessment

### Legal and Regulatory Compliance

Environmental Planning and Assessment Act 1979  
Environmental Planning and Assessment Regulation 2000

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

***Risk Management Issues***

Nil

***Internal/External Consultation***

Nil

**Attachments**

Nil

**RECOMMENDATION**

That the information be noted.

Jane Redden  
**General Manager**



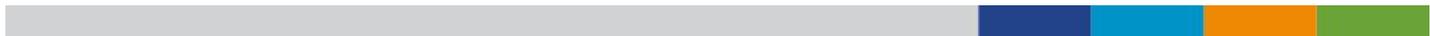
# Community Participation Plan

NOVEMBER 2019

### Narromine Shire Council (2019) Revision History

Date	Version	Author	Review Date
November 2019	1.0	General Manager	November 2024

DRAFT



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## Introduction

Narromine Shire Council recognises that community participation throughout the planning system is not only your right but is essential to delivering better and improved planning outcomes for the residents of the Narromine Shire.

Council's responsibility is to deliver the objectives of the *Environmental Planning & Assessment Act 1979* (EP&A Act) including the promotion of the orderly and economic use of the land, facilitating ecologically sustainable development and promoting social and economic wellbeing.

The NSW Government requires Council to prepare a Community Participation Plan (CPP), to set out how and when we will engage with our community on the planning functions that Council performs under the EP&A Act.

Community Participation, concerning this CPP, is an overarching term covering how we engage the community in our work under the EP&A Act, including legislative reform, plan making and decision making on proposed developments.

## Our Community Participation Plan

Good planning is all about looking ahead and ensuring we have the housing, employment, infrastructure, services and environment to support our lives now, and for the future. We aim to do this while protecting and enriching the characteristics that make living in the Narromine Shire so special.

Community participation is a crucial part of good planning and seeks to gather local knowledge, ideas and expertise to create better urban environments while protecting our natural environment and preserving local character.

Community participation is an overarching term, covering how we engage the community in our work under the Environmental Planning and Assessment Act 1979, including plan making and making decisions on proposed developments.

The level and extent of community participation will vary depending on the community, the scale of the proposal under consideration and the potential impacts of the decision.

Our CPP is designed to make participation in planning clearer for the community. It does by setting out, in one place, how and when the community can participate in the planning system, our functions and different types of proposals.

This CPP does not outline engagement strategies for the delivery of other Council services, functions or infrastructure. Community engagement of these activities is developed considering the requirements of Council's Community Engagement Strategy which was adopted by Council in 2017 as part of the Community Strategic Plan.

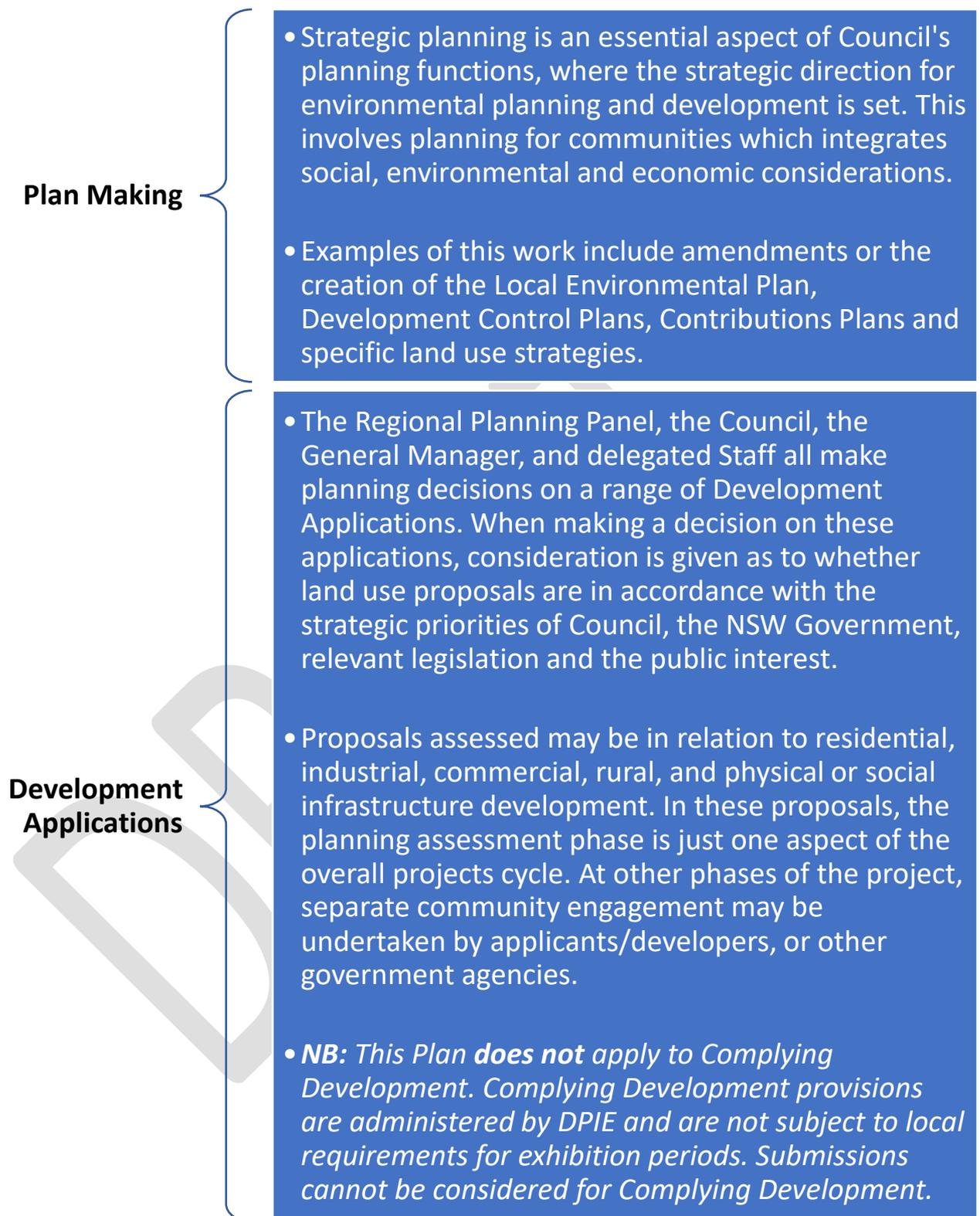


Figure 1 Functions to which this Plan applies

## Principles of the Community Participation Plan

The EP&A Act guides Council to ensure that it will be clearer and easier for the community to understand how it can participate in planning decisions. The EP&A Act outlines the principles that underpin Council's CPP. These principles are:

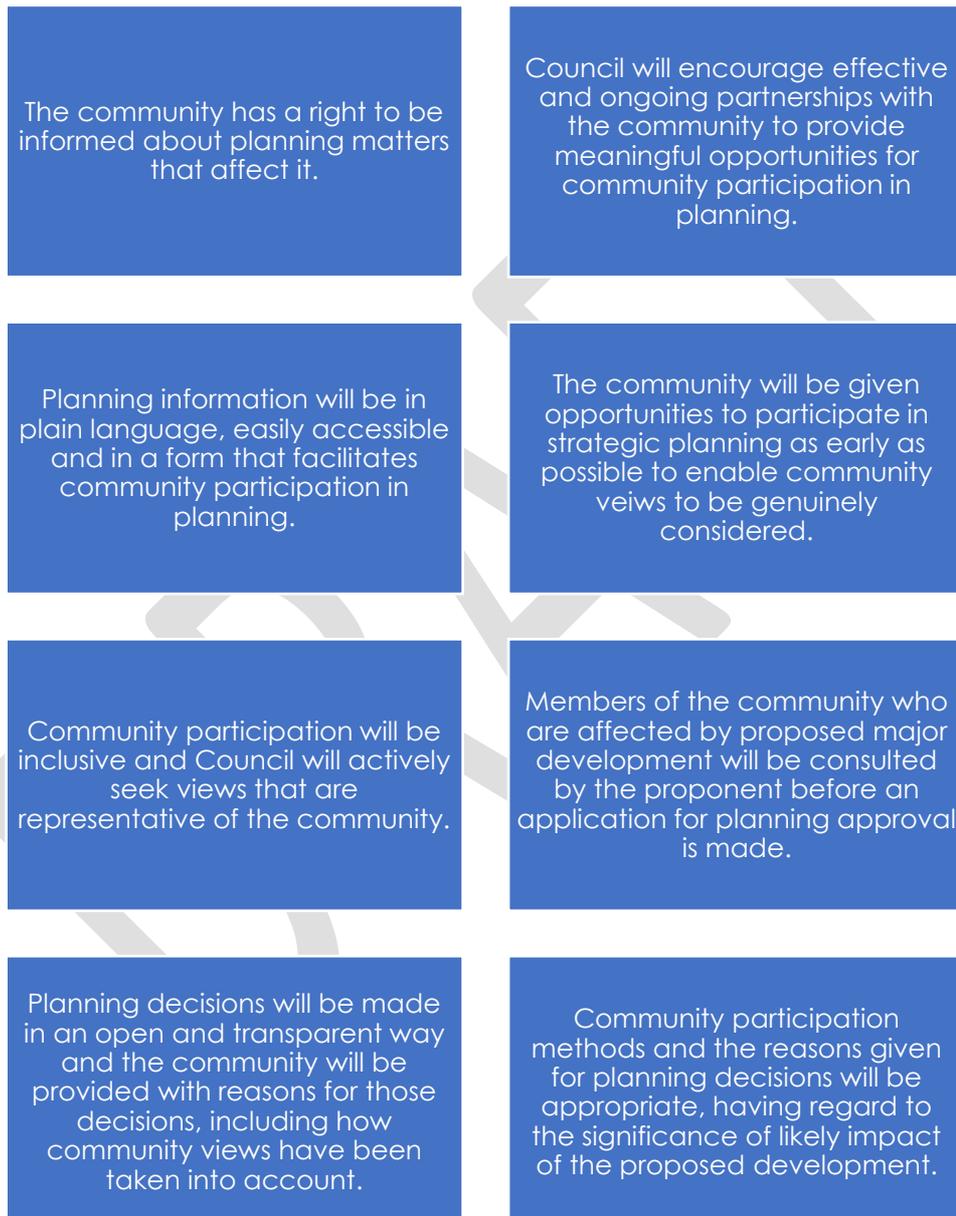


Figure 2 Principles of the CPP

## Our Community Participation Objectives

Figure 3 illustrates the types of actions we will undertake to deliver our community participation objectives. These objectives have been developed having regard to the community participation objectives set out in Section 2.23(2) of the EP&A Act. These objectives will be supported by measurable actions that we will use to develop, implement and evaluate community engagement.

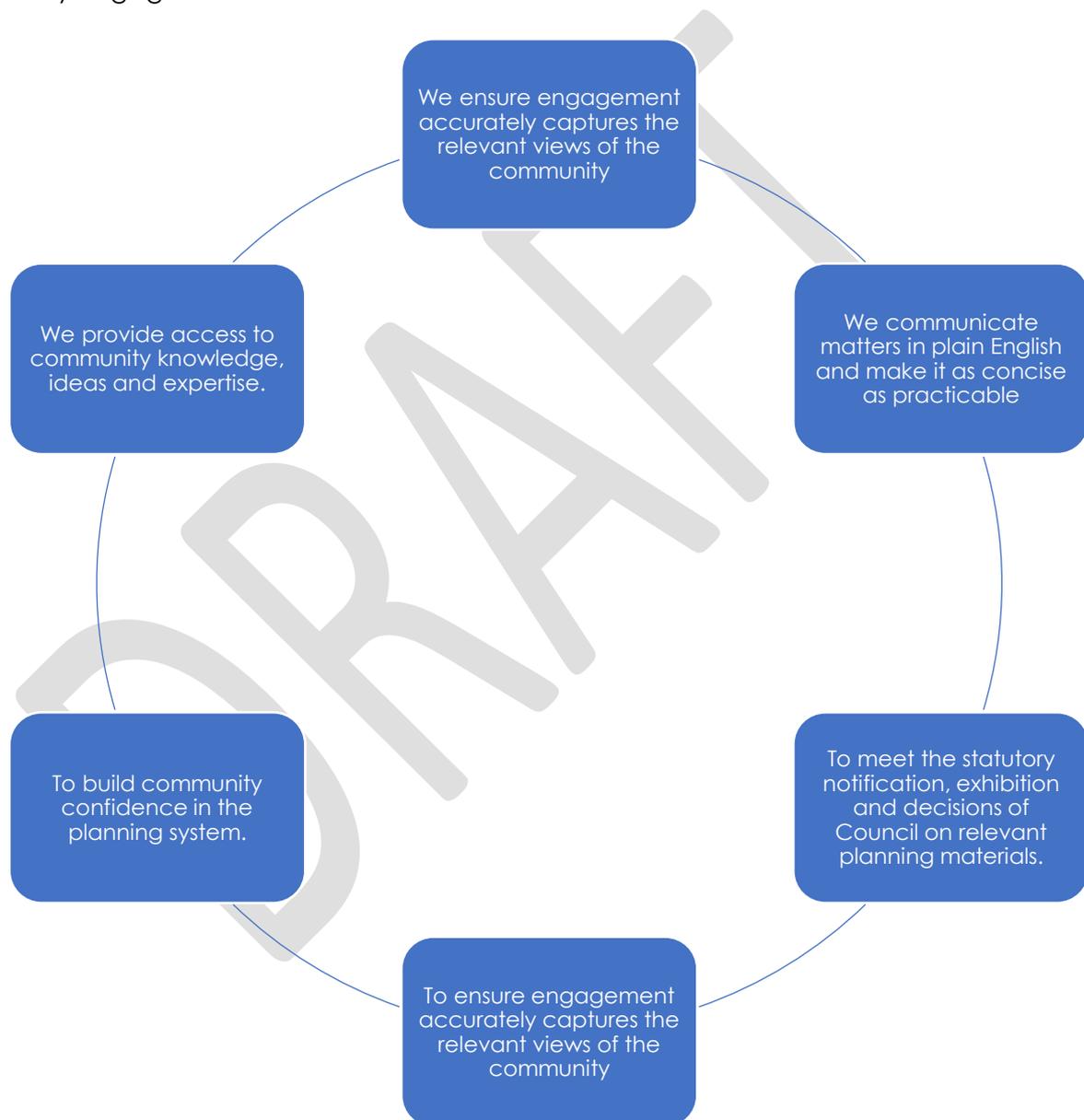


Figure 3 Objectives of the CPP

## Our Approach to Community Participation

**Community engagement is the process of involving people in decisions that affect their lives and the environment. It is proactive and ongoing, promoting open discussion and shared responsibilities for decisions.**

We will tailor community participation methods for our plan making and development assessment functions to achieve the benefits of community engagement across the planning system. We use a combination of engagement participation techniques that cater to a broad audience as well as different requirements based on the nature, scale and likely impacts of the proposal being considered or assessed.

Our approach to community engagement is broadly informed by the internationally recognised Public Participation Spectrum developed by the International Association for Public Participation which outlines five levels of public participation

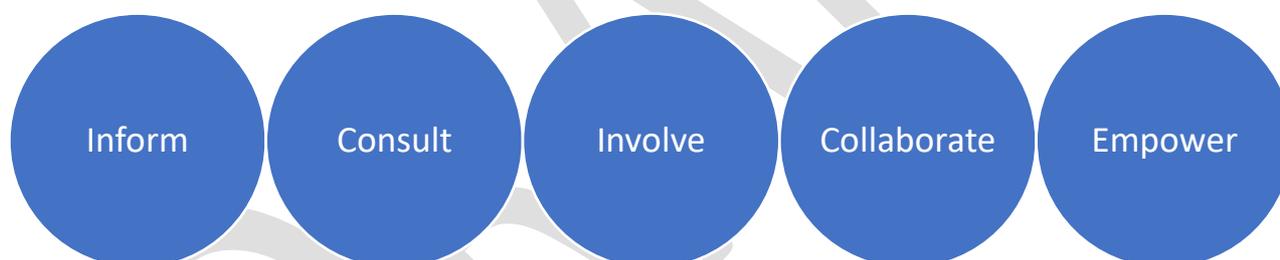


Figure 4 Public Participation Spectrum

## How we will seek Community Participation

Table 1 Approach to community participation

What	When	How
<b>Inform</b> We will tell you about plans/proposals and give you accurate and relevant information as they progress through the planning system	As soon as possible following lodgement, with updates at key milestones when accurately captured.	Newspaper notices, media releases, Council website, information sessions, discussion papers and technical reports.
<b>Consult</b> We will keep you informed, listen to and acknowledge your concerns and aspirations, and provide feedback on how your input influenced the decision	Once plans or policies reach draft state, we will exhibit them and ask for your feedback.	Public exhibition, drop in sessions, surveys, meetings, newspaper notices, Council website.
<b>Involve and Collaborate</b> We respond to the community's views by conducting targeted engagement to seek specific input reflecting the scale, nature and likely impact of the proposal	Through submissions and feedback, we identify your key issues and concerns and conduct targeted engagement activities to find solutions to determine the way forward.	Public meetings, pop up events, feedback sessions and workshops.
<b>Empower</b> We will let you know the decisions regarding proposals and how your views were considered in reaching the decision	In reaching a decision, we consider your views and concerns, notify you of the decision and how community views were considered.	Online updates, letters to submitters, post exhibition reports, determination notices and notices of decisions in the local newspaper.

## Exhibition in the Planning System

Opportunities to participate in the planning system will respond to the nature, scale and likely impact of the proposal being considered or assessed. A regular or valuable way for communities to participate in the planning system is by making a submission on a proposal during the exhibition period.

A key technique used by Council to encourage community participation is formal exhibitions. During an exhibition period, we make available relevant documents that may include a draft policy, plan or proposed development that we are seeking feedback on.

In reaching a decision on proposals that have been exhibited, Council balances a wide range of factors to ensure that decisions are in the public interest. This includes considering the objectives of the EP&A Act, the strategic priorities of Council, community input, land use priorities identified in our strategic plan and applicable policies and guidelines.

## Exhibition Timeframes

Section 2.21(2) of the EP&A Act details the types of proposals that must be considered in the CPP and Schedule 1 sets out a minimum exhibition timeframe for most of these proposals. We will always exhibit a proposal for the minimum timeframe (except where the CPP specifies a different period) and will consider extended timeframes for an exhibition based on the scale and nature of the proposal.

### Plan Making

The minimum community participation requirements for *plan making* are shown in the table below:

Table 2 Plan Making Timeframes

Plan Types	Minimum Requirements	Community	Participation
<b>Draft Community Participation Plan</b>	28 days		
<b>Draft Development Control Plan (DCP)</b>	28 days		
<b>Draft Contribution Plans</b>	28 days		
<b>Draft Local Strategic Planning Statements (LSPS)</b>	28 days		
<b>Planning Proposals for Local Environmental Plans (LEPs)</b>	28 days for exhibition or as specified by the gateway determination		

### Development Applications

The minimum community participation requirements for *development applications* are shown in the table below:

Table 3 Development Application Timeframes

Development Application Types	Minimum Requirements	Community	Participation
<b>Advertised development</b>	14 days		
<b>Neighbour notified development</b>	14 days		
<b>Designated development</b>	28 days		
<b>Nominated integrated development</b>	28 days		
<b>Threatened species development</b>	28 days		
<b>Modification of Development Application, made under s4.55(2) or s4.56 of the EP&amp;A Act</b>	As long as the original development application was exhibited for		
<b>Re-exhibition of any of the above, which is required due to substantial changes being put forward in revised plans/documents received during the assessment phase</b>	14 days		

## Key points to note about public exhibition

- Timeframes are in calendar days and include weekends.
- Development Applications may be notified for longer than the minimum days if deemed necessary.
- If the exhibition is due to close on a weekend or a public holiday, we may extend the exhibition to finish on the first available work day.
- The period between 20 December and 10 January (inclusive) is excluded from the calculation of a public exhibition period. A public exhibition period will not commence during these dates.
- Council is not required to make available for public inspection, any part of an EIS whose publication would, in the opinion of Council, be contrary to the public interest because of its confidential nature or for any other reasons i.e., for commercial reasons.

### Notification and Exhibition of Development Applications

The notification and public exhibition provisions in this Plan will apply to all development applications lodged in relation to land that is located within the Narromine Shire LGA where Council is of the opinion that the enjoyment or use of the land may be detrimentally affected by the development proposal.

**Neighbour Notification:** where Council writes to owners of properties identified as requiring notification, advising of the proposed development. Notification is for a minimum period of 14 days unless otherwise specified by *Table 3*.

**Advertising:** in addition to writing to owners of properties identified as requiring notification, a newspaper notice is placed in the local newspaper advising of the proposed development. Advertising is for a minimum period of 14 days unless otherwise specified by *Table 3*.

#### Persons to be Notified – Neighbour Notification

For Development Applications requiring neighbour notification under this Plan, written notification of the proposed development will be provided to:

- The owner(s) of land immediately adjoining the side and rear boundaries of the subject land.

- The owner(s) of any other land adjacent to the subject land including land that is separated by a road, pathway, driveway, railway or similar thoroughfare.
- The owner(s) of any other land, which may, in the opinion of Council or its delegated officers be affected by the proposed development.

Development that will be neighbour notified is listed below:

- Dual occupancy
- Innominate use
- Pub
- Recreation area
- Service Station
- Major alterations or additions
- Intensive plant agriculture
- Multi dwelling housing
- Major commercial and industrial works.
- Temporary use of land, if the use would ordinarily be prohibited on that land.

### Advertised Development

Advertised Development is development that is also subject to neighbour notification requirements of this Plan. If a Development Application is lodged for a land use listed below, an advertisement is required to be placed in the local newspaper.

The following development is advertised development for the purposes of this Plan:

- Caravan Parks
- Correctional Centres
- Demolition of a Heritage Item
- Extractive Industries
- Freight or Transport Facilities
- Hazardous or offensive industries
- Heavy industrial storage establishments
- Highway Service Centres

*Note: Other types of development applications could be neighbour notified or advertised, depending on the assessing officer's initial view as to the potential impacts of the development.*

### Information to be publicly exhibited

During the public exhibition period, Council must make available, upon request extracts of the Development Application to any interested persons. The information shall include:

- Details of the applicant and the land to which the Development Application relates
- Plans of the development proposal
- Where relevant, a copy of the Statement of Environmental Effects accompanying the Development Application
- Where relevant, a copy of the Environmental Impact Statement (EIS) accompanying the Development Application.

### Development Applications where notification is not required

Some minor development is of a scale and nature that does not require formal notification of neighbouring properties. Provided the proposal complies with all applicable development controls (LEP, DCP & other relevant policies) and is considered unlikely to detrimentally impact neighbouring properties, no formal notification period applies. This applies to development such as:

- Landscaping
- Minor alterations and additions
- Residential dwellings
- Residential sheds and garages, fences, pools and other minor ancillary development
- Rural buildings
- Strata subdivisions of existing developments.

## Submissions

### Submission Process

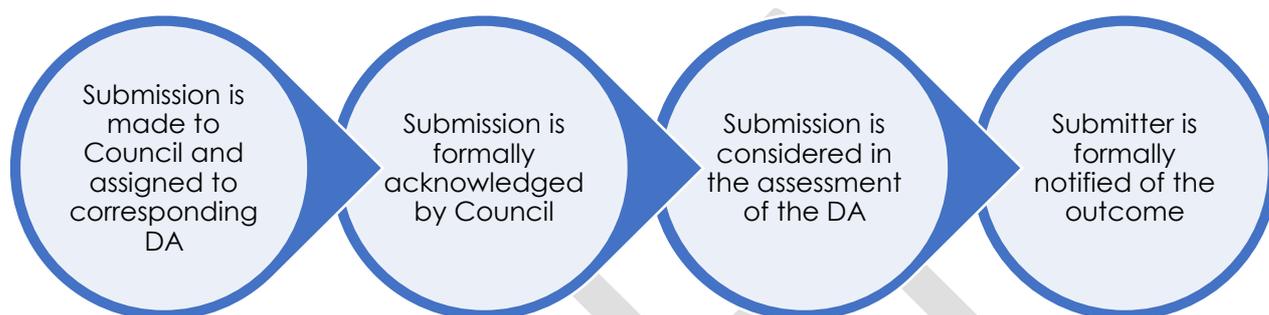


Figure 5 Submission process

### Making a submission

The exhibition period is also the submissions period for a proposal. Any submissions received before or after this period may not necessarily be considered in the making of a decision. If early/late submissions are considered they may not be explicitly mentioned in an assessment report. Submissions can be:

#### Posted:

PO Box 115 NARROMINE  
NSW 2821

#### Emailed:

[mail@narromine.nsw.gov.au](mailto:mail@narromine.nsw.gov.au)

#### Delivered:

120 Dandaloo Street,  
NARROMINE NSW 2821

## What does my submission need to include?

To qualify as a submission, the submission must:

1. Be in writing by email or letter and addressed to the General Manager or other Council officers as nominated;
2. Be submitted within the nominated exhibition period;
3. Clearly identify the matter to which the submission relates; and
4. Include appropriate contact details.

## Consideration of submissions

Where a submission is received concerning a Development Application that has been notified or advertised under this Plan and the submission has been received in the time period allowed for making submissions, Council or its delegated officer must consider that submission prior to the Development Application being determined.

Nothing in this Plan prevents Council or its delegated officers from considering a submission that is received outside of the period allowed for making submissions under this Plan provided that the development application has not already been determined by Council.

All submission will be reviewed on merit. When submissions raise legitimate town planning considerations, the development application may be reported to Council for determination, as decided by Council staff.

## Disclosure of submissions

Submissions may be accessed by the public by way of a request to Council under the Government Information (Public Access) Act. Also, if the proposal is reported to a Council meeting the issues raised in that submission will be summarised in the Council report and the redacted submission will be attached to the report. Council's notification correspondence will indicate that all submission are public documents unless privacy is specifically requested by the submitter.

## What are **not** planning matters?

Speculation on devaluation of property or private market fluctuations

Character assessments of the developer, future neighbours, or anyone else

Heresay as to what other neighbours would or would not be concerned about

Assumed bad faith or non compliance with road rules or other laws

Commerical competition

## What **are** planning matters?

Air/odour impacts

Biodiversity/ecological impacts

Infrastructure impacts

Land/soil suitability and capability

Noise and vibration impacts

Privacy impacts

Solar access impacts

Traffic impacts

Visual amenity/streetscape impacts

Waste Impacts

Water (surface and groundwater) impacts

## Glossary

**Contribution plans.** Plans developed by councils for the purpose of gaining financial contributions from new development towards the cost of new and upgraded public amenities and/or services required to accommodate the new development.

**Designated development.** A proposed development that due to its scale, nature, or likely impacts – will require a higher standard of reporting to be undertaken by a proponent, in accordance with Secretarial requirements of the NSW Department of Planning, Industry & Environment (see 'Environmental Impact Statement' below).

**Development Application.** When a land-use or development requires consent under the Act (and its associated environmental planning instruments), one way to obtain this consent is through lodging a Development Application. The Development Application is assessed on its merits and considered against any statutory assessment requirements.

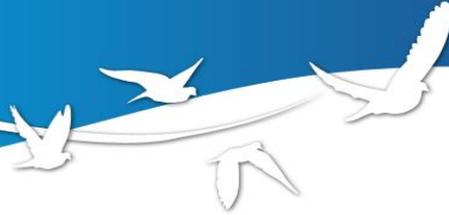
**Development control plans ('DCP').** These are plans that provide detailed planning and design guidelines to support the planning controls and objectives in a Local Environmental Plan.

**Environmental Impact Statement.** A statement prepared for a proposal where the statement must meet Secretarial requirements of the NSW Department of Planning, Industry & Environment.

**Environmental Planning and Assessment Act 1979.** The principle piece of legislation within which all planning functions exist. Referred to as 'the Act' throughout this Plan.

**Gateway determination.** A gateway determination is issued by the Department of Planning, Industry and Environment following an assessment of the strategic merit of a proposal to amend or create an LEP and allows for the proposal to proceed to public exhibition.

**Local Environmental Plan ('LEP').** An environmental planning instrument developed by the Department, that relates to planning matters that are state significant or are applicable across the state.



# **Chapter 4**

## **Notification Requirements**



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## CHAPTER 4

### NOTIFICATION REQUIREMENTS

Please refer to *Narromine Shire Council's Community Participation Plan 2019* (as amended) for guidance on notified development.

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Certain types of development will be placed on public notification. Public notification may include letters sent to adjoining property owners, notices placed in the local paper and notices placed on the development site. This section outlines the notification process. The plans relating to notified development and related documents may be inspected at the Council office.

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#### Notification and Advertising Requirements

##### Development that is required to be notified

Development listed within this subsection is required to be notified and or advertised by legislation. These types of development include:

- All designated development as defined in section 77A of the *Environmental Planning and Assessment Act 1979* and *Schedule 3 of the Environmental Planning and Assessment Regulations 2000*;
- State significant development—Certain development that is identified as being state significant development. For example, development such as intensive livestock industries (feedlots) that employ 20 or more people or development valued over a minimum dollar value are identified as state significant development;
- Certain integrated development—Some integrated development applications are required to be publicly notified in accordance with the Act.

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##### Locally significant development that will be notified

The following development applications will be publicly notified:

- Development affecting a heritage item;
- Multi-unit development;
- Brothels;
- Major commercial and industrial works;
- Non residential uses in residential areas;
- Second storey residential additions and alterations;
- Subdivisions creating new roads;
- Large Scale subdivisions in either residential or rural areas;
- Community title development;
- Hazardous industries; or
- Any development that Council deems as potentially impacting adjoining properties.

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### Notification period

The EP&A Act mandates the notification and advertising period for certain development such as designated development and state significant development. Generally these types of development are required to be notified for a period of at least 30 calendar days.

Other developments will be notified for ten (10) working days. Around major holiday periods such as December/January and Easter the notification period may be extended. All advertisements and letters will include a closing date for submissions to be received by Council.

### Form of submission

Submissions made with regard to any notified or advertised development must be in writing and addressed to the General Manager. Submissions must clearly indicate the name and address of the person or body making the submissions and details of the proposal to which the development relates. Note: unless specifically requested by you, your submission, including your name and address may be made publicly available to third parties including as part of any report to a Council meeting.

Submissions must clearly state your concerns including whether you are objecting to or in favour of the development. If you are objecting to a development you should clearly state why you object to the development. Objections should be based on your understanding of any impacts of the development on your property or similar legitimate issues.

Council will not support vexatious or derogatory submissions.

### Assessment of Submissions

All submissions will be reviewed on merit. Where submissions raise legitimate issues of concern, as determined by Council staff, the application may be reported to a Council meeting for determination.

If an application is reported to a Council meeting, you will be advised the time and date, if you wish to attend. You have the opportunity to speak at the Council meeting for a period of no more than 3 minutes. Be advised that the applicant/property owner of any development application can also speak at the meeting.



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