



Our ref: DOC24/817199  
Your ref: NLEP 2012

Clare Butterfield  
Senior Planning Officer  
State Rezoning  
Department of Planning, Housing and Infrastructure  
[REDACTED]

Dear Ms Butterfield

### **Section 3.25 referral – Narrabri Draft Place Strategy and rezoning plan**

Thank you for your e-mail dated 11 September 2024 to the Biodiversity, Conservation and Science Branch (BCS) of the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) inviting comments on the proposed draft place strategy and rezoning plan for three precincts in Narrabri.

We understand that the place strategy and rezoning plan will replace the Narrabri Special Activation Precinct (SAP) process. The following three precincts have been identified:

- Residential precinct – a proposed residential precinct that has potential for 2,100 dwellings on flood-free land,
- Employment Lands precinct – a precinct that supports light industrial activity as well as specialised retail on flood-free land, and
- Northern NSW Inland Port precinct – the existing precinct which was rezoned in 2019 with planning led by Council.

BCS has reviewed the draft place strategy and explanation of intended effect, along with the flooding and water cycle management and biodiversity assessment reports.

We are satisfied that the Flooding and Surface Management Report adequately describes flood behaviour and meets required guidelines.

Regarding biodiversity, we recommend that:

- Consult further with BCS if biodiversity certification is proposed, most notably prior to seeking the Minister for the Environment's declaration for any strategic certification
- All endangered ecological communities are included in the C3 – Environmental Management zone for the Northern NSW Inland Port precinct, and consideration be given to including all areas of high biodiversity values in an appropriate conservation zone
- Mechanisms to secure avoided or high to very conservation value land are included in both the Planning Proposal and updated Narrabri Development Control Plan
- The biodiversity conservation values criteria in the draft place strategy be updated

BCS's biodiversity recommendations are provided in **Attachment A** and detailed comments are provided in **Attachment B**.

We welcome further discussion and engagement with DPHI and Narrabri Sire Council on the proposal as required.

If you have any questions about this advice, please do not hesitate to contact Liz Mazzer, A/Principal Planning Officer, via [liz.mazzer@environment.nsw.gov.au](mailto:liz.mazzer@environment.nsw.gov.au) or (02) 6883 5325.

Yours sincerely



**Calvin Houlison**  
**Senior Team Leader Planning North West**  
**Biodiversity, Conservation and Science**

4 October 2024

Attachment A – BCS's Recommendations

Attachment B – BCS's Detailed Comments

## BCS's recommendations

### Narrabri draft place strategy and rezoning

- 1.1 Contact BCS for advice and support if biodiversity certification is to be pursued and consider the feasibility of the strategic pathway.
- 1.2 Update the draft place strategy to indicate that biodiversity certification including strategic certification will be considered for all precincts.
- 1.3 If strategic biodiversity certification is proposed, consult further with BCS prior to preparing a request for the Minister to declare the application as strategic. Alternatively, consider standard biodiversity certification as a suitable biodiversity assessment pathway for the proposal.
- 2.1 Apply the avoid, minimise, and offset hierarchy to all native vegetation, not only serious and irreversible impact entities.
- 2.2 Include all patches of very high biodiversity value in the RE1 – Public Recreation zone for the residential precinct, and consider whether to include the resulting area wholly or partially within a conservation zone such as C3 – Environmental Management.
- 2.3 Include all areas of Brigalow and Poplar Box endangered ecological communities in the C3 – Environmental Management zone for the Northern NSW Inland Port precinct.
- 2.4 If native vegetation in the employment land precinct on the site is shown to be of high biodiversity value, include these areas in an appropriate conservation zone.
- 2.5 Note that the *Biodiversity Conservation Act 2016* applies to all areas of native vegetation including those mapped as medium in the biodiversity assessment report.
- 2.6 Identify mechanisms to secure the protection of avoided land in the planning proposal and in the amended Narrabri Development Control Plan, prior to rezoning.
- 3.1 Replace the explanations of biodiversity conservation values in Table 3 of the draft place strategy with BCS's suggested explanations presented in Table 2 of this response.

**Table 3 BCS suggested explanations for biodiversity conservation values**

Biodiversity conservation value	BCS suggested explanation
<b>Very high</b>	Areas mapped on the Biodiversity Values Map  All Threatened Ecological Communities (TEC) listed in the <i>Biodiversity Conservation Act 2016</i> or the <i>Environment Protection and Biodiversity Conservation Act 1999</i>
<b>High</b>	Woodland plant communities and native riparian vegetation that are not TECs
<b>Medium</b>	Remaining areas of native vegetation including derived native grassland Larger (Class 2 or Class 3) paddock trees Vegetated habitat corridors and linkages
<b>Low</b>	Disturbed cleared lands and exotic vegetation

## BCS's detailed comments

### Narrabri draft place strategy & rezoning

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- 1 BCS supports biodiversity certification in principle, subject to further consultation regarding the strategic certification pathway

Table 2 of the draft place strategy identifies strategic biodiversity certification as a key driver for implementing strategies in Narrabri precincts. The draft place strategy recommends that a precinct-wide approach to biodiversity management be considered to streamline the development approval pathway for future investors in the Northern NSW Inland Port precinct.

We agree in principle with this approach, and we offer our assistance with developing strategic biodiversity certification in the Northern NSW Inland Port precinct. If strategic certification is pursued, this can only be applied for by a planning authority such as DPHI or Narrabri Shire Council.

A request to declare the application as strategic must be made to the Minister for the Environment as the first step, prior to preparing an application for strategic biodiversity certification. The application for declaration must address the following criteria to be taken into account by the Minister, as per clause 8.3 of the *Biodiversity Conservation Regulation 2017* (BC Reg):

- (a) *the size of the area of the land,*
- (b) *any regional or district strategic plan under the Environmental Planning and Assessment Act 1979 that applies to the area in which the land is situated*
- (c) *advice provided by the Minister for Planning regarding the proposed biodiversity certification*
- (d) *the economic, social or environmental outcomes that the proposed biodiversity certification could facilitate.*

We recommend that you consider the feasibility of the proposal as strategic in light of the above criteria. Further guidance on declaring a biodiversity certification application as strategic is available at the link below:

<https://www2.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/biodiversity-certification/strategic-biodiversity-certification#requesting-a-strategic-declaration>

Acknowledging the limitations of the information presented, the strategic option may be more suited to the entirety of the area to which the place strategy applies, not just the Inland Port precinct as currently identified in the draft place strategy.

We also note that, if strategic certification is not pursued, the option to pursue standard biodiversity certification pathway at Part 8 of the Biodiversity Conservation Act 2016 (BC Act) also exists. Standard or strategic biodiversity certification may assist in activating zoned and under-utilised areas, as it provides certainty for future development while ensuring biodiversity outcomes are delivered, including ongoing protection of avoided land with biodiversity values.

The following table indicates the conservation measures available for standard versus strategic applications for biodiversity certification:

**Table 1 Available conservation measures for strategic and standard biodiversity certification applications (s8.3 BC Act)**

Standard certification	Strategic certification
Retirement of biodiversity credits	Retirement of biodiversity credits
	Reservation of land to the national parks estate
	Adoption of development controls (such as C2 zoning) under the <i>Environmental Planning &amp; Assessment Act 1979</i> (EP&A Act)
	Any other measure declared as by the Minister as strategic

Any application for standard or strategic biodiversity certification must be supported by a Biodiversity Certification Assessment Report (BCAR), prepared in accordance with sections 6.13 and 8.5(4) of the BC Act, and the Biodiversity Assessment Method (BAM) 2020. The suite of conservation measures for strategic applications as set out at Table 1 must be calculated in accordance with Appendix J of the BAM.

Further information regarding biodiversity certification is available here: [Biodiversity certification | Biodiversity Offsets Scheme | Environment and Heritage \(nsw.gov.au\)](#)

### Recommendations

- 1.1 Contact BCS for advice and support if biodiversity certification is to be pursued and consider the feasibility of the strategic pathway.
- 1.2 Update the draft place strategy to indicate that biodiversity certification including strategic certification will be considered for all precincts.
- 1.3 If strategic biodiversity certification is proposed, consult further with BCS prior to preparing a request for the Minister to declare the application as strategic. Alternatively, consider standard biodiversity certification as a suitable biodiversity assessment pathway for the proposal.

## 2 Further avoid development in areas of very high and high biodiversity value

As stated in the biodiversity section, the draft place strategy seeks to protect and enhance biodiversity values, with the utilisation of avoid, minimise, mitigate, and offset criteria for the serious and irreversible impact on biodiversity values.

The BAM applies the avoid, minimise, and offset hierarchy to all native vegetation, not only serious and irreversible impact entities.

Avoidance measures are indicated in the proposed statutory amendments to support the draft Narrabri Place Strategy - explanation of intended effect. The following considers implications of rezoning of each precinct to biodiversity matters.

### **Residential precinct**

- Land identified as very high biodiversity value in the biodiversity assessment report will be located in the RE1 – Public Recreation zone.

- Areas identified as containing high biodiversity value will be zoned as R1 – General Residential and subject to the *Biodiversity Conservation Act 2016*. The biodiversity offset scheme may apply if development is likely to significantly affect threatened species.

It should be noted that the *Biodiversity Conservation Act 2016* applies to all areas of native vegetation. The biodiversity offset scheme may also apply to development in areas of medium biodiversity value in the residential precinct. These areas are mapped in figure 4.4 of the biodiversity study.

Figure 4.4 of the biodiversity assessment report also indicates that not all the mapped very high biodiversity areas will be included in the RE1 – Public Recreation zone (figure 1). However, the biodiversity section of the draft place strategy states that public open space aligns with existing remnant vegetation and that existing mature trees and canopy will need to be considered for retention. Ideally, appropriate zoning should be applied to all very high biodiversity value areas in the residential precinct.

### **Employment land precinct**

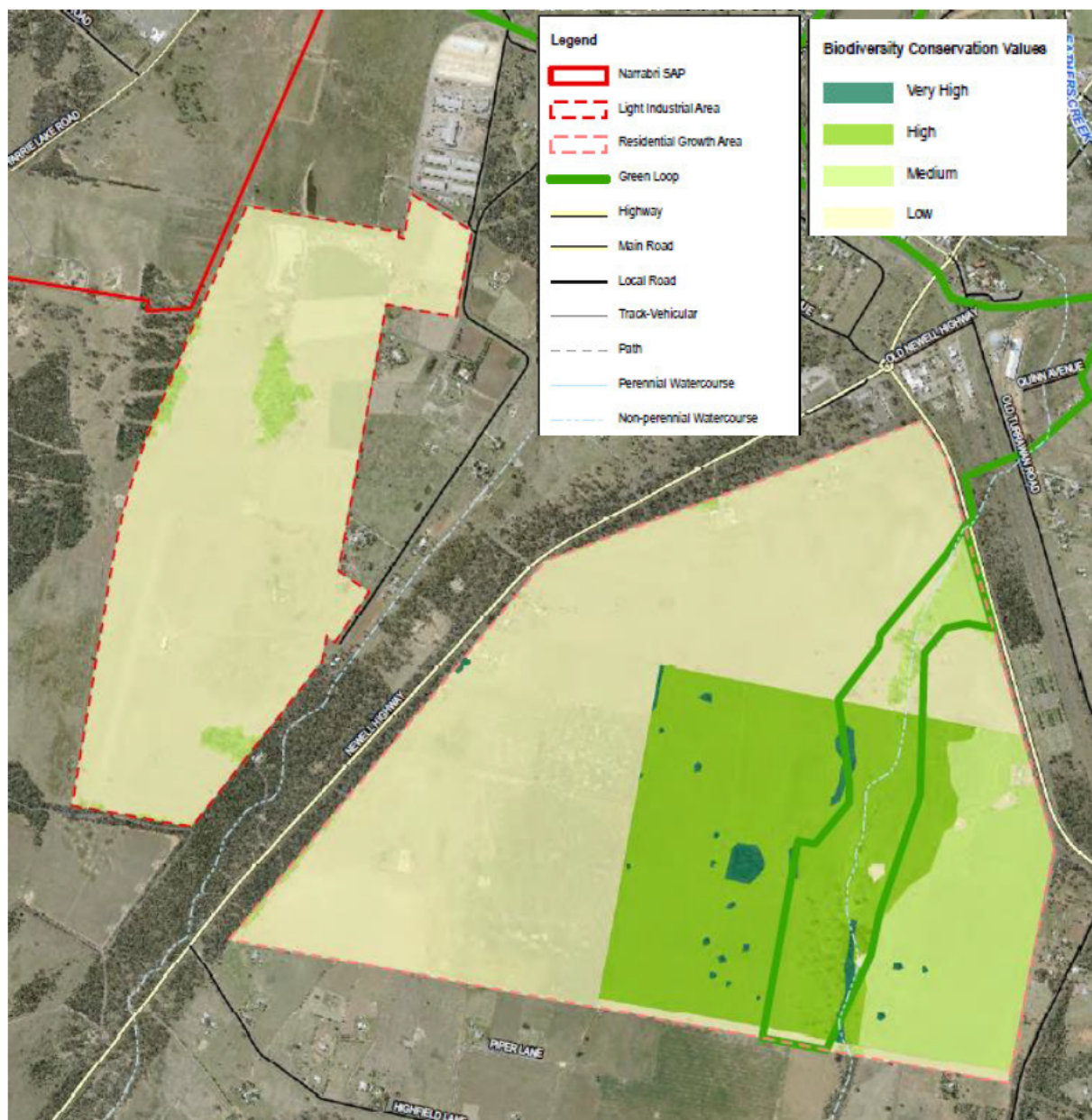
The Employment lands precinct is currently zoned RU1 – Primary Production. It will be rezoned to E3 – Productivity Support.

The biodiversity section of the draft place strategy states that no vegetation of very high or high biodiversity value was identified within the employment lands precinct. This is contradicted by the biodiversity assessment report which maps some high biodiversity value land on the site (figure 1).

We acknowledge that mapping of vegetation in the employment land precinct has not been field verified, and that additional biodiversity studies will be required. If vegetation on the site is shown to be of high biodiversity value, the employment land precinct should be designed to retain and protect this vegetation through appropriate zoning.



**Figure 1 Biodiversity conservation values within the residential and employment precincts**  
Excerpt from figure 4.4 of the biodiversity study



#### Northern NSW Inland Port precinct

The Northern NSW Inland Port precinct is currently zoned SP1 – Special Activities and SP2 – Rail Infrastructure Facility. The western boundary along Bohena Creek is zoned C3 – Environmental Management to assist in protecting areas of high biodiversity and cultural heritage value.

The proposed statutory amendments will rezone the SP1 – Special Activities zone to E4 – General Industry. The SP2 – Rail Infrastructure and C3 – Environmental Management zones will be retained as they are.

The biodiversity assessment report (figure 3.2) has identified Brigalow endangered ecological community (listed under both the *Biodiversity Conservation Act 2016* and the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*) in the centre of the Northern NSW

Inland Port precinct. The area also contains Poplar Box community, which is listed as endangered under the *Environment Protection and Biodiversity Conservation Act*.

In addition, these areas along with riparian vegetation along Bohena Creek contain habitat for threatened species including Winged Peppercreep (*Lepidium monoplacoides*), Spotted Harrier (*Circus assimilis*) and Black Falcon (*Falco subniger*).

Given the very high biodiversity value of these areas, they should be incorporated into the C3 – Environmental Management zone.

**Consider including mechanisms to protect avoided land in provisions within the Narrabri DCP amendment, and identify these as part of the planning proposal**

We support the preparation of a biodiversity certification in principle, as outlined above. If biodiversity certification is pursued, a biodiversity certification strategy is required which identifies how avoided land will be managed.

However if certification does not eventuate, the planning proposal should still identify how avoided or high conservation value land will be protected by an in-perpetuity management mechanism. This may include a Biodiversity Stewardship Agreement (BSA) or Conservation Agreement (CA) under the BC Act, or suitable alternative such as a vegetation management place on title secured at the development application stage.

The place strategy most notably identifies that high to very high conservation value land in the future RE1 zone of the Residential precinct will be acquired and managed by Council. It is however silent on future management of the C3 zoned area in the Northern NSW Inland Port precinct.

We also suggest considering whether a conservation zoning such as C3 Environmental Management is more appropriate for these some or all of these high to very high conservation value areas. The planning proposal should also be updated to include appropriate conservation mechanisms for conservation land within the project area, including which mechanism is preferred for each conservation area.

The draft place strategy notes that an amended Narrabri Development Control Plan (DCP) will be prepared to facilitate implementation of future land uses. Including proposed conservation mechanisms, or provisions relating to the ongoing management of avoided land, should be included in the site-specific DCP chapter, including the area identified for Council acquisition in the Residential precinct. Alternative measures to secure conservation outcomes may include a planning agreement under section 7.4 of the EP&A Act.

Explicitly identifying these mechanisms in the planning and proposal and amended DCP will assist in securing the most appropriate conservation outcomes at or prior to the development application stage.

**Recommendations**

- 2.1 Apply the avoid, minimise, and offset hierarchy to all native vegetation, not only serious and irreversible impact entities.
- 2.2 Include all patches of very high biodiversity value in the RE1 – Public Recreation zone for the residential precinct, and consider whether to include the resulting area wholly or partially within a conservation zone such as C3 – Environmental Management.
- 2.3 Include all areas of Brigalow and Poplar Box endangered ecological communities in the C3 – Environmental Management zone for the Northern NSW Inland Port precinct.
- 2.4 If native vegetation in the employment land precinct on the site is shown to be of high biodiversity value, include these areas in an appropriate conservation zone.
- 2.5 Note that the *Biodiversity Conservation Act 2016* applies to all areas of native vegetation including those mapped as medium in the biodiversity study.
- 2.6 Identify mechanisms to secure the protection of avoided land in the planning proposal and in the amended Narrabri Development Control Plan, prior to rezoning.



### 3 Table 3 of the draft strategy should better reflect the biodiversity assessment report

The biodiversity assessment report accompanying the draft place strategy provides definitions of biodiversity conservation values across the strategy areas.

Table 3 of the draft place strategy provides an explanation of biodiversity conservation values. The explanations of each value do not fully reflect the features described in the Narrabri SAP biodiversity assessment report (table 2-1). A comparison is provided in Table 2.

**Table 2 Comparison of biodiversity conservation values in the Narrabri SAP biodiversity study and the Narrabri draft place strategy**

Biodiversity conservation value	Features	Explanation
	Narrabri SAP biodiversity assessment report Table 2-1	Narrabri draft place strategy Table 3
<b>Very high</b>	<ul style="list-style-type: none"> <li>• Areas mapped on the Biodiversity Values Map</li> <li>• Existing conservation reserves</li> <li>• Areas of desktop mapped and field-verified Threatened Ecological Communities in high or moderate condition. High or moderate condition is defined as having an intact canopy and does not include derived native grassland communities.</li> </ul>	All Threatened Ecological Communities (TEC) listed in the <i>Biodiversity Conservation Act 2016</i> or the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
<b>High</b>	Woodland PCTs and native riparian vegetation that are not TECs	<p>Disturbed or partial TECs in regrowth or poor condition which have the potential to be regenerated.</p> <p>Plant Community Types (PCTs) in high or moderate condition which provide habitat value for a variety of species. This includes riparian or woodland habitat with a strong canopy layer which provides a high degree of micro-habitat features that threatened and non-threatened species can utilise.</p>
<b>Medium</b>	<ul style="list-style-type: none"> <li>• Remaining areas of native vegetation including derived native grassland</li> <li>• Habitat linkages over cleared land</li> <li>• Paddock trees recorded as Class 2 or Class 3 (following appendix B of BAM 2020) that require biodiversity offsets at an ecosystem level</li> </ul>	Remaining non-woodland PCTs as well as native vegetation with a strong invasive plant species presence at the ground layer. Vegetated habitat that provides some habitat value such as connectivity and linkages.

	<ul style="list-style-type: none"> <li>• Vegetated habitat corridors and linkages</li> </ul>	
<b>Low</b>	<ul style="list-style-type: none"> <li>• Disturbed cleared lands and exotic plantations</li> <li>• Land that would meet the definition of Category 1 – exempt under the Local Land Services Act</li> </ul>	<p>Non-native vegetation with history of high disturbance or native vegetation in poor condition and dominated by exotic species.</p> <p>Land that would meet the definition of Category 1: Exempt under Local Land Services.</p>

Please note that the Local Land Services land categorisation only applies to rural land. If the proposed statutory amendments for rezoning of land are approved, the Local Land Services Act will not apply to these areas.

The draft place strategy should be consistent with the biodiversity assessment report. BCS suggested explanations for biodiversity conservation values are provided in table 2.

**Table 3 BCS suggested explanations for biodiversity conservation values**

Biodiversity conservation value	BCS suggested explanation
<b>Very high</b>	<p>Areas mapped on the Biodiversity Values Map</p> <p>All Threatened Ecological Communities (TEC) listed in the <i>Biodiversity Conservation Act 2016</i> or the <i>Environment Protection and Biodiversity Conservation Act 1999</i></p>
<b>High</b>	Woodland plant communities and native riparian vegetation that are not TECs
<b>Medium</b>	<p>Remaining areas of native vegetation including derived native grassland</p> <p>Larger (Class 2 or Class 3) paddock trees</p> <p>Vegetated habitat corridors and linkages</p>
<b>Low</b>	Disturbed cleared lands and exotic vegetation

### Recommendation

- 3.1 Replace the explanations of biodiversity conservation values in Table 3 of the draft place strategy with BCS's suggested explanations presented in Table 3 of this response.

Our Ref: C24/774

V18/5444#11

12 September 2024

Tristan Kell  
Department of Planning, Housing and Infrastructure  
Locked Bag 5022  
PARRAMATTA NSW 2124

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**Re: Draft Narrabri Place Strategy and Amendments to Narrabri Local Environmental Plan 2012**

DPIRD Fisheries is responsible for ensuring that fish stocks are conserved and that there is no net loss of key fish habitats upon which they depend. To achieve this, DPIRD Fisheries ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, respectively), and the associated *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*.

Incorporating ecological sustainability principles within the strategy and featuring and rehabilitating waterways in the area are essential to ensure the conservation of fish and fish habitat. Planning instruments and associated strategies need to identify and proactively protect waterways from inappropriate development. To achieve this protection, it is essential that recognised sensitive aquatic habitats and other *key fish habitats* such as threatened species habitat mapping are included within land use mapping. The incorporation of maps identifying *key fish habitats* (including riparian buffers) in planning instruments and a set of development controls and restrictions should provide significant gains in the protection of sensitive habitats and consequent maintenance of fisheries productivity.

DPIRD Fisheries has reviewed the draft Narrabri Place Strategy and associated documents in light of the provisions of the *Fisheries Management Act 1994* and the departments *Policy and Guidelines for Fish Habitat Conservation and Management (Update 2013)* and offers the following comments;

***Narrabri Place Strategy (Biodiversity)***

Whilst the biodiversity chapter recognises areas with important terrestrial biodiversity values under the *Biodiversity Conservation Act 2016*, the *Narrabri Place Strategy* should recognise that freshwater rivers, creeks and streams in conjunction with riparian buffer zones are of high environmental significance.

*Key Fish Habitat* maps which have been prepared by DPIRD Fisheries are maps of environmentally sensitive areas for which Narrabri Shire Council can utilise the mapping layers to highlight the sensitivity of waterways and riparian zones for aquatic biodiversity. The aim of these maps is to

highlight those habitats that are of most importance for protection and conservation to sustain fish populations. This mapping can be found at <https://www.dpi.nsw.gov.au/fishing/fisheries-research/spatial-data-portal>.

Threatened species, populations and communities listed under the *Fisheries Management Act 1994* which are known or expected to occur within the Narrabri LGA are also available at: <https://www.dpi.nsw.gov.au/fishing/fisheries-research/spatial-data-portal> and include the following;

- The Silver Perch, *Bidyanus bidyanus*, listed under schedule 5 as a vulnerable species
- The Southern Purple Spotted Gudgeon, *Mogurnda adspersa*, listed under schedule 4 as an endangered species
- The Olive Perchlet, *Ambassis agassizii* is listed under schedule 4 as an endangered Western population.
- The Murray-Darling Basin Population of the Eel Tail Catfish, *Tandanus tandanus*, listed under schedule 4 as an endangered population.
- The Endangered Aquatic Ecological Community in the Natural Drainage System of the Lowland Catchment of the Darling River is also listed under schedule 4 of the *Fisheries Management Act 1994* and includes the major rivers and tributaries within Narrabri Shire.
- The Darling River Snail, *Notopala sublineata*, is listed under schedule 4A as a critically endangered species.

#### ***Proposed statutory amendments to support the draft Narrabri Place Strategy (Explanation of Intended Effect)***

As future changes to the Narrabri LEP 2012 and processes for assessment of applications for development within the Narrabri precincts will be informed by the Narrabri Place Strategy, it is important that the draft Narrabri Place Strategy includes provisions that are to be applied to riparian land and watercourses. The inclusion of environmentally sensitive waterways that have been identified by DPIRD Fisheries and mapped as *Key Fish Habitats* should be included in councils mapping to provide buffers from development, and performance standards or provisions should be placed upon development within the LEP. It is recommended that these provisions include criteria and standards with respect to activities or developments proposed within or adjacent to *Key Fish Habitats* (e.g. Bohena Creek which is adjacent to the Northern NSW Inland Port Precinct) to ensure that the following principles apply;

- Maintaining streambank and riparian buffer stability,
- Erosion and sediment control,
- Maintenance of vegetative cover,
- Minimisation of disturbance to in-stream habitats such as gravel beds, snags, aquatic macrophytes etc,
- Water quality protection,



- Rehabilitation and restoration following disturbance

This can be achieved by inserting clauses such as Heads of Consideration which state that Development consent must not be granted to development unless the applicant has submitted a report with the development application that addresses, to the satisfaction of the consent authority, the following matters:

- a) identification of any potential adverse impact on the,
  - i. water quality within the waterway, and
  - ii. aquatic and riparian habitats and ecosystems, and
  - iii. stability of the bed, shore and banks of the waterway, and
  - iv. free passage of fish and other aquatic organisms within or along the waterway, and
  - v. habitat of any threatened species, populations, or ecological communities, and
- b) whether the development will increase water extraction from the waterway and the potential impact of the extraction on the waterway, and
- c) a description of all proposed measures to be undertaken to ameliorate any potential adverse impact.

Where the consent authority is of the opinion that the proposed development is likely to have a potential adverse impact on environmentally sensitive waterways the consent authority must not grant development consent unless it is satisfied that:

- a. the development meets the objectives of this clause; and
- b. the development is designed, sited and managed to avoid the potential adverse environmental impact, or
- c. in circumstances where a potential adverse impact cannot be avoided the development:
  - i. is designed and sited so as to have minimum adverse impact, and
  - ii. incorporates effective measures so as to have minimal adverse impact, or
  - iii. mitigate any significant adverse impact through the restoration of any existing disturbed area on the site.

If you have any queries do not hesitate to contact me at [david.ward@dpi.nsw.gov.au](mailto:david.ward@dpi.nsw.gov.au) or phone 0429 908 856.

Yours sincerely



David Ward  
Fisheries Manager (Tamworth)



DOC24/736353-3

Clare Butterfield  
Senior Planning Officer - State Planning  
Department of Planning, Housing and Infrastructure

17 September 2024

### **EPA response – Narrabri Place Strategy**

Dear Clare,

Thank you for providing the NSW Environment Protection Authority (EPA) with the opportunity to comment on the Narrabri Place Strategy (**Place Strategy**).

We have reviewed the proposal including supporting documentation and understand that the Department of Planning, Housing and Infrastructure (**DPHI**) are progressing the place strategy which intends to support population and economic growth in Narrabri Shire, through identifying additional residential and employment lands.

The EPA acknowledges the Traditional Custodians of Narrabri Shire and Local Government Area (LGA), the Kamilaroi/Gomeri people. We encourage meaningful engagement with the Aboriginal community in developing and implementing the proposed Place Strategy.

After review of proposed Place Strategy, the EPA has identified several matters to consider. This will assist DPHI in delivering improved environmental outcomes and reduce possible land use conflict. Detailed comments are provided at **Appendix A**.

If you have any further questions, please contact Patrick Andrade, Senior Planning and Assessment Officer, Strategic Planning Unit phone 02 9995 6454 or email [environmentprotection.planning@epa.nsw.gov.au](mailto:environmentprotection.planning@epa.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gabby Sutherland', with a stylized flourish at the end.

Gabby Sutherland  
**A/Unit Head – Environment Protection Planning  
Strategy and Policy Division**

**Phone** 131 555  
**Phone** +61 2 9995 5555  
(from outside NSW)

**TTY** 133 677  
**ABN** 43 692 285 758

Locked Bag 5022  
Parramatta  
NSW 2124 Australia

4 Parramatta Square  
12 Darcy St, Parramatta  
NSW 2150 Australia

[info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)  
[www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)

## Appendix A – Detailed Comments on Narrabri Place Strategy

The EPA recommends that the Place Strategy should prevent or mitigate for land use conflict between residential/sensitive uses and any industrial areas, scheduled activities, road and rail corridors, and contaminated lands. Noise, odour, air pollution and contamination are all land use conflicts that need to be appropriately mitigated or managed and are discussed further below.

### Scheduled activities

Considering scheduled activities is crucial in any strategic planning matter such as the proposed Place Strategy. It ensures that sensitive land uses do not conflict with existing industrial or commercial operations that have Environmental Protection Licences (EPL) issued under *Protection of the Environment Operations Act 1997*. Identifying and mitigating these potential conflicts early protects receivers/residents from land use conflicts and ensures compliance with regulatory requirements.

The [POEO Public Register](#) is a valuable tool for identifying sites with existing EPLs. This register holds records of all scheduled activities along with associated licensing information. By consulting this register, consent authorities can identify potential environmental risks for proposed developments in specific areas.

### Air, odour and noise impacts

A number of major roads and rail corridors are located within the Place Strategy and have the potential to cause air and noise impacts, particularly on the 'Residential Precinct'. The Place Strategy should also ensure future residential receivers are protected from any historical, existing or future industrial activity (including agriculture) and any associated sewerage reticulation systems.

With regards to air and odour impacts onto the Residential Precinct, the EPA recommends that the Department should be informed by an Air Quality Impact Assessment that:

- Assesses likely odour impacts from potentially odorous sources within the vicinity e.g. EPA licensed premises, industrial activity which may not require a licence under the POEO and proposed mixed-use developments in accordance with the Technical framework: *Assessment and management of odour from stationary sources in NSW* (EPA); and
- Assesses air quality impacts from roads, having regard to the State Environmental Planning Policy (Transport and Infrastructure) 2021, and supporting Development Near Rail Corridors and Busy Roads—Interim Guideline (Department of Planning, 2008).

This Air Quality Impact Assessment should set out mitigation measures including, but not limited to, a precinct design that provides the necessary distance of separation between odorous sources and future sensitive receivers.

With regards to noise impacts, the EPA recommends that the Department review the noise limits for development in proximity to busy roads, as contained in the:

- [State Environmental Planning Policy \(Transport and Infrastructure\) 2021](#) (see cl 2.120),
- [NSW Road Noise Policy](#) (Department of Environment, Climate Change and Water NSW 2011); and
- [Development Near Rail Corridors and Busy Roads – Interim Guideline](#) (The NSW Department of Planning 2008)

when determining the suitability of locations within the area for the increased residential density.

## Contaminated lands

The EPA notes the presence of contaminated sites within the Narrabri Shire Local Government Area. A range of activities can result in land contamination and significant environmental and health risks can arise if land is not appropriately investigated, remediated, and validated for its proposed land use.

As part of the development of the Place Strategy, the EPA recommends that the Department:

- (a) Review the [list of contaminated sites](#) notified to the EPA under section 60 of *Contaminated Land Management Act 1997* (CLM Act) by authorities when carrying out their planning functions.

Note:

1. The EPA must be notified of any contamination which meets the triggers outlined within the *Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997* (EPA, 2015) (see s60, CLM Act).
  2. These lists and/or registers only contain contaminated sites that the EPA is aware of and if land is not listed, it does not necessarily mean it is free from contamination.
- (b) Consider the Contaminated land record register, which is an alternative tool designed by the EPA which allows for a refined search of suburbs, LGAs and dates.

Currently the EPA is aware of eight sites as contaminated land by the CLM Act forming part of the Narrabri Shire LGA. The EPA recommends that prior to finalising the location of the Residential Precinct, a preliminary site investigation (PSI) report is undertaken. The PSI covers the high, medium and low contamination risk areas identified for the area and would be undertaken in accordance with the Contaminated Land Guidelines (NSW EPA, 2020) and other relevant guidelines made or approved by the EPA under section 105 of the CLM Act. A further Detailed Site Investigation report and Remedial Action Plan may be required depending on the outcome and recommendations of the PSI.

## Sewage

The provision of water and sewage infrastructure to accommodate residential and employment land growth across the region and wider NSW is critical to the planning and delivery of the Place Strategy.

The EPA recommends that the Department seek input from the local water utilities (or responsible parties) in relation to the area impacted by the Place Strategy and proposed land uses, particularly:

- (a) Consideration of any potential impacts from any increase in sewage overflows from the existing reticulated systems (for example, sewer pipes and pumping stations) and discharges from the existing sewage treatment plants (STP) within the Narrabri Shire LGA.
- (b) Investigations into the capacity of the existing sewage networks to receive additional flows.
- (c) any required upgrade works to enable the STP to service expected population growth in the Narrabri Shire LGA.

Any STP upgrades should be done in consultation with the EPA, particularly where there is an existing EPL or an EPL will be required upon completion of the STP upgrade.

## Water quality

Stormwater discharges from areas of increased density have the potential to impact on local surface water and groundwater quality. The EPA recommends that the Department use the NSW Water Quality and River Flow Objectives (NSW WQO and RFOs) to consider any potential surface water



and groundwater quality impacts arising from any changes proposed under the Place Strategy. NSW WQO and RFOs provide the agreed environmental values, community values and long terms goals for assessing and managing the likely impacts of an activity on water for each catchment in NSW.

Additionally, the *Local Planning for Healthy Waterways using NSW Water Quality Objectives* (Department of Environment and Conservation, 2006) provides guidance on how to incorporate these objectives into strategic planning. *The Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-Use Planning Decisions* (NSW OEH and EPA 2017), provides a practical case study on how cost-effective management strategies can be used to accommodate urban growth.

*Water policies, guidelines, and programs (EPA)* provides information on water management including a link to NSW Government's risk-based framework for considering waterway health outcomes in strategic land-use planning decisions.

### **Waste management**

As the Place Strategy proposes an increased density, it has the potential to impact existing solid waste management facilities within Narrabri Shire LGA. As such the EPA also recommends the Department give consideration of the *NSW Waste and Sustainable Materials Strategy 2041, Stage 1: 2021-2027* (DPIE, 2021) and *Better Practice guide for resource recovery in residential developments* (EPA, 2019) as future waste management sites (or expansion of the existing) should be accounted for.

Clare Butterfield  
Senior Planning Officer, State Rezoning  
Department of Planning, Housing and Infrastructure (DPHI)

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Re: Draft Narrabri Place Strategy – Submission from Transport for NSW

20 September 2024

Dear Clare,

Thank you for inviting Transport for NSW (TfNSW) to review the Draft Narrabri Place Strategy, the Explanation of Intended Effect (EIE) and the supporting documentation.

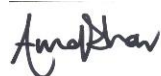
Further detailed comments about the Draft Narrabri Place Strategy (the Place Strategy), the Explanation of Intended Effect (The EIE) and associated transport studies are provided in **Attachments A, B and C**.

TfNSW welcomes the opportunity to further discuss the Place Strategy, the EIE and associated transport studies further to ensure feedback is clear and meets the goals of providing well located homes. Further information is required to support development of the Northern NSW Inland Port, to progress beyond rezoning into delivery.

Changes to the State controlled road network, road and rail network interfaces, or traffic-generating development will require referral to TfNSW and our concurrence before approving a rezoning, (or any subsequent development applications following any approved rezoning of land).

For further information on TfNSW's feedback on the Draft Narrabri Place Strategy, and to discuss the proposal further, please contact Thomas Beckerton, Senior Transport Planner on [REDACTED]

Sincerely,

A handwritten signature in black ink, appearing to read "Anna Shaw".

Anna Shaw  
Director Planning West  
Ph. 0418 318 471  
[anna.shaw@transport.nsw.gov.au](mailto:anna.shaw@transport.nsw.gov.au)

## **Attachment A – Feedback on the Draft Narrabri Place Strategy**

### **Draft Narrabri Place Strategy**

TfNSW is supportive of the vision to develop ‘well located homes’ and recognises the importance of achieving this through offering a variety of housing types and providing homes within walking distance of transport and close to shops and services.

To achieve suitable connectivity with the existing town centre, and ensure that transport and land use decision-making is aligned, TfNSW suggests the following:

- Public transport and on-demand transport is provided in the first stage of development, ensuring residents have alternatives to private vehicle transport.
- Active transport links from the proposed residential precinct to the existing town centre are provided in the first stage of development and are developed to a high standard. Ideally, these connections should be grade separated, to minimise road user conflict, or signalised to provide a safer crossing opportunity for people walking and cycling.
- Neighbourhood facilities, such as the proposed neighbourhood centre and health precinct should be provided in the first stage of development, encouraging trip containment within the precinct. These facilities can be further expanded as the precinct grows.
- The function of the Kamilaroi Highway needs to holistically consider the freight and movement function of the corridor, and suitably managing access for local and through movements.

The importance of freight in enabling the Employment Lands precinct, as well as the Northern NSW Inland Port should also be highlighted throughout the Place Strategy.

## **Attachment B – Feedback on the Explanation of Intended Effect (EIE)**

The rezoning of ‘Miscellaneous Sites’ from RU1 Primary Production to E4 General industrial confirms the use of Lot 941 DP41546 and Part Lot 1 DP1221459, as a depot. This is an important step in ensuring these lots can continue to be used as a TfNSW works depot to service Narrabri and the surrounding region.

Lot 217, DP41546 is identified as a ‘service station’, and is proposed to be rezoned to E4 General Industrial. Rezoning this land as E4 appears to prohibit this site being used as a ‘Highway Service Centre’. The Newell Highway is a key freight route, and flexibility for enhancing facilities for heavy vehicle refuelling, charging and rest should be considered in this location.

Permitting a ‘Highway Service Centre’ land use at this location ensures that freight movements along both the Newell and Kamilaroi Highways have suitable access to refuelling and rest facilities. Potential mechanisms to permit a Highway Service Centre at this location could include:

- Amending Schedule 1 of the Narrabri Local Environmental Plan 2012 to permit a Highway Service Centre at Lot 217, DP41546.
- Zoning Lot 217, DP41546 as a Special Purpose Zone (SP1 Special Activities/ SP2 Infrastructure/ SP3 Tourist/ SP4 Enterprise) for the purpose of a Highway Service Centre.

Alternatively, the E4 zone could be modified to include ‘Highway Service Centres’ as permitted with consent, however, permitting this use across the E4 zone may also encourage these proposals in alternative locations where this use is not currently justified.



## **Attachment C – Feedback on associated supporting transport studies.**

### **Narrabri Special Activation Precinct Transport Report (April 2023)**

TfNSW understands that whilst the Narrabri Special Activation Precinct (Narrabri SAP) is no longer proceeding, DPHI intends to utilise components of the SAP Transport Report for development of the Northern NSW Inland Port.

The current copy of the plan exhibited is dated April 2023, prior to the decision to not proceed with the Narrabri SAP. Additionally, impacts of other transport programs, such as deferral of Inland Rail north of Parkes were not considered in this version of the report. Section 5.4.4 of the Narrabri Special Activation Precinct Transport Report (April 2023) notes the goal to integrate Northern NSW Inland Port (N2IP) into the SAP.

With the SAP no longer proceeding, **please confirm the scope and scale of works which are proposed to enable the N2IP.**

Supporting transport infrastructure for the N2IP needs to consider core network safety and efficiency principles such as:

- Avoiding construction of new rail level crossings
- Ensuring intersections are designed to accommodate a suitable design vehicle, at least PBS3/ Type 1 Road Trains for freight routes, and consideration for future PBS4 access.

### **Narrabri Place Strategy – Residential Precinct and Employment Lands Precinct – Transport Report (July 2024)**

TfNSW has provided feedback and advice to DPHI on transport matters as the Narrabri Place Strategy develops. Providing enhanced active transport facilities throughout the precinct, and connection to Narrabri Town Centre reduces reliance on private vehicle travel along the Kamilaroi and Newell Highways to access the town centre.

#### **3.2 Existing conditions**

Please remove references to ‘Narrabri West’ as an existing station in maps and figures. This is a ‘paper’ station only and does not have passenger facilities or any regular stopping trains. Additionally, TfNSW is not aware of any formal proposals to relocate Narrabri Station, nor has it entered into discussions with Rail Infrastructure Managers about the feasibility of doing so.

##### **3.2.1 Rail**

Reviews to the Inland Rail program suggest that the benefits of North-South rail connectivity may be delayed compared to earlier estimated completion dates, requiring the road network to play a larger role in meeting the freight task. This is not identified or considered in the report.

##### **3.2.2 Road**

TfNSW has advocated that Residential Precinct access is provided via the Kamilaroi Highway, to minimise road user conflict with the Newell Highway on approach to Narrabri. The Newell Highway forms part of the freight connection between Brisbane and Melbourne and is accessible to PBS3 vehicles/ Type 1 Road Trains. Development of the Residential Precinct and the Employment Lands Precinct should be undertaken with principles to maintain efficiency of the Newell Highway, and more broadly, consolidate accesses onto the State Road network.

##### **3.2.4 Active Transport**

The proposed ‘Green Loop’ is not highlighted in this section and overall, it is difficult to tell an indicative alignment for this route. Please confirm any proposed alignment does not interfere

with the operation of the Werris Creek – Mungindi Railway. Active transport crossings of the Kamilaroi and Newell Highways should be designed to provide a safe facility for people walking and cycling, and consideration for a grade separated option should be given.

#### **4.6 Background traffic growth**

The report indicates that Inland Rail may reduce North-South truck movements once Inland Rail is expected become operational to Parkes in 2027. These reductions are likely to be negligible for trips north of Parkes, and there is potential the Inland Port (N2IP) will increase total truck movements, which is not reflected in the report assumptions.

Additionally, increased rail movements on the Werris Creek- Mungindi line and particularly, the Walgett branch line, which has a level crossing over the Newell Highway, may result in additional delays for North-South freight movements.

#### **5.6 Road Network**

The proposed access intersection on the Newell Highway 2.3km South of the Kamilaroi Highway intersection, and the proposed speed limit reduction from 110km/h to 80km/h are not outcomes which have been reviewed in detail or accepted by TfNSW.

Further discussions on access requirements for the Employment Lands precinct and secondary access options for the Residential Lands precinct will be required before a decision can be made around appropriate access locations and any proposed changes to speed zones.

#### **5.7 Funding Mechanism**

TfNSW requests that a framework for developer contributions or other funding mechanism be prepared in response to necessary infrastructure identified within the Narrabri Place Strategy to support future residential and economic growth. Alignment of development contributions funding and strategic planning ensures that key infrastructure is considered, planned for and funded to align with future development needs.



# RFS



Department of Planning, Housing & Infrastructure (Parramatta)  
Locked Bag 5022,  
PARRAMATTA NSW 2124  
Australia

Your reference: Narrabri state rezoning  
Our reference: SPI20240918000187

**ATTENTION:** Clare Butterfield

Date: Monday 14 October 2024

Dear Sir/Madam,

**Strategic Planning Instrument  
Other – Exhibition  
Draft Narrabri Place Strategy**

I refer to your correspondence dated 06/09/2024 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

The Department of Planning, Housing and Infrastructure, in collaboration with the Narrabri Shire Council, has prepared the draft Narrabri Place Strategy (draft strategy) which will provide a framework to accommodate growth and identify new economic and social opportunities over the next 20 years to support the community of Narrabri.

The draft strategy and supporting documentation will enable the rezoning of land in Narrabri for new homes, facilities, infrastructure and services, and identify opportunities to create a liveable and growing community that supports the existing township. The draft strategy details the proposed planning framework and legislative amendments for rezoning under the Narrabri Local Environmental Plan 2012 (Narrabri LEP 2012).

The subject land is not mapped bushfire prone by council. the subject lands may contained un-managed grassland vegetation. Any future development proposed for the land must address the requirements of Planning for Bushfire Protection guidelines.

For any queries regarding this correspondence, please contact Alan Bawden on 1300 NSW RFS.

Yours sincerely,

Allyn Purkiss  
**Manager Planning & Environment Services  
Built & Natural Environment**

**Postal address**

NSW Rural Fire Service  
Locked Bag 17  
GRANVILLE NSW 2142

**Street address**

NSW Rural Fire Service  
4 Murray Rose Ave  
SYDNEY OLYMPIC PARK NSW 2127

**T** (02) 8741 5555  
**F** (02) 8741 5550  
[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)