



MINUTES COMMUNITY SERVICES AND PLANNING COMMITTEE

GWYDIR SHIRE COUNCIL

THURSDAY 14 JULY 2016

COMMENCING AT 9.30AM

WARIALDA OFFICE COUNCIL CHAMBERS

Present:

Councillors: Cr. John Coulton (Mayor), Cr. Catherine Egan (Deputy Mayor), Cr. Angela Doering, Cr. Stuart Dick, Cr Marilyn Dixon, Cr. Jim Moore, Cr. Peter Pankhurst and Cr. Geoff Smith.

Staff: Max Eastcott (General Manager), Ron Wood (Chief Financial Officer) and Glen Pereira (Director Development and Environmental Services)

Public: Ms Laura Carroll (*Warialda Standard*)

Visitor: Mr Ted Stubbins, Mr Duncan Thain, Ms Cherisse Amer and Ms Casey McClymont

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Chairman

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OFFICIAL OPENING AND WELCOME – MAYOR

APOLOGIES Cr. Kerry McDonald, Leeah Daley (Deputy General Manager) and Richard Jane (Director Technical Services)

THAT the apology of Cr. Kerry McDonald is accepted.

FURTHER that the absence of Leeah Daley (Deputy General Manager) and Richard Jane (Director Technical Services) on annual leave is noted.

(Moved Cr Egan, seconded Cr Smith)

CONFIRMATION OF THE MINUTES

THAT the Minutes of the previous Community Services and Planning Committee Meeting held on Thursday 16 June 2016 as circulated be taken as read and CONFIRMED.

(Moved Cr Egan, seconded Cr Smith)

PRESENTATIONS

Mr Ted Stubbins regarding Item 6 – Operational Land Resolution

Mr Duncan Thain, Ms Cherisse Amer and Ms Casey McClymont outlining the planning for the proposed Bingara Buster – see presentation attached at the end of the minutes.

CALL FOR THE DECLARATIONS OF INTERESTS AND CONFLICTS OF INTEREST

ADDITIONAL/LATE ITEMS

THAT the following items, namely:

- 1. Roxy Complex Green Room**
- 2. Land adjacent to Naroo - Lot 380 - Objection to Operational Classification**

are accepted as late items onto this Agenda for discussion.

(Moved Cr Egan, seconded Cr Doering)

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COMMITTEE OF THE WHOLE – CONFIDENTIAL ITEMS

THAT the Council resolve into Confidential Session, Committee of the Whole and that in the public interest and in accordance with Section 10A(2)(a) of the Local Government Act, 1993, the public and press be excluded from the meeting to consider the items listed on the agenda.

(Moved Cr Pankhurst, seconded Cr Egan)

ADOPTION OF THE RECOMMENDATIONS OF THE CONFIDENTIAL SESSION

COMMITTEE RECOMMENDATION TO COUNCIL:

THAT the recommendations of the Confidential Session, namely:

Monthly Confidential Organisation and Community Development Report - June 2016

THAT the Monthly Confidential Organisation and Community Development Report - June 2016 be received.

Councillors' Reports

THAT the following Councillor reports are noted:

Cr Moore request for update;

Cr Smith advice concerning Warialda LLS office;

Cr Coulton regarding the sale of land

are adopted.

(Moved Cr Egan, seconded Cr Pankhurst)

Item 1 ALGA National General Assembly

FILE REFERENCE

DELIVERY PROGRAM

GOAL: 4. Proactive Regional and Local Leadership

OUTCOME: 4.1 WE ARE AN ENGAGED & CONNECTED COMMUNITY

STRATEGY: 4.1.2 Enable broad, rich and meaningful engagement to occur - GM - external

AUTHOR General Manager

DATE 4 July 2016

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/ SUMMARY RECOMMENDATION

This report is for notation

TABLED ITEMS Nil

BACKGROUND

The Australian Local Government Association's National General Assembly was held in Canberra from 19th to 22nd June 2016.

Gwydir Shire Council was represented at the Assembly by a delegation that included the Mayor, Deputy Mayor and Cr Doering.

COMMENT

The Assembly considered a number of motions and the resolutions passed are attached.

During the NGA the Australian Rural Road Group Inc. held its Annual General Meeting and these minutes are attached also.

Among the key note speakers were The Hon. Paul Fletcher MP, Minister for Major Projects, territories and Local Government, and The Hon. Julie Collins MP, the Shadow Minister for Regional Development and Local Government.

There was also a range of panel discussions across various issues of current relevance to local government such as:

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The future of local government session explored the changing role of local government and the likely challenges to be addressed over the next 20 years.

Surfing the wave of disruption looked at the way traditional service delivery and business models are changing. New businesses such as AirBnB and Uber taxis are but two examples.

Digital transformation at the local government level explored how technological advances could improve collaboration between the public, private and not-for-profit sectors and drive innovation in service delivery.

Local government's role in facilitating prosperity outlined how strong local leadership together with the ability to access social and economic capital are crucial preconditions for prosperity.

Other sessions included new approaches to improve the business of local government, addressing the infrastructure challenge, innovative approaches to environmental management and the future development of Northern Australia.

Although the main NGA conference days were somewhat city-focused there was a 'Regional Cooperation and Development Forum' on the Sunday prior to the actual NGA. This included a range of presentations in addition to the launch of the *2016 State of the Regions Report*. There was a particular emphasis during the day on the best way to leverage the visitor economy.

CONCLUSION

As usual the Assembly was informative and instructive and each of the attendees thanks the Council for the opportunity to attend.

OFFICER RECOMMENDATION

THAT the report on the 2016 ALGA National General Assembly be received

ATTACHMENTS

AT- NGA Resolutions

AT- ARRG AGM Minutes

COMMITTEE RECOMMENDATION TO COUNCIL:

THAT the report on the 2016 ALGA National General Assembly be received

(Moved Cr Egan, seconded Cr Doering)

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Resolutions of the 2016 National General Assembly of Local Government

Resolution A

The NGA calls on all Councils to adopt procurement policies that ensure that materials sourced for council projects, including steel, meet relevant Australian standards for manufacture and fabrication.

Carried unanimously

Resolution B

Randwick City Council

The NGA calls upon the ALGA to actively advocate for the earliest possible Local Government election date and no later than March 2017 for the recently proclaimed councils, and any councils which are about to be formed in NSW.

Carried

Resolution 1

Kyogle Council and Blacktown City Council NSW

That the National General Assembly re-affirms its call on the Federal Government to end the freeze on the indexation of Financial Assistance Grants (FAGs).

Carried unanimously

Resolution 2

Lake Macquarie City Council NSW

That the National General Assembly call on the Australian Government to review the quantum and method of indexing Financial Assistance Grants to ensure that funding is commensurate with increases in the costs of efficient local government service delivery.

Carried

Resolution 3

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Lockyer Valley Regional Council QLD

That the National General Assembly call on the Federal Government to streamline additional targeted funding directly to local governments.

Carried unanimously

Resolution 4

Uralla Shire Council NSW

That the National General Assembly call upon the Federal Government to restore the level of Financial Assistance grants to local government to at least 1% of Commonwealth tax revenue and to reintroduce full indexation on this amount for the future.

Carried

Resolution 5

Flinders Shire Council QLD

That the National General Assembly make representation to the Commonwealth Treasurer for the release of the Commonwealth Grants Commission Report titled "Review on Improving the Impact of the Financial Assistance Grants on Local Government Financial Sustainability", completed in December, 2013.

Carried unanimously

Resolution 6

Ku-ring-gai Council NSW

That the National General Assembly calls for a rating system for Local Government be levied uniformly, with Rates Capping to be abolished across Australia.

Lost

Resolution 7

Byron Shire Council NSW

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That the National General Assembly call on the Federal Government to collaborate with State and Local Governments in the area of innovative funding reform to ensure fairness and equity in service delivery to disadvantaged and vulnerable Australians, align funding outcomes and maximise the impact of limited resources.

Carried

Resolution 8

Kyogle Council NSW

That the National General Assembly calls on the Federal Government to create a rural portfolio that will provide a framework for states to apply for federal government funding as well as FAG funding allocations to be redistributed to rural councils in most need.

Lost

Resolution 9

Shoalhaven City Council NSW

That the National General Assembly calls on the Federal Government to adopt a consistent Australian wide approach to determine infrastructure deficiencies and funding priorities on key local freight routes, in particular the first and last mile.

Carried

Resolution 10

Yarra City Council VIC

That the National General Assembly calls for ALGA to continue to raise through COAG structures, the urgent need for re-alignment of Federal funding arrangements so that levels of Government in Australia have a more efficient match between their responsibilities and their finances and importantly to address the growing infrastructure gap and productivity impact.

Carried unanimously

Resolution 11

Yarra City Council VIC

That the National General Assembly calls on the Federal Government to restore infrastructure funding, reduce inequitable discrepancies between states, and support rail infrastructure projects.

Carried

Resolution 12

Alice Springs Town Council NT

That the National General Assembly calls on the Australian, State and Territory Governments to deliver future infrastructure upgrades in all Aboriginal Living Areas to Australian National Standards.

Carried

Resolution 13

Isaac Regional Council QLD

That this National General Assembly calls on the Federal Government, through the Minister for Infrastructure and Transport and the Minister for Regional Development, to recognise the importance of roads to the development of the agriculture sector by implementing urgently Recommendation 3.4 of the Australian Infrastructure Plan 2016, that being: Australia needs a National Freight and Supply Chain Strategy.

Carried

Resolution 14

Lake Macquarie City Council NSW

That the National General Assembly call on the Australian Government to effectively partner with local government in any adaptation, or delivery of, of the UK City Deals model, including Smart City Plans.

Carried unanimously

Resolution 15

Brisbane City Council QLD

That the National General Assembly calls on the Australian Government to investigate innovative funding models (including value capture) for the provision of infrastructure and ensure those models include the ability for local government to access alternative equitable and sustainable funding and financing opportunities.

Carried unanimously

Resolution 16

Maribyrnong City Council VIC

That the National General Assembly calls on the Federal Government to resource Councils experiencing rapid population growth as part of its commitment to promoting sustainable cities to assist with provision of required infrastructure, recognising the obligations of developers to contribute to the costs of infrastructure required for their developments, and service demand.

Carried

Resolution 17

Parkes Shire Council NSW

That this National General Assembly calls on the Federal Government to commit to delivering the Melbourne to Brisbane Inland Railway (MBIR) within ten (10) years as a matter of national priority.

Carried

Resolution 18

North Burnett Regional Council QLD

That this National Assembly calls upon the Federal Government to make funding for the Roads to Recovery Program permanent and to continue allocation of funding as a minimum at current levels.

Carried

Resolution 19

City of Whittlesea VIC

That the National General Assembly calls on the Commonwealth Government to establish an Infrastructure Funding Agency to complement the work of Infrastructure Australia by establishing a financing framework to fund and deliver priority projects.

Carried unanimously

Resolution 20

Orange City NSW

That the National General Assembly call on the Commonwealth Government to require all councils across Australia to submit consistent, accurate and validated data in relation to the condition of road transport assets, including any funding backlogs.

Carried

Resolution 21

Blacktown City Council NSW

That this National General Assembly calls on the Australian Government to set appropriate standards, and provide technical support and funding for sustainable transport projects and associated infrastructure, including support for electric motor vehicles.

Carried

Resolution 22

Brisbane City Council QLD

That this National General Assembly call on the Australian Government to partner, in association of State and Territory Governments, with local government to deliver smart, connected cities and towns using digital technologies (such as street lighting, parking, CCTV).

Carried

Resolution 23

Forbes Shire Council NSW

That this National General Assembly call on the Federal Government to provide dedicated and meaningful funding for community sporting facilities, with such funding regime commencing in the 2017/2018 Commonwealth budget period.

Carried

Resolution 24

Blacktown City Council NSW

That this National General Assembly calls on the Australian Government to fund the maintenance of legacy facilities built for Olympic and Commonwealth Games competition in Australia.

Lost

Resolution 25

East Gippsland Shire Council, endorsed by Latrobe City Council and Wellington Shire Council VIC

That the National General Assembly call on the Australian Government to exempt Airport and Aerodrome Operators from having to meet the requirements of the 'Permitted clearing of native vegetation - Biodiversity assessment guidelines' when maintaining the Obstacle Limitation Surface (OLS) and Visual Segment Surface (VSS) at airports and aerodromes.

Carried

Resolution 26

Isaac Regional Council QLD

That this National General Assembly calls on the Federal Government, through the Minister for Infrastructure and Transport and the Minister for Regional Development, to implement the infrastructure reform incentives and long-term regional infrastructure plans elements of the *Australian Infrastructure Plan 2016* to ensure safe and secure supplies of potable water across Australia. Specifically, the implementation of recommendations 1.1 and 4.1 as follows:

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1.1 The Australian Government should establish Infrastructure Reform Incentives, which link additional infrastructure funding to the delivery of reform outcomes. This mechanism would encourage state, territory and local governments to deliver productivity enhancing reforms to the planning, construction, operation, ownership and governance of Australia's infrastructure.

4.1 State and territory governments should deliver long-term regional infrastructure plans. In particular, these plans should:

- identify gaps in infrastructure networks and identify priorities to support productive regional industries; and*
- be developed with involvement from all levels of government to help coordinate investments and remove duplication.*

Carried

Resolution 27

Wyndham City Council VIC

That the guidelines for the National Irrigation Infrastructure Upgrade Fund established by the Federal Government be amended to allow immediate funding for capital projects where business cases have been completed and approved by State Governments and Water Authorities.

Carried

Resolution 28

Flinders Shire Council QLD

That the National General Assembly of Local Government make representations to the Federal Government to end the uncertainty and allocate sufficient funds to complete the capping and piping of the remaining bores that are still wasting water and pressure.

Carried unanimously

Resolution 29

Cowra Council NSW

That the National General Assembly:

1. Confirm its opposition to recommendation 4.7 in the Infrastructure Australia Plan Priorities and reforms for our nation's future released in February 2016 that recommends the transfer of council provided water and sewerage services to regional water corporation and their privatisation where commercially viable; and
2. Recognises international research on the remunicipalisation of water and sanitation services over the past 15 years in advocacy in this regard.

Carried

Resolution 30

City of Mitcham SA

The National General Assembly calls upon the Federal Government to improve local living standards by increasing funding available for stormwater infrastructure. Major upgrade and improvements to local stormwater infrastructure needs financial support from Federal Government to reduce the effects of flooding.

Carried unanimously

Resolution 31

Central Highlands Regional Council QLD

That the National General Assembly call on the Australian Government for more funding to be allocated to the Mobile Black Spot Programme.

Carried unanimously

Resolution 32

City of Whittlesea VIC

That the National General Assembly calls on the Commonwealth Government to amend the legislation and customer charter of NBN Co to require it to provide priority emergency management telephone lines free of charge as part of its social obligations.

Carried unanimously

Resolution 33

Ku-ring-gai Council NSW

This National General Assembly call for more technologically advanced Councils, who use, for example, electronically advanced hardware and software computer programs and apps which provide swift and efficient pathways to service residents' needs, enter into voluntary mentoring relationships with less innovative Councils, and for the Commonwealth Government to support this through a funding program.

Carried

Resolution 34

Lake Macquarie City Council NSW

That the National General Assembly call on the Australian Government to establish a National Local Government Digital Innovation and Smart Communities Acceleration program and funding commitment, to recognise and facilitate the pivotal role of local government in creating local conditions conducive to technology and knowledge-driven economic development, consistent with the National Innovation and Science Agenda.

Carried

Resolution 35

Shoalhaven City Council NSW

That the National General Assembly calls on the Federal Government to reduce the duplication between the Commonwealth and State Governments with respect to Environmental Approvals.

Carried

Resolution 36

Town of Gawler SA

That the National General Assembly endorses the Paris Agreement under the United Nations Framework Convention on Climate Change adopted in December 2015, and requests the Australian Government to create partnerships and provide assistance to local governments to help implement the Paris Agreement including support for action:

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1. By local governments to reduce their environmental impacts related to Climate Change.
2. To encourage innovation by local governments, local communities and local businesses to assist in reducing environmental impacts relating to Climate Change.
3. To help with community education to understand Climate Change and effective ways to contribute to the goals set out in the Paris Agreement.

Carried

Resolution 36.1

Nillumbik Shire Council VIC

The Australian Local Government Association calls on the Australian Government to provide direct funding to assist local governments and their related greenhouse action alliances to address climate change mitigation and adaptation.

Carried

Resolution 37

Melbourne City Council VIC

That the National General Assembly encourages all Australian councils and local government peak bodies to support and get involved in the Ecocity World Summit to be held in Melbourne between 12 and 14 July 2017 through actions such as, but not limited to, the following:

1. Noting Summit details in council and community event calendars and newsletters.
2. Promotion through council and local government peak body publications and websites.
3. Sending council representatives to the Summit.
4. Submitting papers and/or presentations to the secretariat as the Summit program develops.
5. Considering running a local government forum around the Summit themes concurrently with the Ecocity World Summit.
6. Considering how councils might connect with visiting international delegates to further explore and advance local opportunities.

Carried

Resolution 38

Port Augusta City Council SA

That the National General Assembly: a) Supports the establishment of the Federal Government's 'Clean Energy Innovation Fund' and the retention of the Australian Renewable Energy Agency (ARENA) and Clean Energy Finance Corporation; and b) Pursues opportunities for the Local Government sector to partner with Government and industry in innovative renewable energy and zero carbon solutions that will both reduce emissions and create new local jobs and industries.

Carried

Resolution 39

Hobart City Council TAS

That the National General Assembly call on the Federal Government to reconsider its position with regard to CSIRO job cuts because of the critical importance of the scientific data needed by Councils to accurately inform their climate adaptation strategies and to inform their communities.

Carried

Resolution 40

Shoalhaven City Council NSW

That the National General Assembly support the position of the Australian Coastal Councils Association and call on the Federal Government to implement a coordinated national approach to Coastal Management.

Withdrawn

Resolution 40.1

Bega Valley Shire Council NSW, Eurobodalla Shire Council NSW and East Gippsland Shire Council VIC

That the National General Assembly call on the Australian Government to develop an Intergovernmental Agreement on the Coastal Zone in consultation with state, territory and local governments as a means of defining the roles and responsibilities of each tier of government in relation to coastal zone management.

Carried unanimously

Resolution 41

City of West Torrens SA

That the National General Assembly call on the Federal Government to address the blue green algae problem of the Murray Darling River System, and in conjunction with the Murray Darling Association and/or Murray Darling Basin Authority commit funding to research and investigation of this breakout.

Carried unanimously

Resolution 42

Broken Hill City Council NSW, Mildura Rural City Council VIC, Wentworth Shire Council NSW and Central Darling Shire Council VIC

That the National General Assembly supports the Local Government Authorities of Broken Hill City Council, Mildura Rural City Council, Wentworth Shire Council and Central Darling Shire Council with their campaign for a sustainable Darling River system that ensures the health and wellbeing of the communities that live along it and enriches the Economic, Social, Environmental and Cultural values that has been part of its long history.

Carried unanimously

Resolution 43

Willoughby City Council NSW

That the National General Assembly calls on the Federal Government to support the protection of urban bushland and increase local biodiversity values across Australia.

Lost

Resolution 44

Willoughby City Council NSW

That the National General Assembly call on the Minister for Primary Industry and the Minister for Agriculture and Water Resources on measures to limit further loss of productive food growing areas that

include a comprehensive policy framework driven by long-term food security, and the establishment of a Food and Water Data Commission for the co-ordination of essential food and water related information.

Lost

Resolution 45

Bega Valley Shire Council NSW

That the National General Assembly call on the Australian Government to develop a national guideline for all States and Territories to ban mass balloon release.

Lost

Resolution 46

Warrumbungle Shire Council NSW

That the National General Assembly call on the Australian Government to establish an emergency fund to offset the cost of asbestos related impacts on the community. This fund would be accessible to the agency responsible for the clean-up and to assist with action required to make safe the asbestos threat
FURTHERMORE that the fund is ongoing indexed to CPI and regularly topped up to a level relative to need.

Carried

Resolution 47

City of Ballarat VIC

That the National General Assembly requests all State and Territory Associations lobby the various State and Territory Governments to provide to all Councils template procurement policies and guidelines that promote green and sustainable building requirements for infrastructure, energy and transport contracts above \$300,000.00.

Carried

Resolution 48

Lockyer Valley Regional Council QLD

That the National General Assembly call on the Commonwealth Government to increase funding for the appropriate Agency to properly resource the integration into our local communities of migrant workers, refugees and members of other minority groups.

Carried

Resolution 49

Isaac Regional Council QLD

That this National General Assembly calls on the Federal Government, through the Attorney-General, to prevent the discrimination practiced by employers that deny employment opportunities on the basis of place of residence in Australia, by including place of residence as a protected attribute in employment under Australia's Anti-Discrimination laws. This National General Assembly notes that it is unlawful in Australia to discriminate on the basis of a number of protected attributes including age, disability, race, sex, intersex status, gender identity and sexual orientation in certain areas of public life, including education and employment; and that place of residence should not be a disqualification for applying for and gaining employment.

Carried

Resolution 50

City of Darwin NT

That this National General Assembly call on the Federal Government and the Federal Parliament to treat with dignity and respect all members of the community regardless of gender or sexuality by supporting changes to the Marriage Act to achieve marriage equality for same sex couples.

Carried

Resolution 51

Byron Shire Council NSW

That the National General Assembly call on the Federal Government to introduce legislation making it unlawful for a person to engage in offensive behaviour based on another person's gender identity, sexual orientation or related grounds.

Carried

Resolution 52

Ballina Shire Council NSW

That the National General Assembly write to the relevant Federal Ministers to encourage and support any actions or legislative changes that can or are to be taken to remove or ban the inappropriate messages that are printed on Wicked Camper vans.

Carried

Resolution 53

Mildura Rural City Council VIC

Given the high levels of disadvantage, the National General Assembly calls on the Federal Government to do everything possible to deploy the Gonski recommendations for our education system and reduce the level of education disengagement experienced in Australia.

Carried

Resolution 54

Knox City Council VIC

That the National General Assembly call on the Commonwealth Government to provide continuity and stability of funding to support the provision of 15 hours of preschool to young children across the nation in recognition of the critical importance of the provision of accessible, affordable and high quality early childhood education and care services in building strong foundations for a prosperous, humane and modern Australia.

Carried

Resolution 55

Mildura Rural City VIC

That the National General Assembly call on the Federal Government do everything possible to minimise the impact of the proposed reforms to the Home and Community Care (Community Home Support Program) program on our senior population.

Carried unanimously

Resolution 56

Knox City Council VIC

That the National General Assembly calls on the Federal Government to reinstate the funding to the National Partnership Agreement for Preventative Health (NPAPH) to enable State based obesity prevention health promotion/prevention initiatives to continue from 1 July 2016.

Carried unanimously

Resolution 57

Central Highlands Regional Council QLD

That the National General Assembly call for existing health-related funding and, where necessary, new funding to support the provision of rural and remote health services in Australia. This includes: initiatives to address the workplace health and safety of remote health professionals, the provision of mental health services generally, and specifically to address drought-related mental illness and resources to combat the escalation of illicit drug use.

Carried unanimously

Resolution 58

City of West Torrens SA

That the National General Assembly call on the Federal Government to ban all forms of online gambling advertising during sporting events.

Carried

Resolution 59

Port Phillip City Council VIC

That the National General Assembly call on ALGA to work with the Federal Government on innovative ways to improve housing affordability so key workers and families have appropriate and affordable housing options.

Carried

Resolution 60

Tweed Shire Council NSW

That the National General Assembly call on both the Federal and State Governments to consider providing an amendment to the Income Tax Assessment Act whereby a private land owner with capacity in their home to let a bedroom or perhaps a granny flat would be exempt from both capital gains tax and land tax provisions should the bedroom or granny flat be let to a person deemed in housing crisis by Centrelink.

Lapsed

Resolution 61

North Burnett Regional Council QLD

That this National General Assembly call on the Australian Government to maintain the current funding levels and percentage ratios for Natural Disaster events.

Carried

Resolution 62

North Burnett Regional Council QLD

That this National General Assembly calls on the Federal Government to engage directly with local government in developing an upfront recovery funding model, including full assessment of its merits prior to introduction.

Carried

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Resolution 62.1

Port Stephens Council NSW

That the National General Assembly call on the Australian Government to:

1.Review and revision of the limitation on cost recovery for restoration works, under which 'only additional council resources such as overtime and extra shifts and additional contracted services are eligible for reimbursement'. This request is based on the additional and unnecessary cost to councils and the wider community brought about by the inability of councils to recover the cost of restoration works undertaken by councils using their day labour resources during ordinary hours of work. This approach does nothing but add cost to the recovery phase.

2.The current closing date for the submission of claims for the recovery of costs of 'Emergency Works' needs to be more flexible. The current three week (21 day) limitation in most cases will not be appropriate and requires extension.

3.Increased support and flexibility in respect to cooperation and assistance from the NSW Environment Protection Authority (EPA) in relation to the collection, storage, processing, re-use and disposal (as necessary) of waste from events. While Council generally supports the approach that the EPA has in respect to management of waste in NSW, in times of major disasters, flexibility and support is needed to assist local communities in dealing with this major impost.

4.Exemption from the NSW Waste Levy for the disposal of all material as a result of a natural disaster. This cost has a considerable impact on local communities and requires review. Further, when there is a decision to exempt the levy there should also be more flexibility in the time period that this applies subsequent to an event. 5.Increased funding for works in the planning and preparation phases of emergency management, so that required mitigation works can be planned and implemented. It is shown through research and review undertaken by experts in the field of emergency management that this will provide substantial long term financial, social and environmental benefits. The recently released Productivity Commission findings support a re-think by Governments on this issue.

Carried

Resolution 63

Albury City Council NSW

That the National General Assembly calls for: a.Australian Government bipartisan support for the continuation of the National Stronger Regions Program (or similar); and b.State and Territory programs

available to Local Government for major infrastructure funding are aligned with the National Stronger Regions to better facilitate increased opportunities for a whole of government approach to project planning and achievement.

Carried unanimously

Resolution 64

West Wimmera Shire Council VIC

That the National General Assembly calls on the Federal Government critically evaluate its usage and methodology of the Australian Bureau of Statistics dataset of Remoteness Areas Index, and that these findings be given consideration to address rural disadvantage and support the Federal Government's broader aims of supporting innovation and economic development.

Withdrawn

Resolution 65

Boulia Shire Council QLD

That the National General Assembly calls on the Commonwealth Government to significantly increase the remote area tax zone rebate including boundaries to encourage workers and families to live and work in rural and remote parts of Australia.

Carried unanimously

Resolution 66

Rockdale City Council NSW

That this National General Assembly call on major political parties and the incoming government to commit to the longstanding policy of successive Australian Governments on Payment of Local Council Rates for Commonwealth Owned Land in specified circumstances together with an assurance that all Government Agencies will be required to act in a manner which is consistent with this Policy.

Lapsed

Resolution 67

Central Highlands Regional Council QLD

That the National General Assembly call on the Commonwealth Government to provide innovative solutions to current electoral processes through the introduction of electronic voting systems for all elections.

Carried unanimously

Resolution 68

Melbourne City Council VIC

That the National General Assembly endorses the following transparency and disclosure principles:

1.Councillor expense claims should be fully disclosed periodically on the council website. 2.International travel by councillors should be pre-approved at an open council or committee meeting, including the likely cost to ratepayers of the proposed travel.

Carried

Resolution 69

Byron Shire Council NSW

That this National General Assembly call on the Federal government to hold a referendum to amend the Commonwealth Constitution to recognise local government.

Carried

Resolution 70

Tweed Shire Council NSW

That the National General Assembly calls on Federal and State Governments to consider instituting into the appropriate taxation systems a 'Booking Tax' on online accommodation booking services like Airbnb, in a similar method to the levying of the Hospitality Tax currently being applied in the United States of America.

Lapsed

Resolution 71

Tweed Shire Council NSW

That the Australian Local Government Association on a six monthly basis provides a status update to all member councils on the current situation of each motion considered at the previous National General Assembly.

Lapsed

Resolution 72

Wingecarribee Shire Council NSW

That the National General Assembly call on the Federal Government to urgently review the policy on the sale of land to Foreign sovereign investors.

2. THAT the Foreign Investment Board reviews the levels of investment allowable in Australian land and properties.

3. THAT the Australian Local Government Association makes these representations to ensure that Australian agricultural lands remain in Australian ownership to ensure that Australian food and water security is ensured.

Lost

Resolution 73

Melbourne City Council VIC

That the ALGA National General Assembly: 1.Supports the establishment of an independent Federal government agency with a specific mandate to investigate, expose and prosecute corruption in areas of public administration directly overseen by the Federal Government, including the conduct of Federal Members of Parliament; 2.Requests the ALGA President write to the leaders of all political parties represented in the Federal Parliament informing them of the National General Assembly's position.

Carried

Resolution 74

Adelaide City Council SA

That the National General Assembly call upon the Australian Government to provide relief from the Goods and Services Tax (GST) on materials and labour used for all listed heritage conservation projects.

Carried

Resolution 75

Orange City NSW

That the National General Assembly express concern to the building certification authorities in relation to the performance of private certifiers, and request the Board review its complaint management process to ensure home owners are able to lodge complaints and be confident that such complaints will be investigated accordingly.

Carried

Resolution 76

East Arnhem Regional Council NT

That the National General Assembly supports and encourages councils that represent discrete Indigenous Communities to network and workshop while at the NGA.

Carried unanimously

Resolution 77

Blacktown City Council NSW

That this National General Assembly calls on the Australian Government to regulate all commercial airport operations (such as the proposed Western Sydney airport at Badgerys Creek) to ensure that flight activities over metropolitan areas are subject to curfews which protect the amenity of residential areas, especially at night, except in case of emergency.

Carried

Resolution 78

Wyndham City Council VIC

That the Commonwealth provide adequate funding for NDIS to ensure that children with developmental delay have timely, comprehensive and well-integrated early intervention assessment and support services.

Carried unanimously

Resolution B5

Tumut Shire Council NSW

That the National General Assembly support the establishment of the very fast train network in south eastern Australia both to enhance regional development and to compensate for the downturn in the mining industry.

Carried

Resolution B8

Wellington Council NSW

That the National General Assembly call on local government entities across Australia to ensure that water and sewer assets do not become part of any future privatisation agenda by state governments.

Carried

Resolution B10

Tumut Shire Council

That the National General Assembly call on Federal and state governments to adopt a strategic approach for increased planting of forests in Australia.

Carried unanimously

Resolution B13

Leichhardt NSW

That the National General Assembly call on the Federal Government to fund local government to facilitate education of children and young people on respectful relationships, applying a whole of community approach, which is the key to creating generational change to end Domestic and family Violence.

Carried

Resolution B15

Leichhardt NSW

That the National General Assembly call on the Federal Government to ensure National Partnership Agreement on Homelessness includes continued provision of health services for homeless persons in specialist homeless clinics.

Carried unanimously

Resolution B25

Marrickville Council NSW

That the National General Assembly of Local Government call on the leaders of the two major parties, to immediately intervene to ensure there are no forced amalgamations amongst NSW Local Government Councils noting the concerns with the manner in which the NSW Government has managed the entire NSW Local Government amalgamations process and the way in which the NSW Government has misled and ignored the people and local communities of NSW.

Carried



Minutes - Annual General Meeting
Australian Rural Road Group (Incorporated)
Tuesday 21st June 2016 - National Convention Centre Canberra
Commenced 1.02 pm

Present

Australian Local Government Association
Mr Kym Foster

Gwydir Shire Council (NSW)
Mayor John Coulton
Cr. Catherine Egan – Deputy Mayor
Cr Angela Doering
Mrs Leeah Daley – Deputy General Manager
Mr Richard Jane – Technical Services Director
Mr Max Eastcott – General Manager

Griffith City Council (NSW)
Cr Leon Thorpe
Mr Brett Stonestreet – General Manager

Gunnedah Shire Council (NSW)
Mayor Owen Hassler
Mr Erick Groth – General Manager

Moree Plains Shire Council (NSW)
Cr Sue Price – Deputy Mayor
Mr Ian Dinham - Director Engineering Services

North Burnett Regional Council (Qld)
Mayor Rachel Chambers
Cr Faye Whelan – Deputy Mayor
Mr Mark Pitt – Chief Executive Officer

Tenterfield Shire Council (NSW)
Mayor Peter Petty

Toowoomba Regional Council (Qld)
Cr Carol Taylor – Deputy Mayor
Mr Angelo Casagrande - Executive Manager, Construction and Maintenance

Victoria Plains Shire Council (WA)
President David Lovelock

Welcome by Chair – Cr. John Coulton - Gwydir Shire Council

ITEM 1 – APOLOGIES

Armidale Regional Council (NSW)
Dr Ian Tiley – Administrator
Mr Glenn Wilcox - The Interim General Manager

Colac Otway Shire Council (Vic)

District Council of Grant (SA)

Lockyer Valley Regional Council (Qld)
Mayor Tanya Milligan
Mr Dan McPherson - Acting CEO
Mr Myles Fairbairn - Executive Manager Infrastructure

Mildura Rural City Council (Vic)

Nambucca Shire Council (NSW)

Narrabri Shire Council (NSW)
Mayor Conrad Bolton

Tenterfield Shire Council
Mr Damien Connor – General Manager

RESOLVED:

That the apologies are accepted.

ITEM 2 - CONFIRMATION OF MINUTES

RESOLVED

That the minutes of the Annual General Meeting held on 16th June 2015 are confirmed as a true and accurate record.

ITEM 3 - GUEST SPEAKER

Mr William McDougall - Grattan Institute

Mr McDougall presented an overview of the Grattan Institute's recently released a report entitled *Roads to riches: better transport spending*.

This report notes that the Australian governments have spent unprecedented sums on transport infrastructure in the past decade, and while important projects have been built, the overall investment has been poorly directed.

The presentation was followed by questions.

The Chair thanked Mr McDougall for his presentation, which was supported by acclamation.

ITEM 4 - FINANCIAL REPORT

The Financial Report for the year ending 31st May 2016.

Australian Rural Roads Group
Operating Statement to 31st May 2016

INCOME

Membership Renewals \$ 32,000.00

EXPENDITURE

\$ 3,114.73 (Administration)

\$ 13,968.02 (Advertising)

\$ 17,082.75

Surplus/(Deficit) for Project

\$ 14,917.25

The report outlines an operating surplus of \$14,917.25 for the past year's operations.

This is the second time that an operational surplus has been achieved.

The past results are outlined below:

Year	Result	Cumulated Result
2011	(\$24,608.50)	(\$24,608.50)
2012	(\$64,495.21)	(\$89,103.71)
2013	(\$11,130.11)	(\$100,233.82)
2014	(\$6,976.36)	(107,210.18)
2015	\$9,807.99	(\$97,402.19)

RESOLVED

THAT the Financial Report as at 31 May 2016 is accepted.

ITEM 5 – CHAIR'S REPORT

The ARRG lodged an ambitious, \$150 million dollar submission to Infrastructure Australia and other possible funding bodies, which further highlighted the pressing need to address the massive challenges facing the freight task in Australia in the coming years.

The submission brought together the expertise and the professional and financial commitment of five local government areas in the North West of NSW, and, if

funded, will vastly improve the road network in some of the most productive regions in the country. Regionally based rural road network planning is extremely important.

However, this is not merely an upgrade, but a carefully and strategically considered and priced freight network designed to support and dovetail seamlessly with the imminent Melbourne – Brisbane Inland Rail project, which, in all likelihood now seems very likely to proceed.

As an alliance of many rural local governments in Australia, the Australian Rural Roads Group represents the interests of many of the most productive communities in Australia that contribute significantly to the national wealth.

The group has published leading research and recommendations on structural reform of Australia's road funding system;

- 'Going Nowhere: The Rural Local Roads Crisis, Its National Significance and Proposed Reforms' - October 2010
- "Worth feeding: Case studies of rural local road efficiency and reform of Australia's road pricing" - Oct 2011

In many ways the work undertaken by the ARRG has produced tangible results and has assisted in moulding the rural road funding model now being used more extensively by State and Federal funding bodies for expanded road funding.

Our efforts are bearing fruit!

Our group has taken on board the challenge presented by the former Deputy PM Warren Truss, "Don't come to government with a problem, come with the solution".

In many ways the ARRG has influenced the rural road funding debate and has assisted in gaining more funds for our rural road network that so desperately needs attention.

Over the next year, if supported by our members at the Annual General Meeting, we will commence working on gaining political support for a fairer share of the Financial Assistance Grants being transferred to the Councils with the most need, rural and remote Councils.

RESOLVED

THAT the Chair's report is accepted.

ITEM 6 - ELECTION OF OFFICE BEARERS

The Chair advised the meeting that Moree Plains Shire Council has accepted his offer to take over the secretarial functions of the Group and nominated Cr Sue Price as the Chair, which was accepted and seconded by Cr Egan. After calling for any further nominations, and there being none, Cr Price was declared elected.

For the position of Secretary, nominations were called and Mr Ian Denham was nominated by Mr Max Eastcott, which was accepted and seconded by Cr Egan. After calling for any further nominations, and there being none, Mr Ian Denham was declared elected.

For the position of Treasurer/Public Officer, nominations were called and Mr Max Eastcott was nominated by Cr Price, which was accepted and seconded by Cr Coulton. After calling for any further nominations, and there being none, Mr Max Eastcott was declared elected.

RESOLVED

That the Executive Office bearers for 2016/17 are:

Cr. Sue Price - NSW Moree Plains Shire Council - Chair

Cr. John Coulton – NSW Gwydir Shire Council – Immediate Past Chair;

Mr Ian Denham NSW Moree Plains Shire Council – Secretary

Mr Max Eastcott – NSW Gwydir Shire Council – Treasurer/Public Officer

ITEM 7 - ELECTION OF COMMITTEE MEMBERS

The current members of the Committee are:

Cr. Lyn Russell – VIC Colac Otway Shire Council;

Cr. Erika Vickery – SA Naracoorte Lucindale Council; and

Cr. Carol Taylor – QLD Toowoomba Regional Council

Cr. Angela Doering – NSW Gwydir Shire Council

A call for nominations was made by the Chair.

RESOLVED

That the Australian Rural Roads Group Committee Members for 2016/17 are:

Cr. Lyn Russell – (Vic) Colac Otway Shire Council;

Cr. Erika Vickery – (SA) Naracoorte Lucindale Council; and

Cr. Carol Taylor – (Qld) Toowoomba Regional Council

Cr. Peter Petty – (NSW) Tenterfield Shire Council

Cr David Lovelock – (WA) Victoria Plains Shire Council

ITEM 8 - GENERAL BUSINESS

Cr Doering

The declining membership should be addressed through each State's Committee Member being provided with sufficient information to encourage Councils to understand the advantage in being a member.

Also a focus should be placed on promoting the Roads' Portfolio Manager Position within Infrastructure Australia.

RESOLVED

That only financial member Councils receive any future publications produced by the Australian Rural Roads Group Inc, as an incentive to promote membership.

Cr Coulton

In discussing the next priorities for the Group it was agreed that the Group should concentrate on two primary outcomes over the next 12 months:

The development of a more appropriate Cost Benefit Ratio measurement that better reflects the challenges being addressed and the economic outcomes from rural and regional infrastructure projects; and;

The promotion of a better outcome distribution from the available Federal Government's Financial Assistance Grant to rural and regional Councils, which have a far greater need for this income given the relatively lower population densities and access to alternative income sources.

ITEM 9 - CLOSING COMMENTS

The Chair thanked all who attended for their support of the Group and closed the meeting at 2.27 pm.

Item 2 **Circular Economy Management Committee Meeting Minutes**

FILE REFERENCE

DELIVERY PROGRAM

GOAL: 2. Building the business base

OUTCOME: 2.1 OUR ECONOMY IS GROWING AND SUPPORTED

**STRATEGY: 2.1.2 Support the growth of our business community -
OCD - external**

AUTHOR General Manager

DATE 4 July 2016

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/ SUMMARY RECOMMENDATION

This report is for notation.

TABLED ITEMS	Nil
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BACKGROUND

This Committee had its first meeting on 30th June 2016 and the Minutes are attached for information.

OFFICER RECOMMENDATION

THAT the Minutes of the Circular Economy Management Committee are noted.

ATTACHMENTS

AT- Minutes

COMMITTEE RECOMMENDATION TO COUNCIL:

THAT the Minutes of the Circular Economy Management Committee are noted.

(Moved Cr Egan, seconded Cr Smith)

Minutes Circular Economy Management Committee 30th June 2016



**MINUTES
CIRCULAR ECONOMY MANAGEMENT COMMITTEE
COMMENCED 1.03 PM**

Present:

From Council

Cr Coulton Mayor (Chair)	
Cr Egan (Deputy Chair)	
Cr. Moore	
Cr Smith	
Mr Max Eastcott	General Manager
Mr Ron Wood	Chief Financial Officer
Mr Glen Pereira	Director Development and Environmental Services
Mr Duncan Thain	Project Manager, Circular Economy
Mr Tim Greensill	Information Services Manager

External

Mr Ken Davey	Consultant
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Apology

Mr Grant Christopherson

Item 1 Structure and Operation of Circular Economy Committee

DELIVERY PROGRAM

OUTCOME: 5.1 CORPORATE MANAGEMENT

STRATEGY: 5.1.3 Administrative functions - GM - internal

AUTHOR General Manager

DATE 24 June 2016

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/ SUMMARY RECOMMENDATION

This report is for notation.

BACKGROUND

The Circular Economy Management Committee has been formed by the Council with the following specific functions.

CIRCULAR ECONOMY MANAGEMENT COMMITTEE

Committee Membership and quorum

The membership of this Committee is:

Mayor Gwydir Shire Council (Chair);
Deputy Mayor Gwydir Shire Council (Deputy Chair);
General Manager Gwydir Shire Council (Secretary/Treasurer);
Two Gwydir Shire Council Councillor Representatives selected
by the Council;
Four Gwydir Shire staff from Finance (Mr Ron Wood),
Environmental Services (Mr Glen Pereira), Project Manager
Circular Economy (Mr Duncan Thain) and Information
Technology (Mr Tim Greensill) nominated by the General
Manager;
Mr Ken Davey - Industry consultant; and;
Mr Grant Christopherson

The quorum is 5.

The non-Council members of this Committee are 'designated persons' under Section 441 of the Local Government Act.

Therefore each non-Council Committee member is required to complete an annual written return of interests and declare any

Minutes Circular Economy Management Committee 30th June 2016

pecuniary interest in any matter before the committee as required under the Local Government Act.

Committee Chairman and Deputy Chairman

The Chair, Deputy Chair and Secretary/Treasurer are the positions as nominated.

Whenever the voting on a motion put to this Committee is equal, the Chairperson is to have a casting vote as well as an original vote.

Committee Delegation

Pursuant to Section 377 and 379 of the Local Government Act, 1993, as amended, and subject to the limitations and stipulations which the said Sections 377 and 379 impose, the power to resolve upon any matter submitted for consideration concerning the future planning and management of the Circular Economy be delegated.

Committee Function

The role of this Committee initially is the care, control and management of the following projects:

- 1a. A whole of Shire behind the meter PV, battery storage and energy management initiative;
- 1b. A complimentary local economic stimulus and energy efficiency package for existing buildings;
2. A commercial greenhouse growing organic food integrated with a bioenergy plant; and;
3. A vertically integrated poultry meat sector

The Committee will achieve this through performing the following functions:

- Prepare and submit to the Council for approval a short, medium and long term management plan for each project;
- Submit to the Council for its approval the estimated budget and fees and charges for the next financial year;
- Submit an Annual Report for inclusion into the Council's Annual Report before the end of September each year for the preceding financial year outlining the performance of the Committee against the adopted management plan and budget;
- Advise the Council through monthly financial reports the progress and cost details to date of the Development Application regarding the development of the commercial greenhouse and integrated bioenergy plant; and;
- Table the minutes of each Committee Meeting at the next available Council Meeting

Minutes Circular Economy Management Committee 30th June 2016

COMMENT

The members of the Committee that are neither Councillors nor Council employees will be required to complete the Disclosure of Interests required under the Local Government Act, as a Designated Person and will be subject to the Council's Code of Conduct. The relevant information will be forwarded to the members.

The administrative support for the Committee will be provided by Mr Duncan Thain under the supervision of Mr Glen Pereira.

Mr Thain will also supervise and manage the work undertaken by the Council's Consultant, Mr Ken Davey.

RESOLVED

- THAT the information is noted
- (Moved Cr Egan, seconded Mr Greensill)

Minutes Circular Economy Management Committee 30th June 2016

Item 2 Update on Progress of Circular Economy Projects

DELIVERY PROGRAM

GOAL: 2. Building the business base

OUTCOME: 2.1 OUR ECONOMY IS GROWING AND SUPPORTED

STRATEGY: 2.1.1 Plan for and develop the right assets and
infrastructure – TS – external

DATE: 21 June 2016

IN BRIEF/ SUMMARY RECOMMENDATION:

It is recommended that Council continue to develop the three (3) key identified projects which draw on a number of the strengths that exist within the Shire and that a Development Application be prepared for lodgement for the commercial greenhouse facility.

TABLED ITEMS:

Background

Council resolved at the April 2015 Ordinary Council meeting to investigate opportunities within the Shire for Material Flow Management through a Circular Economy. Council engaged Mr Ken Davey to explore opportunities within the Shire as well as talking with business owners, farmers and community groups to canvas options and increase awareness of the Circular Economy concept.

A vast array of potential options have been identified including:

- Renewable energy alternatives to current electricity generation.
- Intensive agriculture.
- "Value adding" existing agricultural and other operations.
- New industries.

Key to this process has been the development of a relationship with the Institute of Applied Material Flow Management (IfaS) based in Germany.

This culminated in the 'Circular Economy' workshop organised and held by Council in Bingara on the 3rd December 2015. The keynote speaker for this benchmark event was Professor Dr Peter Heck. Professor Heck is the CEO of the German based 'Institute for Applied Material Flow Management' (IfaS). Council and IfaS signed a Memorandum of Understanding (MoU) that embraces the two (2) core elements of a 'Circular Economy', namely 'Applied Research' and 'Higher Learning'.

Minutes Circular Economy Management Committee 30th June 2016

A report was tabled at the February 2016 Ordinary Meeting of Council regarding an inspection of an organically certified hydroponics farm facility at Cobbitty NSW. Following consideration of this report the Council resolved:

THAT the Council investigates developing the hydroponics or similar bioenergy projects to a point where the Council can apply for grant funding subject to a satisfactory outcome to an independent review of the business case and the Capital Expenditure Review.

Early work with the investigation into potential opportunities within the Shire was far reaching, with no shortage of identified options for further evaluation and development.

Since February several clear opportunities have emerged. These have been explored and developed in consultation with key stakeholders and industry experts, including the various sections of the Federal and State Governments.

At present three (3) key deliverable projects have been identified which draw on a number of the strengths that exists within the Shire.

- 1a. A whole of Shire scale behind the meter PV, battery storage and energy management initiative.
- 1b. A complimentary local economic stimulus and energy efficiency package.
2. A commercial greenhouse growing food integrated with a bioenergy plant.
3. A vertically integrated poultry (meat) sector.

During this process an enormous amount of goodwill and support from a range of potential project partners and stakeholders has been developed. These project partners are expending significant time and their intellectual property into these projects. There is real interest from a number of these project partners to become financially involved in these projects.

COMMENTS

To bring the committee up to date each of the areas of interest will be looked at separately. Work has continued on the development of each of these proposals.

1. Gwydir Solar Scheme

Most recently, Council staff met with representatives from ZEN Energy, Sonnen Australia and the Sustainable Futures Division at the University of Technology Sydney (UTS). The two day meeting worked through options and issues relating to the implementation of a Shire wide PV Solar and/or battery storage system for residential, commercial and industrial premises in the Shire. The workshop also looked at pricing mechanisms, consumption modelling and building energy efficiency options. The Office of Environment and Heritage (OEH) has provided \$5,500.00 of the initial funding to support the gathering of raw data and the development of an online energy assessment tool for buildings and an energy modelling program. It is expected that this information will be made available to other Councils once developed and testing is complete. Discussions have initially

Minutes Circular Economy Management Committee 30th June 2016

been held with energy retailer ENOVA regarding utilisation of any excess energy produced. A number of other energy retailers were put forward during the meeting, with discussions to be arranged.

The modelling will allow for different options to be assessed and costed to allow specific systems to be installed which best suit the electricity usage of the building occupants. Work is still progressing to look at system costs and the raw data for the modelling programs which will be developed by UTS. It is anticipated that some Council buildings will be assessed in order to test the veracity of the assumptions and details within the modelling program. Council staff are continuing to liaise with ZEN Energy and Sustainable Futures to progress this project.

2. Poultry Development

Council staff attended and manned a stall, which included information about the Shire, at the Poultry Information Exchange and Australian Milling Conference (PIX/AMC). Discussions were also held with a number of commercial operators involved in the poultry industry including growers, processors, distributors and industry experts. Council's consultant has recently met with the CEO of Cordina Poultry Group who are the oldest poultry company in Australia and the third largest poultry processor in Australia. They also have a strong relationship with Coles Supermarket. The Cordina CEO appears keen to explore Council's proposal and has indicated Cordina will visit the Shire in the near future to further explore the Vertically Integrated Poultry Processing Facility. Council staff have also continued liaising with Pro Ten, who have indicated a willingness to visit the Shire to meet with the Mayor and the General Manager. Further development in this area will be based on moving discussion forward with these companies.

3. Greenhouse

The commercial greenhouse initiative is in the initial concept design stage with ongoing discussion being held with:

- Leading industry operators and contract growers.
- Fresh produce marketing and distribution companies.

Council has recently signed a Memorandum of Understanding with both the greenhouse manufacture, BOM Group and the Biodigas plant company BioGTS. A meeting has been held with the distribution company Perfection Fresh regarding needs and design of the facility. Further discussions are being held with Perfection Fresh to develop this relationship at present. The Mayor and the General Manager have recently met with a greenhouse grower to evaluate the current needs and the dynamics involved in future crop production. Once further detail is obtained the greenhouse's size and design can be progressed.

Issues currently exist with the land adjacent to the industrial land at Warialda with an Aboriginal Land Claim. Council is currently attempting to consult with the Moree Aboriginal Local Land Council as part of the land purchase for the road bypass corridor at Warialda.

Minutes Circular Economy Management Committee 30th June 2016

Moving Forward

1. Gwydir Solar Scheme

Continue the development of the PV Solar Scheme in consultation with ZEN, Sonnen, UTS and other stakeholders which will include:

- Energy efficiency building upgrade options and costing
- Determine the type of modelling to be used, gather quantitative data from test buildings (probably Council owned)
- Initiate discussion with energy retailers, in particular Mojo Power and Diamond Energy.

2. Poultry Development

- Invite CEO of Cordina Group to visit Gwydir Shire.
- Develop a Poultry Development Strategy including broad constraints such as urban centres, water availability, transport routes and environmental impacts.
- Continue dialogue with Pro Ten.

3. Greenhouse

- Continue to progress discussions/relations with grower and distribution company Perfection Fresh, to develop a firm proposal for the development of the greenhouse.
- Determine firm funding options – rate, period and terms
- Complete a Business Plan with the assistance of Regional Development Australia
- Look at land options to site facility based on building and grower needs
- Prepare Development Application for lodgement.

CONCLUSION

These proposals continue to be developed, however it is important that Council's drive and ongoing actions focus on the more imminently identified projects outlined in the report.

RESOLVED

THAT Council continues to develop these projects in consultation with the various project partners and Government entities and Departments.

(Moved Cr Egan, seconded Cr Smith)

Meeting closed 2.31 pm

Item 3 Monthly Organisation and Community Development Report - June 2016

FILE REFERENCE

DELIVERY PROGRAM

GOAL: 5. Organisational Management

OUTCOME: 5.1 CORPORATE MANAGEMENT

STRATEGY: 5.1.3 Administrative functions - GM - internal

AUTHOR Organisation Development Director

DATE 5 July 2016

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/ SUMMARY RECOMMENDATION

The monthly Organisation and Community Development report details the activities carried out by the Department during the month of June 2016.

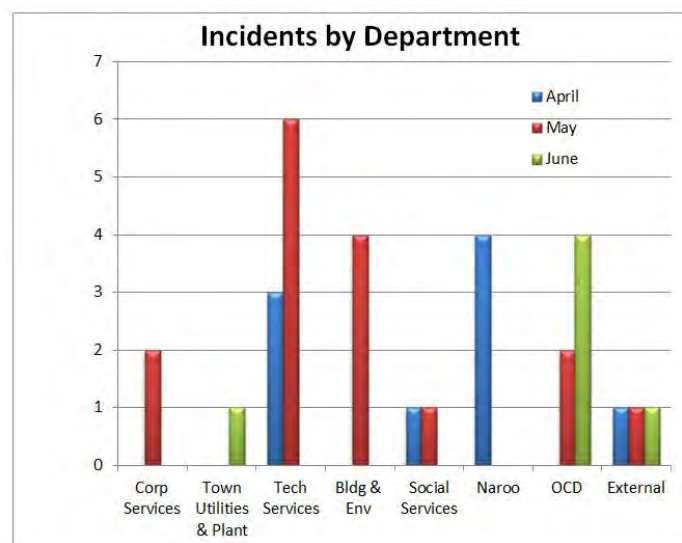
BACKGROUND

The monthly Organisation and Community Development report forms part of a regular reporting regime. The purpose of the report is to inform Council of the activities carried out within the Department.

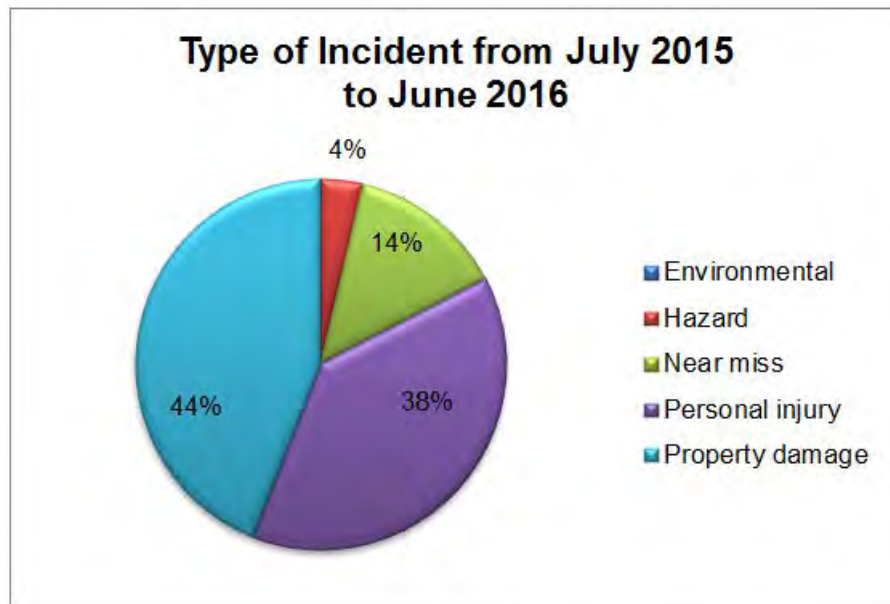
1 Incident Reporting

There have been 109 incidents for the period 1 July 2015 to 30 June 2016.

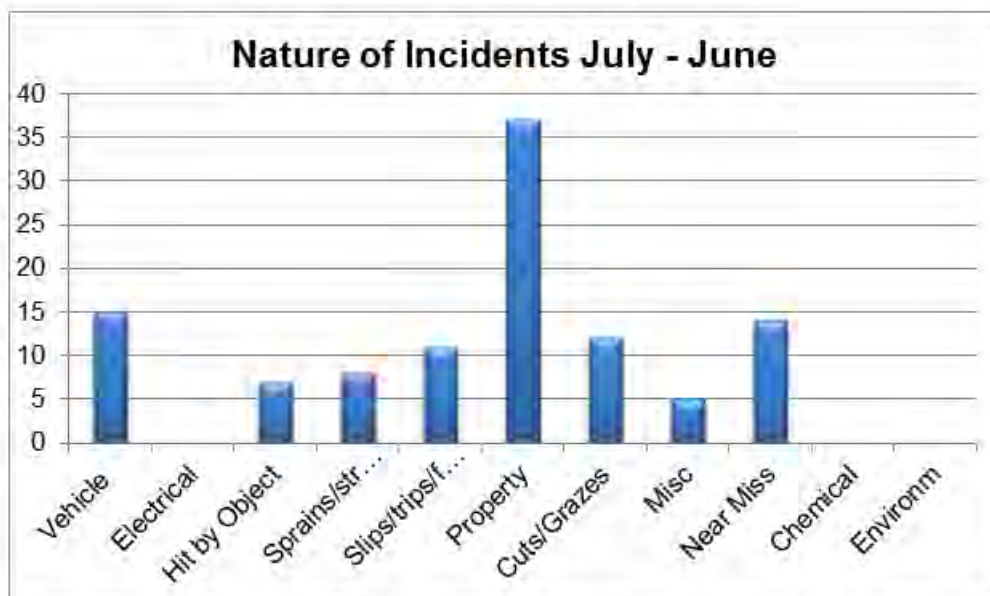
- 6 incidents occurred in June
- 5 in Bingara and 1 in Warialda
- 5 incidents were internal and 1 external



Council's Incident/Accident report form defines the injury/accident into five categories:



The nature of incidents reported has been broken down into 11 categories:



2 Gwydir Learning Region (GLR)

Heavy Vehicle Training

The Roads and Maritime Services' (RMS) extension to the 'high risk variation' that enables Council's Registered Training Organisation (RTO) to continue training and assessment has expired. No application has been made for a further extension.

This is page number 48 of the minutes of the Community Services and Planning Committee held on Thursday 14 July 2016

Chairman

A Council employee is in the final stages of obtaining the necessary qualifications to become a second trainer/assessor. All RMS requirements have been met and the final training required to become a Trainer/Assessor has commenced. This final training is being conducted by Council's existing Trainer/Assessor under the management of an external RTO, ACTM Training and Consultancy.

It is anticipated that training should be complete before the end of July. Once complete an application is then made to RMS for the issuance of a NSW Heavy Vehicle Instructor's Licence. This licence will enable the training and assessment of all heavy Vehicles up to a Multi – Combination (B – doubles and Road Trains).

Council's RTO is presently working with Inverell Heavy Vehicle Training to conduct RMS assessments. The Inverell operator utilises the GLR trainer/assessor on a regular basis, with three (3) assessments carried out by Council's assessor during June. Council will also be able to utilise the Inverell operator to conduct Final Assessments if required.

Driver training - car

Three (3) lessons for car driver training were provided during June, with requirement for lessons being unpredictable and heavily reliant on the local population.

TAFE - Automotive Vocational Preparation Certificate II

During June, a majority of the automotive students completed a 35hr week of work experience with host employers. While these employers must be involved in some way with a mechanical background, they do not necessarily have to be a garage type workshop. Students were located at various sites within the region. While some students were placed locally, others were placed in larger centres such as Inverell and Moree, and some attended a Croppa Creek workshop and a Gunyerwarildi farm workshop.

Students get a taste of the work environment and get to see firsthand what is involved in a mechanical workshop. Some students excel in their personal development once in a workplace situation.

Portable Appliance Testing (PAT)

The in-service safety inspection and testing of electrical equipment (test and tag) is ongoing. A list of all electrical appliances continues to be developed and records of testing compiled.

There are a number of sites still to be tested or re-tested including Warialda and Bingara offices, Naroo and the mechanical workshops.

The Learn to Drive car doubles as a transporter for the purpose of testing and tagging electrical items, while acting as an advertisement for the GLR Learn to Drive school.

Welding Courses

Night welding courses have not yet completed. The trainer will be taking leave and the class will recommence in July. Attendance is still high, with the only complaint being that the course is due to conclude.

A second welding class will commence in July/August if sufficient interest. This course is conducted on a 'user pay' system with a minimum requirement needed to cover costs.

Manager - Gwydir Learning Region

A request has been made for a new welding machine and a rainwater tank. The latter will enable the Warialda High School Agricultural students to expand the hydroponics garden on site.

The Manager attended a GLR Meeting with both Warialda and Bingara school principals. Prospects for additions to the RTO Scope and GLR interest courses were discussed. The latter include Theatre Sound and Lighting, Theatre Performance, Regenerative Agriculture and The Garden Projects at The Living Classroom.

Arts North West has been in discussion regarding the possibility of Theatre Skills Courses with the Roxy Theatre as the venue and utilising the bunkhouses at The Living Classroom (TLC) for accommodation.

A Tourist Guide Plan for TLC has been developed and is currently being printed. A brochure was produced for the visitors to TLC during the Bingara Orange Festival. It was focused on the Kytherian Community visitors.

'Nourish' – The Bush Tucker Gardens Project is progressing with a committee meeting scheduled for the first week in July. A Project Outline and Site Plan have been developed and a budget submitted.

'Paradise Found' – The Mediterranean Garden Project is being developed with the 2ha site pegged. The first plantings of mature olive trees sourced from the redesigned olive grove orchard at Biniguy have begun. Nearly 300 trees are due to be planted in July.

The Bingara Lions Club and Bingara Garden Club each had guided tours of TLC during June.

The National regulator for vocational education and training, Australian Skills Quality Authority (ASQA), will undertake an audit of the RTO on July 12. This will be the post initial audit by ASQA, the first since approval to operate as a Registered Training Organisation.

3 Tourism and Economic Development

3.1 Visitor Information Centres

April		May		June	
Opening hours		Opening hours		Opening hours	
W = 199	B = 159.5	W = 201.5	B = 179	W = 198.5	B = 181.5
Volunteer hours		Volunteer hours		Volunteer hours	
W = 34	B = 36	W = 36.5	B = 36	W = 33.5	B = 38.5

Visitation to VICs	April		May		June	
Warialda (V=Visitors, C = Café)	V = 529	C = 294	V = 613	C = 387	V = 602	C = 324
Bingara	726		711		501	
Roxy Tour Income Collected at VIC and/or Donations	\$470.00		\$535.00		\$.00	

Cranky Rock	Apr	May	Jun
Powered sites	N/A	78	38
Unpowered sites	N/A	83	36
Camping sites	N/A	1	4
Total	N/A	162	78

The anomaly in camping figures for Cranky Rock is due to the introduction of a different monitoring system in June.

Warialda Visitor Information Centre – Income

INCOME:	\$ Apr	\$ May	\$ Jun
Caravan Park	4,387.00	3,404.00	4,378.00
Plants of Gwydir Shire	50.00	0.00	30.00
NSW Trainlink sales	543.65	428.35	890.89
Centre Hire	60.00	20.00	40.00
Merchandise sales	2,092.00	2,358.02	1,901.75
Goods on consignment sales	131.00	8.50	56.00
Subtotal	7,263.65	6,218.87	7,296.64
Less Caravan Park Money Banked	4,387.00	3,404.00	4,378.00
Less Payment to NSW Trainlink	235.49	320.71	600.75
Total Monthly Income	\$2,641.16	\$2,494.16	\$2,317.89

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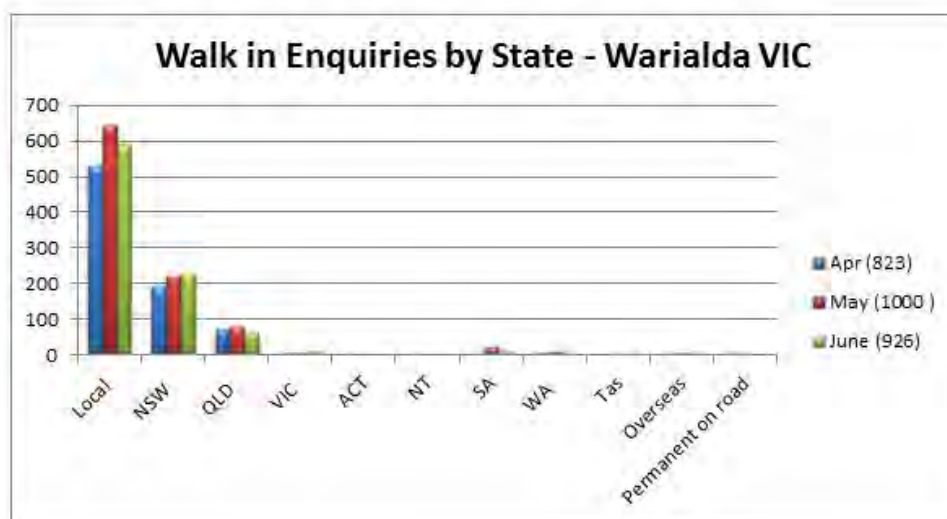
Chairman

Bingara Visitor Information Centre - Income

Income	\$ Apr	\$ May	\$ June
Products on Consignment	\$15.00	\$ 9.00	\$ 39 .00
Local Arts and Crafts on Consignment	\$ 000.00	\$ 000.00	\$000.00
Merchandise	\$505.00	\$ 745.00	\$580.00
Subtotal	\$520.00	\$754.00	\$619.00
Less payments to consignees	\$ 10. 01	\$ 6.01	\$ 15.91
Monthly VIC Income subtotal	\$509.99	\$747.99	\$603.09
Roxy Tour Income Collected at Visitor Information Centre (VIC) and/or Donations	\$535.00	\$975.00	\$230.00
Total VIC Income	\$1,044.99	\$1,722.99	\$833.09

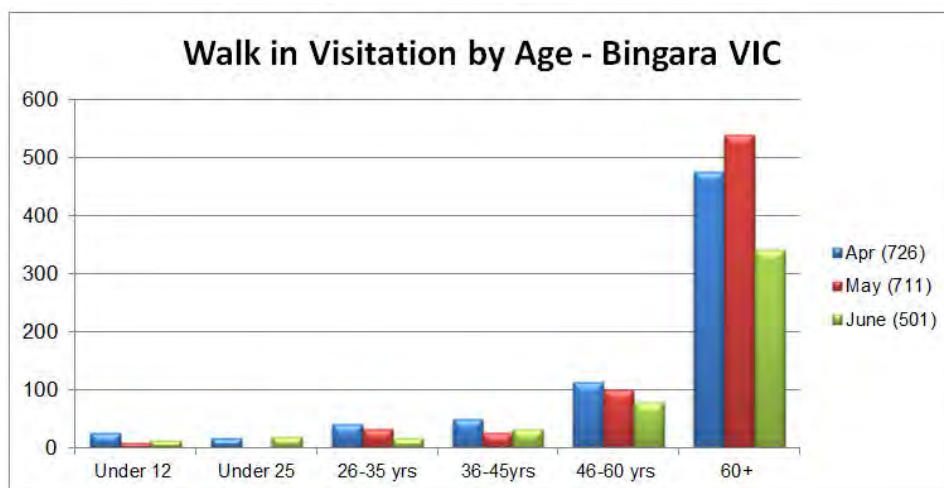
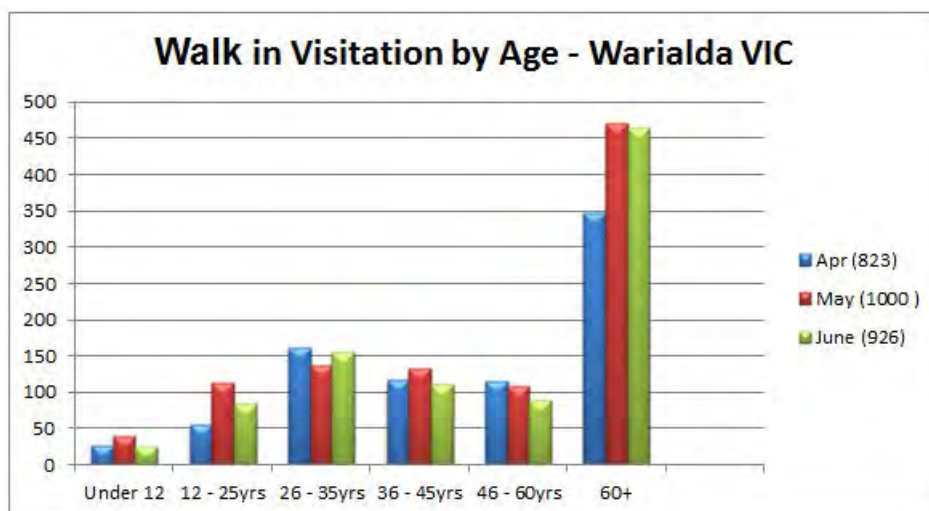
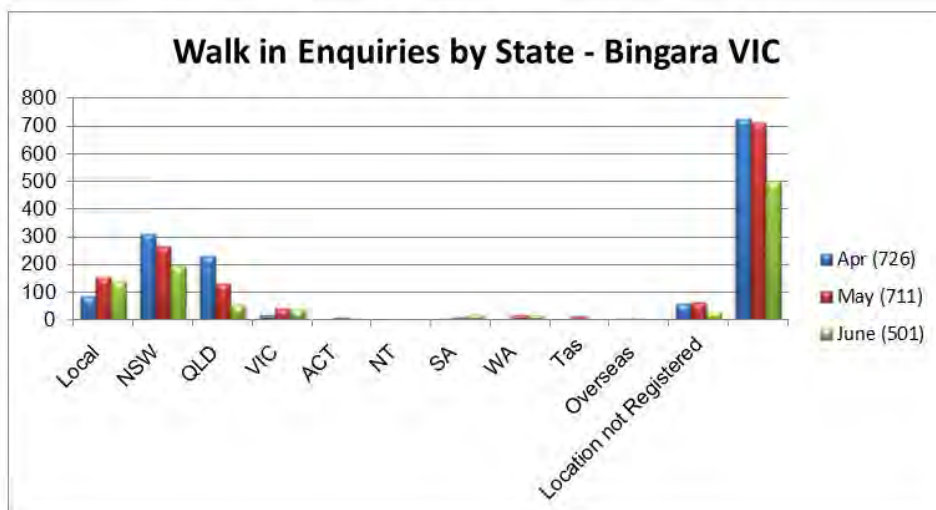
Roxy Income

Roxy Income	May @Online	May @ VIC	June @ Online	June @ VIC
Events / Performances	\$ 1,323.54	\$ 000.00	\$ 2,355.00	\$1,250.00
Conference / Meeting room hire	\$ 000.00	\$ 000.00	\$ 000.00	\$ 000.00
Income (Bookings etc) Collected at VIC on behalf of Community Groups / Orgs	May @Online	May @ VIC	June @ Online	June @ VIC
Events/Performances/Merchandise	\$8,581.83	\$6,220.00	\$8,240.00	\$3,135.00
Memberships	\$ 000.00	\$ 42.00	\$ 000.00	\$ 000.00



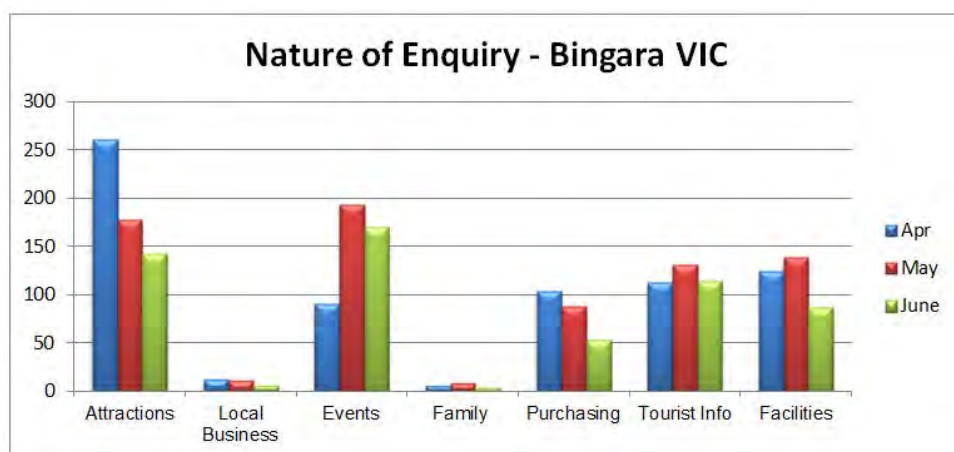
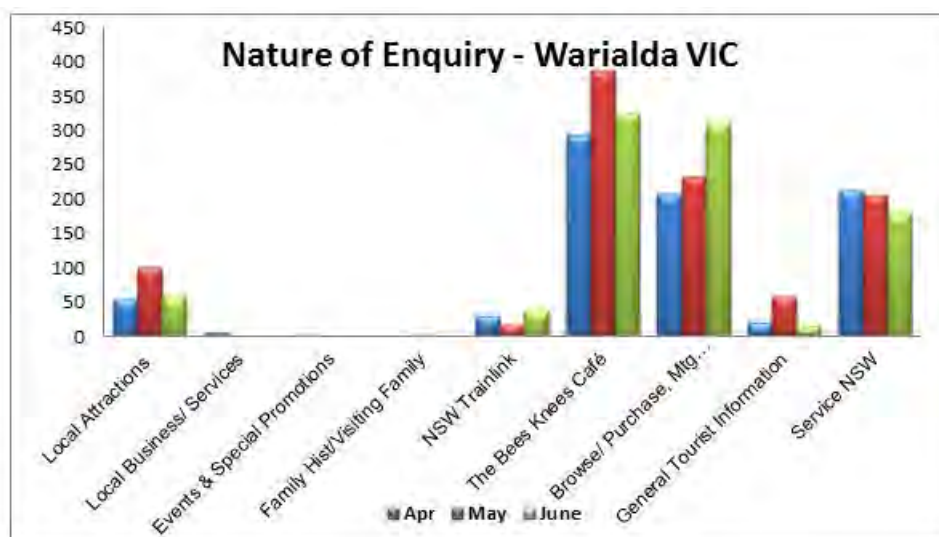
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3.2 Roxy Complex - June

Theatre attendance

- 1 - 4 June - Bingara Central School Phantom of the Opera Rehearsals and bump in - approximately 500 people
- 2 June - Performance, Phantom of the Opera – 200 people
- 3 June - Performance, Phantom of the Opera – 200 people
- 4 June - Performance, Phantom of the Opera – 200 people
- 7 June - 'Stones in his Pocket' live travelling theatre production – 70 people
- 11 June - Queen's birthday Tennis Ball – 80 people
- 16 June - North West Film Festival – 100 people
- 17 June - North West Film Festival – 100 people
- 26 June - North West Theatre Company monthly film – 30 people

Cafe

- 3 and 4 June - Pizza/Pasta night at Roxy Café (Bingara Central School P & C) 160 people

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Conference Room

2 June – Vision 2020 Annual General Meeting – 40 people

3 June – Arts North West meeting – 18 people

17 and 18 June – North West Film Festival – 30 people each day

30 June – Office of Local Government – 20 people

3.3 Tourism

The Tourism section is currently trialling a visitor docket box to collect and calculate 'visitor spend' in our towns. The boxes will be trialled in Bingara for three months before rolling it out in Warialda. Boxes have been placed in the Bingara Bakehouse, Meat on Maitland Butchery, Bingara VIC and the Bingara IGA store. It is estimated that approximately 15% of all dockets will be captured. Not all receipts indicated money spent in that business. For the month of June the following receipts were received from the boxes:

Bingara Bakery - \$241.62

Meat on Maitland - \$931.70

Bingara VIC - \$777.14

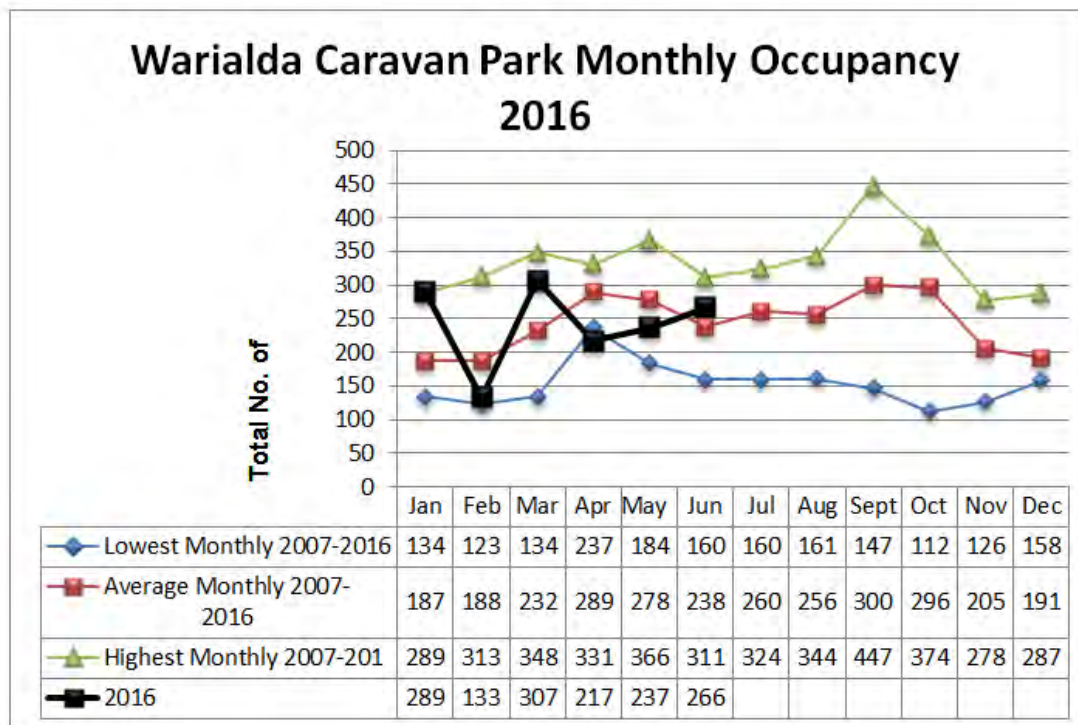
Bingara IGA - \$6,738.44

Total of receipts collected = \$8,688.90

3.4 Caravan Parks

Warialda Caravan Park

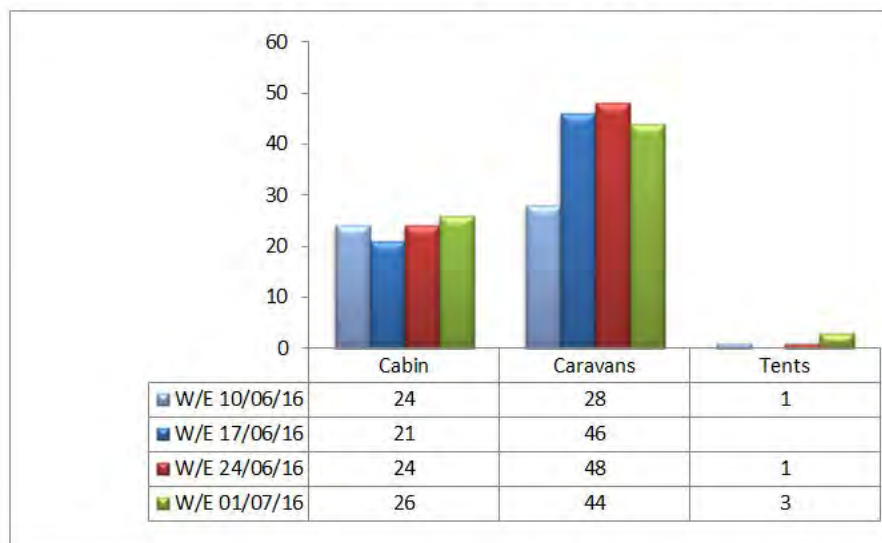
The Warialda Caravan Park continues to be well maintained and patronised. Revenue for the year was the highest on record and in line with the consistent increase in revenue for the park over the past several years. Occupancy was above average and good for the winter month of June.



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Warialda Caravan Occupancy – June 2016

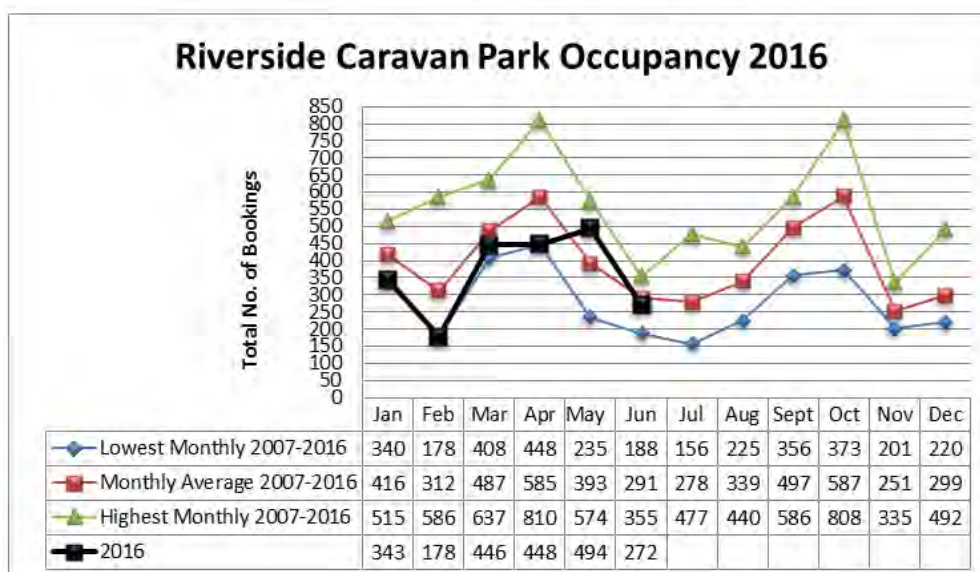


Warialda Caravan Park Revenue

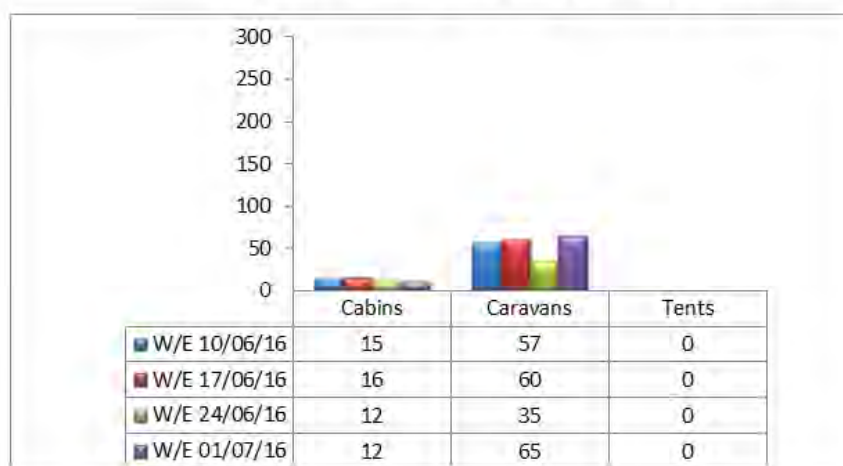
Period (July through to June)	2011	2012	2013	2014	2015	2016
July	*	-3316.38	-7550.93	-6469.00	-9760.00	-8857.27
August	*	-5418.19	-6028.16	-10306.00	-8992.00	-11470.03
September	*	-12757.27	-6377.28	-8963.00	-13140.00	-13280.44
October	-17633.59	-10288.20	-7324.30	-12055.00	-10170.00	-10919.07
November	-6004.17	-7320.02	-7332.27	-11223.00	-7809.35	-7108.18
December	-3941.81	-5022.73	-5080.01	-4650.00	-5830.93	-8377.71
January	-3034.54	-8793.30	-7324.54	-8325.00	-5051.54	-11166.7
February	-7084.56	-4505.46	-6033.67	-6845.00	-5574.54	-6360.82
March	-4469.08	-8501.34	-7391.80	-8707.00	-7509.11	-9487.24
April	-7616.39	-7676.68	-10868.19	-11663.00	-11891.36	-8044.52
May	-6188.19	-4962.16	-8615.45	-9664.00	-11456.59	-6275.43
June	-5967.29	-8676.37	-7436.35	-9833.00	-10577.29	-9688.15
TOTAL	-61939.62	-87238.10	-87362.95	-108703.00	-107762.71	-111035.56
* These months included in month 4 total - month by month data not available due to changeover of software						

Bingara Caravan Park

The Bingara Riverside Park continues to be well maintained. Occupancy for the month of June 2016 was around average for June, although less than the previous two months. Occupancy was seasonally low as is usual in the winter months. On an annual basis the revenue was the second highest recorded income for the park other than 2014-2015 which was slightly higher.



Bingara Caravan Occupancy – June 2016



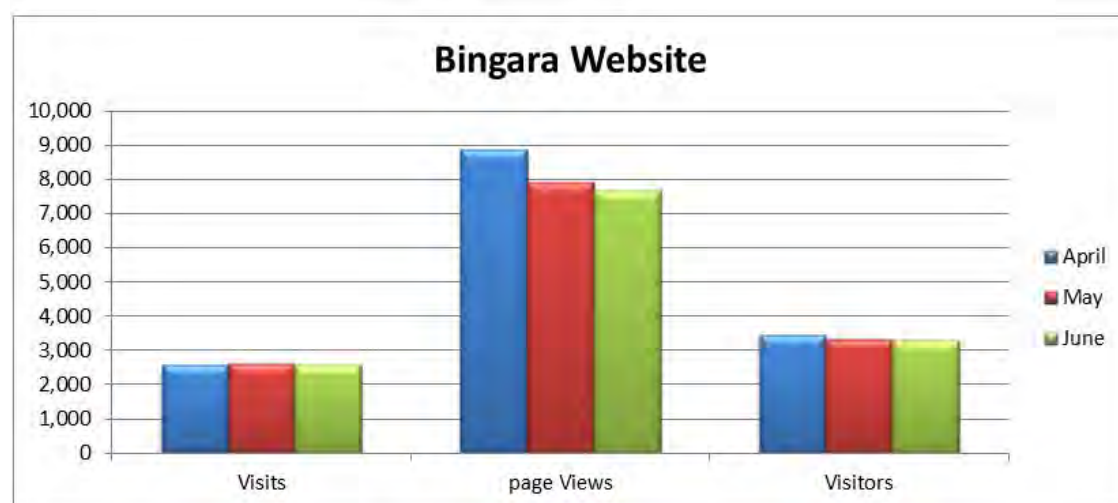
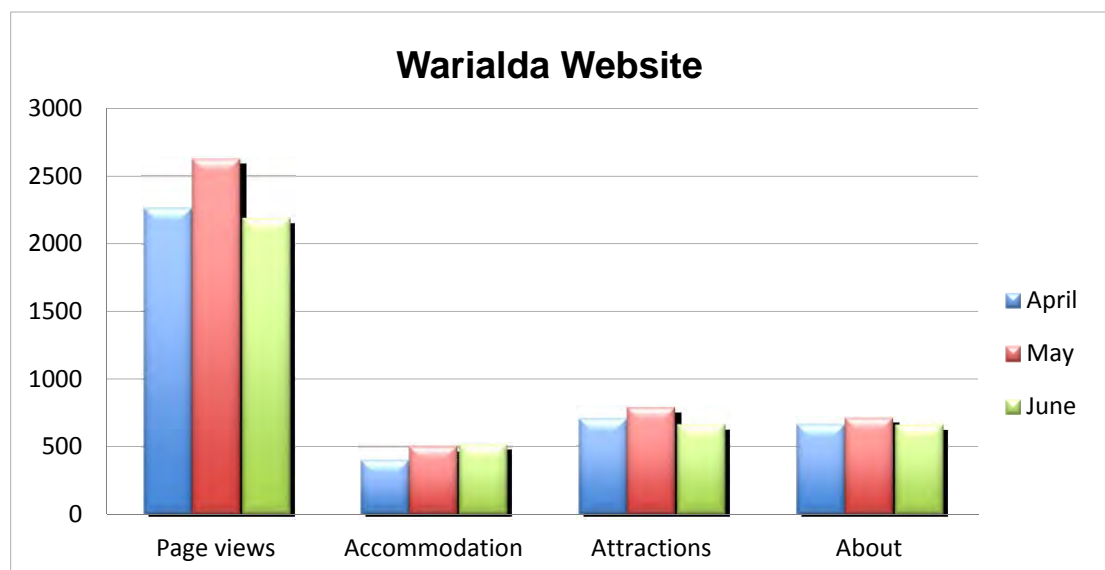
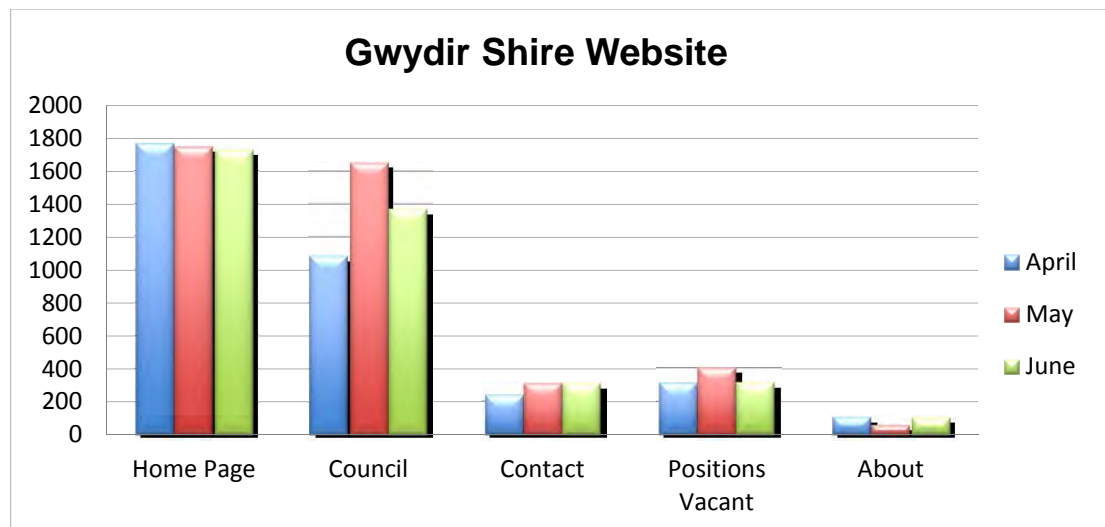
Bingara Caravan Park Revenue

Period (July through to June)	2011	2012	2013	2014	2015	2016
July	*	-9158.95	-8692.86	-15157.00	-15240.00	-15230.62
August	*	-11649.77	-13302.98	-9909.00	-16064.00	-17730.62
September	*	-16329.01	-13013.52	-20057.00	-21169.00	-29144.76
October	-54788.88	-19221.12	-15841.57	-45546.00	-27026.73	-28166.24
November	-10525.84	-11186.38	-25826.45	-10455.00	-15231.48	-15925.09
December	-8774.55	-11188.39	-8468.49	-19370.00	-8679.04	-14233.49
January	-17134.71	-20116.48	-18673.10	-27492.00	-34113.73	-23460.92
February	-11962.96	-10853.27	-8482.19	-20298.00	-13498.14	-28324.99
March	-17411.20	-17110.18	-33292.63	-20356.00	-20686.33	-20860.08
April	-18372.26	-26073.06	-16083.63	-33562.00	-23228.48	-24400.36
May	-12239.50	-15990.08	-14049.04	-19138.00	-16343.03	-21541.54
June	-10933.66	-8205.55	-23625.20	-17206.00	-16888.92	-16614.40
TOTAL	-162143.56	-177082.24	-199351.66	-258546.00	-228168.88	-255633.11

* These months included in month 4 total - month by month data not available due to changeover of software

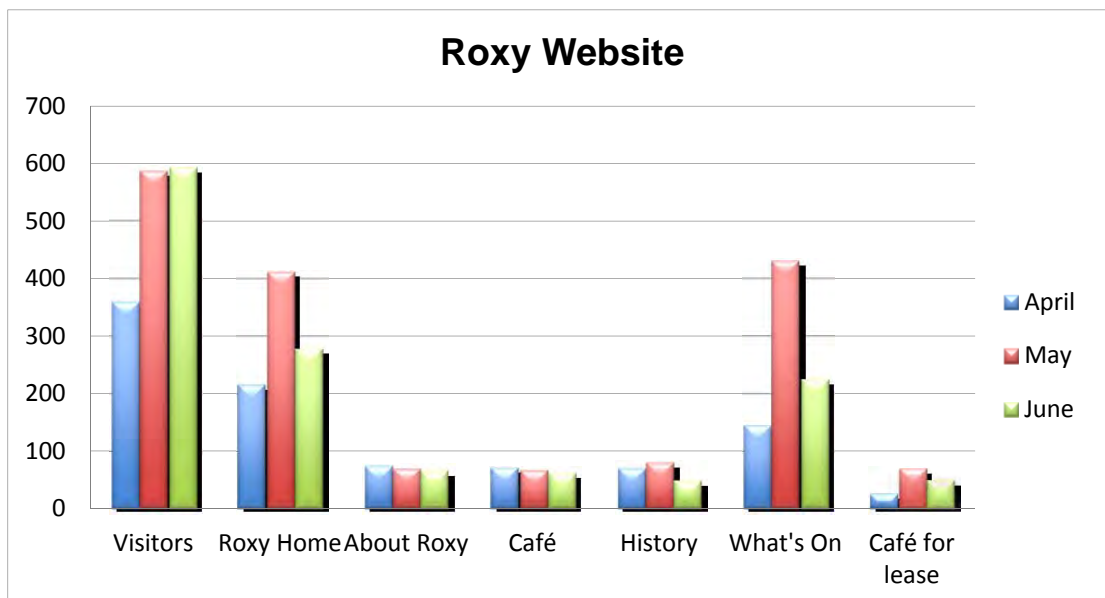
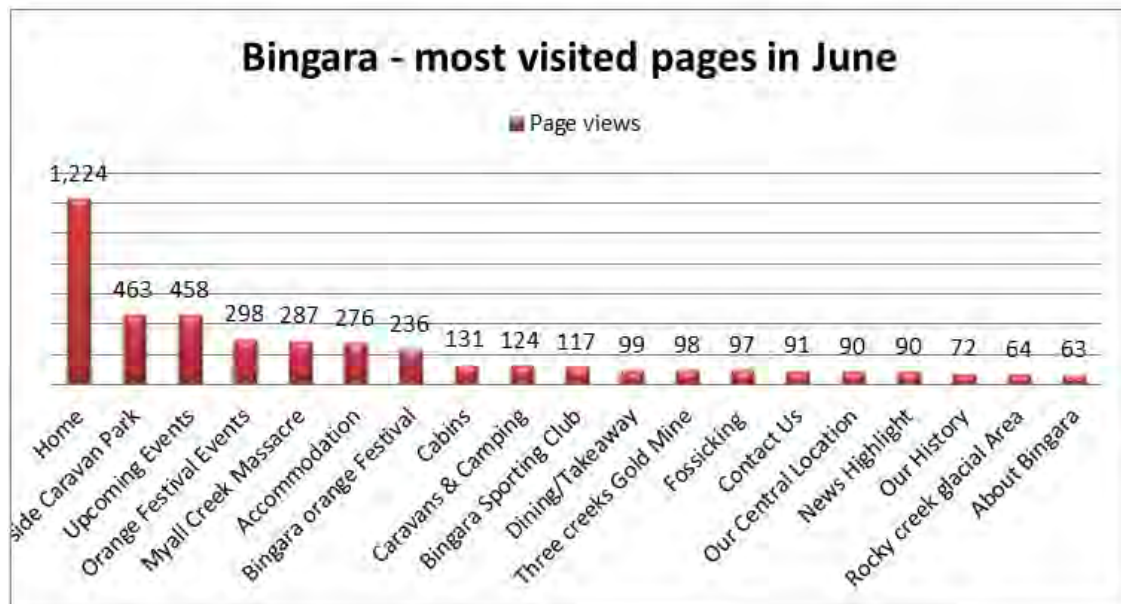
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3.5 Website Statistics

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4 NAROO AGED CARE FACILITY

4.1 Naroo occupancy

Naroo currently has 33 out of a possible 36 residents, 31 of which are permanent residents at the end of June.

4.2 Staff

Naroo Staff Training for 2016	Staff Attendance
Wound Management	16
Continuous Improvement	8
Risk Everyone's Responsibility	10
Mandatory First Aid/CPR refresher training	35

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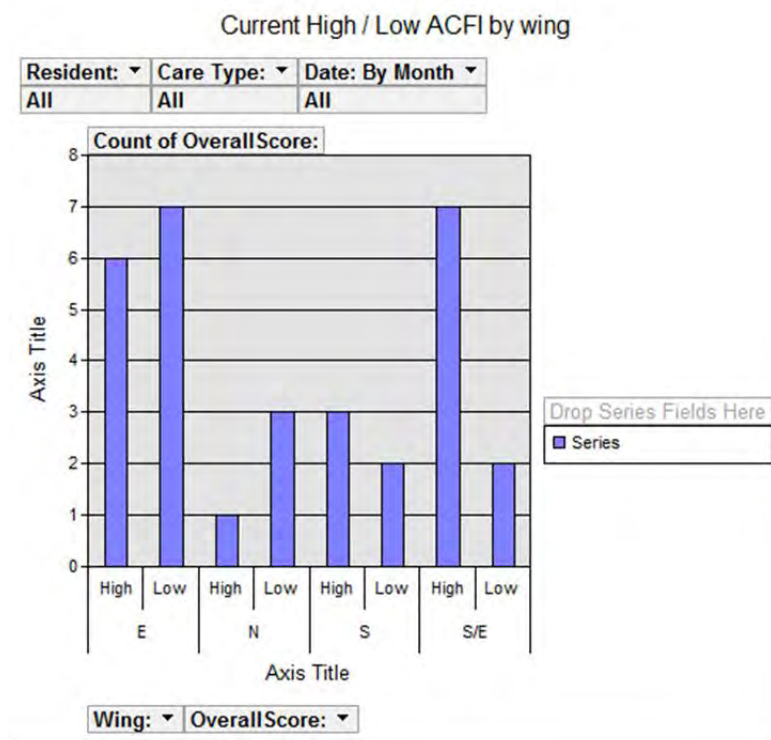
Medication	10
Behaviours	10

4.3 Bonds / payment schedule summary

Active Accommodation Bonds / Payment Schedule - Summary
As at 1/07/2016

Facility Name	Pre 1 July 2014 Payment Arrangements [Bonds]	Agreed Bond	Part Lump Sum Amount	Total Payment Amount	Lump Sum Amount Outstanding	Total Bond Balance Outstanding	Total Retention Deductions	Total Interest Deductions	Total Other Deductions	Balance
	Post 1 July 2014 Payment Arrangements [RADs/RACs]	Agreed Price	Agreed RAD/RAC Portion	Total RAD/RAC Received	Total RAD/RAC Outstanding	Agreed DAP/DAC Portion	Total DAP/DAC Deductions	Total Care Fee Deductions	Total Other Deductions	Balance
TOTAL										
IAROO AGE CARE ACILITY	Bonds	\$422,067.73	\$422,067.73	\$422,067.73	\$0.00	\$0.00	\$41,359.76	\$0.00	\$0.00	\$380,707.97
	RADs/RACs	\$2,232,453.24	\$828,620.61	\$1,098,820.61	-\$90,000.00	\$1,403,832.43	\$0.00	\$0.00	\$0.00	\$1,098,820.61
	TOTAL	\$2,654,520.97	\$1,250,688.54	\$1,520,888.54	-\$90,000.00					\$1,479,328.78
GRAND TOTAL	Bonds	\$422,067.73	\$422,067.73	\$422,067.73	\$0.00	\$0.00	\$41,359.76	\$0.00	\$0.00	\$380,707.97
	RADs/RACs	\$2,232,453.24	\$828,620.61	\$1,098,820.61	-\$90,000.00	\$1,403,832.43	\$0.00	\$0.00	\$0.00	\$1,098,820.61
	TOTAL	\$2,654,520.97	\$1,250,688.54	\$1,520,888.54	-\$90,000.00					\$1,479,328.78

4.4 Aged Care Funding Score



Aged Care funding score as at 30 April 2016

E = East wing, N = North wing, S = South wing, SE = South East wing.

5 SOCIAL SERVICES

5.1 Bingara Neighbourhood Centre

Funding body – Family and Community Services

There have been 72 points of contact for June at the Neighbourhood Centre. Counselling and advocacy are still the main areas covered by the Centre. Fifteen gift cards were distributed in June. 'Broadband for Seniors' continues to operate from the Library with good usage for the month. Court Support and advocacy to legal services has also featured strongly again during June.

5.2 Bingara Toy Library

Funding body – Early Childhood Education and Care Directorate

NSW Department of Education and Communities

Bingara Toy Library	Apr	May	Jun
Children utilising the service	104	91	97
Parents	49	55	58
Total membership at Bingara Toy Library	45	44	42
Toys returned	20	21	17
Toys borrowed	15	16	20
Children/Group using toys (members)	8 + FDC x 2 Preschool	6+ FDC x 2 Drs Surg	16+ FDC
Free play	83 children 36 adults	46 Children 23 adults	45 Children 25 adults

Activities during June:

Mothers Circle – Driveway Safety: Road Safety Officer, Renee, made a practical presentation on the importance of driveway safety. A display was used to illustrate how easily you can run over a small child in a driveway. Most drivers could not see the first four (4) children behind their vehicle which illustrated the importance of getting out of your vehicle to check.

Six (6) children and four (4) mums attended this session.



Display used for driveway safety

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Crafty Kids 3.30pm - 4.30pm: a combined services event with the Public Library staff and children. The “walking bus” picks up from Bingara Central School and takes the children to the toy library and they take part in a craft activity. Ten children came on the walking bus from school and six (6) children and parents of toy library families attended this event.

16 children and four (4) parents attended.

5.3 Supported Playgroup Development Worker

Funding body – Families NSW

Warialda Toy Library

Warialda Toy Library	Apr	May	June
Total daily attendance count, (no# of children having utilised the service, each day over the month)	197	214	220
Full borrowing members (new)	0	1	1
Non borrowing members (new)	3	2	1
Casual borrowing members (new)	2	0	1
Toys returned	23	22	3
Toys borrowed	22	3	19
Groups using the service (FDC carers)	5	5	5
Tuesday group activity morning	25	59	53
Thursday group activity morning	10	52	57
Friday group activity morning	74	46	78

A total of 220 child and 127 parent/carer visits for toy library sessions were calculated for the month of June 2016.

- 1 new full borrowing membership
- 1 new non borrowing membership
- 1 new casual borrowing membership
- 9 June - **‘Feeding Toddlers’** handout supported by 11 families including 21 children
- 14 June - **‘Toilet training time’** supported by seven (7) families and 13 children
- 17 June - **‘Scentsy’** presentation, supported by 11 families and 22 children
- 23 June - **‘A new baby in the family’**, supported by five (5) families and 11 children

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- 24 June - **Gwydir Shire Council Commemorative Birth Certificate presentation with Mayor John Coulton**, supported by 18 families and 22 children with 14 of the children in attendance being presented with GSC Commemorative Birth Certificates and a parenting/ info pack.
- 27 June - **Renee McMillan**, Road Safety Officer from **Moree Plains Shire Council** presented an information session on **Child restraint safety**. This session was supported by six (6) families and eight (8) children.



Children received GSC Commemorative Birth Certificates

Gwydir Playgroups

Particulars	New Families			Attendance		
	Apr	May	Jun	Apr	May	Jun
Warialda	1	3	0	22	57	31
Gravesend	0	2	0	16	41	42
Bingara	0	0	0	21	37	41

Warialda Playgroup

June was a quieter than normal month for Warialda playgroup with just 31 children attending sessions. One session was a very wet, rainy and cold morning and limited sessions were held due to the long weekend. Parents were able to have baby/parenting questions answered, and updates to their clinic (blue) book schedule by the Hunter New England Health Child and Family Health nurse. The Road Safety Officer attended a playgroup session providing families with valuable child restraint safety information.

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Gravesend Playgroup

Gravesend Playgroup continues to thrive in numbers and families and children alike join sessions with enthusiasm. The Child and Family Health nurse attended completing clinic book records and answering any family or child related health questions. Handouts were provided relating to 'feeding baby', 'toilet training' and 'welcoming a new baby into the family'. The usual art/crafts, sensory play experiences, story and music sessions and many pretend play experiences were also on offer.

Bingara Playgroup

Bingara Playgroup continues to be supported in numbers and during June members were provided with many play experiences including puzzles, leaf collage, stick art, ball games, paper and peg tree craft, singing and story time.

5.4 Youth Service

Funding body - Family and Community Services

Planning for youth events and counselling was the main focus in June.

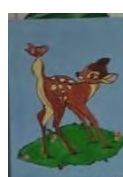
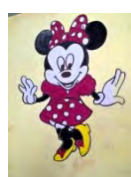
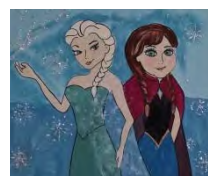
5.5 Bingara Preschool

*Funding body – Early Childhood Education and Care Directorate
NSW Department of Education and Communities*

Two children are leaving Bingara Preschool due to family relocation. Three (3) new children will commence at the beginning of next term. With the new enrolments the Preschool's sessions will increase by four (4).

The month of June has been filled with getting canvases ready for auction at the Orange Festival celebrating The Roxy Theatre's 80th birthday. The proceeds from the auction will go to helping support the Barac family, a local family with two children requiring ongoing medical treatment.

Children have also been preparing a Greek Dance to perform at The Orange Festival.



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5.6 Tharawonga

No report available for June.

6 Commonwealth Home Support Program

GSC Home Support Service Report			
2016 (Jan - June) Figures for Data Exchange report	BINGARA CHSP	DELUNGRA CHSP	WARIALDA CHSP
DAY CENTRE			
Clients	32	15	40
Meals	271	213	1063
Hours	848.5	332	1154
SOCIAL SUPPORT			
Clients	99	15	71
Hours	1409	541	2245
FOOD SERVICES (Meals on Wheels)			
Clients	15	0	10
Meals	1090	0	1028
TRANSPORT			
Number of Clients	78	10	45
Number of Trips	958	143	537
TRANSPORT (Youth)	NSW Transport Funded		
Number of Clients	34	N/A	N/A
Number of Trips	68	N/A	N/A
VOLUNTEERS			
No. of Volunteers	32	3	59
Hours	2087	67	1343
ACCOMMODATION UNITS for AGED			
Occupancy	6/6	N/A	13/13

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7 Governance Report

7.1 Customer Service Requests

	No. of Open Requests as at 30 Jun	Requests received in June	Outstanding Requests	Notations/ Comments
Technical Serv	4	4	0	
Water & Sewer	5	5	0	
Executive	0	0	0	
Org & C Dev	0	0	0	
Corp Serv	0	0	0	
Dev & Env	23	16	7	
Total	32	25	7	

7.2 Application/s made to Council under the Government Information Public Access (GIPA) Act, 2009

Nil

7.3 Policy Reviews

Nil

7.4 Declarations of Interest by Councillors at the June Committee and Ordinary Council Meetings

Nil

7.5 Declarations of Gifts by Councillors/Staff and Council Volunteers

Nil

CONCLUSION:

The activities carried out by the Organisation and Community Development Department are in line with the 2015/2016 Management Plan and otherwise as directed.

CONSULTATION:

Consultation has occurred within the Organisation and Community Development Directorate.

POLICY IMPLICATIONS:

Policy implications are those relating to the 2015/2016 Operational Plan and the Policies of Gwydir Shire Council.

FINANCIAL, ECONOMIC and RESOURCE IMPLICATIONS (including Asset Management):

The activities carried out by the Organisation and Community Development Department are in line with the 2015/2016 Operational Plan.

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SUSTAINABILITY IMPLICATIONS (Social and Environment):

The activities undertaken by the Organisation and Community Development Department regarding social and environmental factors are targeted in line with the 2015/2016 Operational Plan.

OFFICER RECOMMENDATION

THAT the Monthly Organisation and Community Development Report - June 2016 be received

ATTACHMENTS

There are no attachments for this report.

COMMITTEE RECOMMENDATION TO COUNCIL:

THAT the Monthly Organisation and Community Development Report - June 2016 be received

FURTHER that the Bingara Tourist Information Maps be reviewed and improved with more accurately detailed information that assists tourist to locate public areas of interest rather than be directed to privately owned land.

(Moved Cr Doering, seconded Cr Egan)

Item 4 Operation of a 20,000 head feedlot including construction of associated infrastructure

FILE REFERENCE

DELIVERY PROGRAM

GOAL: **3. An Environmentally Responsible Shire**

OUTCOME: 2.1 OUR ECONOMY IS GROWING AND SUPPORTED

**STRATEGY: 2.2.1 Increase the range of opputunities to work locally -
OCD - external**

AUTHOR Director Development and
Environmental Services

DATE 7 July 2016

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/ SUMMARY RECOMMENDATION

Council received an application for a 20,000 head cattle feedlot. Based on assessment of the proposal under S.79C of the *Environmental Planning and Assessment Act, 1979*, it is considered that the merits of the proposal warrant development approval subject to the recommended conditions of consent.

REPORT

A report by the Director Development and Environmental Services on a Development Application for the expansion, construction and operation of the existing 5,000 head feedlot to a 20,000 head feedlot. The Development Application was received by Council on 30 March 2016.

This report is divided into four (4) sections, being:

1. Background
2. The Development Proposal
3. Statutory Planning Considerations
4. Conclusion

BACKGROUND

Ceres Agricultural Company Pty Ltd (Ceres) operates two (2) property aggregations in NSW, one being the Gwydir aggregation which comprises:

- "Gunyerwarildi Station" comprising 6,370ha of arable cropping and grazing land.
- "Flaggys" comprising approximately 145ha of arable cropping land and 16ha of grazing land. "Flaggys" is located adjacent to the south eastern corner of "Gunyerwarildi Station".

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- "Postmans" comprising 1,600ha of arable cropping and grazing land.
- "Kurrajong Hills" is approximately 1,600ha of arable cropping land and is located approximately 5km south west of Gunyerwarildi Station.
- "Bundawarra", "Yarran", "Brentwood" and "Strathalan" collectively comprise 2,063ha. These properties are located approximately three (3) km south west of the entrance to "Gunyerwarildi Station".
- Other properties in the aggregation include "Brudle Park", "Oaklands", "Westfield", "Inverness" and "Lava Downs". They include 8,209ha of arable cropping land and 3,967ha of grazing land in the Moree Plains Shire.

Ceres proposes to expand the existing 5,000 head cattle feedlot on "Gunyerwarildi Station" to 20,000 head. The purpose of the proposed feedlot is to finish the proponent's cattle with the flexibility to change the finished weights of the cattle in the feedlot as market conditions and consumer demands change, while utilising cereal grain crops grown on the property.

1.2 Site location

The site of the proposed development on "Gunyerwarildi Station" is located approximately 30km north of Wyallda.

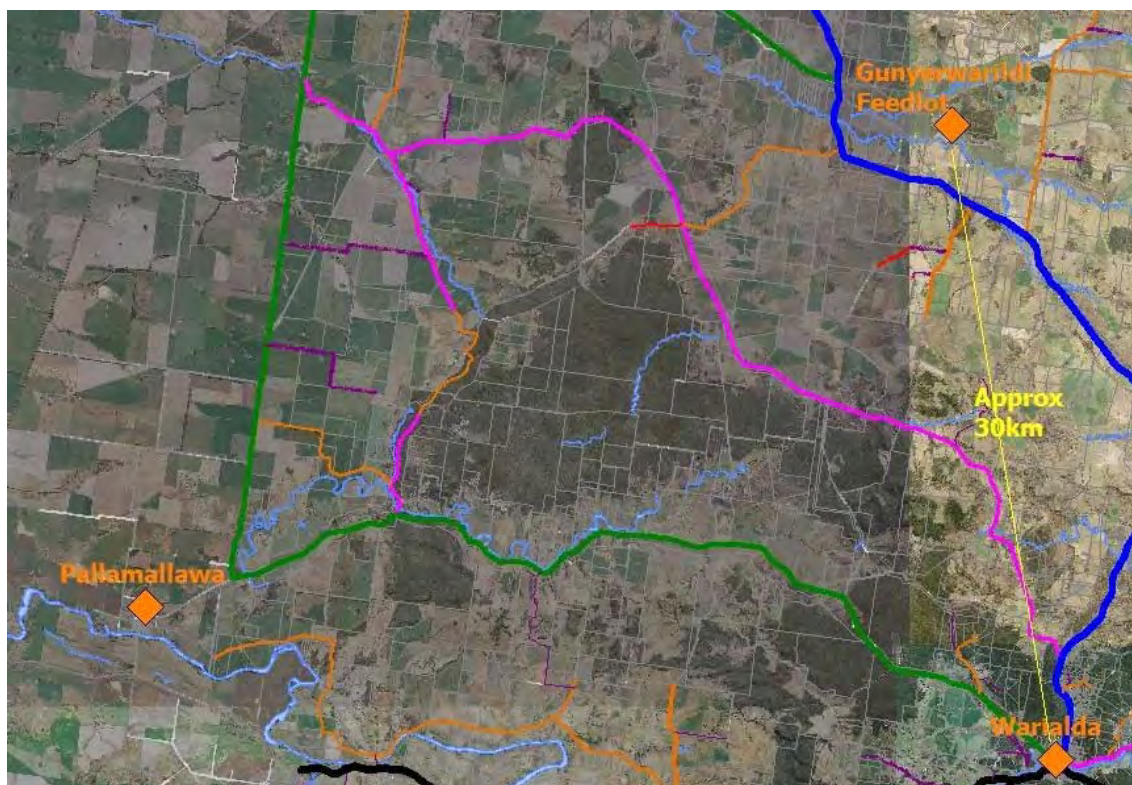


Figure 1 - Proximity of Feedlot to Wyallda

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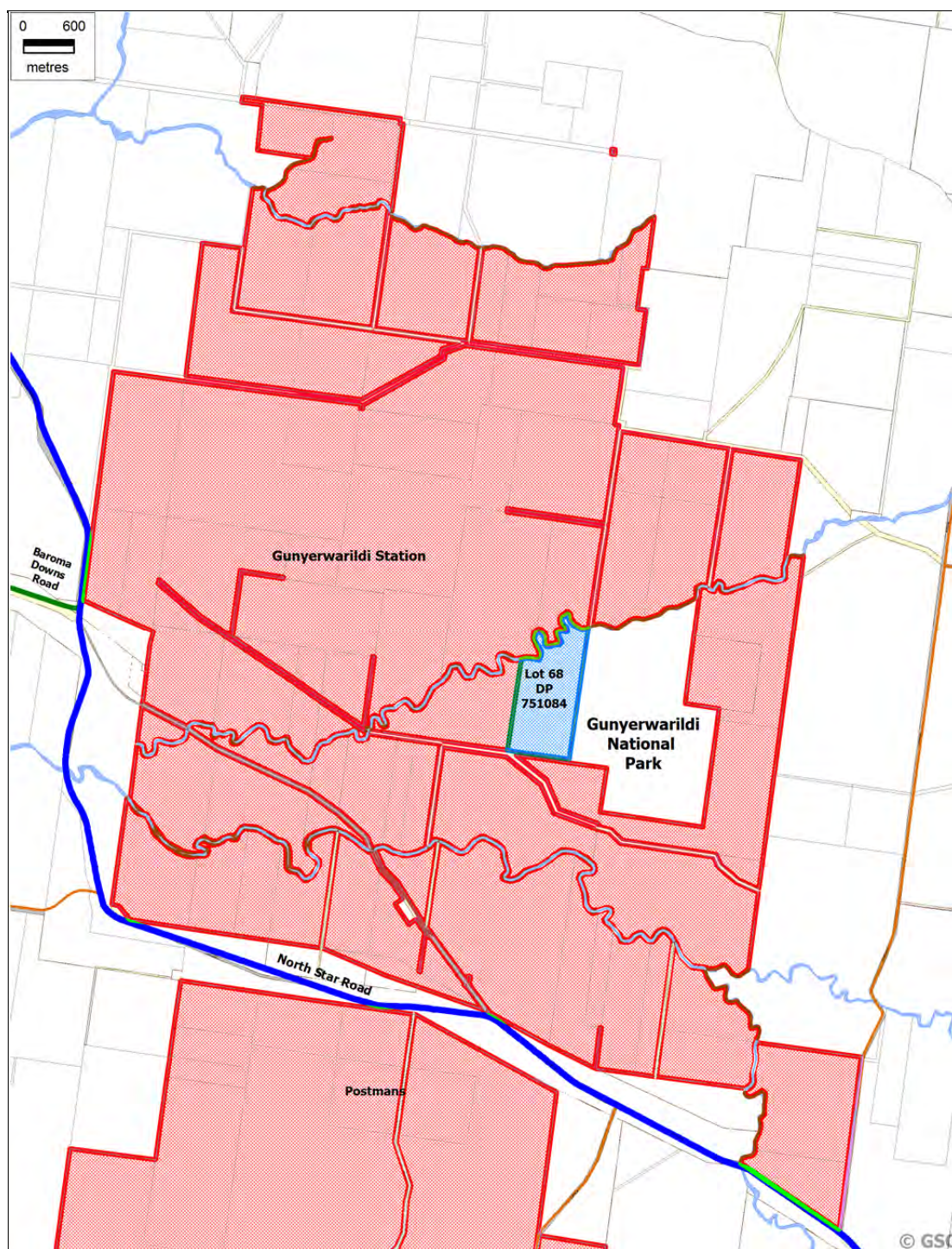


Figure 2 – Locality Plan

1.3 Site description and uses

"Gunyerwarildi Station" lies within the Nandewar Bioregion and the Northern Basalts subregion of the Border Rivers - Gwydir catchment.

Two ephemeral watercourses pass through "Gunyerwarildi Station" - Croppa Creek and Sugarloaf Arm Creek.

The topography of the local area comprises extensive creek flats along both Croppa Creek and Sugarloaf Arm Creek, which sit at approximately

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340m AHD and a series of low lying hills rise to approximately 400m AHD. The subject site slopes downward to the west at between 1.5-2.0%.

The project area on "Gunyaerwarildi Station" is an extensively cleared and cultivated landscape interspersed with network of predominantly linear corridors of remnant native vegetation along creeks and gully lines. These remnant areas support a mosaic of native vegetation communities including:

- River Red Gum tall woodland I open forest
- Poplar Box-Yellow Box-Western Grey Box grassy woodland
- Silver-leaved Ironbark grassy tall woodland
- Grey Box-Cypress Pine-Red Gum woodland
- Weeping Myall open woodland
- Queensland bluegrass-redleg grass-rat's tail grass-spear grass-panic grass derived grassland.

"Gunyaerwarildi Station" is a large, well developed property and with some existing infrastructure which will be utilised to operate and to maintain the feedlot. This includes the cattle handling facilities and feed mill with steam flaker, 7,000 tonne grain storage system, 30,000 tonne grain bunker, 5,000 tonne silage storage, machinery sheds, weighbridge, staff office, Croppa Creek crossing, and formed gravel roads that were purpose built to provide all weather access for heavy vehicles.

1.4 Surrounding land uses

The land surrounding the property is rural land used for various broad acre cropping and grazing enterprises. Other land uses include the Gunyaerwarildi National Park, which occupies approximately 316ha of land. The National Park is surrounded by land managed by Ceres.

These properties have a homestead and associated structures located on them. Their location in relation to the proposed feedlot is given in Table 1 and Figure 3.

Map ID	Property Name	Direction from feedlot	Distance from feedlot effluent pond (m)
A	"Larrgahill"	ESE	1,900
	"Milgalarr"	ESE	4,300
C	"Wyreema"	SE	6,870
D	"Reemo"	SSE	5,570
E	"The Grange"	WSW	5,870
	"Rockwell"	WNW	7,810
	Mona Valley	NNE	3,770
P	Gunyaerwarildi National Park	E	184
	Warialda	S	30,000

Table 1 Location of adjoining properties

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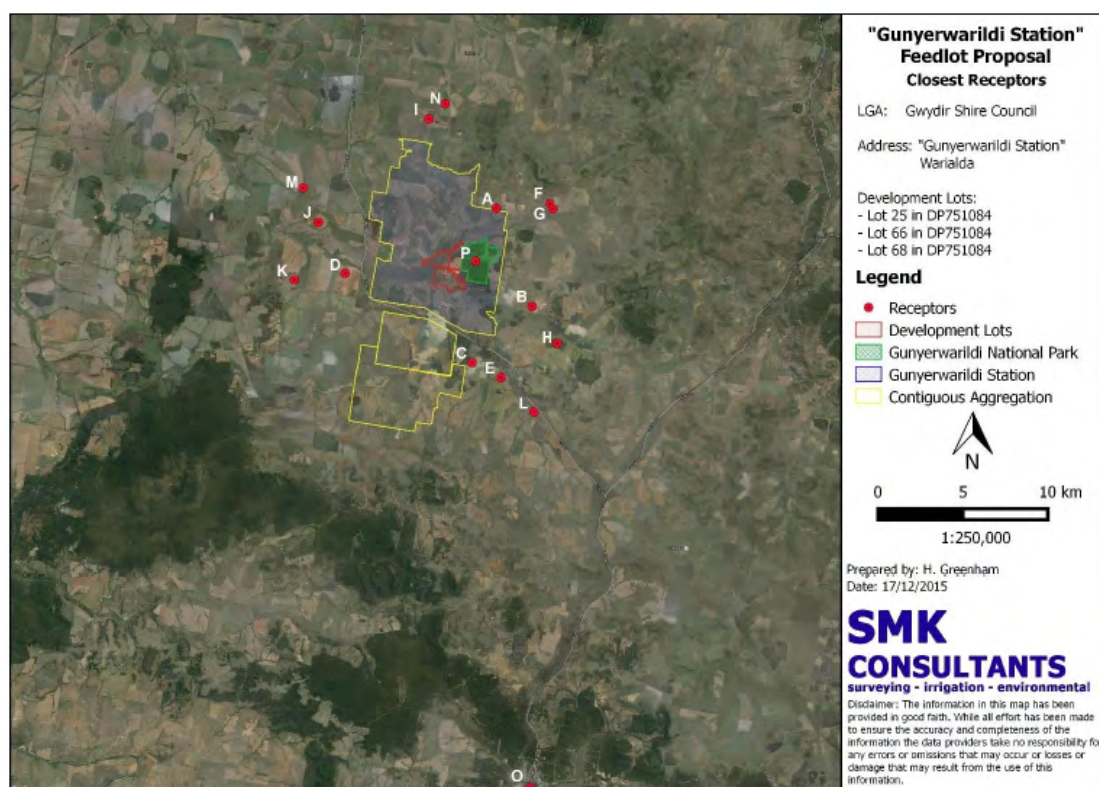


Figure 3 – Closest Identified Sensitive Receptors

1.5 Consultation

1.5.1 Public consultation and referrals

The application was notified, in accordance with Council's Notification Policy - Number: A.01.01 as detailed in Table 2.

The application was also advertised as designated development in accordance with the provisions of the Environmental Planning and Assessment Act, 1979 and Regulation, 2000.

Council's consultation with stakeholders has been extensive and in keeping with the scale and implications of the proposed development. The views expressed by each government agency and individual have been carefully considered.

The public consultation included:

- Advertising, notification, and public exhibition of the Development Modification Application by Council from Wednesday 13 April 2016 to Friday 13 May 2016;
- Advertisement of the exhibition period for the Development Application in the Wyallda Standard on Wednesday 13 April and 4 May 2016; the Bingara Advocate on Wednesday 13 April and 11 May 2016; The Local on Wednesday 13 April and 4 May 2016; the North West Magazine on Monday 11 April and 2 May 2016 and the Sydney Morning Herald on Wednesday 13 April and 4 May 2016;

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- Notification of nearby and potentially affected landholders and residents, and placement of signs at the site during the exhibition period;
- Consultation with government agencies through correspondence and meetings.

Notification Type: Level E – LOCALITY	<ul style="list-style-type: none"> • Development, where impacts affect the broader locality, in addition to adjoining properties, as determined by the Council; • Extractive Industries
Notifications:	
Landowners/Occupiers	Adjacent land owners were notified.
Newspaper advertisements	Yes
Exhibition period	30 days
Exhibition venues	<ul style="list-style-type: none"> • Administration Building Warialda and Bingara • NSW Department of Planning • Gwydir Shire Website
Integrated Approval body	NSW Environment & Protection Authority
Referred to State Government Departments	NSW Department of Agriculture, Fisheries and Forestry NSW National Parks and Wildlife Service NSW Department of Environment and Heritage NSW Office of Water
Internal consultations	Council's Engineering Department General Manager
Other	Nil
Submissions received:	
Public Submissions received	2 submissions were received. Issues are considered in section 4 of this report.
Referral Submissions received	4 submissions were received. A summary of submissions is at Attachment 1. Issues are considered in section 4 of this report.

Table 2 – Notification and Submission Summary

1.5.2 Planning Focus Meeting (PFM)

On 21 January 2016, SMK Consultants facilitated a PFM onsite to examine the feasibility of the "preferred site" to the north and south of the existing feedlot.

The meeting provided an opportunity for objectors to discuss their concerns and seek clarification about aspects of the development with the applicant.

Representatives from four (4) relevant government departments, consultants and Ceres staff were in attendance.

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Issues raised are discussed later in the report.

2. THE DEVELOPMENT PROPOSAL

The main component of the applicant's proposal includes the following:

- ⇒ Production pens with a total area of 300,00m² (approximately 100 pens) designed to accommodate an average cattle density of 15m²/head
- ⇒ Use of existing grain storage/milling area
- ⇒ Manure and compost stockpiles
- ⇒ Catch and main drains
- ⇒ Effluent holding pond
- ⇒ Waste spreading area (existing cropped land) of 950 hectares
- ⇒ Cattle and feed lanes

The feedlot is designed to be constructed and operated to a Class 1 Feedlot in accordance with DECC technical notes. Cattle will be fed between 60-100 days depending on market demand for cattle size. Draft feedlot layout is shown in Figure 4.



Figure 4 - Site Plan showing proposed pens and existing infrastructure including yards and sediment ponds

Ceres proposes to feed cattle to meet domestic market specifications. Currently these are:

- Approximate intake weight of 430 kg
- Approximate turnoff weight of 550 kg

If the feedlot turns off cattle at 550 kg and operates with an average pen occupancy of 85%, then it will turnoff approximately 59,800 head per year.

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3. STATUTORY PLANNING CONSIDERATIONS

The proposal falls under Part 4 of the Environmental Planning and Assessment Act, 1979 and is classified as local development.

In determining the Development Application, Council is required to consider those matters listed under Section 79C (1) of the *Environmental Planning and Assessment (Amendment) Act, 1979*. Matters of consideration are as follows:

3.1 S.79C (1) (a)(i) Provision of any Environmental Planning Instrument

Environmental Planning Instrument – Gwydir Local Environmental Plan, 2013.

The subject development site is currently zoned RU1 – Primary Production pursuant to Gwydir Local Environmental Plan 2013 (GLEP).

3.1.1 Aims of Plan – Clause 2

- (1) This Plan aims to make local environmental planning provisions for land in the Gwydir in accordance with the relevant standard environmental planning instrument under section 33A of the Act.
- (2) The particular aims of this Plan are as follows:
 - (a) to encourage the proper management, development and conservation of environmental, economic and social resources in Gwydir,
 - (b) to facilitate economic growth and development consistent with the aims specified in paragraph (a) and that:
 - (i) minimises the cost to the community of fragmented and isolated development; and
 - (ii) facilitates the efficient and effective delivery of amenities and services; and
 - (iii) facilitates stimulation of demand for a range of residential, enterprise and employment opportunities and promotes agricultural diversity; and
 - (iv) utilises, where feasible, existing infrastructure and roads when considering new development and future potential development, and
 - (c) to facilitate development in accordance with flood management planning, and
 - (d) to facilitate development that is compatible with adjoining and nearby uses, and
 - (e) to facilitate development that is appropriate in scale and type to the characteristics of the zone.
 - (f) to identify, protect and conserve places of European heritage significance and Aboriginal heritage and cultural significance,
 - (g) to identify, protect, conserve and enhance natural assets.

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Proponent's Submission

The proposed development is considered consistent with aims of the Local Environmental Plan. In particular, the proposal will facilitate economic growth within the region through the support of surrounding grazing enterprises and existing service providers.

Authority Submission

No submissions were received.

Issues raised in submissions

No submissions were received.

Staff Comment

The proposed feedlot will utilise approximately 40 hectares for the Controlled Drainage Area and 90 hectares for the effluent irrigation area with the feedlot operation. The proposed feedlot will not impact on timber, mineral, soil, water nor areas of archaeological or heritage significance or high scenic or recreational value. The feedlot expansion will result in the removal of some existing mature trees across the site.

There are known places of archaeological or European heritage significance near the site. However, an archaeological survey identified Aboriginal stone tool assemblages near the feedlot site. This will be discussed later in the report.

It is considered that the operation of the proposed feedlot satisfactorily meets the aims of the GLEP.

3.1.2 Interpretation – Clause 5

The proposed use of the land as a cattle feedlot is defined under the GLEP as:

“intensive livestock agriculture” means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses or other livestock that are fed wholly or substantially on externally-sourced feed, and includes any of the following:

- (a) dairies,*
- (b) feedlots,*
- (c) piggeries,*
- (d) poultry farms,*

but does not include extensive agriculture, aquaculture or the operation of facilities from drought or similar emergency relief.”

The definition is identified as permissible use, with development consent, in the development control table for RU1 – Primary Production.

“offensive industry” means a building or place used to carry out an industrial activity that would, when carried out and when all measures proposed to reduce or minimise its impacts on the locality have been employed (including, for example, measures to isolate the activity from existing or likely future development on other land in the locality), emit a polluting discharge (including, for example,

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noise) in a manner that would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.”

Offensive industries are a permissible use, with development consent, in the development control table for RU1 – Primary Production.

This definition will be discussed further in SEPP 33 in Section 3.1.6.

3.1.3 Zones indicated on the map – Clause 8

The subject land is located in the RU1 – Primary Production zone under the provisions of GLEP.

3.1.4 The objective of this Zone – Clause 9

The objective of this zone is to promote the proper management and utilisation of resources by:

“Objectives of zone

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.”*

Proponent’s Submission

The proposal meets all objectives as prescribed by the GLEP 2013 for zone RU1. This development application allows for the expansion of a proven financially and environmentally sustainable operation, based on the production of a core primary industry. The protection of natural resources and places has been fully taken into consideration in the planning of this development. The continued utilisation of the land will minimise fragmentation and alienation. The proposal is not considered to conflict with the adjoining land uses, veritably the proposal is likely to enhance the potential of surrounding grazing enterprises. Other land uses include the Gunyerwarildi National Park, which is surrounded by land managed by the proponent.

The proposed development is therefore considered to be both compatible and consistent with the surrounding land uses and would be considered to satisfactorily meet the objectives of the RU1 Primary Production Zone.

Issues Raised in Submission

No submissions were received.

Authority Submission

No submissions were received.

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Staff Comment

The establishment of a feedlot is categorised as designated development in the RU1 – Primary Production Zone, and is therefore permitted with Council's Development Consent.

Existing dry land cropping activity will be enhanced by the utilisation of manure and liquid waste from the operation of the feedlot. The property has already been contoured to manage water runoff.

There are no forests of existing and potential community value for timber production or areas of significance for nature conservation on the property. However the Gunyerwarildi National Park, which is a separate parcel of land, adjoins the current and proposed area for the feedlot.

Access to mineral and other extractive materials will not be compromised. The proposed feedlot is located on cleared cultivated land and will have a minor impact on trees and other vegetation and is not located in an environmentally sensitive area.

The proposal will not utilise ground and surface waters other than allowed under existing water use licences, harvestable rights or in accordance with any water sharing plan when developed.

There are no places, items and buildings of heritage significance. Aboriginal relics and places have been identified and an agreement has been reached with the local Aboriginal Land Council regarding their reservation.

The courts have held that provided a development is consistent with one or more objectives within a zone, it can legally be considered by Council to be consistent with the objectives of the zone.

It is considered that the operation of the proposed feedlot facility satisfactorily meets the above objectives of the RU1 – Primary Production Zone.

3.1.5 Part 3 – Exempt and Complying Development

Part 3 of the GLEP does not apply to the proposed feedlot application.

3.1.6 Part 4 – Principal Development Standards

Part 4 of the GLEP does not apply to the proposed feedlot application.

3.1.7 Part 5 – Miscellaneous Provisions

In addition to the objectives of the Zone Council needs to consider clauses 5.10 and 5.11.

5.10 Heritage conservation

Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the [Heritage Map](#) as well as being described in Schedule 5.

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(1) **Objectives**

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Gwydir,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

(2) **Requirement for consent**

Development consent is required for any of the following:

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(3) **When consent not required**

However, development consent under this clause is not required if:

- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:
 - (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
 - (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
- (b) the development is in a cemetery or burial ground and the proposed development:
 - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
 - (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
- (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
- (d) the development is exempt development.

(4) **Effect of proposed development on heritage significance**

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) **Heritage assessment**

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or

- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) **Heritage conservation management plans**

The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

(7) **Archaeological sites**

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the [Heritage Act 1977](#) applies):

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(8) **Aboriginal places of heritage significance**

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

(9) **Demolition of nominated State heritage items**

The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(10) Conservation incentives

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

Proponent's Submission

The proposal is not in the vicinity of any heritage items in accordance with Council's Local Environmental Plan and under State or Federal Legislation. The investigation of the development site involved a combination of a previous comprehensive archaeological assessment which assessed the whole of the site subject to the new development proposal. This was further supported by additional ground search undertaken by Traditional Landholder representatives. The conclusion to the study indicated that no items of heritage significance are present on the new development area. No sites of European heritage would be disturbed by the proposal.

Issues Raised in Submission

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

5.11 Bush fire hazard reduction

Bush fire hazard reduction work authorised by the [Rural Fires Act 1997](#) may be carried out on any land without development consent.

Note. The [Rural Fires Act 1997](#) also makes provision relating to the carrying out of development on bush fire prone land.

Proponent's Submission

The development does not involve the erection of any buildings or dwellings. The extension will be primarily located on an existing cleared area of land, with minimal clearing required for the sedimentation and holding ponds. The majority of the area will be bare of vegetation and other readily flammable materials. Some reduction work will be undertaken to minimise the bushfire hazard to the development. A firebreak will be maintained around the development footprint. All-weather roads will provide access for firefighting and the firebreak will provide access around the feedlot. Water from onsite storages will provide an adequate supply for firefighting purposes.

Issues Raised in Submission

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

The proposal site is cleared land and the proponent will construct a firebreak to the Gunyerwarildi National Park. Further detail is found in 3.7.14.

3.1.8 Part 6 – Additional Local Provisions

In addition to the objectives of the Zone, Council needs to consider clauses 6.1, 6.2, 6.3 and 6.4.

6.1 Earthworks

- (1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.
- (2) Development consent is required for earthworks unless:
 - (a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or
 - (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to

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development for which development consent has been given.

- (3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:
- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,
 - (b) the effect of the development on the likely future use or redevelopment of the land,
 - (c) the quality of the fill or the soil to be excavated, or both,
 - (d) the effect of the development on the existing and likely amenity of adjoining properties,
 - (e) the source of any fill material and the destination of any excavated material,
 - (f) the likelihood of disturbing relics,
 - (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,
 - (h) the proximity to and the potential for adverse impacts on any heritage item, archaeological site or heritage conservation area,
 - (i) the effect of the development on native fauna and flora, including threatened species, populations or ecological communities and their habitats,
 - (j) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Note. The [National Parks and Wildlife Act 1974](#), particularly section 86, deals with harming Aboriginal objects.

Proponent's Submission

No submissions were received.

Issues Raised in Submission

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

This clause is not relevant to the proposed expansion of the feedlot as the earthworks are ancillary to the feedlot development.

6.2 Flood planning

- (1) The objectives of this clause are as follows:
 - (a) to minimise the flood risk to life and property associated with the use of land,
 - (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,
 - (c) to avoid significant adverse impacts on flood behaviour and the environment.
- (2) This clause applies to land at or below the flood planning level.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:
 - (a) is compatible with the flood hazard of the land, and
 - (b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and
 - (c) incorporates appropriate measures to manage risk to life from flood, and
 - (d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
 - (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
- (4) A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.
- (5) In this clause:

flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.

Proponent's Submission

The feedlot site is located above flood liable land based on anecdotal evidence from Ceres.

The access road between the mill and the feedlot crosses Croppa Creek. Based on history of flows in the creek, the access may be cut for one (1) day during a major flood event and potentially two to three (2-3) days per year. Contingency plans for storage of fodder at the feedlot site are in place for the existing and proposed development.

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Issues Raised in Submission

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

The site of the feedlot is not affected by flooding. However the access road will, from time to time, be affected by localised flooding from Croppa Creek.

6.3 Sensitive lands

- (1) The objective of this clause is to protect sensitive land by minimising the adverse impacts of development on such land.
- (2) This clause applies to land identified as “Sensitive” on the [Sensitive Lands Map](#).
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider:
 - (a) whether the development is likely to have any adverse impact on the environmental significance of the land, and
 - (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
 - (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
 - (b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

Proponent’s Submission

The Gwydir Shire was consulted extensively during the planning phase. “Gunyaerwarildi Station” was not included in the areas identified as ‘Sensitive’ on the Sensitive Lands Map and the Shire did not raise any concerns about the site being considered sensitive land. Minimal vegetation removal will be required for the proposed feedlot expansions.

Issues Raised in Submission

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

The site of the feedlot is outside the area identified as “sensitive” on the Sensitive Lands Map. As such this clause does not apply to the proposed development.

6.4 Essential services

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

- (a) the supply of water
- (b) the supply of electricity
- (c) the disposal and management of sewage
- (d) stormwater drainage or on-site conservation
- (e) suitable vehicular access.

Finally, there are no specific clauses relating to intensive livestock keeping within the Local Environmental Plan which require consideration for this proposal.

Proponent’s Submission

The feedlot will utilise both electricity and diesel to operate the facility. No other significant resources will be consumed at the site other than agricultural produce.

Issues Raised in Submission

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

The following services have been identified as essential to the proposed feedlot:

- a. The supply of water
The development will primarily use water from an existing bore licence. Further detail is found at 3.7.10.
- b. The supply of electricity
The property and the feedlot are connected to Essential Energy’s electricity grid and a backup diesel generator.
- c. The treatment of sewerage

Existing septic systems service residences and staff buildings onsite, while the feedlot waste will be spread onto cropping lands. Further detail is found at 3.7.11.

d. The management of stormwater

Surface waters will be controlled through a drainage collection system which will discharge into holding ponds for irrigation as approved by the NSW EPA.

e. Access

The property has an approved access off the North Star Road.

3.1.9 Other Legislative Requirements

Developments listed in Schedule 3 of the Regulation are classified as designated development as they have the potential to significantly affect the environment. The proposed development is classified as designated development under Section 21(1), Part 1 of Schedule 3 of the Regulation, as it is a “**livestock intensive industry.**” This is defined as:

- (1) *Feedlots that accommodate in a confinement area and rear or fatten (wholly or substantially) on prepared or manufactured feed, more than 1,000 head of cattle, 4,000 sheep or 400 horses (excluding facilities for drought or similar emergency relief).*

As the proposal will accommodate more than 1,000 head of cattle in a confined area (20,000 head for this development), it is classified as designated development under section 77A of the Act.

The proposal is classified as integrated development under section 91 of the Act because, in addition to development consent the proposed development requires an Environment Protection Licence and an approval from the *NSW Environment Protection Authority* (EPA) under the *Protection of the Environment Operations Act 1997*, and an amended water licence from the Department under the *Water Act 1912* and *Rivers and Foreshores Improvement Act 1948*, respectively.

3.2 State Environmental Planning Policies

The proposal before Council is subject to the following State Environmental Planning Policies (SEPP):

- **State Environmental Planning Policy No. 33 – Hazardous and Offensive Development;**
- **State Environmental Planning Policy No. 55 - Land Contamination; and**
- **State Environmental Planning Policy No. 44 - Koala Habitat; and**

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- **State Environmental Planning Policy (Rural Lands) 2008; and**
- **State Environmental Planning Policy No. 55 - Remediation of Land; and**
- **State Environmental Planning Policy No. 30 – Intensive Agriculture; and**
- **State Environmental Planning Policy (Infrastructure) 2007.**

The proposed development has been assessed in relation to the objectives and provisions of these SEPPs.

3.2.1 SEPP No. 33 – Hazardous and Offensive Development

Proponent's Submission

SEPP No 33 applies to proposals falling under the definition of 'potentially hazardous industry' or 'potentially offensive industry'. This proposal could be considered a potentially offensive industry, as the extension of the existing feedlot has the potential to generate adverse odour emissions. Under SEPP No 33 the permissibility of industrial proposals is linked to safety and pollution control performance. The SEPP aims to ensure the merit of proposals are properly assessed before being determined. It aims to ensure that developments can only proceed if they are suitably sited and can demonstrate that they will be built and operated with an adequate level of safety.

The EIS demonstrates that the feedlot is suitably sited. The main waste products from the feedlot are manure, effluent and compost. However, these can be sustainably reused onsite as an alternative to inorganic fertilisers. The feedlot will not produce hazardous waste products. While all feedlots produce some odour, this will be minimised through good design and management. Additional protection is provided through separation distances between the site, the closest residences and other areas with sensitive land uses. Hence, nuisance odours are not expected at nearby residences or other surrounding areas with sensitive land uses.

Issues Raised in Submissions

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

This State Policy has the aim of ensuring that Council has sufficient information to assess whether a proposal represents hazardous or offensive development. Under the SEPP a *potentially offensive industry* means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant

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adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.

The proposal has potential to have an adverse impact on the amenity of nearby residents in terms of noise, odour and dust emissions. The EIS provides sufficient information to address relevant matters for consideration under Clause 13 of the SEPP.

The Guidelines state that “the key consideration in the assessment of a potentially offensive industry is that the consent authority is satisfied there are adequate safeguards to ensure emissions from a facility can be controlled to a level at which they are not significant.”

The proposal requires an Environmental Protection Licence (EPL) from the EPA and consequently the proposed development does constitute a “potentially offensive” development. The EPA has issued their General Terms of Approval for the proposal, thereby indicating that is prepared to issue the EPL. As such, the proposed feedlot does not constitute “offensive” development.

The EIS has demonstrated that the activities associated with the proposed development do not constitute “potentially hazardous development”.

It is considered that assessment under the SEPP has been complied with.

3.2.2 SEPP No. 55 - Land Contamination

Proponent’s Submission

The proposed development site is used for agricultural purposes including grazing and cropping, in association with the existing feedlot. It is unlikely that historical grazing and cropping operations of the site would have resulted in contamination of the site. During an inspection of the property no evidence of visible contamination from current or past practices are identified. Further, the subject land is not identified as being potentially contaminated and is therefore considered to be suitable for the intended use. It was accordingly determined that no further investigation under SEPP 55 was required.

Issues Raised in Submissions

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

This State Policy is required to be considered in the processing and determination of development applications.

The purpose of this policy is to provide a state-wide planning approach to the remediation of land. In particular, this policy aims to promote the remediation of contaminated land for the purposes of reducing the risk of harm to human health or other aspects of the environment.

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In accordance with clause 7 of SEPP 55, following a search of Council records, the subject land is not identified as being potentially contaminated and is considered to be suitable for the intended use. The requirements of the SEPP are therefore satisfied.

It is considered that assessment under the SEPP has been complied with.

3.2.3 SEPP No. 44 - Koala Habitat

Proponent's Submission

The Gwydir Shire is included, as the former Yallaroi Shire, in Schedule 1 of SEPP 44 and therefore an assessment of koala habitat is required. An assessment of potential koala habitat was undertaken in accordance with SEPP 44. The following listed koala food species have been previously identified within the property area:

- Bimble Box (*Eucalyptus populnea*)
- River Red Gum (*Eucalyptus camaldulensis*)
- White Box (*Eucalyptus albens*)

The site inspection of the proposed development area revealed the subject is substantially cleared and only Bimble Box was identified in the areas that would require clearing. However, these trees do not comprise at least 15% of the total trees in either the upper or lower strata. Further, no records of a residential population or sighting exists for the project area. The area has been heavily modified for operation of an existing feedlot, cultivation and cattle production. The existing activity on the site is considered to be a deterrent for a local koala population. The adjoining Gunyerwarildi National Park may on occasion be utilised by koalas, however this area is managed by NSW National Parks and it is assumed that management includes appropriate actions to retain suitable habitat for koalas. Consequently, the development area is not considered to constitute 'potential koala habitat' within the provision of SEPP 44. On this basis, the requirements of the SEPP 44 do not need any further consideration in this assessment.

Issues Raised in Submissions

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

The aim of SEPP 44 is:

"...to encourage the proper conservation and management of areas of natural vegetation that provide habitat for Koalas, to ensure permanent free living populations over the present range and to reverse the current trend of population decline.

- (a) *by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and*

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- (b) *by encouraging the identification of areas of core koala habitat, and*
- (c) *by encouraging the inclusion of areas of core koala habitat in environment protection zones.”*

SEPP 44 applies to all local government areas listed in Schedule 1 – Local Government Areas; while koala feed trees are listed in Schedule 2 – Koala Food Tree Species. Circular B35 (Department of Planning 1995b) accompanies SEPP 44 and guides its implementation. The former Barraba, Bingara and Yallaro Shire Councils were listed in the Schedule.

SEPP 44 requires that development applications must consider the presence of ‘potential’ and ‘core’ koala habitat where the land area in question is greater than one hectare. Potential koala habitat is defined as ‘areas of native vegetation where the trees of the types listed in Schedule 2 constitute at least 15% of the total number of trees in the upper or lower strata of the tree component’ (Department of Planning 1995a).

Where potential habitat is identified, the area must be investigated for core koala habitat, defined as ‘an area of land with a resident breeding population of koalas, evidenced by attributes such as breeding females and recent sightings and historical records of a population’ (Department of Planning 1995a).

Under the EP&A Act, it is the responsibility of the consent or determining authority to form a view as to whether a proposed development or activity is likely to significantly affect koalas or their habitat. This is achieved by undertaking an Assessment of Significance under Section 5A of the EP&A Act. If the impact is deemed likely to be significant, a species impact statement must be prepared.

In NSW, the koala is listed as a vulnerable species on Schedule 2 of the TSC Act. A vulnerable species is one which is ‘likely to become endangered unless the circumstances and factors threatening its survival or evolutionary development cease to operate’. A survey of koalas in 1986–87 found that the koala had disappeared from 50–75% of its historic range in NSW (Reed *et al.* 1990).

The conservation status of koalas on the western slopes and plains is variable. Clearing and degradation of koala habitat is continuing and/or threats associated with urban and semi-urban development are increasing. Habitat fragmentation is extreme in many parts of this area.

Primary food tree species:

River red gum *E. camaldulensis* Coolabah *E. coolabah*

Secondary food tree species:

Dirty gum <i>E. chloroclada</i>	Blakely’s red gum <i>E. blakelyi</i>
Bimble box <i>E. populnea</i>	Apple-topped box <i>E. bridgesiana</i>
Pilliga box <i>E. pilligaensis</i>	Black box <i>E. largiflorens</i>
Fuzzy box <i>E. conica</i>	Mallee red gum <i>E. nandewarica</i>
Western grey box <i>E. macrocarpa</i>	<i>E. vicina</i>

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Yellow box <i>E. melliodora</i>	<i>E. volcanica</i>
White box <i>E. albens</i>	Red box <i>E. polyanthemos</i>
Dwyer's red gum <i>E. dwyeri</i>	Orange gum <i>E. prava</i>
Tumbledown gum <i>E. dealbata</i>	

Stringybarks/supplementary species:

E. macrorhyncha Narrow-leaved Stringybark *E. sparsifolia*

Listed koala food trees under SEPP 44 were identified in the proposed project area, namely Bimble Box (*Eucalyptus populnea*), River Red Gum (*Eucalyptus amaldulensis*) and White Box (*Eucalyptus albens*).

In viewing the site it is substantially cleared and little vegetation clearance is proposed for this facility. Potential concern is the impact that will occur on existing site vegetation from the movement of nutrients, contaminants and sediments from the feedlot and effluent/manure spreading areas in surface waters or infiltration into ground waters.

The NSW Office of Environment and Heritage strongly supports all of the Threatened Species Mitigation measures listed in the Flora and Fauna Assessment Report.

Staff agrees with the proponent's submission. Conditions controlling the use of water across the property and clearing of remnant vegetation will be included in the draft consent conditions.

It is considered that assessment under the SEPP has been complied with.

3.2.4 SEPP No. 30 – Intensive Agriculture

Proponent's Submission

The proposed development meets the definition of intensive agriculture, as a cattle feedlot with capacity to accommodate greater than 50 head of cattle. This development also meets the criteria for integrated development. This EIS has addressed the policy aims of SEPP No. 30. In particular, it assesses the potential for odour, water pollution and soil degradation; and measures to mitigate any potential adverse impacts. The proposal is for an extension of an existing site that has been considered suitable for the intended purpose and complies with all relevant industry codes. The applicant, Ceres, will continue to manage the feedlot to ensure a very high standard of animal welfare and health.

Issues Received in Submission

No submissions were received.

Authority Submission

A number of submissions were received regarding aspects of the proposed feedlot expansion which have been dealt with later in the report.

Staff Comment

THE SEPP is applicable where a proposal has:

(a) a capacity to accommodate 50 or more cattle

The applicant's consultant in the EIS has addressed SEPP 30.

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In determining a development application for a feedlot of this size, Council as the consent authority must take into consideration:

- (i) the adequacy of the information provided in the statement of environmental effects or environmental impact statement accompanying the development application; and
- (ii) the potential for odours to adversely impact on the amenity of residences or other land uses within the vicinity of the site; and
- (iii) the potential for the pollution of surface water and ground water; and
- (iv) the potential for the degradation of soils; and
- (v) the measures proposed to mitigate any potential adverse impacts; and
- (vi) the suitability of the site in the circumstances; and
- (vii) whether the applicant has indicated an intention to comply with relevant industry codes of practice for the health and welfare of animals; and
- (viii) the consistency of the proposal with, and any reasons for departing from, the environmental planning and assessment aspects of any guidelines for the establishment and operation of cattle feedlots or piggeries published, and made available to the consent authority, by the Department of Agriculture and approved by the Director of Planning.

The information provided in the EIS addresses all issues. Additional information was requested and provided by the consultant.

The impact of odour has been addressed in detail and will be further discussed.

The impact of pollution of surface water and ground water has been addressed in detail and will be further discussed.

The impact of potential degradation of soils has been addressed in detail and will be further discussed.

The measures proposed to mitigate any potential adverse impacts have been addressed in detail and will be further discussed.

The suitability of the site in the circumstances has been addressed in detail and will be further discussed.



Figure 5 - Aerial view of proposed feedlot location

The EIS outlines the proponent's intent to comply with relevant industry codes of practice for the health and welfare of animals.

The EIS is generally consistent with DPI guidelines for the establishment and operation of the cattle feedlot.

It is considered that assessment under the SEPP has been complied with.

3.2.5 SEPP (Rural Lands) 2008

Proponent's Submission

The Shire supports the use of land for cattle feedlots within zone RU1 Primary Production under the Gwydir Local Environmental Plan, 2013. This development does not include the erection of any buildings or dwellings, or subdivision of land.

Issues Received in Submission

No submissions were received.

Authority Submission

No Submissions were received.

Staff Comment

As the subject site is located within the Primary Production zone the SEPP applies to the proposed development.

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The aims of the policy are:

- “(a) to facilitate the orderly and economic use and development of rural lands for rural and related purposes,*
- (b) to identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State,*
- (c) to implement measures designed to reduce land use conflicts,*
- (d) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,*
- (e) to amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.”*

The proposed feedlot is considered to be rural related development which is not contrary to the orderly and economic development of land in the area and within the Shire. Potential land use conflicts will be discussed later in the report. It is considered that the proposed feedlot is consistent with the aims of the SEPP.

The Rural Planning Principles are:

- “(a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,*
- (b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,*
- (c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,*
- (d) in planning for rural lands, to balance the social, economic and environmental interests of the community,*
- (e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,*
- (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,*
- (g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,*

- (h) *ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.*

Note. Under section 117 of the Act, the Minister has directed that councils exercise their functions relating to local environmental plans in accordance with the Rural Planning Principles. Under section 55 of the Act, the Minister may also direct a council to prepare a local environmental plan."

The proposed feedlot does not appear to be inconsistent with the Rural Planning Principles of the SEPP.

3.2.6 SEPP (Infrastructure) 2007

Proponent's Submission

This development meets the criteria for Integrated Development. This EIS has addressed the policy aims of SEPP – Infrastructure. The feedlot will continue to use state roads and existing power infrastructure. The expected vehicle movements and types of vehicles pertaining to the operation of the feedlot are detailed in this report.

Issues Received in Submission

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

Under the provision of Schedule 3 of the SEPP the proposed feedlot is considered "Traffic Generating Development" requiring referral as the proposed feedlot is a type of "industry".

The original feedlot was referred to Council's Traffic Committee which includes RMS officers, the NSW Police and Council's Technical Services staff.

The entry to "Gunyaerwarildi Station" was upgraded to better cater for the movement of B-Doubles to and from the property and feedlot.

A condition has been included to advise the proponent to the need to upgrade the entrance in the future if Ceres wishes to move to road trains.

3.3 State Legislation

The proposed feedlot development is also covered by a number of other pieces of State Legislation.

3.3.1 National Parks and Wildlife Act 1974

Proponent's Submission

The proposal includes minor clearing within a highly degraded open Bimble Box woodland area that is currently utilised for cultivation and cattle production. In order to limit the impacts of clearing additional land, the proponent has included an area of like woodland as a permanent offset

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area. The offset provides an area of approximately 21 hectares of land in replacement of clearing of approximately 1.9 hectares.

An extensive archaeological survey was completed for the whole area covered by the existing 5,000 head feedlot as part of the existing development application. The original survey extended beyond the boundaries of the new development proposal. The extended survey concluded that there are no visible or recorded sites of archaeological significance within the development proposal. The development work will include excavations and therefore appropriate actions will be enforced if objects of indigenous or European heritage are encountered during this work.

The eastern boundary of the development site (Lot 68 – Deposited Plan 751084) shares a boundary with the Gunyerwarildi National Park. The Gunyerwarildi National Park was treated as a “public use area” for the purpose of determining the suitable separation distance between the feedlot development and the shared property boundary.

Issues Raised in Submissions

No submissions were received.

Authority Submission

OEH has raised concerns regarding access arrangement to Gunyerwarildi National Park; biodiversity impacts for some of the proposed clearing; impact of nutrients and effluent on native vegetation and Endangered Ecological Communities.

Staff Comment

The proposed expansion of the feedlot is adjacent to the Gunyerwarildi National Park. The issues raised by OEH and the proponent are addressed elsewhere in the report.

3.3.2 The Heritage Act 1977

Proponent’s Submission

There are no known non-indigenous heritage items identified within or near the development site.

Issues Raised in Submissions

No submissions were received.

Authority Submission

OEH has raised issue with the removal of previously identified Aboriginal objects from the property with an Aboriginal Heritage Impact Permit.

Staff Comment

Historical issues identified by OEH are being investigated. No issues were identified regarding the proposed feedlot expansion.

3.3.3 Environmental Planning and Assessment Act 1979

Proponent's Submission

The EIS has been prepared in accordance with the requirements of this Act. It provides an environmental impact assessment and details of how the feedlot will be developed and operated to protect the environment, the community and provide for ecologically sustainable development.

Issues Raised in Submissions

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

Matters to be considered are identified in Section 79C and have been dealt with later in the report.

3.3.4 Threatened Species Conservation Act 1995

Proponent's Submission

The EIS has been prepared as per the requirements of this Act. A threatened species assessment and assessment of matters of National significance has been included as Appendix 6 and Appendix 7 of the EIS, respectively. The new feedlot pens will be constructed in an area that is highly disturbed and currently used for agricultural purposes. Some clearing will be required for the construction of the sediment and effluent ponds.

The flora and fauna assessments concluded the feedlot development will have no significant impact on NSW and/or Commonwealth listed threatened species, populations or ecological communities if the feedlot construction and effluent, manure and compost reuse occurs as detailed in this report.

Buffer distances have been proposed to ensure that impact is minimal from the activities associated with the development including spreading effluent, manure and compost. The vegetation along the creeks through the property has also been excluded from feedlot uses to protect biological diversity and provide wildlife corridors and habitats.

Issues Raised in Submissions

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

This has been addressed as part of the flora and fauna assessment later in the report.

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3.3.3 Rural Fires Act 1997

Proponent's Submission

The development does not involve the erection of any buildings or dwellings. The feedlot will be located on an existing cleared area of land. The pen area will be free of vegetation and other readily flammable materials. A firebreak will be maintained around the development footprint. All-weather roads will provide access for firefighting and the firebreak will provide access around the feedlot. Water from onsite storages will provide an adequate supply for firefighting purposes.

Issues Raised in Submissions

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

This has been discussed in detail later in the report.

3.3.4 Protection of the Environment Operations Act 1997 (POEA)

Proponent's Submission

The existing feedlot is licensed under the POEA Act with the EPL 20463. When new consent is issued for expansion of the feedlot, an application is to be lodged to amend this licence accordingly.

The EIS is considered to address the objectives of the Act. The EIS provides an assessment of the suitability of the site and the effectiveness of the proposed design and management procedures in protecting natural resources and the community. Specific recommendations for environmental monitoring to confirm the effectiveness of the protection measures are included.

Issues Raised in Submissions

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

The feedlot is currently licensed by the NSW EPA. The proposed feedlot expansion has been assessed by the NSW EPA who are proposing to issue a new licence.

3.3.5 Water Management Act 2000

Proponent's Submission

The objects of this Act were considered throughout the planning and design phases of this development. Feedlots require a secure and reliable water supply to operate. Ceres will utilise existing water access licences to supply water to the feedlot.

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The water storages to be built as part of the feedlot are considered permissible under the Act as they will be capturing effluent runoff. The use of this water through the centre pivot system is also considered permissible.

There are no levee structures to be constructed within the adjoining floodplain of Croppa Creek.

The watercourses and groundwater in the vicinity of the property will be protected through rigorous design and management practices, including good effluent, manure and compost reuse methods. Appropriate buffers are to be maintained in order to minimise the risk of stream pollution.

Issues Raised in Submissions

No submissions were received.

Authority Submission

There was one (1) submission received. There were no issues raised in this submission.

Staff Comment

DPI – Water has advised that the existing licensed bore water entitlement on the property has the capability to supply the current and expanded feedlot.

3.3.6 Native Vegetation Act 2003

Proponent's Submission

The EIS has been prepared as per the requirements of this Act. The proposed extensions will involve an area of land that is mostly cleared and currently used for agricultural purposes. The construction of the effluent and sediment ponds will require minimal clearing. The proposed clearing will be offset by the retention of "like for like" woodland. The voluntary offset woodland area is part of the overall design of the site as the woodland is to be preserved to maintain the micro-climate of the feedlot site.

The clearing is considered permissible for the purpose of the development of farm infrastructure.

Issues Raised in Submissions

No submissions were received.

Authority Submission

OEH has raised concerns about the long term use of the proposed offset area and likely impact on patches of Myall Endangered Ecological Communities.

Staff Comment

These issues have been assessed and recommended conditions by the OEH have been included in the draft conditions.

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3.4 Federal Legislation

3.4.1 Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act)

Proponent's Submission

This EIS includes an assessment of measures designed to protect the environment, promote the conservation and ecologically sustainable use of natural resources, promote biodiversity conservation and provide for the protection and conservation of heritage. Through extensive consultation, and tailoring of the proposal Ceres has developed a cooperative approach to the protection and management of the environment. In particular, the traditional landowners were involved in an archaeological survey and will be involved in the future management and preservation of artefacts found; a flora and fauna assessment was undertaken and the included recommendations have been adopted; and there has been ongoing consultation with neighbouring landholders, council and government agencies. The development is not considered to have potential impacts on matters of National significance. The assessment is included as Appendix 7 of the EIS.

Issues Raised in Submissions

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

The EPBC Act commenced on 16th July 2000. The EPBC Act includes the assessment and approvals system for actions that have a significant impact on:

- matters of National Environmental Significance (NES); and
- the environment on Commonwealth land.

Should an action be determined to likely have a significant impact, an approval from the Commonwealth Minister for the Environment and Heritage is required.

The EPBC identifies seven (7) matters of National Environmental Significance being:

1. World Heritage properties
2. National Heritage places
3. RAMSAR wetlands of international significance
4. National listed threatened species and ecological communities
5. Listed migratory species
6. Commonwealth marine areas and
7. Nuclear actions.

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The EIS has identified that the development area will provide habitat for the following species of National significance:

- three (3) important populations of vulnerable flora species
- six (6) important populations of vulnerable fauna species
- one (1) population of endangered flora species
- three (3) populations of critically endangered or endangered fauna species
- one (1) endangered ecological community and
- eight (8) migratory species.

One (1) threatened flora species and one (1) endangered ecological community were identified in the development footprint during the site inspection. The EIS has detailed a proposal to voluntarily offset the same area.

The Environmental Assessment identified that no NES matters or Commonwealth land are likely to be impacted by the proposal and therefore an approval from the Commonwealth Minister is not required.

It is considered that assessment under the Act has been complied with.

3.5 S.79C (1) (a) (ii) Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

No draft environmental planning instrument is applicable to the development application.

3.6 S.79C (1) (a) (iii) Any Development Control Plan (DCP)

Proponent's Submission

The proposed development is for an extension to an existing feedlot. This is considered a traffic generating development under the Gwydir Development Contributions Plan. Under the provisions of the Environmental Planning and Assessment Act, 1979 Council may include a condition of consent that details the following:

- Require land to be dedicated free of cost;
- Require money to be contributed for works and facilities to be provided in the future;
- Require money to be contributed towards the cost of works in kind, in satisfaction of Section 94 requirements; or
- Require or accept a combination of any of the above.

In applying Section 94 contributions the Council must be fair and reasonable, and as such the contributions levied on development with the Gwydir Shire are limited to essential or baseline works.

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Issues Raised in Submissions

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

The EIS refers to Council's Development Control Plan for traffic generating development

Gwydir Development Contributions Plan No. 1 – Traffic Generating Development (GDCP)

This plan was developed to ensure the operation of Traffic Generating Development does not adversely impact on local roads and allows Council to assess the demand for road maintenance, repair and reconstruction arising from Traffic Generating Development.

The purpose of the plan Traffic Generating Developments is those developments that:

- Require the use of road haulage vehicles to support the operation of the enterprise
- Generate additional traffic movements above levels of traditional agricultural activities

Traffic Generating Development includes the following enterprises:

- Wool Scouring Plants
- Abattoirs
- Rendering Plants
- Saleyards
- Wood or timber milling or processing works including wood preservation works
- Wineries or associated works
- Warehouses
- Light industry
- Intensive Agricultural Enterprises
- **feedlots**
- poultry farms
- piggeries
- dairies
- Composting Works
- Transport Terminals
- Grain Storage Complex
- Feed mills
- Extractive Industries
- Mine
- Rural Industry

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A condition will be included in the draft consent conditions applying the GDCP to the proposed development.

Further detail about the movement of vehicles is discussed later in the report.

3.7 S79C (1) (b) The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality

So as to comment on the likely impacts of the proposal, the following matters have been considered:

3.7.1 Access, Transport and Traffic

Proponent's Submission

Vehicles will enter and exit via the North Star Road. The current operations at "Gunyaerwarildi Station" involve up to 15 B-double movements/week. The entrance intersection has recently been upgraded to a B-double standard and approved by Council. At present, the local road being the North Star-Warialda Road is restricted to B-doubles. Road train use is not permitted; however Council has indicated that they are currently reviewing bridge capacities with the intent to determining whether road train use is feasible. If road trains are permitted, they may potentially carry an additional 15 tonnes per load and therefore reduce overall truck volume by as much as 30%.

Table 3 shows the anticipated numbers of B-double movements that will be generated by the feedlot operation once the additional 15,000 head of cattle capacity is utilised, assuming:

- Feed ration consumption will be approximately 11.5 kg per head per day
- Average occupancy will be 85%
- "Gunyaerwarildi" will produce an average of 50,000 tonnes of the ration
- On third of ration produced in Moree Plains and trucked to the feedlot (16,650t)
- The remaining 22,000 tonnes will be trucked to the site in B-doubles
- B-double carrying capacity of 37 tonnes per unit
- Cattle will be transported in dual deck trailers
- Cattle entering the feedlot will weigh approximately 430kg, therefore a B-double will transport 66 head
- Manure and compost will be transported on internal roads prior to reuse, therefore the vehicle movements associated with this activity area not considered in Table 3 below (taken from Table 2 in the EIS)
- Some seasonal variations will occur.

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Table 3-Summary showing predicted heavy vehicle movements to and from the Feedlot at 20,000 head capacity

Item	Units	Movements
Cattle Transport		
Cattle in	Head/y	60,000
Cattle out	Head/y	59,800
Entry weight	kg	430
Exit weight	kg	540
No. of head/truck	Entry	80
No. of head/truck	Exit	66
Trucks – entry cattle	Trucks/y	750
	Trucks/wk	14
Trucks – exit cattle	Trucks/y	906
	Trucks/wk	17
Annual feed intake - imported	t/y	38,650
feedstuffs incoming	Trucks/y	1074
	Trucks/wk	21
TOTALS	Trucks/y	2730
	Trucks/wk	53
	Trucks/day	7-8

The proponent operates a small fleet of trucks for both cattle and fodder haulage. These truck movements are coordinated to ensure that trucks arrive with a load and leave with a load. On average, the proponent's trucks move approximately 40% of the inputs and outputs. If this continues, daily truck movements to and from the site would range between 5 and 10 on average. An additional 10-15 staff vehicle movements would occur on a daily basis.

During grain harvest periods, the feedlot would generally receive additional grain which would be stored in grain bunkers. This would result in a short term traffic peak of grain trucks. These truck tips would involve existing truck movements on the Shire roads which would be diverted to the feedlot site.

The movement of cattle to and from the site would occur on a relatively continual basis. A minor peak occurs from Friday through to Monday as a result of deliveries of finished cattle to abattoirs.

Issues Raised in Submission

There were two (2) submissions from private individuals who raised concern about the massive increase in truck movements on narrow shire roads to cater for that number of cattle, already handling two (2) other feedlots on the road between them and an abattoir in Inverell (which is a school bus route).

Authority Submission

The NSW Office of Environment and Heritage has requested that a "Right of Carriageway" over existing tracks be provided before OEHL will withdraw the objection to the closure of Crown Road reserves in "Gunyerwarildi Station".

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Staff Comment

Council has no Policy or Development Control Plan for off-street car parking. The EIS does not address onsite parking, however due to the size of the property, adequate sufficient parking space exists onsite. This was confirmed during the site inspection.

The NSW Office of Environment and Heritage has requested that a "Right of Carriageway" over existing internal tracks to provide access to Gunyerwarildi National Park.

An alternative access to the proposed development can be gained to the property off Allandale Road. Council's Technical Services department has requested that access to the feedlot only be allowed from the North Star Road. The access off North Star Road has been previously upgraded as a condition of consent for the 5,000 head cattle feedlot.

North Star Road is a Class A road. This road is an all-weather sealed road which can adequately support the additional traffic volumes.

Council's Director of Technical Services has advised that feedlot traffic will result in some wear and tear and road train access is not currently allowed to the property. However, Council has obtained approval for a number of roads in the northern part of the Shire to allow road train access with a permit.

It is expected that with the further assessment of more roads including the North Star Road, road train access will be extended.

As sections along the North Star Road are upgraded, pavement width is being increased to 9 metres which improves vehicle movement and safety.

It is considered that the proposed expansion of the development will have minimal impact on the carrying capacity of surrounding roads.

3.7.2 Utilities

Proponent's Submission

Previously discussed in 6.4.

Issues Raised in Submission

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

The proposed feedlot development will not impact on or require adjustment to the existing utilities for the property.

3.7.3 Heritage and Archaeological

Proponent's Submission

Aboriginal Cultural Heritage

The proposed development area was subject to a detailed archaeological study in 2011. Suzanne R Hudson Consulting conducted the survey and report preparation in conjunction with traditional landowners. The area of the study incorporated the new development area in addition to surrounding lands.

This report is presented as part of the EIS. Additional fieldwork was undertaken for the new development in order to determine whether the existing works had uncovered any new site or artefacts. The additional investigation in 2015 was undertaken by the original traditional owner representative.

Aboriginal History

Hudson (2011) describes a long history of aboriginal movement understood to have taken place in this area. It was undertaken mainly for ceremonial and social gatherings and in indigenous society, rituals associated with men's or women's business, initiations, funerals and corroborees were held from time to time. Use of wetlands by indigenous people was dependent upon water being present for drinking, hunting, gathering and fishing opportunities.

Archaeological Survey of the Feedlot Site

An archaeological survey of the feedlot site was completed by Suzanne R Hudson Consulting on 20 January 2011. The scope of the assessment required that an archaeological survey be undertaken in consultation with registered Aboriginal groups who have an interest in the survey area. Two (2) groups registered an expression of interest to participate in the survey process.

The following groups were involved in the site survey:

- Moree Aboriginal Land Council – Charlie Groves
- Kwiembal people (traditional land owners) – Liza and Vicky Duncan

The archaeological site survey identified five (5) Aboriginal stone tool assemblages. It was recommended that the feedlot development proceed after there has been a collection of the stone tools found insitu. The following table provides the GPS coordinates of the five (5) stone assemblages that were identified during the survey:

Table 4 – GPS Coordinate of Stone Assemblages

Site Number	Easting	Northing
1	259675	6760067
2	259806	6760126
3	259931	6760270
4	260312	6760169
5	260179	6759391

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The study recommended that the stones be removed from the site prior to the development proceeding. The traditional landowners, the Kwiemba people, supported the collection of the items for storage and preservation. It is understood that these items are now in storage at the Moree Plains Shire Art Gallery where a major collection of Aboriginal items from many sources and locations in the region is kept. It is uncertain whether the items were removed by the traditional owners or others. There are no records to identify the movement of the stones. No clear record is available at the Moree Art Gallery to identify these stones. However, anecdotal evidence indicates that the stones were moved. The stones are not present at the locations where they were identified. The fences have not been moved at these locations.

As a part of the new assessment process for this proposal, an additional field study was undertaken by Charlie Groves who was present during the original survey in 2011. This supplementary assessment was undertaken to provide additional detail on the subject area of the expansion of the feedlot. The survey and inspection of the site did not identify any sites or objects to be considered as significant or require further investigation. It was recommended that the project proceed on the basis that if items or sites of cultural heritage are identified during the work to be undertaken, that this work would cease until further investigation is undertaken in accordance with the recommendations of traditional owners. This report has been included as Appendix 7 of the EIS.

No non-indigenous heritage items have been found near the development site.

Issues Raised in Submission

No submissions were received.

Authority Submission

Section 6.11.2 and 7.16 of the Environmental Impact State (EIS) makes admission that Aboriginal objects were removed from the proposed development site and placed at the Moree Plains Shire Art Gallery. The original ACH assessment report for the proposed feedlot (Hudson 2012) recommended an Aboriginal Heritage Impact Permit (AHIP) application, however our records show no application for an AHIP has been received for the development proposal.

The OEH has therefore referred the matter to the OEH North West Compliance and Regulation team leader for their attention. OEH will prepare comments regarding the Aboriginal Cultural Heritage Assessment pending the outcome of whether the matter will be investigated.

Staff Comment

The proposal is not in the vicinity of any heritage items in accordance with Council's Local Environmental Plan or under State or Federal Legislation.

The consultant's original survey identified five (5) Aboriginal stone tool assemblages on the property in the vicinity of the proposed feedlot. A further field assessment was carried out to cover the expanded area of the

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feedlot. No sites or objects were identified. The proponent will need to consult with the OEH to obtain an Aboriginal Heritage Impact Permit to move any additional found items.

3.7.4 Soils

Proponent's Submission

Geology of the area generally consists of tertiary basalts, with soils a mix of grey and brown clay/clay loams (Morgan & Terrey 1992).

In general, the soil profile across the development site consists of light sandy loam surface layer generated from soil washing for the upper slopes in the adjoining National Park. This is underlain by various layers of brown and red heavy plastic clay material that is naturally dense and showing signs of low permeability in the form of white carbonate layers. The deeper subsoil below 3m or more contains gravelly clay materials which are extremely dense. The gravel material includes shale and some minor basalt material. The soil pits across the site indicated a relatively dense impermeable structure.

Soil across the lower floodplain area which is cropped and to be included in the effluent disposal area, consists of heavy grey-black clay. The survey shows that the soils are relatively consistent across the whole of the surveyed area

However within the 'red' soils, two(2) distinct soil profiles were observed. The soil types were either deep, red Dermosols or Sodosols (texture contrast) according to the Australian Soil Classification System (Isbell 2002).

pH

pH is a measure of the soil's acidity and alkalinity, and provides an indication of the activity of the hydrogen ion (H⁺). Acidic and alkaline soils affect the availability of nutrients and soil's biological activity, impacting on soil fertility and overall plant growth.

The results indicate surface soils in the proposed effluent application area are mildly – moderately alkaline, with a pH range of 7.49 -7.85 (CaCl₂). This level of alkalinity is within the optimum range for field crops such as barley (6.25-7.85) and lucerne (6.5-7.5).

Nitrogen (N)

Extractable Nitrate-N is a measure of the highly mobile form of inorganic nitrogen in the soil that is available to plants and susceptible to leaching. A high level of total N in the soil contributes to increased organic matter, which aids in strong and stable structure and provides a plant nitrogen source after mineralisation by soil microbes.

The sampling results indicate the extractable Nitrate-N content of the surface soils was within the desired range of 10-50 mg/kg.

Phosphorus (P)

Colwell-P measures the labile, readily available phosphorous in the soil and the phosphorous that is susceptible to potential leaching. The Grain Research and Development Corporation suggested critical values of phosphorous availability in subsoils in northern vertosols are <10 mg/kg and >100 mg/kg. Phosphorous Buffering Index (PBI) indicates the ability of the soil to remove soluble phosphorous, such as fertiliser applications.

These values are within the critical range of Colwell-P levels and considered a PBI category of low, with phosphorous readily available (Moody 2007).

Cation Exchangeable Capacity (CEC)

CEC is the total capacity of the soils to hold and exchange cations. It generally provides a buffer effect to fluctuations in pH, nutrient availability, calcium levels and soil structure. Good fertile soils with high clay content and moderate to high organic matter levels usually have a cation exchange capacity of 10 or higher (DPI, 2004).

The ECEC for the soil samples at “Gunyerwarildi Station” exceed the desired range to a depth of 30cm. The exchange was dominated by exchangeable calcium and magnesium cations in the sub soil. The presence of the calcium is beneficial. The presence of a high level of magnesium is a natural condition for these soils. The high level of magnesium can affect soil structure for highly plastic clays in relation to soil pod formation.

Electrical Conductivity (EC)

The electrical conductivity (EC) of soils is influenced by the concentration and composition of dissolved salts and therefore EC levels are considered an indicator of salinity. Salts increase the ability of a solution to conduct an electrical current, so a high EC value indicates a high salinity level. Generally, an EC 1:5 water extract <0.15 dS/m is considered as low and will not affect plant growth.

The EC results ranged between 1.03-1.63 dS/m. This is within the criteria, 0-2 dS/m, for low salinity (lowest category) and indicates that there are no salinity issues at the site.

Calcium/Magnesium Ratio

The ratio of exchangeable calcium to exchangeable magnesium provides a guide to a soil’s structure and any potential problems that might be influencing soil drainage, root development and subsequent plant growth. Well-structured soils have a calcium-to-magnesium ratio greater than 2:1. It is unlikely for soils within NSW to be affected by either a calcium or magnesium deficiency.

The soil tested at “Gunyerwarildi Station” was considered low. When the Ca/Mg ratio is less than 2, it can be more difficult for plants to take up potassium and soil structure can be adversely impacted through increased

dispersion. Gypsum and Lime are common ways of adding additional calcium to the soil.

Exchangeable Sodium Percentage (ESP)

The exchangeable sodium percentage (ESP) is often used as an indicator of soil sodicity. A soil is considered no-sodic if ESP is less than 6%, sodic if ESP is between 6-15% and strongly sodic if ESP is greater than 15%.

The results from each of the soil samples were below 6% and therefore indicated non-sodic soils. The recorded ESP level will not contribute to soil structure decline or low infiltration rates at any of the sites.

Issues Raised in Submissions

No submissions were received.

Authority Submission

A submission from NSW EPA and NSW DPI Water regarding effluent disposal and soil permeability was raised, respectively.

Staff Comment

The soil analysis within the EIS details the current makeup and condition of the soils impacted by the proposed feedlot. The application of collected waste effluent and manure/compost material will improve the soil structure and nutrient levels.

The NSW EPA has assessed the method of construction of these feedlot pens, ponds and irrigation disposal.

Generally satisfied with the assessment of the soil.

Conditions controlling the application of waste effluent and manure across the property will be included in the consent.

3.7.8 Air and Microclimate

Proponent's Submission

Odour nuisance is significant consideration for any cattle feedlot.

A Level 1 odour assessment was undertaken to determine the potential impact of primarily odour from the 20,000 head feedlot development. The assessment indicated a "pass" in accordance with the relevant legislation. A pass indicates that the potential for the feedlot's odour to impact on adjoining landholders is considered acceptable. The risk is considered to be sufficiently infrequent to be considered acceptable. The result is mainly attributed to the available buffer distance from the feedlot to the closest residences.

The feedlot adjoins a National Park which is classified as a low use public area. The Level 1 odour assessment utilised the same parameters for the calculated separation distance from the National Park as the previous assessment for the approved 5,000 head feedlot. The calculation relied upon the presence of a woodland between the feedlot and the National Park. Authorities had agreed to the planting of a tree buffer to create this woodland in order to disperse odour. This tree buffer is still a work in

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progress. Extension of the feedlot to 20,000 head would require the presence of this tree buffer unless an alternative can be developed. Discussions with Council and EPA on this matter concluded that further action is required to establish the tree lines under more concentrated management to ensure that the trees are protected from animals moving to the feedlot from the National Park, as well as overcoming weather issues and dry growing seasons.

No other issues relating to odour, dust or noise are considered to be of concern as a result of the feedlot extension. As identified above, this can be attributed to the available separation distance between the feedlot and neighbours, as well as the level of management adopted on this site, mainly the operation of a Class 1 feedlot standard.

Issues Raised in Submissions

There were two (2) submissions from private individuals who raised concerns about offensive odours.

Authority Submission

No submissions were received.

Staff Comment

The EPA has a Policy: *Assessment and Management of Odour from Stationary Sources in NSW (2006)*. This policy puts in place procedures to help prevent odour conflicts in the future and to help resolve some of the more difficult odour problems between existing facilities and their communities.

Odour assessment

A three-level system of odour impact assessment for point and diffuse odour sources has been developed.

Depending upon the individual characteristics of a new development and its proposed location, a varying degree of investigation into potential for odour may be required. For this reason, three (3) levels of odour assessment have been adopted:

- Level 1 is a screening level technique based on generic parameters for the type of activity and site. It requires minimal data and uses simple equations to provide a broad estimate of the extent of any odour impact. It may be used to assess site suitability and odour mitigation measures for new or modified activities.
- Level 2 is a screening level dispersion modelling technique, using worst case input data (rather than site-specific data). It is more rigorous and more realistic than a Level 1 assessment. It may be used to assess site suitability and odour mitigation measures for new, modified or existing activities.
- Level 3 is a refined-level dispersion modelling technique using site-specific input data. This is the most comprehensive and most realistic

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level of assessment available. It may be used to assess site suitability and odour mitigation measures for new, modified or existing activities.

The level of assessment will depend on the specific characteristics of the proposal and the likelihood of operational odour impacts.

The EPA recommended using the NSW Odour Assessment Framework and Notes to evaluate the impact of odour from the feedlot development on the surrounding receptors. The NSW Odour Assessment Notes refer to the QLD Feedlot Manual and the calculations require the selection of an appropriate feedlot "Class", and conversion of cattle numbers to SCU (multipliers for this are provided in the QLD Feedlot Manual).

Odour is the major impact affecting the amenity of the community from feedlots. Odours from a feedlot are a complex issue involving operation, waste, manure spreading and the cattle themselves. The intensity, duration, frequency and intensiveness of feedlot odours are influenced by a wide range of factors, including the size and nature of the feedlot and its waste management system, topographical and meteorological conditions.

Odours from feedlots are mainly due to manure decomposition. Odour from freshly excreted manure is generally less offensive than odour released from anaerobically decomposed manure. The exact nature of odour is affected by type of feed, housing and effluent treatment systems.

Gases generated from cattle effluent include carbon dioxide, ammonia, hydrogen sulphide, methane and many trace compounds.

Methane has no odour and is not toxic. It is lighter than air and only becomes concentrated in a closed area. However, hydrogen sulphide, which is released when effluent is agitated, is heavier than air and is highly toxic at relatively low concentrations.

Decomposed feed materials will also cause objectionable odours. For example, food processing wastes result in severe effluent odours. Other odour sources include dead animals and manure handling facilities and these will influence odour levels.

Gases emanating from feedlots do not exceed air standards and are not hazardous to humans or other animals. The odour question is essentially one of compatibility with the community surrounding the feedlot.

Odour assessment, outcomes and potential impact on adjoining residences are detailed in the following table:

Table 5 – Minimum Separation Distances

Minimum Separation Distances for the Gunyerwarildi Station Feedlot								
Receptors	Feedlot Capacity (head)	Composite Site Factors					Required Minimum Distance (m)	Available Distance (m)
		(S1)	(S1)	(S1)	(S1)	(S1)		
A	20,000	52	0.3	0.9	0.7	1	1,390	3,230
B	20,000	52	0.3	0.9	0.5	1	993	4,665
C	20,000	52	0.3	0.9	0.7	1	1,390	4,990

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D	20,000	52	0.3	0.9	1	1	1,986	5,980
E	20,000	52	0.3	0.9	0.7	1	1,390	6,270
F	20,000	52	0.3	0.9	0.7	1	1,390	6,485
J	20,000	52	0.3	0.9	0.7	1	1,390	6,490
H	20,000	52	0.3	0.9	0.9	1	1,787	7,230
I	20,000	52	0.3	0.9	0.7	1	1,390	8,820
J	20,000	52	0.3	0.9	0.9	1	1,787	8,490
K	20,000	52	0.3	0.9	0.9	1	1,787	9,405
L	20,000	52	0.3	0.9	0.7	1	1,390	9,530
M	20,000	52	0.3	0.9	0.9	1	1,787	9,570
N	20,000	52	0.3	0.9	0.7	1	1,390	9,990
O	20,000	52	1.2	0.9	0.7	1	5,560	30,000
P	20,000	52	0.05	1	0.5	1	184	184

The proponent has outlined a draft management schedule and environmental monitoring which has been put in place to minimise the impact from the feedlot and ensure it is operating in accordance with the development proposal.

The assessment of odour impacts to adjoining residences is considered to meet the minimum separation distances, based on a Level 1 Odour Assessment. As a result, the proposed feedlot will meet odour impact standards with next to no impact on the amenity of the adjoining area and residences.

The proposal also has the potential to create dust impacts as a result of traffic movements along the internal unsealed access road. This occurrence is not uncommon in rural areas. Dust covers are used on milling machinery and a water cart will be used to suppress road dust as necessary.

Council agrees with the proponent's submission. Conditions controlling the operation of the proposed feedlot will be included in the draft consent conditions.

3.7.9 Flora and Fauna

Proponent's Submission

The development site is considered to be highly disturbed by agricultural operations including the existing feedlot operation, intensive cattle grazing and cultivation of the area to be developed. The habitat across the primary development site consists of various grasses and weeds resulting from cultivation. The open woodland areas support some mature trees and some suckers but have a limited understorey layer as a result of heavy use of these areas for shade protection by cattle.

A detailed flora and fauna assessment was undertaken by Envirofactor for the existing development of the 5,000 head feedlot. The assessment was prepared in March 2012 and included an assessment across the extended feedlot site and effluent, manure and compost reuse areas. The report

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was provided by the proponent to assist in the documentation to be lodged with the development application. Additional flora and fauna traverses were undertaken across the primary development area as an update to the original report.

The following sections refer to the report completed by Envirofactor, as included in Appendix 15, with the inclusion of an updated Threatened Species list, as included in Appendices 6 and 7. A more recent site inspection was undertaken by SMK Consultants for the proposed clearing required to accommodate the sediment and holding ponds for the feedlot expansion area.

1. Biodiversity Assessment

The Envirofactor report described the area surrounding the feedlot site as an area of undulating hills with highly fertile soils. Given past agricultural practices, there has been extensive clearing for dryland cropping. The remnant native vegetation is subsequently “confined to sandstone ridges, small patches and scattered paddock trees within cropping paddocks, area of crown land and linear strips along rivers, roadsides and Travelling Stock Reserves”. The remnant vegetation on “Gunyaerwarildi Station” comprises a mosaic of grassy woodlands and derived grassland communities. The condition of these remnants is highly variable (from poor to very good) depending upon current livestock grazing management and proximity to cultivation areas.

Two (2) field inspections were undertaken as part of the original assessment. These were carried out on 5 December 2011 and 23 January 2012. The inspection of adjoining Weeping Myall woodlands identified two (2) threatened flora species, mainly Belson’s Panic (*homopholis belsonii*) and Lobed redgrass (*bothriochloa biloba*). Lobed redgrass was listed as vulnerable at the time of the report, but has been delisted in both Queensland and New South Wales since 2013.

On 22 December 2015, SMK Consultants carried out a site inspection of the areas proposed for the feedlot extension. The majority of the area has been fully cleared with some additional clearing required to accommodate the sediment and holding ponds. The areas surveyed in 2015 are shown in Figure 10. These areas are all subject to minor clearing if the proposed development is approved. The following details the species subject to clearing as identified by SMK Consultants:

Section 1 – Northern Sediment and Effluent Holding Ponds

This section contained approximately 180-200 trees, and was dominated by Bimble Box (*Eucalyptus populnea*) and Wilga (*Geijera parviflora*). Silver-leaved Ironbark (*Eucalyptus melanophloia*) was present, sometimes forming a sub-dominant species associated with variations in soil type. Other species include some Rosewood (*Alectryon oleifolius*) and scatter White Cypress Pine (*Cypress glaucophylla*). The area was representative of a North-west Slopes Dry Sclerophyll Woodland with approximately 50-80% cover. The area has been logged and subjected to clearing for fence and road construction. This section was largely compatible with the

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findings of the 2012 assessment. The immature Wilgas identified in the earlier assessment had thrived and were beginning to dominate the over storey.

Section 2 – Southern Sediment Pond

This section contained approximately 150 trees, and was dominated by immature White Cypress Pine (*Cyprinus glaucophylla*) which suggests that the area has been previously cleared. Other species were scattered and could be considered as paddock trees. Such species include Bimble Box (*Eucalyptus populnea*), Silver-leaved Ironbark (*Eucalyptus melanophloia*) and Brigalow (*Acacia harpophylla*). This section would have originally supported a Cypress Pine woodland with between 40-60% cover over sandstone ridges which is a similar woodland to parts of the adjoining National Park.

Section 3 – Southern Holding Pond

This section contained approximately 120 trees, and was dominated by a combination of Silver-leaved Ironbark (*Eucalyptus melanophloia*), Wilga (*Geijera parviflora*) and immature White Cypress Pine (*Cyprinus glaucophylla*). Other species present include Bimble Box (*Eucalyptus populnea*) and Rosewood (*Alectryon oleifolius*). This section was typical of Silver-leaved Ironbark grassy tall woodlands with approximately 50-70% over storey cover. This area is dissected by a road and includes several internal fences.

Paddock Trees

Adjacent to Sections 2 and 3, in the site of the southern pens were a number of scattered paddock trees. This mostly included Ironbark species and Yellow Box (*Eucalyptus melliodora*).

Figure 6 – Areas to be subject to minimum clearing for development of effluent ponds



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Voluntary offset area

The voluntary offset area as shown in Figure 6 (taken from Figure 10 in the EIS) covers an area of 21.9 hectares of woodland dominated by similar species to the areas to be cleared to enable the feedlot to be constructed. The voluntary offset includes a wide range of tree species and tree maturity. The western denser edge includes mature Bimble Box. The eastern and northern sections are part of the same woodland as described for the above Section 1. The voluntary offset area has had less disturbance from cultivation and grazing than Sections 2 and 3 to be subjected to some clearing. The voluntary offset area is located within the same corridor as the woodlands to be affected by the feedlot and therefore similar fauna distribution would occur. The area of voluntary offset is approximately 9 times the area of the woodland area to be affected by the feedlot.

2. Seven Part Test Conclusions

The project area on “Gunyerwarildi Station” is an extensively cleared and cultivated landscape interspersed with a network of predominately corridors of remnant vegetation along creeks and gully lines. These remnant areas support a mosaic of native vegetation communities including:

- River Red Gum tall woodland/open forest
- Poplar Box-Yellow Box-Western Grey Box grassy woodland
- Silver leaved Ironbark grassy tall woodland
- Grey Box-Cypress Pine-Red Gum woodland
- Weeping Myall open woodland
- Queensland bluegrass-redleg grass-rat’s tail grass-speargrass-panic grass derived grassland.

Vegetation on the project area is contiguous on its eastern boundary with Gunyerwarildi National Park, native vegetation remnants south of Croppa Creek and to the west on the Travelling Stock Route along the North Star Road.

The project area is considered to provide habitat for:

- Thirteen threatened flora species
- Forty three threatened fauna species
- Two (2) endangered populations.

Additionally, the creek and their floodplains on the project area comprises the “aquatic ecological community in the natural drainage system of the lowland catchment of the Darling River”, an endangered ecological community under NSW Fisheries Management Act.

A seven (7) parameter test is presented in Appendix 6.

3. Fauna Assessment

The primary assessment of the area was undertaken in 2012 by Envirofactor and the report is presented in Appendix 15. This report provided detail of the development area and surrounding habitat.

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The development that triggered the requirement for the fauna assessment occurred on open cultivation land. The surrounding habitat was not subject to clearing or degradation as a result of the development. The new development adjoins the original development and therefore fauna species would remain the same.

An updated Matters of Nation Significance Assessment was undertaken and is included in Appendix 7. The region is considered to provide habitat for on ecological community, 16 threatened flora and fauna species and eight (8) migratory species listed under State and Commonwealth legislation. These species are considered to be located within remnants of woodland and open grassland in the area surrounding the feedlot operation. The proposed development is essentially contained within the developed area within these remnants. The area is heavily utilised by the current operation.

Issues Raised in Submission

No submissions were received.

Authority Submission

OEH notes the efforts of the proponent to locate feedlot infrastructure on areas that have previously been cleared.

OEH was unable to comment on the adequacy of the offset due to a lack of detailed information regarding the condition and area of vegetation communities proposed to be cleared and to be included in the offset area.

The EIS does not include detail of the intended long term management of the offset area.

The EIS identifies Weeping Myall woodlands Endangered Ecological Community as being present in the vicinity of the proposed expansion of the feedlot.

The Threatened Species Mitigation measures listed in the Flora and Fauna Assessment Report for the 5,000 head feedlot be included as conditions of consent for the expanded 20,000 head feedlot.

Staff Comment

Threatened species are protected under the following three (3) Acts which operate in conjunction with each other:

- The *Threatened Species Conservation Act 1995* deals with the listing of species, the declaration of critical habitat, recovery plans, threat abatement plans, licencing, biodiversity certification and bio banking;
- The *National Parks and Wildlife Act 1974* contains additional licencing provisions, and provisions for criminal offences; and
- The *Environmental Planning and Assessment Act 1979* imposes obligations on developers and consent authorities to assess and consider the impacts of proposed development on threatened

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species during the development assessment process (e.g. by requiring a species impact statement in some circumstances).

In deciding whether there is likely to be a significant effect on threatened species, populations or ecological communities, the Council must take into account the seven (7) part test set out in Section 5A of the Environmental Planning and Assessment Act, 1979. These seven (7) factors include whether a viable local population of the species is likely to be placed at risk of extinction, whether habitat will be removed or modified, and whether habitat is likely to become fragmented or isolated from other areas.

The seven (7) part test aims to improve the standard of consideration afforded to threatened species, populations and ecological communities and their habitats throughout the planning and assessment process, and to ensure this consideration is transparent.

Council agrees with the proponent's submission and OEH recommendations. Conditions controlling the operation of the proposed feedlot will be included in the draft consent conditions.

3.7.10 Water Supply

Proponent's Submission

Water in feedlots is used for stock drinking purposes, dust suppression, feed processing, cattle wash-down, effluent management, general cleaning and staff amenities. Assuming the feedlot was maintained at maximum capacity and total consumption was 60L/head/day, the completed feedlot would require a supply of approximately 438 Megalitres (ML) of water per annum.

The proposed development will involve active irrigation production. This will include the opportunistic use of water capture in on-farm dams in combination with effluent generated from the feedlot. A summer crop can utilise between 3-4 ML per season. If this water is available, it will be applied in order to maximise production. If it is not available, crop production will be limited to the available soil moisture.

Water will also be required for steam flaking. Use of water at the steam flaker will not exceed 5 ML/y.

At present, the feedlot obtains most of its water from the Eastern Recharge Groundwater source of the Great Artesian Basin. This is supplied from one bore at present. The bore is located on the property of "Bundawarra" (Lot 3 DP 826225) which is part of the Gunyerwarildi aggregation.

The secondary water supply system to be utilised involves the property's harvestable right. With a total aggregation of 10,233ha, the proponent is entitled to a harvestable right of approximately 716 ML. The extended feedlot proposal is to include expanded dam capacity to assist with irrigation of crops on an opportunity basis only. The use of harvestable right water for production is not essential and does not form a key component in this application.

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An option to obtain a surface water licence from Croppa Creek, which runs through the centre of the property, and pump this water into the new gully dam is also being investigated but does not form any critical role in this development application.

Issues Raised in Submission

There were two (2) submissions from private individuals who raised concerns about depletion of underground water supplies for stock and domestic use for the whole district, particularly in years of drought.

Authority Submission

DPI - Water advised that there is currently a water licence for this property which is in excess of the proposed feedlot's needs.

A 1st order watercourse runs through the property. It appears from plans in the EIS part of the proposed infrastructure for the development is located on or in close proximity to the watercourse. If any works are proposed within 40 metres of this watercourse a Controlled Activity Approval is required under the *Water Management Act 2000* and all works are to be done in accordance with the Guidelines for Controlled Activities.

Groundwater Management

The proposed development outlies the NSW Great Artesian Basin Eastern Recharge Groundwater Source. The aquifers are expected to be in sandstone with the piezometric head at depths below 30m under the proposed development. The risk of impact and its consequence on the potential receptor "Eastern Recharge Groundwater Source" are expected to be minor due to this development. However, it is considered the following has not been addressed adequately:

- The impact on groundwater quality is not assessed against Level 1 minimum harm criteria of the Aquifer Interference Policy.
- The area is considered as recharge/intake-beds of Great Artesian Basin and the project area is underlain by thick porous sandstone with thin soil cover of varying degree of clay.
- It is not explicit in the EIS whether the existing works (bore) are capable of yielding the required volume for the development.
- The monitoring and mitigation plan for the proposed development is not outlined in the EIS.
- The EIS does not provide a groundwater monitoring program to comment on.

Staff Comment

It is proposed that groundwater will be used as the water source for the feedlot. An existing licensed volume of groundwater will be used which does not represent a new allocation (or "new water") from the Eastern Recharge Groundwater Source. Groundwater quality is not vulnerable as the groundwater is quite deep and protected by medium-heavy clay soils.

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"Gunyaerwarildi Station" could also use existing surface water through their harvestable right, which represents a large volume. Watercourses will be protected through good design of effluent controls, and also through the provision of generous buffers.

Staff agree with the proponent's submission and the concerns raised by DPI - Water. Conditions controlling the use of water across the property will be included in the draft consent conditions.

3.7.11 Waste Management

Proponent's Submission

The feedlot will need to manage, store and reuse large amounts of manure and contaminated runoff, and a small number of cattle mortalities that will be composted. The effluent, manure and carcass compost (by-products) can be managed and reused in place of inorganic fertilisers in crop production. Hence, they are considered to be valuable resources, not waste products.

The characteristics of the by-products that make them valuable as fertilisers (nutrients) also mean that they have the potential to adversely impact:

- soils of reuse areas through over-application of nutrients.
- water quality through eutrophication of surface waters and/or groundwater resulting from unintentional releases of effluent (e.g. effluent holding pond spill), seepage through feedlot complex facilities (e.g. pens, drains, sedimentation terrace, manure stockpile/carcass compost areas or effluent holding pond) or poor effluent and manure reuse practices.
- native vegetation may not be able to survive or grow in the presence of high soil nutrient reserves that could result from poor effluent and manure reuse practices.

The by-products also produce odours. However, this is not considered to pose a significant risk to amenity.

The design of the feedlot has been prepared in accordance with current Best Practice and is considered to meet the relevant State and National Guidelines for construction of a sustainable feedlot operation. Analysis of the manure and effluent reuse program indicates that there is sufficient land to utilise the waste products for production of crops which can be recycled back through the feedlot.

Authority Submission

Additional information was requested by the NSW EPA regarding waste terminal system and potential waste disposal impacts. The NSW EPA has since issued their General Terms of Approval for the proposed feedlot.

Staff Comment

Waste produced as a result of the development includes liquid effluent and solid waste. Solid waste, (including pen scrapings and sediment from

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evaporation ponds and waste feed) is proposed to be removed for further composting in a contained bunded area adjacent to the evaporation ponds. This system will also be utilised to dispose of cattle mortalities.

The composted material will be taken for spreading on the surrounding lands when needed.

Liquid effluent from pen floors and drainage areas will drain to ponds for later disposal through centre pivot irrigation. It is made up of rain water, water from troughs, manure and some feed.

Draft conditions have been included in the draft consent to manage and monitor the storage and application of waste materials.

3.7.12 Mitigation Measures to reduce odours, etc.

Proponent's Submission

Mitigation Measures for the Priority Issues

The priority issues include:

1. By-product management
2. Air quality
3. Water supply for the feedlot
4. Soils and surface water

By-product Management

The impact of feedlot by-products on the surrounding environment will be mitigated through:

- The adoption of a high standard (Class 1) of design, construction and manure management within the feedlot complex. The standards to be adopted are fully described in Sections 6 and 7 of this report. They will effectively prevent adverse impacts on surface water and groundwater.
- Best practice methods for the reuse of by-products to the cultivated areas of "Gunyerwarildi Station".
- Reducing the likelihood of impacts due to effluent, manure or compost; Ceres will implement buffer zones between the feedlot complex and reuse areas and sensitive sites.
- Effluent, manure and compost will not be applied within:
 - 200m of rural farm residences (the actual distances provided will be 560m)
 - 100m of watercourses and public areas
 - 50m of property boundaries
 - 30m of drainage lines

- By-products will only be spread under suitable weather conditions. They will not be spread just before heavy rain is expected, as this is likely to result in nutrient export in runoff.
- Irrigation of effluent will not occur during strong winds and will be suspended if strong winds occur during the course of an irrigation.
- Irrigation is not to occur during inversion conditions that would risk extended travel of odour onto adjoining properties.
- Groundcover will be maintained in the buffer zones to act as a vegetative filter for any sediment or nutrient that is transported off the reuse areas in stormwater runoff.
- All parts of the feedlot complex expected to have contact with contaminated runoff, manure or effluent will have compacted, low permeability surfaces (coefficient of permeability of less $1 \times 10^{-9} \text{m/s}$) to ensure protection of surface water and groundwater by using suitable clay.
- Soil testing should be undertaken prior to any spreading of effluent, manure or compost to establish baseline characteristics.

The integrity of the completed earthworks in the feedlot complex will be monitored according to the feedlot schedule for infrastructure checking, cleaning and maintenance.

Air Quality

Separation Distance

The Level 1 method shows that the feedlot site is well separated from the closest receptors to prevent amenity impacts (e.g. odour, dust and noise) of the operation of the feedlot. This is important in preventing odour nuisance. However, good design, construction and management are to be maintained to the state standard in order to minimise emissions.

The feedlot is to be managed in accordance with Class 1 standards as described in relevant Feedlot Guidelines. Class 1 represents the highest management standards (i.e. industry best practice). This will include but not be limited to:

- Construction and maintenance of the pen floors with a slope of at least 2% using suitable clay that can be compacted to provide a low permeability, durable all-weather surface
- Optimising minimum stocking density of $15 \text{m}^2/\text{head}$ in order to maintain the manure pad at appropriate moisture levels
- Clearing manure from under fence lines and out of catch drains to allow contaminated runoff to drain freely out of the pens and eliminate wet manure patches
- Removing spilt feed from around the feedlot
- Implementing the feedlot infrastructure checking, cleaning and maintenance schedule for the feedlot.

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The feedlot manager will plan the schedule for infrastructure checking, cleaning and maintenance and maintain a record of these activities. The record will provide prompts/reminders prior to the schedule date of critical activities, such as pen cleaning, so there is capacity to be able to complete activities on time.

Water Supply for the Feedlot

Groundwater is to be obtained from the “Bundawarra” bore to supply the feedlot. The bore is to be monitored to maintain records of standing water level in addition to appropriate servicing of the pump and related infrastructure.

The feedlot operating plan will need to include appropriate backup plans for supply of water to the cattle in the event of a pump or bore failure at “Bundawarra”. These plans are to include appropriate systems including plans of the system to deliver water to the feedlot in the event of a failure at the primary water source.

Soils and Surface Water

The sedimentation and effluent evaporation pond are designed to contain water in the event of a 90th percentile wet year and in 1-in-20-year weather event.

The existing feedlot has been sited and designed to prevent adverse impacts on surface waters external to the feedlot controlled drainage area. The following key points form the basic mitigation measures aimed at avoiding potential contamination of surface waters outside of the CDA:

- Ensure that feedlot activity is not located in a flood prone areas – the feedlot complex is sited above the height of a 100-year average recurrence interval (Q_{100}) flood.
- The proposed feedlot complex is to be enclosed within a controlled drainage area, with appropriate diversion banks installed to divert clean water away from the feedlot site.
- The feedlot waste utilisation areas are designed to enable the sustainable use of effluent and any solid waste that is utilised on site.
- The application of effluent is to be undertaken in accordance with appropriate management actions to avoid surface runoff of effluent.
- The application of manure should occur on cultivated land prior to a cropping pass to incorporate the manure.
- Recommended buffer zones around native vegetation and stream areas are to be maintained.
- The storage and use of hazardous and dangerous materials is to occur in accordance with relevant legislation to ensure spillages are contained.

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Mitigation Measures for Other Issues

This section describes issues that pose less risk to the surrounding environment and local amenity and will be mitigated or eliminated through the adoption of practice design and management. They are summarised below:

1. Noise and dust
2. Vermin
3. Traffic and transport
4. Fire risk and management
5. Animal welfare and disease management
6. Flora and fauna
7. Aboriginal heritage

Noise and Dust

Noise and dust from the construction and operation of the feedlot will be mitigated by:

- Maintaining current separation distances:
 - 3230m buffer between the feedlot site and closest receptor (Receptor A)
 - 4,990m buffer between the existing feed mill, commodity storage and feed preparation area and closest receptor (Receptor C).
- Only using machinery fitted with compliant mufflers during both the construction and the operation of the feedlot.
- Requesting that truck drivers do not use engine brakes when entering/exiting “Gunyaerwarildi Station”.
- Setting a low speed limit on “Gunyaerwarildi Station” to minimise the generation of dust on internal roads (25km/h through feedlot area and 40km/h between mill and feedlot as per current signage).
- Using water trucks to minimise dust from roads and the feedlot site during construction.
- Using a cattle stocking density that minimises dust generation (the cattle urine and manure add moisture to the pen floors).
- Avoiding spreading of very dry manure.

Vermin

Fly, mice and rat populations from the operation of the feedlot will be mitigated:

- Primarily through the feedlot management schedule (i.e. minimise feed wastage and spillage to reduce the likelihood of attracting vermin).

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- Implementing a baiting program if the vermin population reaches a nuisance level.

Traffic and Transport

Traffic impacts will be mitigated by:

- Where practical, limiting the access of trucks moving to and from the feedlot to normal operating hours as outlined above.
- Maintaining the intersection approved under the existing development consent for the intersection onto the Warialda-North Star Road.
- Recommendation to truck dispatches to allow a suitable time separation when travelling along local roads (15 minutes minimum between trucks).
- Supporting the Gwydir Shire to improve the use of the Warialda-North Star Road as a safe haulage route within the Shire to link the North Star region through to Warialda onto the Gwydir Highway.

Fire Risk and Management

The source of fire risk to the feedlot site has been identified as the adjoining National Park. Currently consent conditions have identified the need to maintain a firebreak between the National Park (NP) and the feedlot. This is to be maintained and extended to cater for the expanded site.

In addition to the creation of permanent firebreaks, “Gunyerwarildi Station” maintains the following firefighting equipment:

- Three 4WD mounted firefighting units.
- Bedford truck with 2000L tank as a supply vehicle
- D6 dozer
- Grader (contracted by Ceres Company) for maintaining roads and firebreaks.

If initial firefighting attempts are unsuccessful or too dangerous, all staff would be evacuated to a safe area and the cattle let out of the pens into the surrounding paddocks. The Rural Fire Service will be contacted in the event of a significant fire. Staff will fight the fire if it is reasonably safe to do so.

Animal Welfare and Disease Management

As the primary factors for cattle welfare, a consulting veterinarian and nutritionist will oversee the health and welfare of the cattle.

The proponent intends to operate the site in accordance with the feedlot industry’s quality assurance system, the National Feedlot Accreditation Scheme (NFAS). The NFAS requires all accredited feedlots to adhere to the Code of Practice, along with all other relevant environmental, animal welfare and food safety legislation. Under this government and industry

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managed program, every accredited feedlot is independently audited each year to ensure compliance.

The cattle will be treated with various vaccines to minimise the potential contraction of disease or infection. In particular, this should help to decrease the occurrence of respiratory problems referred to as Bovine Respiratory Disease (BRD). The vaccines would also reduce other cattle health issues in the feedlot. Feedlot staff will be required to undergo vaccination procedures for potential cattle related diseases, including Q Fever. Disease management for staff is covered under the NFAS and WHS documentation.

All cattle will be inspected at least daily to check their welfare (including individual pen walks by feedlot staff). Any sick cattle will be isolated from the production pens and transferred to a designated hospital pen for treatment and monitoring.

Emergency animal disease outbreaks and/or mass mortality contingency plans will be developed as part of the feedlot operational/environmental management plan (if development consent is given). A suitable site for mass burial of mortalities will be identified that has clay soil. It will be separated from the feedlot complex and groundwater bores.

Heat Stress

While management can undertake effective actions improving livestock tolerance to heat loads, uncontrollable climatic conditions may also predispose feedlot cattle to high body heat loads and increase the risk of heat stress. The conditions can include:

- A recent rain event
- A high ongoing minimum and maximum ambient temperature
- A high ongoing relative humidity
- An absence of cloud cover with a high solar radiation level
- Minimal air movement over an extended period (4-5 days)
- A sudden change to adverse climatic conditions

For this reason, current and forecasted climatic conditions should be continuously monitored, especially during summer. The Heat Load Index (HLI) has been developed as an indicator of the environmental heat load placed on cattle and is updated every hour. The HLI threshold for the proposed feedlot site was determined by the MLA Risk Analysis Program to the 99 – shade between 3.0-5.0m²/head. This suggests stock would begin to accumulate heat load units when the forecasted HLI exceeds the threshold. The heat stress assessment indicates the potential occurrence of a heat stress event is within the recommended guidelines, with an extreme risk of heat stress due to an event duration of three (3) or more days to be less than one (1) event in 11 years.

The “Gunyerwarildi Station” feedlot will implement an action plan for the management of feedlot operations under excessive heat loads; a draft

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document has been included in Appendix 16. The HLI will be continually monitored through the Katestone Weather Predictor and the introduction of a site specific weather station. Additionally, the HLI Threshold will be recalculated accordingly with changes to feedlot conditions. Routine management procedures in heat stress events will include the:

- Installation of extra temporary water troughs
- Implementation of a heat lad feeding strategy
- Strategic cleaning of high manure deposition areas and
- Monitoring of physical sign and animal behaviours (panting; water consumption).

Flora and Fauna

Impacts to flora and fauna described will be mitigated by:

- Using best practice methods in the reuse of by-products to the cultivation areas of “Gunyerwarildi Station”. This will involve spreading nutrients at sustainable rates and at times when plant growth is likely to result in good uptake, and not spreading when heavy rainfall is imminent and runoff or solids’ transport is likely.
- To reduce the likelihood of impacts on the surrounding environment from the reuse of effluent, manure or compost, Ceres will implement buffer zones between reuse areas and sensitive sites. The buffer zone recommendations for the NSW Feedlot Manual and the flora and fauna assessment completed by Envirofactor (2012) are presented below:
 - 200m of rural farm residences (the actual distances provided will be 560m)
 - 100m of watercourses and public areas
 - 50m of property boundaries
 - 30m of drainage lines

Groundcover will be maintained in the buffer zones to act as a vegetative filter for any sediment or nutrient that is transported off the reuse areas in stormwater runoff.

Issues Raised in Submissions

There were two (2) submissions from private individuals who raised concerns about the operation of the feedlot and resulting odours generated. These have been addressed earlier in the report.

Authority Submission

No submissions were received.

Staff Comment

The proponent has detailed a number of priority and other issues and how they will be mitigated. The methods proposed are in accordance with current industry and licencing/approval authority practices.

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Draft conditions have been included in the draft consent to manage and monitor the operation of the proposed feedlot.

3.7.13 Energy, Noise and vibration

Proponent's Submission

This section assesses the potential impact from noise generated by the proposed development. The NSW Industrial Noise Policy requires noise from new developments to be assessed to meet the following noise criteria:

- **Intrusiveness criterion:** continuous noise levels from the source should not exceed more than 5dB above the background noise level; and
- **Amenity criterion:** this describes an acceptable noise level (ANL) specific to the type of land use and associated activities within the area. The project fits the description of a 'rural' receiver type.

The NSW Industrial Noise Policy 2000 provides acceptable ambient noise levels that can be received by 'rural' receivers. These are outlined in the following table.

Table 6 – Noise Level Criteria

Period	Intrusiveness Criterion ¹	Amenity Criterion ²
Day (7am-6pm)	40 dB LAeq, 15 minute	50 dB LAeq, Day
Evening (6pm-10pm)	35 dB LAeq, 15 minute	45 dB LAeq, Evening
Night (10pm-7am)	35 dB LAeq, 15 minute	40 dB LAeq, Night

Notes: 1. Intrusiveness criterion is LAeq, 15 minute ≤ rating background level + 5; 2. Amenity criterion given in Table 2.1 & 2.2 of the NSW Industrial Noise Policy.

During the construction phase, the operation of earthmoving machinery will be a noise source. Noise sources during the operation of the feedlot would be the feed mill, vehicle movements transporting grain and cattle to/from the feedlot, and the cattle in the feedlot. Each one of these operations also has the potential to create dust.

Noise sources from the operation of the existing feed mill, commodity storage and feed preparation area were assessed by the Gwydir Shire under a separate development application. The Gwydir Shire provided development consent to construct the steam flaking mill, steam chest, silos and commodity storage shed in October 2010 (Development Application No: DA 10/2010). The feed milling equipment is enclosed and emits relatively low levels of noise.

Noise attenuation between the feedlot site and the closest receptor has been determined to be sufficient based on the available buffer distances to meet the above criteria.

The level of noise that reaches a receptor is affected by the following factors:

- The nature of the surrounding terrain
- The atmospheric conditions

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- The frequency and tonal qualities of the noise.

In a rural area such as Gunyerwarildi, background levels throughout the day and night are mainly affected by what is described as environmental noise which include insects, animals and wind in the trees. Calculation of a project specific noise level would generally be below 3dB(A) which is considered acceptable within the Guidelines.

Cattle in the feedlot make very little noise. The potential noise sources from the site would be dominated by vehicle movements. This would include trucks moving to and from the site as well as the feed wagon and light vehicles. Other noise would include tractors from field operations but this would be considered a normal noise for a farming area.

The feed mill is mostly electrically powered and noise levels are below 50dB(A). Using standard noise attenuation calculations, this noise would reduce the approximately 24dB(A) at the property boundary.

The attenuation between the mill area and Warialda-North Star Road is in the order of 40-60dB(A), dependent upon height of the noise emission. On this basis, noise emissions at the mill can range between a constant 85 to 105dB(A) before standard noise levels are increased in the public area on the road reserve.

The closest residence not associated with the feedlot operation is located approximately 5.5km to the east of the site. Noise attenuation over this distance is significant and therefore noise emission from the mill, including trucks and milling operations, would not disturb the amenity at this residence.

Noise impacts are not considered to be a potential issue for the proposed development.

Issues Raised in Submissions

No submissions were received.

Authority Submission

Additional information was requested by the NSW EPA regarding noise impacts. The NSW EPA has since issued their General Terms of Approval for the proposed feedlot.

Staff Comment

The proposed development has the potential to generate increased noise levels on the subject site, subsequently impacting on surrounding properties.

Activities likely to generate noise include:

- onsite machinery
- feed mill and feed delivery
- increase in traffic movement from heavy vehicle movements transporting grain and cattle to from the feedlot and

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- cattle in the feedlot.

However, distances in excess of 5,000 metres between the development proposal and surrounding residences, combined with the topography between the adjoining property residence and sheds will assist in mitigating potential increased noise levels.

The majority of the noises associated with the proposed feedlot do already occur in the area and do not occur constantly i.e. are generally intermittent in frequency.

It is considered that noise from the proposal should be adequately managed through the recommended conditions.

3.7.14 Natural Hazards

Proponent's Submission

There will be no flammable chemicals (fuel) stored near the feedlot site as existing facilities on "Gunyerwarildi Station" will be used to support the construction and operation of the feedlot. There will be a graded road around the feedlot (inside the CDA) that will act as a firebreak and also provide access for firefighting vehicles. The buffer between the eastern boundary of the feedlot complex and property boundary that adjoins Gunyerwarildi NP will be cultivated and managed, including planting of trees (see photograph below). The Gunyerwarildi NP has a high density of vegetation right up to the boundary of "Gunyerwarildi Station".



Figure 7 - Photograph showing land management between Feedlot and National Park.

Ceres plans to retain a permanent firebreak zone along this boundary fence as a buffer zone to the NP to minimise the risk of a fire originating from Gunyerwarildi NP impacting the feedlot site. The firebreak would consist of a road or 5-10m wide cultivation strip that is not cropped or

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planted to trees. It is noted that the boundary strip is heavily grazed by native animals originating from the NP.

The milling complex includes workshops, grain storage and sheds. Fuel and chemicals are stored in this area. The fuel is stored in appropriate facilities with approved separation buffers and fire control facilities (fire extinguishers). Chemicals are delivered to the farm on an as required basis. The majority of these chemicals consist of non-flammable herbicides. The storage and management of fuel and chemicals is undertaken in accordance with appropriate WHS Policies.

The Rural Fire Service will be contacted in the event of a fire. Staff will fight the fire if it is reasonably safe to do so. Ceres has the following firefighting equipment based on the property:

- Three 4WD ute mounted units
- Bedford truck with 2000L tank
- D6 dozer
- grader (contracted by Ceres Agricultural).

If initial firefighting attempts are unsuccessful or too dangerous, all staff would be evacuated to a safe area and the cattle let out of the pens into the surrounding paddocks.

Issues Raised in Submissions

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

According to Council's knowledge, the subject site is not subject to local flooding, (however, there is some flooding over the property), subsidence or slip.

There is low/medium bushfire risk from the Gunyerwarildi National Park, however as stated there is a sufficient asset protection zone around the site of the proposed feedlot, heavy plant and firefighting equipment onsite.

3.7.15 Insect/Vector Management

Proponent's Submission

Fly, mice and rat population will be managed primarily through the feedlot management schedule (i.e. minimise feed wastage and spillage to reduce the likelihood of attracting vermin). If the vermin population reaches a nuisance level the feedlot will implement a baiting program. The program would include placement of fly baits to manage bush flies and other baits around the milling area to manage outbreaks of mice.

Other disease control measures, in particular Q Fever, are managed through the National Feedlot Accreditation Scheme and Workplace Health

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and Safety Regulation. The existing feedlot is accredited and it is intended the completed feedlot will be fully compliant upon completion.

Issues Raised in Submissions

There were two (2) submissions received from private individuals who raised concerns about the increased numbers of flies. Additionally, there was concern about the supplementary feeding of high numbers of stock near property boundaries in close proximity to neighbouring residences.

Authority Submission

No submissions were received.

Staff Comment

1. Feedlots can attract large populations of insects that may transmit diseases between animals. The major pests on feedlots are flies. Flies breed in wet areas of manure and garbage disposal sites. Good drainage, watering and waste management will help to minimise the effects of these fly-breeding areas.

Within the feedlot management plan, the following guidelines are adhered to:

- Removal of manure and maintenance of pen surfaces when cattle are removed, typically within every 100 days
- Removal of manure and spilled feed from fence lines, feed bunks, hospital and isolation pens, truck washing stations and receival areas as required
- Daily maintenance of water, ensuring no leaks or overflows throughout the watering and drainage systems
- Keeping vegetation around wet areas to a minimum and
- Incorporation of manure as soon as practical after being spread.

In addition to these prophylactic measures, there may be periods when curative controls may be required. Agricultural pesticides may then be employed to remove an undesirable infestation. Best management practices for application of any insecticides will be adhered to with the purpose of eliminating any drift onto stock areas, being their bodies, pens or food. Should the chemicals contact these areas, withholding periods for the use of the food and/or sale of the cattle would be employed to ensure there would be no possibility of contaminated beef.

Draft conditions have been included in the draft consent to manage and monitor the operation of the proposed feedlot.

3.7.16 Social and Economic Impact in the Locality

Proponent's Submission

Economic

The proposed development involves a capital expenditure in the order of \$11 million. Much of this cost will be incurred as a result of purchase of

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materials and development contracts that may not be available locally. However, the intent of the proponent is to utilise local input that is available in order to generate a continued servicing arrangement from the local community. This has been achieved with the existing feedlot to date. The result of this local provision of service includes an increase in wages and income for mainly Warialda, but also other local centres such as Moree and Inverell.

The direct employment of staff from the local area will boost wages and potentially add to the stability of population levels in towns such as Warialda. The economic multiplier for wage inputs for similar developments and operations is in the order of seven times. This would be considered significant.

Social

The existing feedlot was the subject of a development application through the Gwydir Shire Council. As expected, the application resulted in some local concern in relation to operation of the site and subsequent generation of odour and traffic issues. The feedlot has now operated for a period of approximately two (2) years and no complaint has been received. The result of this existing operation has potentially provided some confidence in the local community that the proponent can operate a feedlot with minimal impact on local amenity; therefore the adjoining landholders should retain some confidence that they should not be burdened with the amenity impacts as an offset impact of the social benefits obtained from the development through improved employment availability and social stability this offers in the local towns and villages.

The proposed development is considered to be sufficiently isolated to ensure that no direct social impacts occur in relation to odour, noise and other potential causes of impact to residents. The expanded business operation has the potential to create a requirement for additional housing and other services in Warialda, such as schooling. This would be deemed a positive social impact on the town.

Issues Raised in Submissions

No submissions were received.

Authority Submission

No submissions were received.

Staff Comment

The proposed development has the potential to generate a positive economic impact on the surrounding locality by providing additional employment opportunities. In addition, the proposal has the potential to increase economic activity in the grain supply sector, grain transport sector, feed mill sector, transport sector, the processing plant, finished product distribution sector, fuel supplies and associated maintenance and service industries. However, in the event that the facility is managed in a manner that does not control potential noise, dust, and odour nuisance, the

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proposal may have a social impact on residential dwelling houses in the immediate locality.

3.7.17 Animal Welfare

Proponent's Submission

It is in the proponent's interest to maintain the highest standards of animal welfare and disease management.

The proponent operates the existing site under the National Feedlot Accreditation Scheme (NFAS) (accreditation certificate is included as Appendix 17). This scheme incorporates an extensive animal welfare documentation and procedural activities. The proponent intends to continue with this accreditation for the expanded site and therefore animal welfare policy and processes on the site will be externally audited on a regular basis to maintain the accreditation. This is considered satisfactory in order to preserve the welfare of cattle and horses associated with the feedlot.

The proponent intends to include shading structures in the new feedlot development. This is based on the intention to feed cattle for longer periods and therefore some cattle will finish off at much larger weights when compared to the current feedlot operation. The welfare of these cattle needs to be carefully monitored in relation to stresses, such as heat stress during summer periods. The proponent operates a weather station which includes a "Black-globe" that provides cattle comfort analysis and feed ration planning data for constant monitoring and planning forward for cattle welfare. This is considered to be standard practice and highly beneficial to avoid mass deaths from heat exhaustion.

Heat Stress

Heat stress in cattle is generally measured by Accumulated Heat Load Units (AHLU), which describe the amount of heat that may potentially be stored in the body. Cattle will generally accumulate heat during the day, and dissipate this heat during the night. Throughout the summer months there is potential for insufficient cooling relief overnight and cattle may enter the following day with a accumulated heat load. The potential accumulated heat load that an individual may carry varies as a result of the surrounding environmental conditions and livestock tolerance.

The ability of livestock to tolerate heat load varies depending upon factors such as cattle breed, health status, coat colour, degree of finish and pen conditions. Cattle fed through the feedlot will be selected on a breed basis to ensure that the cattle are either acclimatised to local conditions or can tolerate the high summer temperatures experienced in this region. Cattle will be regularly monitored and allocated to pens based on type, size and condition. The feedlot will be managed to Class 1 conditions with open pens and a maintained manure pad depth between 30-50mm.

Issues Raised in Submissions

No submissions were received.

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Authority Submission

No submissions were received.

Staff Comment

The feedlot has been designed (and will be managed) in accordance with Class 1 standards as described in the OLD Feedlot Manual. Class 1 represents the highest management standards (i.e. industry best practice). Key design and management principles such as pen slope, soil selection, compaction, cattle stocking density and pen cleaning frequency are all integral to providing a clean and dry surface for the cattle within the feedlot.

A consulting veterinarian and nutritionist will oversee the health and welfare of the cattle. The Model Code of Practice for the Welfare of Animals - Cattle will be used to provide good welfare outcomes for the cattle.

All cattle will be inspected at least daily to check their welfare. Any sick cattle will be transferred to the hospital pen for treatment and monitoring.

Emergency animal disease outbreak/mass mortality plan will be developed as part of the feedlot operational/environmental management plan.

Council agrees with comments made. A condition has been included in the draft consent.

3.7.18 Cumulative Impacts

The proposal's cumulative impact will be negligible; the main consideration/concern is odour from the development.

Assessment of the site shows that there are potentially some detrimental or negative impacts on the environment and little or no social or economic concerns.

That being said, if the operation of the farm, including the proposed feedlot, is in accordance with "good management practices" there still may be some loss of amenity for surrounding rural residential uses as some activities relating to day-to-day farming practices carried out on rural land could cause nuisance in respect of noise, smell, odours, dust, spray emissions, smoke, vibration, etc.

3.7.19 S.79C (1) (c) The suitability of the site for the development

The development site has been extensively contoured and is bordered by dominant physical features being the Gunyerwarildi National Park to the east, Croppa Creek to the north west and Sugarloaf Arm Creek to the south. Surrounding land use is predominantly agricultural.

All dwelling houses located in the vicinity of the development site are associated with the development proposal. With regard to separation distances between proposed feedlot development and other dwelling houses, each of the listed residences in Table 1 are in excess of separation distances required by NSW Department of Primary Industries and Department of Environment Protection Authority and The

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Environmental Planning and Assessment Regulations, 2000. It is predicted that proposed distances on the subject site provide for an effective buffer for noise, odour and visibility impact.

According to Council's knowledge, the property is not subject to local flooding, subsidence, slip or high bushfire risk.

The development proposal before Council will not have an effect on conserving and using prime/productive agricultural land. In fact, the existing feedlot and the establishment of this facility will be beneficial to sustaining the use of productive agricultural land.

3.7.20 S.79C (1) (d) Any submission made in accordance with this Act or the Regulations.

There were four (4) submissions received by Council in relation to this proposal:

- Department of Primary Industries Office of Water
- NSW Department Environmental Protection Authority
- Department of Primary Industries and
- NSW Office of Environment and Heritage.

They request that their conditions be included with Council's conditions of approval. Two (2) public submissions have been received by Council with regard to the development application. Details regarding issues raised have been addressed throughout section 3 of this report.

3.7.21 S.79C (1) (e) The public interest

Federal, State and Local Government Interests and Community Interests.

Proponents Submission

No submissions were received.

Issues Raised in Submissions

No submissions were received.

Staff Comment

There are no submissions received by Council in relation to this proposal.

4. CONCLUSION:

The application has been assessed along with the various submissions on the proposed modification; it is considered that the application submitted to Council by SMK Consultants for the operation of a 20,000 head feedlot and dry land disposal, waste materials and holding pond satisfactorily address:

- S.79(C) matters for consideration of the *Environmental Planning and Assessment Act, 1979*, and
- the former *Yallaroi Local Environmental Plan, 1991*,

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- potential impacts of the proposed feedlot can either be mitigated or managed,
- the proposal is generally in the public interest, and
- the proposal would also provide socio-economic benefits to the locality and the region.

Based on this assessment, it is considered that the merits of the proposal warrant approval subject to conditions.

The conditions take into consideration issues raised by Government Departments and all other individuals and land owners. Conditions of consent establish compliance controls and performance and environmental audits to mitigate the environmental impacts of the proposal to an acceptable level.

OFFICER RECOMMENDATION

THAT Council:

Receive and note the findings and recommendations of this report and that the proposal for the expansion and operation of the cattle feedlot to 20,000 head at “Gunyaerwarildi Station” North Star be approved under Section 80 of the Environment Planning and Assessment Act, 1979 subject to the Conditions of Consent attached.

Further that the applicant is advised of Council’s decision and of their right to appeal to the Land and Environment Court within 12 months after the date of determination.

Further that the objectors are notified of Council’s decision.

ATTACHMENTS

AT- Draft Schedule of Conditions

COMMITTEE RECOMMENDATION TO COUNCIL:

THAT Council:

Receive and note the findings and recommendations of this report and that the proposal for the expansion and operation of the cattle feedlot to 20,000 head at “Gunyaerwarildi Station” North Star be approved under Section 80 of the Environment Planning and Assessment Act, 1979 subject to the Conditions of Consent attached with the additional condition (bolded) at Part C – Condition 3 – Shade Structures (page 165).

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FURTHER that the applicant is advised of Council's decision and of their right to appeal to the Land and Environment Court within 12 months after the date of determination.

FURTHER that the objectors are notified of Council's decision.

FURTHER that the issue of paddock feeders located immediately adjacent to any adjoining properties be discussed with the EPA requesting an appropriate buffer be established and included as a condition within the consent conditions and/or the operating licence.

FURTHER that urgent legal advice be sought to determine whether the entire property could be considered as a feedlot under the definition and if the operation of the extensive grazing including the use of paddock feeders constitutes an essential element of the feedlot's operations or feedlotting and can therefore be conditioned within the current development application determination.

Upon being put to the meeting, the motion was declared carried. For the Motion were Crs Dick, Dixon, Egan, Coulton, Doering, Moore, Pankhurst and Smith Total (8).

Against the Motion was Nil Total (0).

Absent Cr McDonald

DRAFT SCHEDULE OF CONDITIONS

PART A - GENERAL

1 Development Description

The main components of the applicant's proposal include the following:

- 150 individual productions (100 with an area of 1500m² and 50 with an area of 3000m²)
- A series of new hospital pens
- Use of existing grain storage/milling area
- Additional manure stockpile/carcass composting area
- 3 additional sedimentation terraces
- Internal roadworks linking pens and catch drains
- Additional effluent holding ponds
- Expansion of the existing waste spreading area (existing cropped land)

2 Obligation to Minimize Harm to the Environment

The Applicant/Owner shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, and/or rehabilitation of the development.

3 Scope of Approval

The Applicant/Owner shall carry out the development generally in accordance with:

- a) DA No 12/2016;
- b) Conditions of this Consent;
- c) The following Documents; and
- d) The feedlot shall accommodate a maximum of 20,000 head of cattle at any one time.

Submitted Item	Council's Stamp No/Date	Drawing/Job No	Drawn by	Dated
Environment Impact Statement Volume 1	12/2016 TBA	15-282 – Volume 1	SMK Consults	March 2016
Environment Impact Statement Volume 2	12/2016 TBA	15-282 – Volume 2 Appendices 1-17	SMK Consults	March 2016
Controlling Runoff from Effluent Irrigation Area	12/2016 TBA	Appendix 18	SMK Consults	1 June 2016

4 If there is any inconsistency between the above, the conditions of this consent shall prevail to the extent of the inconsistency.

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- 5 The Applicant/Owner shall comply with any reasonable requirement/s of the Environmental Services Manager or authorised Officer of Council arising from the Council's assessment of:
- a) Any reports, plans or correspondence that are submitted by the Applicant/Owner in accordance with this consent; and
 - b) The implementation of any actions or measures contained in these reports, plans or correspondence.

6 Prescribed Conditions

- 6.1 The applicant shall comply with the prescribed conditions of project approval under the EP&A Regulations.
- 6.2 The proponent will obtain all necessary approvals required by State and Commonwealth legislation in undertaking the project.
- 6.3 The proponent will continue to liaise with the local community and Gwydir Shire Council during the development process.
- 6.4 The Applicant shall carry out the development in a way that prevents and/or minimises the impacts of the development.

7 Advisory Note 1

The applicant is advised that prior to construction of the approved development it is necessary to obtain a **Construction Certificate**. A Construction Certificate may be issued either by a Council or an approved accredited certifier. A separate application, complete with detailed plans and specifications, must be made for a Construction Certificate.

8 Heritage and Archaeology

a. Impact of Works – Aboriginal Relics

If any Aboriginal archaeological relics are found or uncovered during the course of the work, then all works shall cease immediately in that area and the applicant shall contact the Department of Environment Climate Change and Water and Council. Depending upon the possible significance of the relics, an archaeological assessment and an excavation permit under the *National Parks & Wildlife Act 1974* may be required before further works can be considered in that area. The applicant shall comply with any request made by the Department of Environment Climate Change and Water and/or Council to cease work for the purposes of archaeological recording.

b. **Heritage Removal Permit**

An Aboriginal Heritage Impact Permit Application must be lodged with and approved by the Office of Environment and Heritage prior to the disturbance or removal of any stone artefacts identified adjacent to the proposed feedlot site.

9 Protection of Public Infrastructure

The Applicant/Owner shall:

- a) Repair, or pay the full costs associated with repairing any public infrastructure that is damaged by the development; and
- b) Relocate, or pay the full costs associated with relocating any public infrastructure that needs to be relocated as a result of the development.

10 Operation of Plant and Equipment

The Applicant/Owner shall ensure that all plant and equipment at the site, or vehicles used in connection with the development are:

- a) Maintained in a state of sound mechanical repair; and
- b) Operated in a proper and efficient manner

11 Compliance

- a. Prior to commencement of any excavation work, the Applicant/Owner shall contact Council to verify that the Applicant/Owner has complied with the relevant conditions of this consent.
- b. The Applicant/Owner shall ensure that at all times, its employees or sub-contractors comply with the conditions of the Development consent.

12 Workcover

The Applicant/Owner's attention is drawn to the Workcover Authority's requirements under the *Factories, Shops and Industries Act 1962*, particularly in respect to amenities. It is recommended that the Workcover Authority be consulted to ensure requirements will be complied with prior to lodgement of any application for a Construction Certificate.

13 Compliance with Conditions

The use or occupation of the approved development shall not commence until such time as all conditions of this development consent have been complied with. The use

or occupation of the development prior to the compliance with all conditions of development consent may make the applicant/developer liable to legal proceedings.

14 Feedlot Design

- a. The applicant shall ensure the design, construction and operation of the feedlot is in accordance with the *NSW Feedlot Manual*.
- b. All works subject to an approval shall be constructed, maintained and operated so as to ensure public safety and prevent possible damage to any public or private property.

15 Change of Building Use

Any change of use/classification in relation to the use of the building shall not be made until approval in writing by this Council is first obtained.

16 Utilities

All adjustments to existing utility services made necessary by the development are to be undertaken by the developer at no cost to Council.

PART A - PLANNING

1 Section 94 Plan – Traffic Generating Development

The feedlot operator shall pay a contribution to the Gwydir Shire Council for the movement of trucks on Council's roads in accordance with Council's Section 94 Plan – Traffic Generating Development.

2 Section 94 Plan – Payment Period

Feedlot number declarations are to be received and s94 contributions paid within 30 days from the end of each quarter. Further that the quarterly feedlot number declarations be audited annually and the auditor's verification be supplied to Council within 60 days after the end of the financial year.

- 3 The Applicant/Owner shall ensure that the operation and use of the property complies with the current LEP definition of an intensive livestock keeping establishment, namely.

4 Traffic & Transport

Vehicular Parking and Manoeuvring

- a. Any vehicles or plant owned or operated by the occupants of the premises in connection with the conduct of their business are to be parked within the confines of the site in spaces designated on the submitted plans, or as otherwise provided in accordance with the conditions of this consent.
- b. All vehicular movement to and from the site shall be in a forward direction.

5 Access to Site

- a. Main access to the site must be off North Star Road, unless an alternative is considered and approved by Council. Allandale Road is not to be used for access to the site.
- b. The access off North Star Road is to be upgraded to Road Train standard and sealed for 60m from the North Star Road towards the property boundary at the developer's expense, if the proponent wants to use Road Trains to move cattle to and from the property.

6 Access to Gunyerwarildi National Park

The proponent shall finalise the creation of an easement for access to Gunyerwarildi National Park.

7 Biodiversity

- a. The proposed offset is secured using an appropriate legal mechanism or instrument such as a Biobanking agreement with OEH.
- b. The proponent shall prepare a long-term management plan for the offset area that identifies biodiversity conservation as the main objective.

8 Endangered Ecological Communities (EEC)

The proponent is to ensure that the proposal will not directly or indirectly impact on remaining patches of Myall EEC.

9 Impacts of Nutrients and effluent on native vegetation

Mitigation measures as presented in Section 11 of the Flora and Fauna Assessment Report shall be applied to the 20,000 head feedlot proposal.

10 Threatened Species Mitigation

To protected remnant vegetation and existing habitat values for flora and fauna within the project area, including occurrences of Weeping Myall woodland and populations of Lobed Red Grass (*Bothriochloa biloba*) and Belson's Panic (*Homopholis belsonii*) the following mitigation would be required:

- 1) Feedlot design, construction and management must be consistent with best management practices outlined in *Feedlot National Guidelines* ARMCANZ 1997 and *The NSW Feedlot Manual* NSW Agriculture 1997.
- 2) Feedlot construction and effluent/manure spreading must only occur on existing cultivated land as shown in Appendix 1 of the document "*Feedlot Proposal, Lot 68 DP 751804, 'Gunyerwarildi' near Warialda NSW, Flora and Fauna Assessment, Pegula Pastoral Company Partnership*" by the Envirofactor dated March 2012.
- 3) The following buffers must be maintained:
 - (a) a minimum distance of 184m between the feedlot and the western boundary of Gunyerwarildi National Park.
 - (b) A minimum distance of 25m between the feedlot and/or effluent/manure spreading and the edge of remnant vegetation patches. For remnants the grassy groundcover this edge is defined by the outer most grass tussocks, while for any wooded vegetation the predominantly bare ground this edge is defined by the outside edge of the canopy of the outermost trees.
 - (c) A minimum distance of 50m between environmentally sensitive areas and effluent/manure spreading including:
 - (i) high banks of Croppa Creek and Sugarloaf Arm Creek as shown in Appendix 6
 - (ii) the edge of any of remnant vegetation supporting occurrences of Myall Woodland, as defined in 3(b) above and shown in Figure 3.
- 4) Effluent must be spread using a travelling irrigator and application rates must not exceed soil infiltrations rates.
- 5) A manure spreader must be used to spread organic solids to ensure solids are evenly spread over cropping areas.

- 6) Soil testing must be undertaken prior to any spreading of effluent and/or manure to establish a baseline soil nutrient/organic matter/chemical status within:
 - (a) cultivation areas
 - (b) remnant vegetation patches within 50m of Croppa Creek and its tributary Sugarloaf Arm Creek.
 - (c) Remnant vegetation patches supporting Weeping Myall Woodland.
- 7) Soil/crop nutrient balances must be determined for cultivation areas [refer 6) above] to ensure spreading rates do not exceed soil nutrient storage capacity and crop utilisation.
- 8) Areas identified in 6) above must be re-sampled prior to any subsequent applications of effluent and/or manure to ensure no build up of nutrients, contaminants and/or salts within the soil profile.
- 9) Should soil testing show an unacceptable change in the soil nutrient/chemical/salt levels then all effluent/manure spreading must cease on affected or adjoining cultivation areas.

11 Proximity and screen of Gunyerwarildi National Park

- 1) A visual, odour, dust and noise screen/barrier shall be provided between the proposed feedlot and Gunyerwarildi National Park.
- 2) The screen area shall be a minimum of 30m wide, planted with local native species including eucalyptus tree species.
- 3) A detailed plant species and planting plan shall be provided to Council for approval.

The Vegetation screen shall be maintained for the life of the development including the replacement of dead trees.

12 Waste Disposal

- a. All waste shall be disposed onsite in a manner which will not impact on the surrounding environment or the amenity of the area.
- b. No waste or other material shall be taken from the property for disposal and/or further processing or stockpiling without the prior approval of Council.

- 13** All works involving soil or vegetation disturbance shall be undertaken with adequate measures to prevent soil erosion and the entry of sediments into any river, lake, water body, and wetland or groundwater system.

14 Controlled Activity Approval on waterfront land

14.1 Plans, Standards and Guidelines

- 1) Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this Development Application is land and material in or within 40 metres of the top of the bank or shore of the river identified.
- 2) All plans must be prepared by a suitably qualified person and submitted to the NSW Office of Water for approval prior to any controlled activity commencing. The following plans must be prepared in accordance with the NSW Office of Water's guidelines located at www.water.nsw.gov.au/Water=Licensing/Approvals/default.aspx
 - (i) Laying pipes and cables in watercourses
 - (ii) Watercourse crossings
- 3) The consent holder must:
 - (i) Carry out any controlled activity in accordance with approved plans; and
 - (ii) Construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional; and
 - (iii) When required, provide a certificate of completion to the NSW Office of Water.

14.2 Rehabilitation and maintenance

- 1) The consent holder must carry out a maintenance period of two (2) years after practical completion of all controlled activities, rehabilitation and vegetation management in accordance with a plan approved by the NSW Office of Water.
- 2) The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the NSW Office of Water.

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14.3 Bridge, causeway, culvert and crossing

- 1) The consent holder must ensure that the construction of any bridge, causeway, culvert or crossing does not result in erosion, obstruction of flow, destabilisation or damage to the bed or banks of the river or waterfront land, other than in accordance with a plan approved by the NSW Office of Water.
- 2) The consent holder must ensure that any bridge, causeway, culvert or crossing does not obstruct water flow and direction, is the same width as the river or sufficiently wide to maintain water circulation, with no significant water level difference between either side of the structure other than in accordance with a plan approved by the NSW Office of Water.

14.4 Disposal

The consent holder must ensure that no materials or cleared vegetation that may:

- i) Obstruct flow,
- ii) Wash into the water body, or
- iii) Cause damage to river banks,

are left on waterfront land other than in accordance with a plan approved by the NSW Office of Water.

14.5 Excavation

- 1) The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by the NSW Office of Water.
- 2) The consent holder must ensure that any excavation does not result in:
 - i) Diversion of any river,
 - ii) Bed or bank instability, or
 - iii) Damage to native vegetation,

within the area where a controlled activity has been authorised, other than in accordance with a plan approved by the NSW Office of Water.

15 Disposal of Composted Solids

- a) i) solid waste shall not be spread within 100 metres of a bore site;

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- ii) solid waste shall not be spread within 50 metres of the high bank of a watercourse
- iii) solid waste shall not be spread within 10 metres of any property boundary
- iv) solid waste shall not be spread within 25 metres of a public road

b) Timing

Spreading of solid waste shall be restricted during months of December to February due to increased likelihood of receiving intense summer storms.

c) Slopes

Slopes in excess of 8% avoided unless composted solid waste is incorporated into soils as soon as possible after spreading and the area is protected by structural soil erosion control measures (e.g. graded bank).

d) Manure and Other Pen Material

Waste material removed during storm period (December to February) should be stockpiled on an area with an impermeable floor. The material should be maintained in long low mounds, and turned regularly to prevent anaerobic conditions.

16 Public Road/Infrastructure

The proponent shall close the exiting public road in consultation with Council within six (6) months from the issue of the Occupation Certificate.

This road runs from the property entrance in a North Westerly direction and re-joins the North Star Road in the vicinity of the Baroma Downs Road turn off.

17 Soil – Erosion and Sediment Control

- a) All topsoil from pen sites (new) and composting area shall be removed and stockpiled for later rehabilitation work.
- b) All batters shall be a minimum of 4 (h):1(v) re-topsoiled, seed and fertilised immediately upon completion. Suitable species to use around sheds and composting area are lower growing perennial grass.
- c) All drains shall be established at a non-erodible grade and revegetated by re-topsoiling, seeding and fertilising immediately on completion.
- d) Disposal of run-off from the development site shall occur at well-vegetated areas.

18 Watercourse Management

All works shall be constructed outside of 40 metres from Sugarloaf Arm Creek and Croppa Creek watercourses.

19 Groundwater Management

1. Baseline groundwater quality data shall be established prior to use of the expanded feedlot and the impact of the development should be assessed against the minimum harm criteria of the Aquifer Interference Policy.
2. A groundwater monitoring (in particular the quality) and mitigation plan shall be developed in consultation with DPI – Water prior to use of the expanded feedlot. The monitoring bores shall be drilled to a depth where they intercept groundwater, so groundwater can be monitored, baseline groundwater quality data can be established and the impact of the development can be assessed against Level 1 criteria of then Aquifer Interference Policy. It is also recommended the proponent use existing bores that intercept groundwater within the property as well.
3. Confirmation of the groundwater works (existing and the proposed bores) ability to meet the demand need of water for the proposed development.

20 NSW EPA – General Terms of Approval Notice No: 1540149

Part 1 - Mandatory Conditions for all general terms of approval

Administrative Conditions

A1 Information supplied to the EPA

A1.1 Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- The development application DA No. 12/2016 submitted to Gwydir Shire Council on 30 March 2016;
- An environmental impact statement for a proposed 20,000 head cattle feedlot prepared in March 2016 for the proponent relating to the development;
- An additional Appendix 18 *Controlling runoff from Effluent Irrigation Areas* supplied to the EPA 1 June 2016;
- An environmental management plan (EMP) and an annual environmental management report (AEMR) to be prepared and implemented by the proponent.
- Discharges to air and water and application to land

P1 Location of monitoring/discharge points and areas

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P1.1 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or setting of limits for discharges of pollutants from the point.

P1.2 The following utilisation areas referred to in the table are identified in this licence for the purposes of monitoring and/or setting of limits for any application of solids or liquids to the utilisation area.

Note: One new effluent quality and volume monitoring point will be added to monitor a new holding pond; six new groundwater quality monitoring points will be added to reflect a total number of ten piezometer monitoring bores to be in place under expanded feedlot operations. Seven piezometer bores have been installed to date however the current licence details only four. The table below presents details of the new points only. All points will be updated as necessary including location descriptions, and to refer to EIS documentation.

EPA Identification number	Type of monitoring point	Type of discharge point	Location description
TBA	Effluent quality and volume monitoring, Wet weather discharge, discharge quality monitoring discharge to utilisation area.	Effluent quality and volume monitoring, Wet weather discharge, discharge quality monitoring discharge to utilisation area.	Holding ponds as depicted in the plan titled <i>Controlled Drainage and Diversion Drains</i> contained within EIS prepared by SMK Consultants 9 March 2016
TBA	Groundwater monitoring		Piezometer groundwater monitoring bore number 5 as depicted in a revised plan titled <i>Controlled Drainage and Diversion Drains</i> supplied to EPA 9 May 2016
TBA	Groundwater Monitoring		Piezometer groundwater monitoring bore number 6 as depicted in a revised plan titled <i>Controlled Drainage and Diversion Drains</i>

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			supplied to EPA 9 May 2016
TBA	Groundwater Monitoring		Piezometer groundwater monitoring bore number 7 as depicted in a revised plan titled <i>Controlled Drainage and Diversion Drains</i> supplied to EPA 9 May 2016
TBA	Groundwater Monitoring		Piezometer groundwater monitoring bore number 8 as depicted in a revised plan titled <i>Controlled Drainage and Diversion Drains</i> supplied to EPA 9 May 2016
TBA	Groundwater Monitoring		Piezometer groundwater monitoring bore number 9 as depicted in a revised plan titled <i>Controlled Drainage and Diversion Drains</i> supplied to EPA 9 May 2016
TBA	Groundwater Monitoring		Piezometer groundwater monitoring bore number 10 as depicted in a revised plan titled <i>Controlled Drainage and Diversion Drains</i> supplied to EPA 9 May 2016
TBA	Discharge and monitoring		Runoff from the effluent reuse area defined in condition O4.1 and as depicted in the plan titled <i>Draft Layout Plan</i> provided to the EPA 5 May 2016

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P1.3 The following point(s) in the table are identified in this licence for the purpose of the monitoring of weather parameters at the point

EPA Identification number	Type of monitoring point	Location description
TBA	Weather analysis	Gunyaerwarildi Station meteorological station located at feedlot (GR 0259666, 6759746)

Limit Conditions

L2. Volume and mass limits

L2.1 For each discharge point or utilisation area specified below, no discharge to waters is permitted unless the specified volume of runoff defined in the table below is exceeded.

Point	Specified volume of runoff
Spillway from the effluent holding ponds 1, 2 and 3	<p>Either:</p> <p>The runoff volume from the <i>controlled drainage area</i> draining to the effluent holding pond(s) from a 1 in 20 year, 24 hour storm event, using volumetric runoff coefficients of 0.8 for the feedlot pens, roadways and other hard stand areas and 0.4 for grassed areas within the <i>controlled drainage area</i>;</p> <p>OR</p> <p>The runoff volume from the <i>controlled drainage area</i> in a 90 percentile wet year determined from a water balance, calculated using no longer than average monthly evaporation losses from the ponds, monthly withdrawals from irrigation, daily (or weekly) input data and using a volumetric runoff coefficient of 0.4;</p> <p>Whichever is the greater.</p>
Spillway from Terminal Ponds below effluent irrigation areas	The runoff volume from 12mm runoff generated from the drainage catchment for each point

L7. Other Limit Conditions

L7.1 The total number or cattle accommodated within the feedlot pens on the premises at any one time must not exceed 20,000 head.

Operating conditions

O4. Effluent and manure application to land

- Waste water must only be applied to the areas depicted as effluent reuse areas on the plan titled Draft Layout Plan prepared by SMK Consultants on behalf of the licensee and supplied to the EPA on 1 June 2016 as a component of Appendix 18 appended to environmental impact statement

- 15-282 prepared by SMK Consultants on behalf of the licensee on 9 March 2016.
- The licensee must construct terminal systems in effluent reuse areas to contain the first 12mm of stormwater runoff generated from rain events in accordance with the design and calculations contained in Appendix 18 of environmental impact statement 15-282 titled "*Controlling Runoff from Effluent Irrigation Areas*" supplied to the EOA on 1 June 2016 and in general accordance with the layout plan supplied to the EPA on 1 June 2016 depicting bunded areas and terminal ponds for each effluent reuse area.
 - The design and location of the bunded areas and ponds will be subject to final survey, placement of the centre pivot irrigators and development approval conditions
 - Solid waste must only be applied to the area depicted as the manure reuse area on the plan titled *Property Plan showing Cultivation Land use on Gunyerwarildi Aggregation* contained within environmental impact statement 15-282 prepared by SMK Consultants on behalf of the licensee on 9 March 2016
 - The licensee must implement appropriate mitigation and management measures to minimise adverse impacts to soil stability, land adjoining the effluent reuse areas, and nearby surface water.

These include but are not limited to:

- Spray irrigation employing a well-designed, installed and managed system;
- Moderate application rates on well vegetated pastures;
- Irrigation to be based on a soil deficit basis;
- Conservation farming techniques to be adopted for the utilisation area (eg. Minimum tillage, contour and strip cropping);
- Terminal ponds will be designed so that any discharge is across the cropped area and not directed towards the creeks;
- Vegetated and/or grassed buffers of at least 30 metres are to be maintained between utilisation areas and surface waters; and
- Continuation of a monitoring program.

O6 Other Operating conditions

O6.1 Feedlot pen surfaces must be maintained and managed to achieve surface impermeability in accordance with current national guidelines and standards for beef cattle feedlots.

Special Conditions

Vegetative Environmental Buffer

- A vegetative environmental buffer (the buffer) to assist with feedlot odour dispersion, reduced aesthetic impacts, and dust and noise mitigation must be developed and maintained on or near an earthen water

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- diversion bank located between the feedlot pens and the adjoining western boundary of Gunyerwarildi National Park.
- The buffer must be constructed in the area depicted in a plan titled *Controlled Drainage and Diversion Drains* contained within environmental impact statement 15-282 prepared by SMK Consultants 9 March 2016 and in accordance with relevant consent conditions.
- The licensee must demonstrate substantial and successful planting for the buffer with recommended established local tree and/or understorey species by 31 December 2016.

Part 2 - Mandatory Conditions for all EPA Licences

Administrative Conditions

Other activities

This licence applies to all other activities carried on at the premise, including

- Extractive activities

Operating Conditions

Activities must be carried out in a competent manner

Licensed activities must be carried out in a competent manner.

This includes:

- a. The processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b. The treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

Maintenance of plant and equipment

All plant and equipment installed at the premises or used in connection with the licenced activity:

- a. Must be maintained in proper and efficient condition; and
- b. Must be operated in a proper and efficient manner.

Monitoring and recording conditions

Recording of Pollution complaints

The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

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The record must include details of the following:

- The date and time of the complaint;
- The method by which the complaint was made;
- Any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- The nature of the complaint;
- The action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- If no action was taken by the licensee, the reason why no action was taken.

The record of a complaint must be kept for at least 4 years after the complaint was made.

The record must be produced to any authorised officer of the EPA who asked to see them.

Reporting Conditions

Annual Return Documents

What documents must an Annual Return Contain?

The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

- a. Statement of Compliance; and
- b. Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

Period covered by Annual Return

An Annual Return must be prepared in respect of each reporting, except as provided below

Note: The term “reporting period” is defined in the dictionary at the end of the licence. Do not complete the Annual Return until after the end of the reporting period.

Where this licence is transferred from the licensee to a new licensee,

- a. The transferring licensee must prepare an annual return for the period commencing on the first day of the reporting period and ending on the

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date the application for the transfer of the licence to the new licensee is granted; and

- b. The new licensee must prepare an annual return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

Where the licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on;

- a. In relation to the surrender of a licence – the date when notice in writing of approval of the surrender is given; or
- b. In relation to the revocation of the licence – the date from which notice revoking the licence operates.

Deadline for Annual Return

The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

Notification where actual load can not be calculated

(Licences with assessable pollutants)

Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and any event not later than the due date.

The notification must specify:

- a. The assessable pollutants for which the actual load could not be calculated; and
- b. The relevant circumstances that were beyond the control of the licensee.

Licensee must retain copy of Annual Return

The licensee must retain a copy of the annual return supplied to the EPA for a period of at least four (4) years after the annual return was due to be supplied to the EPA.

Certifying of Statement Of Compliance and Signing of Monitoring and Complaints Summary

Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a. The licence holder; or
- b. By a person approved in writing by the EPA to sign on behalf of the licence holder.

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The person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.

Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act

Notifications must be made by telephoning the EPA's Pollution Line Service on 131 555.

The licensee must provide written details of the notification of the EPA within 7 days of the date on which the incident occurred.

Written report

Where an authorised officer of the EPA suspects on reasonable grounds that:

- a. Where this licence applies to premises, an event has occurred at the premises; or
- b. Where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

And the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

The request may require a report which includes any or all of the following information:

- a. The cause, time and duration of the event;
- b. The type, volume and concentration of every pollutant discharged as a result of the event;
- c. The name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
- d. The name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;

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Action taken by the licensee in relation to the event, including any follow-up contact with any complainants;

- e. Details of any measures taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- f. Any other relevant matters.

The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

General Conditions

Copy of licence kept at the premises or on the vehicle or mobile plant

A copy of the licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies.

The licence must be produced to any authorised officer of the EPA who asks to see it.

The licence must be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.

PART A - HEALTH

There are no relevant conditions for this section

PART A – BUILDING

1 Building - Structural Adequacy

The Applicant shall ensure that all new buildings, structures, and transportable buildings/structures are constructed in accordance with the relevant requirements of the BCA.

Notes:

- *Under Part 4A of the EP&A Act, the Applicant/Owner is required to obtain construction and occupation certificates for the proposed building works.*
- *Part 8 of the EP&A Regulation sets out the detailed requirements for the certification of development.*

PART B – PRIOR TO COMMENCEMENT OF BUILDING WORKS

1 Notification of Commencement of Work

At least two (2) days prior to work commencing on site, Council must be informed, by the submission of Form 7 of the *Environmental Planning & Assessment Regulation, 1998*, of the name and details of the Principal Certifying Authority and the date construction work is proposed to commence

2 Advisory Note 2

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Signs to be Erected on Building and Demolition Sites

- (1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - (a) stating that unauthorised entry to the work site is prohibited, and
 - (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- (2) Any such sign is to be removed when the work has been completed.
- (3) This clause does not apply to:
 - (a) building work carried out inside an existing building, or
 - (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

3 Advisory Note 3

Toilet Facilities:

- (1) Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- (2) Each toilet provided:-
 - (a) must be a standard flushing toilet, and
 - (b) must be connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
 - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.
- (3) The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.
- (4) In this clause:

accredited sewage management facility means a sewage management facility to which Division 4A of Part 3 of the Local Government Act (Approvals) Regulation 1993 applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 95B of the Regulation.

approved by the Council means the subject of an approval in force under Division 1 of Part 3 of the *Local Government (Approvals) Regulation 1993*.

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public sewer has the same meaning as it has in the *Local Government (Approvals) Regulation 1993*.

sewage management facility has the same meaning as it has in the *Local Government (Approvals) Regulation 1993*.

4 Site Management

Run-off and erosion controls must be implemented before construction to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:

- a) divert uncontaminated run-off around cleared or disturbed areas,
- b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
- c) prevent tracking of sediment by vehicles onto roads,
- d) stockpile topsoil, excavated material, construction, landscaping supplies and debris within the site.

5 Advisory Note 4

Dial before you Dig

Underground assets may exist in the area that is subject to this application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you Dig service in advance of any construction or planning activities.

6 Advisory Note 5

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.

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7 Advisory Note 6

Disturbance or Impact on Telecommunications Infrastructure

1. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to the proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing.
2. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

PART C – DURING BUILDING WORK

1 Compliance with the Building Code of Australia

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*.

2 Advisory Note 8

- (a) Except as specified in (b) below, the critical stage inspections may be carried out by the Principal Certifying Authority (PCA) or, if the PCA agrees, by another Certifying Authority.
- (b) The last critical stage inspection required to be carried out must be carried out by the Principal Certifying Authority.

The applicant is advised that the critical stage inspections as listed are mandatory. Council, if chosen as the Principal Certifying Authority (PCA) will require the listed inspections.

A Compliance Certificate or other form of documentary evidence shall be issued/provided for the following applicable stages of the building construction in order that the work may immediately progress:

Mandatory Inspections

Stage	Work
a. Holding Pond and Drain	Prior to lining or filling
b. Completion	Before occupation or use.
<i>Note: Any Compliance certificate issued for the above stages of construction shall certify that all relevant ancillary or dependent work has been undertaken in accordance with the Building Code of Australia and any other condition of this consent.</i>	

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3 Shade Structures

The erection of the shade structures shall meet the coverage requirements of the NSW Feedlot Manual and be installed prior to the use of the pens.

PART D – PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

1 Compliance with Conditions:

The use or occupation of the approved development shall not commence until such time as all conditions of this development consent have been complied with. The use or occupation of the development prior to compliance with all conditions of development consent may make the applicant/developer liable to legal proceedings.

2 Road Damage

The cost of repairing any damage caused to Council's assets in the vicinity of the subject site as a result of construction works associated with the approved development is to be met in full by the applicant/developer prior to the issue of an Occupation Certificate.

3 Removal of Temporary Facilities:

- (a) All temporary builder's signs or other site information signs are to be removed upon the completion of site works.
- (b) Any temporary toilet facilities provided during construction works are to be appropriately dismantled, disconnected and removed from the site.

PART D – POST OCCUPATION

1 Reporting conditions

The applicant must provide an annual return to Council in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with consent conditions.

2 Deadline for Annual Return

The Annual Return for the reporting period must be supplied to Council not later than 60 days after the end of each reporting period.

PART E – OTHER APPROVALS

There were no other approvals issued with is consent.

Definitions

Listed below are the definitions used in the Development Consent Conditions

AEMR	Annual Environmental Management Report
Applicant	SMK Consultants
ARR	Australian Rainfall and Runoff 1987
BCA	Building Code of Australia
Council	Council of the Shire of Gwydir
DA	Development Application
Day	Day is defined as the period from 7am to 6pm on Monday to Saturday
DEC	Department of Environment and Conservation (including the former Environment Protection Authority and the National Parks and Wildlife Service)
Department	Department of Planning
Director-General	Director-General of the Department of Planning
DPI	Department of Primary Industries (includes the former Department of Mineral Resources)
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
ERP&A Act	<i>Environmental Planning & Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning & Assessment Regulation 2000</i>
EPA	Environment Protection Authority
GTA	General Term of Approval
GLEP	Gwydir Local Environmental Plan 2013
Land	Land means the whole of a lot in a current plan registered at the Land Titles Office at the time of this consent
Night	Night is defined as the period from 6pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
OEH	Office of Environment & Heritage
Owner	Owner of the land – Ceres Ag Pty Ltd
PCA	Principal Certifying Authority appointed under Section 109E of the EP&A Act
Privately-owned land	Land for which a private agreement does not exist between the Applicant and the land owner
RMS	NSW Roads and Maritime Services
SEE	Statement of Environmental Effects
Site	Land to which the DA applies
Work	The development and operation of the proposed cattle feedlot, including associated infrastructure and access, which is the subject of this Development Consent

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REASONS FOR CONDITIONS:

The above conditions have been imposed:-

- (a) to ensure compliance with the terms of the Environmental Planning Instrument and/or Development Control Plan;
- (b) having regard to Council's duties of consideration under *Section 79C(1) of the Environmental Planning and Assessment Act, 1979 (as amended)* as well as Section 80A of the Act which authorises the imposing of consent conditions.
- (c) to protect the existing and likely future amenity of the locality;
- (d) prevent, minimise, and/or offset adverse environmental impacts;
- (e) set standards and performance measures for acceptable environmental performance;
- (f) require regular monitoring and reporting;
- (g) provide for the on-going environmental management of the development;
- (h) having regard to the circumstances of the case and the public interest; and
- (i) to ensure compliance with the *Building Code of Australia* and referenced standards.

Chairman

COMMITTEE RECOMMENDATION TO COUNCIL:

THAT the request from the North West Theatre Company Inc. to name the Green Room at the Roxy Complex as *The Woodroffe Room* is endorsed.

(Moved Cr Egan, seconded Cr Doering)



The North West Theatre Company Inc.
PO Box 143 Bingara NSW 2404

ABN 56 309 280 599

Patron: Martin Hansford



Gwydir Shire Council

General Manager
Gwydir Shire Council
PO Box 5
Bingara NSW 2404

Date: July 5th 2016

Dear Max

Re: Woodroffe Memorial

As you are aware, Mary Woodroffe passed away last year. Mary and Richard were foundation members of North West Theatre Company in 2002 and both contributed in a major way to the growth of the company.

In particular, Mary was a champion for young people in theatre, wrote a number of adaptations for NWTC productions -- especially pantomimes in which a number of young actors first discovered acting, -- directed several shows, and was a wonderful mentor to young actors. She had a profound influence on many youngsters such as the O'Rourke sisters, Gabby Brennan and Lexi Hutton. Her bond with Lexi had much to do with Lexi's determination to forge what is now an international career.

The company has been considering for some time a suitable memorial to Mary and Richard, and we are now able to suggest the following proposal -- that the Green Room be called "The Woodroffe Room", with this sign on the door, and a short, suitable message on a notice inside that could read something like - "In loving memory of Richard and Mary Woodroffe, who did so much to foster young people in theatre, and for their significant contribution to the North West Theatre Company and the Roxy Theatre". The logistics and wording would need to be signed off by our Executive and Council.

Should Council agree with this proposal, the next step would be to seek the support of the Woodroffe family and plan a dedication which could include representatives of the family, council, and NWTC. There is a possibility that Lexi Hutton could be visiting home early next year which would be an ideal time to carry out this task, and NWTC member Henry Martin could perform the dedication itself. Alternatively, it could take place in conjunction with one of our regular productions.

Your early decision on our request would be appreciated.

Yours sincerely



ROS MOULTON
Secretary

Item 6 Land adjacent to Naroo - Lot 380 - Objection to Operational Classification

FILE REFERENCE

DELIVERY PROGRAM

GOAL: 5. Organisational Management

OUTCOME: 5.1 CORPORATE MANAGEMENT

STRATEGY: 5.1.3 Administrative functions - GM - internal

AUTHOR General Manager

DATE 11 July 2016

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/ SUMMARY RECOMMENDATION

This report recommends that the objections from Mr Stubbins and Mr and Mrs Boland be noted but not upheld for the reasons contained in the report

TABLED ITEMS Nil

BACKGROUND

Lot 380 DP727877 adjoins the eastern and northern boundaries of the Naroo Aged Care Facility. A map of the subject land and its location on Long Street Warialda is attached.

The Council resolved (No.118/16) at its Ordinary Meeting on 26 May 2016:

THAT the Council accepts the offer from the Department of Primary Industries to purchase Crown Reserve 20831, identified as Lot 380 DP727877, at a purchase price of \$60,000 (Plus GST) plus the Department of Primary Industries' expenses and legal costs.

FURTHER that the Council's Seal be affixed to any and all necessary documentation.

FURTHER that Lot 380 DP727877, once purchased, be classified as Operational Land.

Public Notice of the Council's intention to classify Lot 380 DP727877 as operational land was given with a closing date for submissions of 4:00 p.m. 29 June 2016.

Two objections to the proposed classification were received. One of the objections was from Mr Ted Stubbins via letters dated 15, 28 and 29 June 2016.

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The second objection was received from Mr and Mrs Boland by letter dated 15 June 2016.

COMMENT

When purchasing land, a council is required under the Local Government Act, 1993, to classify such land as either '**community**' or '**operational**'.

The classification of land is not a zoning of the land. Zoning defines the legally permitted and prohibited uses of a piece of land, determining if a lot can be used for commercial, industrial, residential or agricultural purposes. In other words, it decides what can and cannot be built on a lot.

'**Operational**' land has no special restrictions other than those that may apply to any piece of land.

'**Community**' land is different. Classification as community land reflects the importance of the land to the community because of its use or special features. Generally, it is land intended only for public access and use, or where other restrictions applying to the land create some obligation to maintain public access (such as a trust deed, or dedication under section 94 of the Environmental Planning and Assessment Act 1979).

This gives rise to the restrictions in the Act, intended to preserve the qualities of the land and allow for a process of public consultation if the use is to change at some time in the future. The process to be followed is basically the same as the requirements if land is to be rezoned.

Community land:

- cannot be sold;
- cannot be leased, licenced or any other estate granted over the land for more than 21 years; and;
- must have a plan of management prepared for it.

Land must be classified on or before its acquisition by a council. If not, the land is automatically classified as 'community'. In practical terms, this means that a council should classify land before acquisition.

A council must give public notice of a proposed resolution to classify public land as either 'operational' or 'community' land. A period of at least 28 days for public submissions must be given. This requirement also applies to land that the council is intending to acquire, but has not yet finally purchased.

For comparative purposes it is important to note that the adjacent Naroo Aged Care Facility land is classified as 'Operational'.

Mr Ted Stubbins – Reason for Objection – copy attached

In his letter of 28 June 2016, Mr Stubbins has indicated that the basis of his objection is "Council's failure to consult with and inform the Warialda community as to the proposed uses of the land and possible impacts on Naroo Hostel".

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The general thrust of the three letters has been concentrated on emphasising the value of the Naroo Aged Care Facility to Warialda and a belief that the Council has failed to communicate its intentions regarding Lot 380.

Comment

During the planning for the recently opened 15 bed extension to the Naroo Aged Care Facility, the opportunity was taken to develop a concept plan for the adjoining block of land, i.e., Lot 380. The concept plan was developed in consultation with the Naroo Advisory Committee and was subsequently endorsed by the Council. The draft outline plan for the land is attached.

In addition, the concept plan was the subject of an article in the Warialda Standard at the time the outline plan was endorsed by the Council.

Mr and Mrs Boland – Reason for Objection – copy attached

The objection from Mr and Mrs Boland is primarily related to issues that the objectors have experienced with previous developments in the area near their home and issues that they perceive may arise from development of Lot 380.

Mr and Mrs Boland in their objection have commented that the term “operational” is non-specific and does not give sufficient information to the residents of the area as to the Council’s intended purpose for the area.

Comment

As outlined above, when purchasing public land, a council is required under the Local Government Act 1993 to decide whether to classify the land as ‘community’ or ‘operational’.

As mentioned earlier in this report, ‘Operational’ land has no special restrictions other than those that may apply to any piece of land. The classification of ‘operational’ is, therefore, by its nature non-specific.

The act of classifying the land as ‘operational’ does not control the physical development of the land and the kinds of uses to which the property may be put. Any future use will require the appropriate development approval with all the attached legislated requirements.

Prior to commencing any work on Lot 380, the Council is required to submit a development application for approval. The development application must include a review of the environmental impacts of the development and how they were identified, and the steps which will be taken to protect the environment or reduce harm. This process will take into account many of the concerns raised by Mr and Mrs Boland.

This process will also address some of the issues raised by Mr Stubbins.

CONCLUSION

The process of classifying land under the Local Government Act is essentially an administrative process, not a planning process. However, the classification of land is an important process to ensure that the planned purpose is available as an option to the Council. For the Council to move forward on the outlined

purpose, as defined at the August 2015 Council Meeting, the land will need to be classified as Operational rather than Community Land.

When the Council finally decides on the proposed final use of the land the matter will be determined under the appropriate planning legislation.

The essential quality of each of these objections relate to this latter process.

CONSULTATION

Public Notice of the Council's proposal

STATUTORY ENVIRONMENT

Local Government Act 1993

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

FINANCIAL IMPLICATIONS Nil

STRATEGIC IMPLICATIONS

If the objections are upheld the intended use of the site will need to be reassessed.

OFFICER RECOMMENDATION

THAT the objections from Mr Stubbins and Mr and Mrs Boland be noted but not upheld for the reasons contained in the report

FURTHER that the report be noted

FURTHER that Lot 380 DP727877 be classified as Operational Land under Division 1 of Part 2 of Chapter 6 of the Local Government Act 1993

FURTHER that this report be forwarded to Mr Stubbins and Mr and Mrs Boland for their information.

ATTACHMENTS

- AT-** Letter of offer and land details
- AT-** Letter from Mr Stubbins
- AT-** Masterplan Report - August 2015
- AT-** Letter from Mr and Mrs Boland

COMMITTEE RECOMMENDATION TO COUNCIL:

THAT the objections from Mr Stubbins and Mr and Mrs Boland be

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noted but not upheld for the reasons contained in the report

FURTHER that the report be noted

FURTHER that Lot 380 DP727877 be classified as Operational Land under Division 1 of Part 2 of Chapter 6 of the Local Government Act 1993

FURTHER that this report be forwarded to Mr Stubbins and Mr and Mrs Boland for their information.

FURTHER that the concept be costed and then displayed for the information of the community.

(Moved Cr Egan, seconded Cr Dixon)

Confidential Ordinary Meeting - 26 May 2016
Purchase of land.DOC

Attachment 1
Letter of offer



Department of
Primary Industries

25-27 Fitzroy Street
Tamworth Office 2340
PO Box 2185, Dangar NSW 2309
Ph (02) 67633015
liz.shelton@crowland.nsw.gov.au
Our Ref: 14/03055

23 May 2016

Mr Max Eastcott,
Gwydir Shire Council,
Locked Bag 5
BINGARA NSW 2404

Dear Max,

PROPOSED PURCHASE OF CROWN RESERVE 20831

The Department of Primary Industries - Crown Lands, has been given approval to offer the Gwydir Shire Council an opportunity to purchase Crown Reserve 20831 (for public recreation notified 26 May 1894), identified as Lot 380 DP727877.

NSW Government Policy and Treasury Directions require that Crown Land be sold at market value. The Department obtained a valuation from Taylor Byrne Valuers who have determined a market price for the sale of this land without public competition to be \$60,000 + GST.

Please note - the Department usually interprets that the sale of land attracts GST unless otherwise informed. Council should make it's own enquires with respect to the GST status of the purchase.

In addition to the purchase price, Departmental costs to finalise the sale are estimated at \$2,825.40. The Council is required to pay Departmental costs in addition to it's own legal costs and Stamp Duty.

Should this offer be acceptable, please provide written confirmation and details of Council's Solicitor or Conveyancer.

If I can be of any further assistance, please do not hesitate to contact me on 0267633015.

Yours sincerely

Liz Shelton
Property Development Projects Officer, Regional Projects West
Department of Primary Industries, Crown Land

TAMWORTH OFFICE
25-27 Fitzroy Street
Tamworth NSW 2340

Page 1 of 1

(Postall)
PO Box 2185
Dangar NSW 2309

Diagram A: Lot 380 DP727877 shown as outlined and shaded in yellow.



This is page number 178 of the minutes of the Community Services and Planning Committee held on Thursday 14 July 2016

Chairman



General Manager
Gwydir Shire Council
Bingara NSW 2403

Dear Max,

Re classification of Lot 380 DP 727877 as operational land as advertised Wednesday June 1st in the Warialda Standard.

Could you please supply information concerning the proposed use of this land? Is it intended to keep it in Council ownership? What influence on Naroo Hostel will result from this transaction? Does, for instance, Council intend further development of the site itself or does it intend to offer Naroo Hostel and the land for sale as a package deal.

I am sure there will be great public interest in answers to these questions.

Kind Regards

Ted Stubbins

PS, my email address marilyn.stubbins@gmail.com

15/6/2016

"Serving and Growing the Community Together"

President:	Ted Stubbins	p. 0267 291465
Vice Pres. / Treasurer:	Ann Willis	p. 0428 291902
Secretary:	Jan Cattanaach	p. 0267 291187

Postal Address: PO Box 204 Warialda NSW 2402

This is page number 179 of the minutes of the Community Services and Planning Committee held on Thursday 14 July 2016

Chairman



General Manager
Gwydir Shire Council
Bingara NSW 2403

Dear Mr. Eastcott,

Please be advised that I object to the classification of Lot 380 DP727877 as "operational land" at this time.

The basis of my objection is Council's failure to consult with and inform the Warialda community as to the proposed uses of the land and possible impacts on Naroo Hostel. I refer to my previous email to you on the 15/6/2016 (copy attached) and note that there has been no reply.

In an information vacuum, misconceptions multiply and strive for oxygen. I have heard, in recent times, of anecdotal reports of the following possibilities concerning Naroo and the land in question.

- The existence of a concept plan pointing to development directions
- The development of the adjoining site as a residential estate for retirees
- The provision of housing for elderly people on the adjoining site who can maintain a high degree of independence, without access to services as needed
- The sale of Naroo Hostel in order to access equity so as to reduce Council's on going liabilities in other projects for a time
- All of the above

There are 3 strands to my objection

1. The Warialda community has been deeply engaged with the development of Naroo from its earliest beginnings. The impetus came from the Warialda District Hospital Board of which I was a member. Fund raising was commenced which received immediate widespread support. I was President of another organisation which made an early contribution of \$3,500.

We were pleased when the Yallaroi Shire accepted the responsibility of managing the project but community members continued to play a big part in fund raising, planning and overseeing the construction of the Hostel. In further developments the community has continued to show exemplary support and providing very considerable in-kind contributions.

I believe it is appropriate that the community be paid due respect and be informed of Council's plans for the land in question with opportunity given for discussion, questioning and commentary.

2. I think it likely that the community would respond positively to any of these possible scenarios, if necessary. A fundraising effort for.

- An upgrade of fittings and furnishings
- Extension or expansion of the Hostel
- Increase of services available
- Financial support in the event of budgetary difficulties at Naroo

I believe such community interest should be nurtured.

3. Not for the first time I ask you to reflect on the multiple consequences of the failure to empathically engage and communicate with the Warialda community.

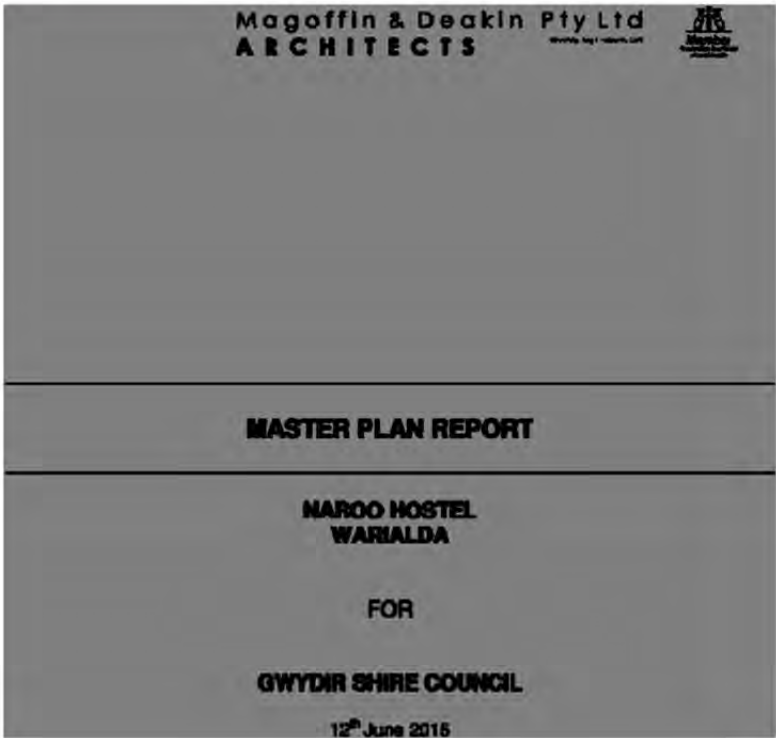
Yours sincerely

Ted Stubbins

28/6/2016

"Serving and Growing the Community Together"

**Gwydir Shire
Council**



This is page number 182 of the minutes of the Community Services and Planning Committee held on Thursday 14 July 2016

Chairman

1. PREAMBLE

Gwydir Shire Council has requested the Master Plan as a result of a number of factors:

- Previous additions to Naroo Hostel have been built without reference to a Master Plan and have resulted in inadequate planning for enlarging essential facilities such as the Kitchen.
- Any further enlargement of the Hostel needs to take into account development of the whole site.
- The Council intends at some future time to develop the land adjoining the Hostel with housing or independent Living Units (ILUs), as has occurred in other towns such as Gilgandra and Armidale.
- This development can occur under the Seniors Living SEPP and would provide for 'ageing in place', with residents able to live independently but having access to hostel facilities and eventually hostel accommodation if needed.

2. THE SITE

The site is bounded by Arthur Wheatley Drive, Long Street, High Street (unformed road) and East Street (unformed road). It is currently 2 lots, 379 and 380 DP 727877 and comprises 4.078 hectares.

Most of the site (apart from the hostel and associated structures such as the water reservoir) is open to dense eucalypt woodland with native white cypress pine further to the east. The site is on bushfire prone land and was designated a BAL of 12.5 for the Hostel additions completed in 2014.

There is a level difference across the site, particularly at the south east corner where excavations have occurred to allow the Hostel floor level to be maintained across the recent additions. Apart from this the site has a slope of 0-5° and is suitable for building and wheelchair access.

3. FUTURE EXPANSION OF NAROO HOSTEL

(refer to plan 2214 3000070)

Because of the site topography, the most economical area for expansion is directly to the east of the existing building, parallel to Long Street where the site is flattest. As disabled access is required throughout the whole facility, sloping sites are undesirable.

Some excavation into the underlying sandstone may be required but as was shown with the recent additions, possible with an excavator.

The proposed addition is for 23 bedrooms, grouped around two courtyards with openings to the north. There are Lounges and Dining areas and a large commercial Kitchen which would replace the existing Kitchen, and cater for the whole hostel, which will accommodate 60 residents. The existing Kitchen will become a servery, as per the newly completed Dementia Wing Kitchen. There is service access to the Kitchen from Long Street. A separate Laundry may be required.

Other areas such as nurse stations, staff facilities and utility rooms etc are not indicated on the proposed plan. The plan is indicative only and would be developed when brief and budget constraints are formulated.

A covered linkway connects the addition to the newly completed East Wing, with a corridor running west to the main entry. This is essential for movement of residents, staff and food trolleys etc.

Megoffin & Deakin Pty Ltd

Naroo Master Plan Report

It may be worthwhile to examine the possibility of a separate entry and driveway access to the addition as there is an 80 metre distance to the existing entry, although security and staffing issues may preclude this.

The existing north carpark can be extended eastwards to accommodate extra staff and visitors.

4. FUTURE INDEPENDENT LIVING UNITS

The Master Plan indicates 32 freestanding self contained dwellings on the site, linked by internal access roads.

The houses are grouped into three clusters with common space at the centre. The southern cluster is gathered around a "Village Green" with a meeting pavilion which would serve as a focus for resident communal activities; barbecues, card nights etc.

Each dwelling is two bedroom with attached single garage, with two types shown on the plan; one of 115 m² and one of 129 m². The house types are indicative only and it is anticipated that future purchasers would be able to make changes to the internal layout and external finishes, however within the area constraints and any covenant restrictions that Council may apply (e.g.no 2-storey houses). Also the provisions of the Housing for Seniors SEPP would apply to internal planning. Each house has a land size of approximately 450m².

It is assumed that Council would be the Developer. The land zoning should be suitable for residential development.

The type of land title for the units would be for future determination; some of the options may be;

- Separate title with Council having ownership of the infrastructure; access roads, footpaths and Village Green. Council can develop the infrastructure and sell lots as per a typical residential subdivision.
- Community title where residents own their lot and share common property which would include roads and footpaths.
- Strata title where residents own their house with all external spaces being common property. Underground services are more straightforward as no easements are required.
- Leasing of units built by Council. This would suit pensioners who may not be able to afford purchase of a house. The whole site including the Hostel would form one lot.

A land surveyor could advise on the most suitable form of title, particularly with regard to compliance with the Seniors Living SEPP. It may be that a combination of different types of ownership would be most beneficial; say separate title to some lots to help defray the cost of installing infrastructure, with Council building units for lease to pensioners.

It is anticipated that the development will be governed by the Seniors Living SEPP (for over 55s), which requires a number of features that may not apply to a standard development;

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- Generally wheelchair access around the development with walkways and ramps complying with AS 1428, and with access to the road and public transport (particularly Long Street) complying with gradients specified in the SEPP. The Masterplan shows an access ramp to Naroo Hostel.
- The consent authority is satisfied that the development complies with the provisions of "Planning for Bush Fire Protection" prepared by the NSW Rural Fire Service
- Consideration of neighbourhood amenity and streetscape. The Masterplan indicates tree planting along the middle of major access roads to provide shade.
- Visual and acoustic privacy. Each dwelling should have private open space.
- Solar access to main living areas.
- Stormwater; on site detention may be required to regulate runoff as determined by Council, if existing stormwater infrastructure is inadequate. Stormwater could also be detained to provide for landscape watering although bore water would also be available for this.
- Crime prevention; good visual observation of dwelling approaches and public areas.
- Waste management; access roads to be suitable for garbage collection.
- Pathway lighting.
- Garage parking complying with AS 2890.
- Visitor carparking.
- The house interiors generally complying with the provisions of AS 1428 for accessibility with one bedroom being accessible.

The dwellings would most likely have nurse call alarms fitted. Residents would have access to Naroo Hostel for meals, activities and medical care with compensation to be determined by Council.

8. SERVICES

1. Electrical

During development of the Naroo Hostel additions, two options for electrical supply were proposed by the electrical engineers LED; (see attached plan SK06)

- a. Upgrade of the existing pole mounted transformer in Long Street to 500Kva, to supply the Hostel and additions.
- b. Installation of a 750Kva pad mount transformer dedicated to the site to supply the enlarged hostel and future additions and independent living units.

Due to budget constraints, Option (a) was adopted.

Therefore an upgrade in power supply is necessary to accommodate future development. The size of the upgrade will need to be determined when the number of dwellings and further expansion of the hostel is clarified. Supply of the units from a central switchboard at the hostel may have implications on the form of title adopted for the units.

2. Water

It is assumed that domestic water supply will be available to the dwellings from the Council main.

Water for fire fighting can be made available from the newly installed 150,000 litre reservoir north of the Hostel, which was required for fire hydrant supply to the hostel due to inadequate water pressure from the town supply.

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The reservoir has a capacity to supply 10 litres/hour for 4 hours. Fire mains could be installed along the internal access roads with hydrants every 70 metres. It is recommended that the Fire Brigade be called on to advise if an upgrade in reservoir capacity is required, depending on the final number of ILUs and size of upgrade to the Hostel.

3. Stormwater and sewer

Stormwater has been discussed in Item 5. Sewer lines can drain to mains in Long Street and/or Arthur Wheatley Drive.

6. CONCLUSION

It is recommended that Council develop a business plan for both expansion of the hostel and establishment of the residential development. The plan could examine a number of criteria;

- The likely growth in demand for nursing home accommodation in the region, particularly with respect to the needs of residents with dementia.
- Availability of Nursing Home staff.
- Demand for Seniors housing in the region and the best form of land/dwelling ownership or tenancy.
- Availability of public transport from the site to town.

Professionals such as town planners, health planners and surveyors could be consulted to provide advice on these criteria.

Given our ageing population, the future development for Seniors living on the site may present an economic opportunity for the Warialda community.

Attachments;

Drawing 1214 SK06 Rev. B

Drawing 1214 SK06 with electrical markup

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ARCHITECTS
128 DARGAR ST,
ARMIDALE, NSW 2350
Date: 12th June, 2015
Ph. (02) 6772 6111
E-mail magoffindeakin@ozcom.net.au

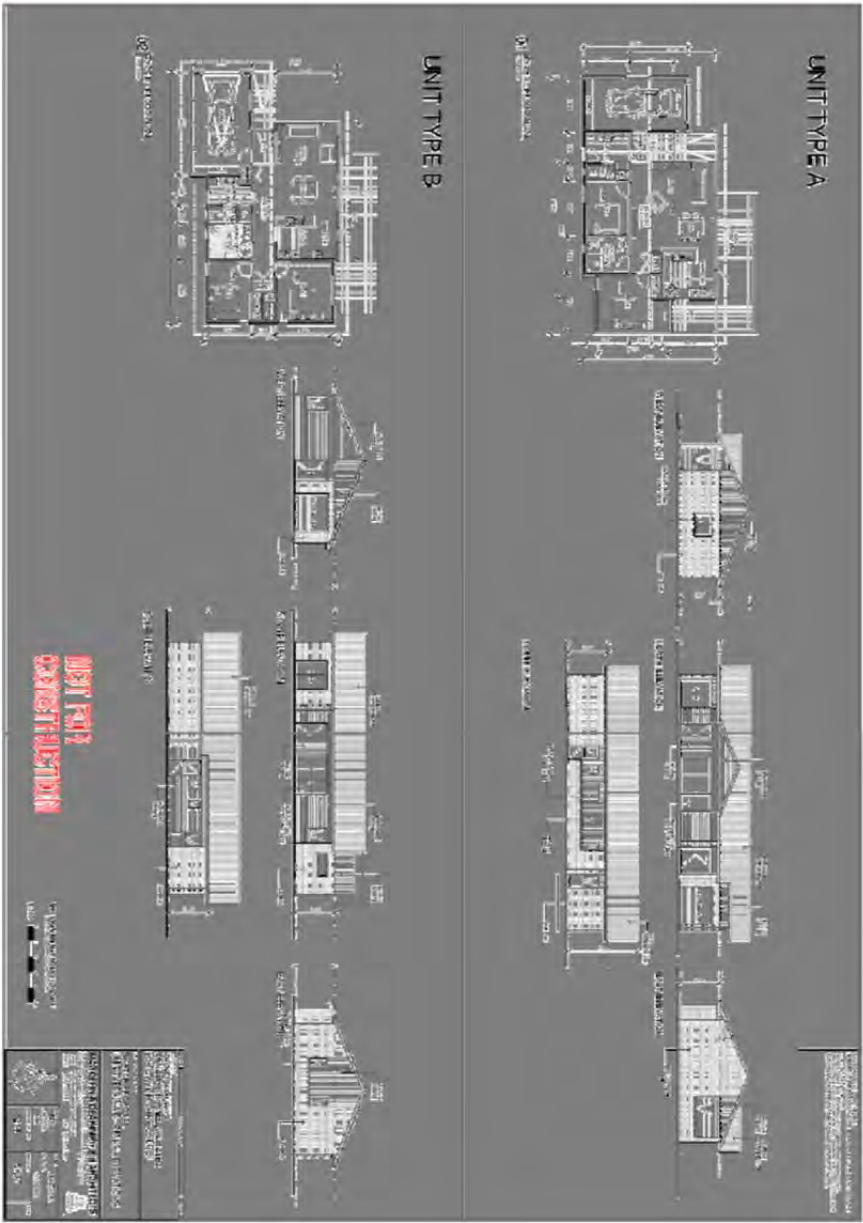
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Chairman

127 High St
Warialda 2402
15th June 2016

Mr Max Eastcott
General Manager
Gwydir Shire Council
Locked Bag 5
Bingara NSW 2404

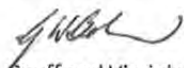
Dear Mr Eastcott

Re the proposed change to "Operational" of Lot DP 727877 in Warialda.

We hereby wish to lodge our objection to the proposed change of the above area to "operational" for the following reasons:

1. The term "operational" is non-specific and so does not give sufficient information to the residents of the area as to what the Council's intended purpose for the area is.
2. As residents adjacent to this area we have been severely disadvantaged by previous developments allowed in this neighbourhood. For example the consultation provided prior to the development of the Warialda MPS was negligible. Residents were not part of the consultation process and the result has been a severe loss of privacy, decreasing our house values and an increasing effect of noise which impacts on our chosen life style.
3. At no time as residents have we been consulted re the past two developments of the Naroo Aged Care Facility. This building has increased dramatically in size and the usage continues to impact on our property.
4. The development of Warialda MPS and Naroo Aged Care Facility has led to an increase in traffic on Arthur Wheatley Drive, a road that we were promised by a GSC Director that it was to conclude with a cul-de-sac at the end of the hospital/Naroo car park. This road remains unformed and the unsealed track is used by heavy vehicles and other vehicles servicing these facilities. Traffic has also increased at shift changes and during visiting hours covering our house with dust.
5. We purchased our home because of its natural bushland aspect, a feature of Warialda and its surrounds. Our home typifies this lifestyle and environment, it will be severely impacted if the Lot above is developed, with the clearing of bushland in order to allow for the expansion of Naroo Hostel or for the development of residential housing.
6. The area following rain has a large catchment and seepage generally follows this rain. The change to this area could affect the natural flow of runoff and again would severely impact our property. This has occurred with Warialda MPS as drainage impacts on adjoining residents.
7. Current Council infrastructure (Water) in this area is not up to standard; the water pressure is inadequate and will not allow 2 appliances to run at the same time in our home. Our rooftop evaporative air conditioner cannot run effectively due to the lack of water pressure. Increased development will again negatively impact on this already stretched service.

Yours sincerely



Geoff and Virginia Boland



Cr Stuart Dick

Toilets at Warialda Air Strip

Cr Dick requested advice on how the development of toilets at Warialda Air Strip was progressing.

After giving an update it was agreed that one of the Council's Porta Loos will be placed at the air strip as an interim measure.

Cr Catherine Egan

Bingara Orange Festival

Cr Egan commended all the staff who worked without pay at the Orange Festival and requested that a letter of thanks be forwarded to each staff member.

Cr Peter Pankhurst

Bingara Cemetery

Cr Pankhurst raised three issues about the Bingara Cemetery:

Rain Damage – the area around the Anglican Section of the Cemetery has been washed out due to previous excessive spraying;

Cemetery Records – are the Bingara records located in the Bingara or Warialda Office (later confirmed in the Bingara Office);

Returning a Burial Right – How can someone return a plot that she has purchased but now has no need for? The process was outlined to Cr Pankhurst.

Cr John Coulton

CWA 100th Anniversary

The Mayor advised the meeting that he will be meeting with representatives of the CWA to further plan an appropriate memorial to commemorate the 100th Anniversary of the CWA in Bingara.

Cr Dixon agreed to attend the meeting as well.

Cr John Coulton

Proposed Bingara Buster

The following presentation was made to the Council:

2017 'Bingara Buster' Proposal

Concept:

The original concept is borne from a running event named 'The Bingara Buster'. The history of this past event has been difficult to secure. Our proposal is to conduct a national elite running athletic event that involves a race to the top of Batterham's Lookout in Bingara. The race would begin at Cunningham Park and finish at the top of Batterham's Lookout.

It is our intention that we would continue to also hold a Fun Run in conjunction with the 'Bingara Buster'.

We believe after the past three years of conducting the Gwydir Fitness Centre Fun Run in conjunction with the Orange Festival, it is time to stage our activity as a separate event on the Gwydir Calendar.

Our aim is to establish 'The Bingara Buster' as the main draw card to a larger event yet to named. Some of the possible titles are;

The Gwydir Mind and Body Festival.

The Gwydir Fitness Festival.

The Gwydir Heart and Soul Festival

We are intent that this event will not take place without strong support independent of the GSC.

Organisational Development:

Before the final decision is made to stage this event the following process will be completed;

- A community meeting to gauge support
- Formation of a representative organisational committee
- Determination of the event format.
- Secure a major sponsor for 'The Bingara Buster'
- Secure minor sponsors for Fun Run
- Obtain permission for partial road closure, especially in front of Bingara Hospital
- Gain the support from regional athletic clubs
- Secure a suitable calendar date
- Secure Medical support from RaRms/Hospital
- Explore Sport and Rec Grant funding for Events
- Complete a Budget which ensures funding for 2018

Advertising Program:

- Advertising campaign to include;

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Production of Drone video clip
Advertising on National Runners Calendar
Direct advertising with national athletic clubs

Event Program:

- Fun Run Events – suggestions include
Dress Theme relay
River Walk with line orienteering challenge
5km run
- ‘Bingara Buster’ - Limited entries (safety precaution)
Attractive Prize money male and female place getters
First \$1500, Second \$750, Third \$250. (\$5000 total)

Facilities and revenue opportunities:

- Food stalls
- Health and wellbeing stalls – by invitation
- Masseuse
- Swimming Centre pool and change room facilities
- Shuttle bus service to return athletes to the start.
- Entertainment – music, games and rides, including pony rides, face painting, jumping castle etc. etc.

COMMITTEE RECOMMENDATION TO COUNCIL:

THAT the Council supports the proposed Bingara Buster event and encourages the organising committee to actively seek further grant and sponsorship funds.

(Moved Cr Egan, seconded Cr Dixon)

Meeting closed 1.09 pm